Appendix C: Cultural Resource Materials

Attachment A: Section 106 Cultural Resources Assessment Attachment B: Programmatic Agreement Attachment C: SHPO Response



SOUTH LOOP SECTION 106 CULTURAL RESOURCES ASSESSMENT

KANSAS CITY, MISSOURI

Prepared by:



October 2023

TABLE OF CONTENTS

INTRODUCTION	<u>1</u>
PROJECT DESCRIPTION	1
ROJECT DESCRIPTION	
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METHODOLOGY	<u>6</u>
Objectives	6
THE AREA OF POTENTIAL EFFECT (APE)	6
Survey	6
PHOTOGRAPHY	9
PREVIOUS DOCUMENTATION OF THE APE	9
HISTORIC CONTEXT	10
THE DEVELOPMENT OF KANSAS CITY'S CENTRAL BUSINESS DISTRICT, 1840-1939	10
A Master Plan for Kansas City and Expressway Evolution, 1940-1967	
I-670 AND CONVENTION CENTER CONSTRUCTION	
1-670 AND CONVENTION CENTER CONSTRUCTION	20
SUMMARY OF FINDINGS	<u>23</u>
HISTORICAL RESOURCES	23
CONTEMPORARY RESOURCES	23
Bridges	23
Archaeology	25
BIBLIOGRAPHY	31
APPENDIX	22
AFFENDIA	<u>33</u>
HISTORICAL RESOURCE SURVEY INVENTORY FORMS	
CONTEMPORARY RESOURCE PHOTO LOG	
CORRESPONDENCE	33

INTRODUCTION¹

Beginning in 2022, The Port Authority of Kansas City (Port KC), in coordination with the Downtown Council of Kansas City (DTC), and the City of Kansas City, Missouri (KCMO), formed a collaborative partnership to plan the South Loop. The planned project is an urban park over I-670 linking adjacent communities.

Section 106 of the National Historic Preservation Act requires federal agencies, and the recipients of federal funds, to consider the effects of their project on historic properties. To comply with these standards, the South Loop Section 106 Historic Resource Assessment was prepared, as the South Loop project is the recipient of federal funding. The purpose of the Historic Resource Assessment is to "identify resources that are eligible for listing on the National Register of Historic Places (NRHP) and to determine what effect, if any, a project may have on those resources."²

Starting in December 2022, Historic, LLC, Kansas City, contracted with HNTB to complete the following study, included as part of the necessary Section 106 documentation for the South Loop project. Principal of Historic, LLC, Kelsey Lutz, with Cydney Millstein, Hon. AIA, prepared the report (including historical context). Richard Welnowski provided photography coverage. Don Dycus, MA, RPA, performed all archaeological portions of the survey and prepared the archaeological portion of this report. HNTB Corporation assisted with project coordination and mapping; Jamie Lane of HNTB Corporation specifically helped with the mapping details for this report.

PROJECT DESCRIPTION³

Port KC, DTC, KCMO, proposes the construction of a structural deck over a four-block section of I-670 to create a mobility hub enabling transportation options, regional job access, green and healthy activity space, and private development with a climate resilient design. The project will create a 5.5-acre site on the south side of Kansas City's Central Business District (CBD) on top of a below-grade portion of the I-670 freeway. The newly created space will transform the area into a multimodal hub and destination that spurs adjacent investment while also addressing community challenges created when I-670 was implemented over five decades ago.

¹ Portions of this section, where relevant, are taken directly from the Missouri Department of Transportation's "Built Environment Resource Methods" documentation. Additionally, the methodology for this survey and report are based on the Built Environment Resource Methods document.

² Ibid.

³ Narrative in this section was provided by HNTB Corporation and revised for the purposes of this report.

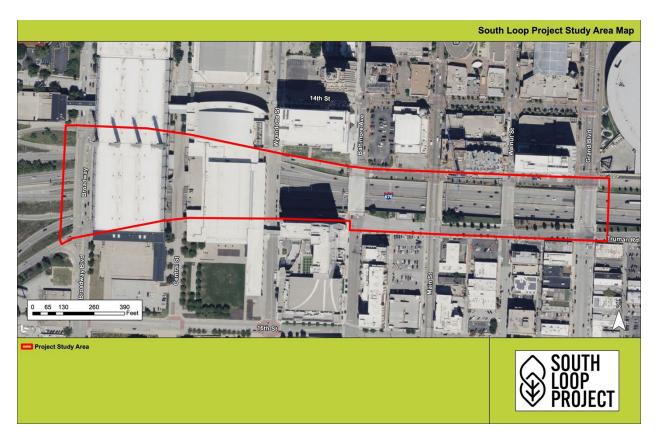


Figure 1: Map of the Project Study Area

Source: HNTB Corporation

The South Loop Project is located in Kansas City, Missouri, between the southern edge of the CBD and the northern edge of the Crossroads Arts District. The project boundaries are the westbound and eastbound traffic lanes of Truman Road (15th Street) on the north and south, respectively, 50-feet west of Broadway Boulevard to the west and 50-feet east of Grand Boulevard to the east. The **Project Study Area** (Figure 1) is a rough rectangle approximately 2,300 feet in length (from east to west) and 260 feet wide (north to south), although the Project Study Area width varies due to the variable configuration and location of Truman Road and its right-of-way. I-670 within the Project Study Area is constructed below-grade, approximately 20 feet below Truman Road, although the depth of I-670 below grade varies throughout the corridor. I-670 connects with I-35 in the southwestern portion of the downtown loop and connects with I-70 and U.S. 71 in the southeast portion of the downtown loop. Truman Road functions as an urban arterial allowing freeway traffic to access downtown. Bridging the interstate in the Project Study Area are (in the order of west to east) Broadway Boulevard, Central Street, Wyandotte Street, Baltimore Avenue, Main Street, Walnut Street, and Grand Boulevard.

I-670 operations under the proposed South Loop project will remain to the greatest extent possible without capacity reduction or reconfiguration of entrance or exit ramps.

⁴ To avoid confusion, it is important to note that the Crossroads Arts District is not an historic district.

The Eastern Superblock Build Alternative (Figure 2) and Western Superblock Build Alternative (Figure 3) were chosen as the preferred designs for the project. The Eastern Superblock Build Alternative constructs a structural deck over I-670 between Main Street and Grand Boulevard while closing Walnut Street over I-670. The existing Main Street, Baltimore Avenue, and Grand Boulevard bridges will be maintained. Individual structural decks between Wyandotte Street and Baltimore Avenue and Baltimore Avenue and Main Street will be constructed to complete the structure. The Western Superblock Build Alternative constructs a structural deck over I-670 between Main Street and Grand Boulevard while closing Baltimore over I-670. The existing Main Street, and Grand Boulevard bridges will be maintained, the Walnut Street Bridge will be replaced before the end of it's useful life. Individual structural decks between Main Street and Walnut Street and Walnut Street and Grand Boulevard will be constructed to complete the structure. These two preferred alternatives share the same area of potential effect (APE) with no differences in potential impacts.

The combination of the existing Bartle Hall Convention Center, the Convention Center Grand Ballroom, two new individual structural decks, a new superblock structural deck, and existing bridges will functionally create a 2,200-foot-long tunnel in which I-670 will be confined. It is not anticipated that the proposed project improvements will require any new right-of-way.

Atop the structural deck there will be a variety of spaces for pedestrians, including a small informal amphitheater, two performance pavilions, children's play area, dog run, interactive art and water play areas, small food and beverage service buildings, and restrooms to support visitors. The structural deck will also support landscape improvements such as native plantings, shade trees, and flexible lawn spaces.

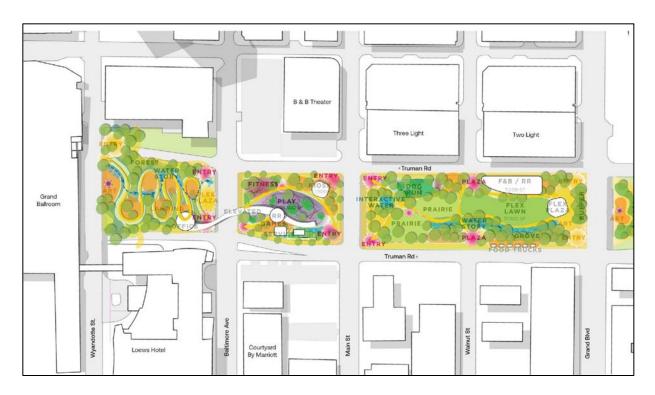


Figure 2: The Eastern Superblock Build Alternative (Preferred Alternative)

Source: HNTB Corporation



Figure 3: The Western Superblock Build Alternative (Preferred Alternative)

Source: HNTB Corporation

Construction of the proposed Preferred Alternatives will require changes to existing infrastructure elements. Those elements include:

- Truman Road Both westbound and eastbound Truman Road will be modified to reduce general travel lanes from three lanes to two to improve safety and reduce vehicle speeds in the corridors.
- Existing utilities Utilities crossing I-670 would continue to do so, either through existing bridge structures or within the proposed new bridge structures. Existing utilities under Truman Road are not anticipated to be impacted but will provide connections to proposed improvements on the structural deck. Such utility connections include water, sewer, storm drainage, fiber, and electric power.
- I-670 retaining walls The existing retaining walls located north and south of the Interstate within the Project Study Area are planned to be reconstructed to meet the desired 100-year useful life of the project.

Although there will be changes to existing infrastructure for the project, the project will have **no effect** on Historic Resources, as the profile for the deck of the park will not be raised beyond the current arterial network grade. Additionally, there are no planned impacts to the existing streetcar infrastructure, including trackwork, overhead catenary system, and the existing traction power substation within the Project Study Area.

MFTHODOLOGY

OBJECTIVES

The following are objectives of this report

- Identify and document the cultural resources, including buildings, sites, structures and objects, (hereafter simply referred to as "resources") that may be affected by the South Loop Project, including any resources listed on the NRHP
- Document the development and history of the Project Study Area and Area of Potential Effect
- Identify the potential for any below ground resources within the Project Study Area

The location of all identified resources, as well as Project Study Area and Area of Potential Effect boundaries are illustrated in Figure 3.

THE AREA OF POTENTIAL EFFECT (APE)

The APE is defined as an area or areas where a project might have effects on historic properties. An APE for the South Loop project was established by measuring approximately 200 feet or roughly two parcels from the boundaries of the Project Study Area, taking into account that some buildings within these boundaries spread across multiple parcels.

SURVEY

After the APE was identified, maps were prepared outlining the area for survey and for the identification of resources in the field. Using the City of Kansas City, Missouri's KIVA Parcelviewer GIS online database, parcels for all properties were identified and numbered. Prior to the intensive level survey, a brief reconnaissance (windshield) survey was completed in an effort to plan for any resources not visible on digital mapping software.

Over the course of three days (February 28; March 1 and 6, 2023) all resources within the APE were identified, photographed, and documented. Kelsey Lutz, Principal, Historic, LLC, recorded and identified the resources in the field as well as assisted the photographer. Richard Welnowski provided photographic coverage of the survey area.

For the purpose of this report, the following method was used for identifying resources within the APE:

- Resources more than forty (40) years of age (exclusive of bridges) were considered Historical Resources and were labeled on the South Loop Project Contemporary and Historical Resources Map (Figure 4) with an "HR" prefix, followed by a numeral (numerals increased in value north to south, west to east). All Historical Resources have correlating Historical Resource Survey Inventory Forms (found in the Appendix) and are included in the Comprehensive Resource Table, found in the Summary of Findings section.
 - Within the set of Historical Resources are Historic Resources. These resources are more than forty (40) years of age <u>and</u> are listed or are eligible for listing in the NRHP.

- Resources less than forty (40) years of age (exclusive of bridges) were considered Contemporary
 Resources and were labeled on the South Loop Project Contemporary and Historical Resources
 Map (Figure 4) with a "CR" prefix, followed by a numeral (numerals increased in value north to
 south, west to east). Contemporary resources were accounted for in a Contemporary Resources
 photo log (in the Appendix) and are included in the Comprehensive Resource Table found in the
 Summary of Findings section.
- **Bridges** are identified by their MoDOT bridge numbers on the resource map and are included in the comprehensive resource spreadsheet, found in the Summary section.
- Parcels with **vacant land** are identified with a **V**.
- Parcels with parking lots are identified with a P.

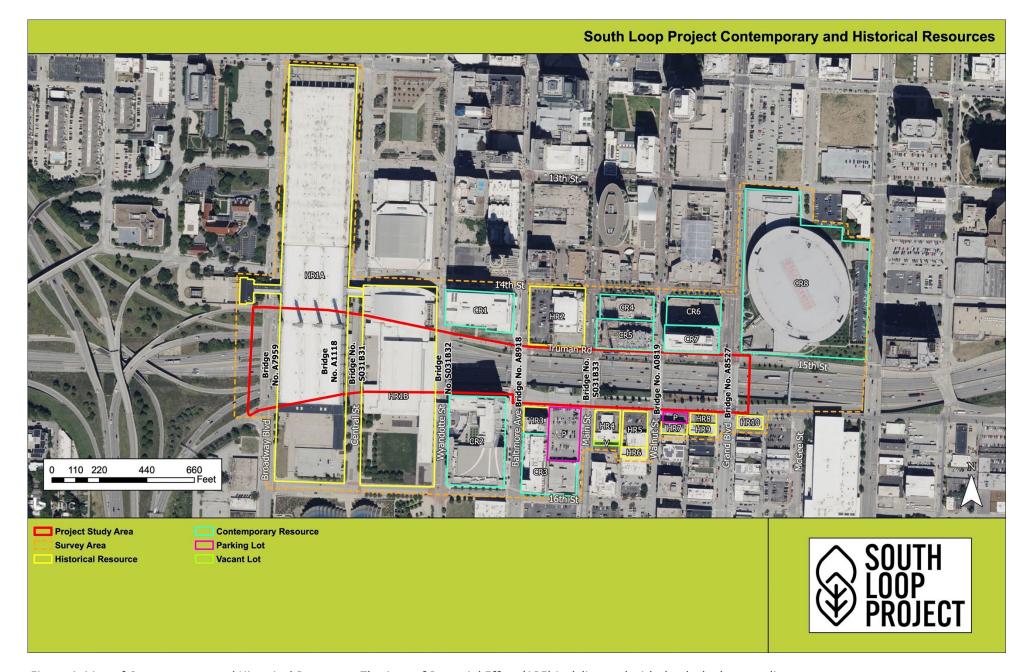


Figure 4: Map of Contemporary and Historical Resources. The Area of Potential Effect (APE) is delineated with the dashed orange line.

Source: HNTB Corporation

PHOTOGRAPHY

All resources within the APE were documented with at least one (many with more than one) photograph. Photographs for Historical Resources are presented on correlating Historical Resource Survey Inventory forms. Photographs for Contemporary Resources are collated in the Contemporary Resource photo log in the Appendix.

PREVIOUS DOCUMENTATION OF THE APE

A review of previously completed architectural and historical surveys and studies were reviewed and compiled. The following surveys and reports were found to document the APE, either in whole or in part:

Table 1 Selected Previously Completed Surveys/Reports Documenting the APE						
ID Number	Year	Title	Author(s)	Sponsoring Agency		
N/A	1944	Patterns and People	Kansas City, Missouri, City Plan Commission	City of Kansas City, Missouri		
N/A	1945	Local Transportation	Kansas City, Missouri, City Plan Commission	City of Kansas City, Missouri		
N/A	1947	The Master Plan for Kansas City	Kansas City, Missouri, City Plan Commission	City of Kansas City, Missouri		
N/A	1951	Expressways Greater Kansas City	Kansas City, Missouri, City Plan Commission	City of Kansas City, Missouri		
N/A	1956; revised 1958	Central Business District Study	Kansas City, Missouri, City Plan Commission	City of Kansas City, Missouri		
N/A	1959	Kansas City Metropolitan Area: Origin and Destination Survey, Vol. I	Smith, Wilbur & Associates	Kansas City, Missouri, City Plan Commission		
JA-AS- 005	1981	Central Business District Survey	Sherry Piland, et al.	Kansas City, Missouri, Landmarks Commission		
JA-AS- 005	1994	Central Business District Survey (Update)	Sherry Piland, et al.	Kansas City, Missouri, Landmarks Commission		

HISTORIC CONTEXT

THE DEVELOPMENT OF KANSAS CITY'S CENTRAL BUSINESS DISTRICT, 1840-1939

The Project Study Area and APE for the South Loop Project are located within Kansas City's Central Business District (CBD), which is an approximately ten by eight city block area in downtown Kansas City. Although the CBD has shifted south from its original location over the years, it can generally be defined as the area from Sixth Street south to Fifteenth Street and from Broadway Boulevard east to Oak Street. The history of the Central Business District is key in understanding the historic context of the built environment within the APE.

As was typical of early American cities established along rivers, Kansas City's first business concerns were concentrated near and along the levee of the Missouri River, near what is now known as Old Town. Transportation routes developed south from the southern bank of the Missouri River along what are now Main and Delaware streets in 1840s and 1850s. Business establishments followed these routes south, through the tough natural terrain of the river bluffs. This pattern of southernly development continued with the improvement of transportation corridors and public transportation.⁶

By 1900 and into the first decade of the twentieth century, the CBD was located principally to the north of the APE around "The Junction" — the intersection of Ninth, Main, and Delaware streets where the lines of the horse drawn street cars converged. Sanborn Fire Insurance maps give insight into what the APE looked like during this period (Figure 4). Single and multi-family residences of brick construction were plentiful, amongst scattered businesses. Companies such as the May-Stearn Company Furniture Warehouse (building no longer extant; original building site is under a portion of HR2), 1411 Central Street; the Kansas City Furniture and Bedding Company (building no longer extant; original building site under a portion of HR2), 1411 Wyandotte Street; and the J. W. Jenkins Piano Company (building no longer extant, original site under a portion of CR2), 112-114 W. 16th Street, were once located within the APE.

⁵ Sources differ on the official defined boundaries of the CBD. Some define the CBD as the entire area inside the Downtown Freeway Loop, see The University of Missouri-Kansas City, "Center for Economic Information, Kansas City, Missouri Downtown Maps," The Center for Economic Information, accessed June 26, 2023, http://cei.umkc.edu/MapArchive/downtown/KCMO/. Others define the CBD as a specific set of streets, see The City Plan Commission of Kansas City, Missouri, *Fifteen Years of the Central Business District: A Summary of Studies and Reports* (Kansas City, MO: City of Kansas City, Missouri Government, 1960), 15.

⁶ The City Plan Commission of Kansas City, Missouri, *Fifteen Years of the Central Business District: A Summary of Studies and Reports* (Kansas City, MO: City of Kansas City, Missouri, Government, 1960), 5. See also: James R. Shortridge, *Kansas City and How It Grew, 1822-2011* (Lawrence, KS: University Press of Kansas, 2012), 44.

⁷ The City Plan Commission of Kansas City, Missouri, *Fifteen Years of the Central Business District*, 6.

⁸ Sanborn Map Company, *Insurance Maps, Kansas City, Missouri* Vol. I (NY: Sanborn Map Company, 1909), 53-54; Sanborn Map Company, *Insurance Maps, Kansas City, Missouri* Vol. II (NY: Sanborn Map Company, 1909), 301-302.

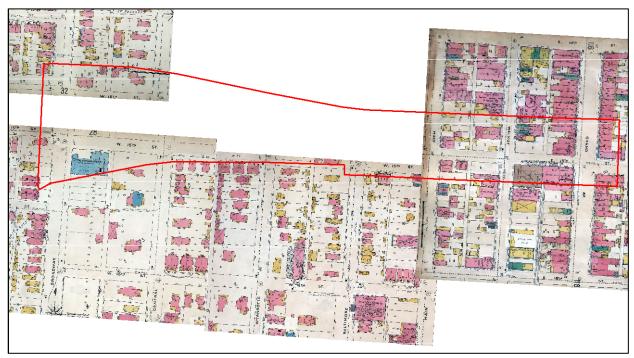


Figure 5: 1895 with 1907 overlay Sanborn Fire Insurance maps composite image with the Project Area outlined in red.

Source: Sanborn Map Company, *Insurance Maps of Kansas City* (NY: Sanborn-Perris Map Co., Ltd., 1896-1907). Map compiled by HNTB Corporation.

Two (2) buildings constructed during this time period (1900-1910) within the APE are extant. The **Grand Avenue Storage Company** (HR7), 1509 Walnut Street, designed by James Oliver Hogg, was constructed in 1902. This five-story, Three-Part Vertical Block, brick commercial building is a contributing resource to the **Walnut Street Warehouse and Commercial Historic District**. Contributing resources within this historic district were constructed from 1899-1949. This "intact grouping of brick commercial buildings, linked by common architectural urban dialects and function, are designed by some Kansas City's most prominent architects, including J. O. Hogg, Victor DeFoe, Nelle Peters, Van Brunt and & Howe, Root & Siemens." ⁹

Constructed in 1909, the Moriarty Investment Company (HR9), 1508 Grand Boulevard, once housed a successful dealer of automotive supplies. ¹⁰ Due to alterations of the main façade and loss of original materials, the Moriarty Investment Company is considered a non-contributing resource to the Walnut Street Warehouse and Commercial Historic District. ¹¹

⁹ Cydney Millstein, "Walnut Street Warehouse and Commercial Historic District," National Register of Historic Places nomination, Kansas City, Jackson County, Missouri, 1999, 8:10.

¹⁰ Kerry Davis and Sally Schwenk, "Walnut Street Warehouse and Commercial Historic District (Boundary Increase II)," National Register of Historic Places nomination, Kansas City, Jackson County, Missouri, October 2008, 7:5.
¹¹ Ibid.

Several factors in the 1910s and 1920s affected the development of the APE. The construction and subsequent opening of Union Station at the near West Pershing and Main streets from 1910-1914 generated a real estate boom along Main Street. ¹² The increasing popularity of the automobile led to a rise in automobile related businesses, especially on Grand and McGee streets. ¹³ A 1920s realty map (Figure 6) illustrates business dealing with automobiles, including their maintenance and storage, along these streets within the northern portion of the APE. Garages, tire companies, and auto supply stores can be seen amongst other retail concerns.

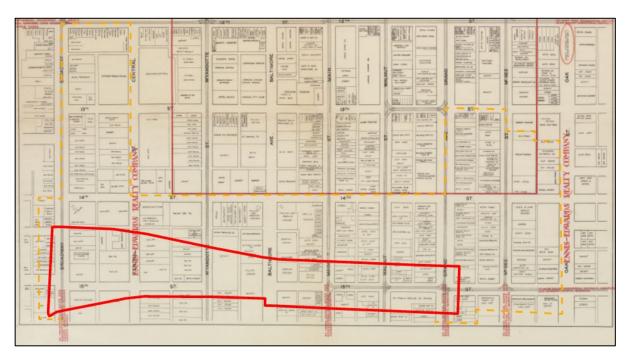


Figure 6: Inset of a Map of the Central Business District, c. 1920s, with the Project Study Area outlined in bold red and the APE delineated with an orange dashed line. There are many automobile related businesses within the boundaries.

Source: Ennis-Edwards Realty Co., *Map of Central Business District, Kansas City, Missouri, The Heart of America* [map]. Scale not given. Kansas City, Missouri, Ennis-Edwards Realty Co., c.1920s. Missouri Valley Special Collections, Kansas City Public Library. Mapping details provided by HNTB Corporation.

Within the APE, there are zero (0) extant buildings constructed in the 1910s; four (4) buildings constructed in the 1920s are extant. Anchoring the southwest corner of Main and 14th streets, **The**Mainstreet Theatre, (HR2), 1400 Main Street was designed by the Chicago firm Rapp & Rapp and constructed in 1921. The Mainstreet Theatre was individually listed on the NRHP in 2006 under Criteria A

¹² Sherry Piland and Ellen Uguccioni, "Midtown Survey Final Report," Architectural Survey, Kansas City, Jackson County, Missouri, 1981-1985, 10, 29.

¹³ Ibid.

and C in the areas of Entertainment/Recreation and Architecture. ¹⁴ The building retains its historic function.

The Lowe and Campbell Sporting Goods Company Building (HR3), 1509 Baltimore Avenue, was designed by Shepard & Wiser and constructed in 1925. This six-story, Two-Part Vertical Block reinforced concrete building with brick and terra cotta cladding was individually listed on the NRHP in 2011 under Criteria A and C in the areas of Commerce, Industry, and Architecture. ¹⁵

The Smith St. John Manufacturing Company Building (HR6) is a three-story, brick, Two-Part Commercial Block building. Designed by J. C. Sunderland the building was constructed in 1926 for the Smith St. John Manufacturing Company, a supplier for hotels. The Smith St. John Manufacturing Company Building is listed as a contributing resource to the Walnut Street Warehouse and Commercial Historic District. Few changes have occurred to the building since its construction.

1510 Walnut Street (HR5) was constructed in 1927 for Orlando O. Concannon. This brick Two-Part Commercial Block building retains its architectural integrity and is a contributing building to the **Walnut Street Warehouse and Commercial Historic District**.

The CBD shifted further south by the 1930s, with a high concentration of commercial properties centered around the intersection of Eleventh and Main streets. Overall, businesses in the Central Business District stretched Seventh to Fourteenth, from Central to Locust streets, during this time (Figure 7). ¹⁶ Although many civic improvements occurred in Kansas City during the 1930s, it was also a time of civic corruption and governmental inefficiency. ¹⁷

Within the APE, there are zero (0) extant buildings from the 1930s.

¹⁴ Cydney E. Millstein and Mary Ann Warfield, "Mainstreet Theatre," National Register of Historic Places nomination, Kansas City, Jackson County, Missouri, 2006.

¹⁵ Elizabeth Rosin and Kristen Ottensen, "Lowe and Campbell Sporting Goods Building," National Register of Historic Places nomination, Kansas City, Jackson County, Missouri, 2011.

¹⁶ The City Plan Commission of Kansas City, Missouri, *Fifteen Years of the Central Business District: A Summary of Studies and Reports* (Kansas City, MO: City of Kansas City, Missouri Government, 1960), 7.

¹⁷ A. Theodore Brown and Lyle W. Dorsett, *K.C.: A History of Kansas City, Missouri* (Boulder, CO: Pruett Publishing Company, 1978), 224-227.



Figure 7: Taken from the southwest corner of 14th and Walnut streets, this photograph shows a street scene typical of the Central Business District in the 1930s.

Source: Brookings Montgomery, "14th Street," General Photograph Collection (P1), Missouri Valley Special Collections, Kansas City Public Library, Kansas City, Missouri.

A MASTER PLAN FOR KANSAS CITY AND EXPRESSWAY EVOLUTION, 1940-1967

The 1940s ushered in an era of change for Kansas City, especially in the areas of city planning and development. A new city administration was elected in 1940, including City Manager L. P. Cookingham, who prioritized the city's success and future growth. A long range plan for Kansas City was crafted by the City Plan Commission, of which Cookingham was an integral member. Taking a variety of city issues

¹⁸ A. Theodore Brown and Lyle W. Dorsett, *K.C.: A History of Kansas City, Missouri* (Boulder, CO: Pruett Publishing Company, 1978), 237-238.

into account (economics, transportation, land use, etc.) and based on research from a cooperative, multidisciplinary effort, ¹⁹ *The Master Plan for Kansas City* was created in 1947.

In the *Master Plan*, the Central Business District is further defined as a rectangular area from Sixth to Fifteenth streets, from Broadway to Oak.²⁰ Additionally, the *Master Plan* establishes the need for increased transportation forms and routes throughout the city, but especially to and from the Central Business District as it was "the principal destination for all transit passenger movement."²¹ A system of expressways for Kansas City was also proposed, with the idea of an interconnected set of highways encircling downtown, what became known colloquially as the Downtown Freeway Loop (Figure 8).



Figure 8: Map of proposed highways in the Downtown Area featured in the 1947 Master Plan for Kansas City

Source: The City Plan Commission of Kansas City, Missouri, *The Master Plan for Kansas City* (Kansas City, MO: City of Kansas City, Missouri, Government, 1947).

¹⁹ Research included in the report was conducted by federal, state, and municipal agencies such as the Missouri State Highway Department and Bureau of Public Roads.

²⁰ The City Plan Commission of Kansas City, Missouri, *The Master Plan for Kansas City* (Kansas City, MO: City of Kansas City, Missouri, Government, 1947), 9.

Kansas City's interest in improving transportation coincides with national focus in highway planning and construction. A national system of interregional highways was recommended by a federal committee in 1941, which led to legislation establishing planning for highway development.²²

Within the APE, there are two (2) extant buildings from the 1940s. Constructed in 1941, **The Western Auto Supply Company** (**HR10**), 1501 Grand Boulevard, is a one-story brick commercial building with a rectangular plan that originally housed an auto supply store. Although counted in this survey as a historic resource due to age, this resource is ineligible for inclusion in the NRHP due to a lack of integrity.

Constructed in 1944 with a 1946 addition, **The Goodyear Tire and Rubber Company** (**HR4**), 1501 Main Street, is a one-story brick and concrete commercial building with a "T"-shaped plan. Although counted in this survey as a Historical Resource due to age, this resource is ineligible for inclusion in the NRHP due to a lack of integrity.

The momentum of infrastructure and transportation planning established in the 1940s continued into the 1950s and 60s, when several developments made the construction of an expressway system including a Downtown Freeway Loop, feasible in Kansas City. A series of Urban Renewal programs, beginning with the American Housing Act in 1949, allowed "blighted" areas to be taken by eminent domain for land clearance and redevelopment. This set up the framework for "blighted" land to be acquired cheaply and legally for freeway routes. ²⁴ Funding for Kansas City highway construction would come later, with The Federal Highway Act of 1956. Ninety percent of highway construction costs were covered under with a fund created by the Federal Highway Act. ²⁵

As part of a planned larger system of expressways within the Metropolitan Area, The Downtown Freeway Loop (also called the Central Business District Loop or just the Loop), as proposed, connected existing highway infrastructure with four new freeway sections, each with individual construction campaigns and interchanges (Figure 9). The purpose of the Downtown Freeway Loop was to provide direct motor vehicle access to the Central Business District, which at the time was the primary generator of traffic in the Metropolitan Area with "an average of 395,000 persons coming into the area daily between 7:30 A.M. and 5 P.M."

²² The City Plan Commission of Kansas City, Missouri, *Expressways Greater Kansas City: An Engineering Report for the Missouri State Highway Department and the Department of Commerce Bureau of Public Roads* (Kansas City, MO: City Plan Commission, 1951), 15.

²³ Although technically a legal term and common to the era of urban renewal, the use of the word "blight" to describe socioeconomically disadvantaged and deteriorated areas is problematic as it dehumanizes the area's inhabitants and associates them with disease. The term is put in quotation marks here to acknowledge this issue.

²⁴ Michael Wells, "KC Q- Kansas City's Downtown Loop," Kansas City Public Library, November 7, 2019. Accessed September 8, 2023. https://kclibrary.org/blog/kc-q-kansas-citys-downtown-loop.

²⁶ The City Plan Commission, Expressways Greater Kansas City, 40.

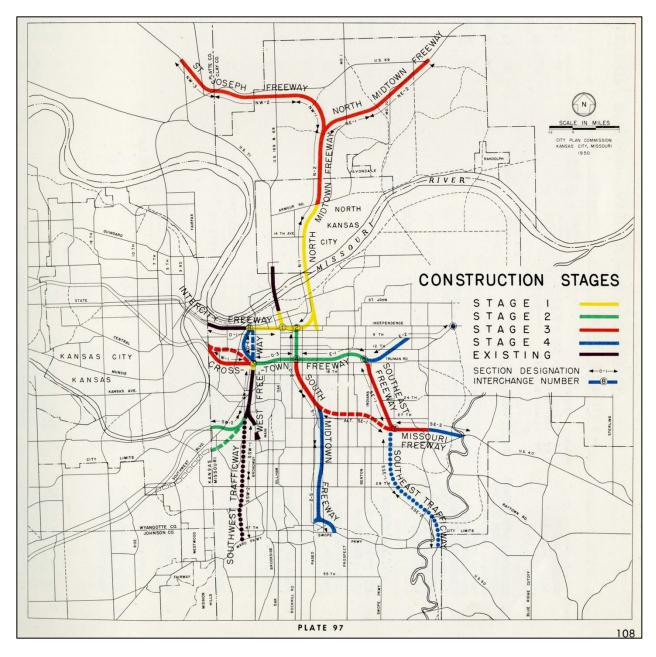


Figure 9: Map of Construction Stages for the Kansas City Expressway System. The Downtown Freeway Loop, encircling downtown Kansas City, is formed at the center.

Source: The City Plan Commission of Kansas City, Missouri, Expressways Greater Kansas City: An Engineering Report for the Missouri State Highway Department and the Department of Commerce Bureau of Public Roads (Kansas City, MO: City Plan Commission, 1951). Scan provided by Missouri Valley Special Collections, Kansas City Public Library, Kansas City, Missouri.

The northern portion of the Loop was the first to be constructed, from 1953-1957. Stretching from the Intercity Viaduct in Kansas City, Kansas, on the west, to The Paseo Bridge in Kansas City, Missouri, on the east, this stretch of highway was known as the Intercity Freeway.²⁷ This partially depressed roadway demolished a large swathe of buildings along what was then the 6th Street, which was a dual roadway divided by a grassy median.²⁸

The eastern section of the Loop, known as the Southeast Freeway, was next to be constructed from 1958-1962. This portion connected the northeast corner of the Loop to I-70.

The Crosstown Freeway (originally part of I-35)²⁹, which comprises southern portion of the Loop, was constructed from 1961-1967 by HNTB.³⁰ The Project Study Area and portion of the APE are located within this portion of the Loop (Figure 10). The Crosstown Freeway was originally constructed as an eight-lane depressed section of roadway from Locust Street west to Broadway Boulevard.³¹

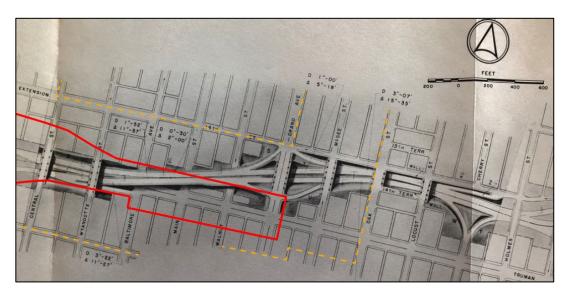


Figure 10: Original drawing of Section D-3 of the Crosstown Freeway (I-35), where a portion of the Project Study Area and APE are located.

Source: The City Plan Commission of Kansas City, Missouri, *Expressways Greater Kansas City: An Engineering Report for the Missouri State Highway Department and the Department of Commerce Bureau of Public Roads* (Kansas City, MO: City Plan Commission, 1951). Mapping details provided by HNTB Corporation.

²⁷ Michael Wells, "KC Q- Kansas City's Downtown Loop," Kansas City Public Library, November 7, 2019. Accessed September 8, 2023. https://kclibrary.org/blog/kc-q-kansas-citys-downtown-loop.

²⁸ AHR, LLC, "US-169/Buck O'Neil Bridge Environmental Study Architectural Survey, MoDOT Job No. 4S3085," Section 106 Technical Report, February 2019, 71.

²⁹ Howard, Needles, Tammen, and Bergendoff, "Missouri State Highway Commission, Plan and Profile of Proposed State Road, Federal Aid Project, Jackson County, I-35-I(34)2U," original plans, 1961; Howard, Needles, Tammen, and Bergendoff, "Missouri State Highway Commission, Plan and Profile of Proposed State Road, Federal Aid Project, Jackson County, I-35-I(43)2U," original plans, 1961. Plans provided by Eric Foster, MoDOT.

³⁰ Michael Wells, "KC Q- Kansas City's Downtown Loop," Kansas City Public Library, November 7, 2019. Accessed September 8, 2023. https://kclibrary.org/blog/kc-q-kansas-citys-downtown-loop.
³¹ Ibid.

The last portion of the Loop to be built was the western section, aptly name the West Freeway. This section of the Loop notably bisected West Terrace Park and cut through Kansas City's Westside neighborhood.

Within the APE, there are zero (0) extant buildings from the 1950s (Figure 11). There is one (1) extant building from the 1960s, the **Electronic Business Equipment Company** (HR8), 1500 Grand Boulevard, which was constructed in 1963. Although not currently listed on the NRHP, this building is individually eligible under Criterion C for Architecture as an outstanding example of the Modern architectural style as applied to a commercial building.

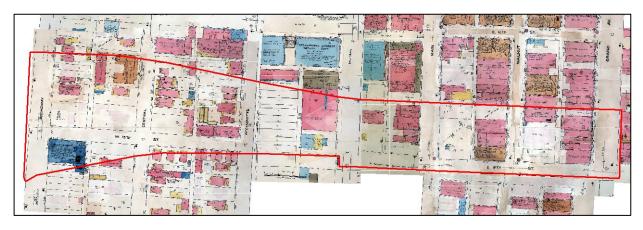


Figure 3: 1938 with 1958 overlay Sanborn Map. The Project Study Area is outlined in red. Properties located within the Project Study Area on this map are no longer extant due to 1960s freeway construction.

Source: Sanborn Map Company, *Insurance Maps of Kansas City* (NY: Sanborn-Perris Map Co., Ltd., 1938-1958). Map compiled by HNTB Corporation.

I-670 AND CONVENTION CENTER CONSTRUCTION

Despite the creation of the Downtown Freeway Loop, additional highway interconnectivity remained a top priority for city and transportation planners in Kansas City, Missouri as well as Kansas City, Kansas. In 1971, the U. S. Department of Transportation approved the construction of I-670, which would connect I-70 in Kansas City, Kansas, with the southwestern portion of the Downtown Freeway Loop (then I-35). An interchange was constructed west of Broadway near the Project Study Area to connect the highways. HNTB was responsible for the design (Figure 12). Part of the construction for I-670 was the relocation of the I-35 route to the north and west sections of the Downtown Freeway Loop, which was approved in 1976. 33

In 1976, the H. Roe Bartle Exposition Center (HR1A), also known as Bartle Hall, was constructed to meet demand for downtown convention facilities.

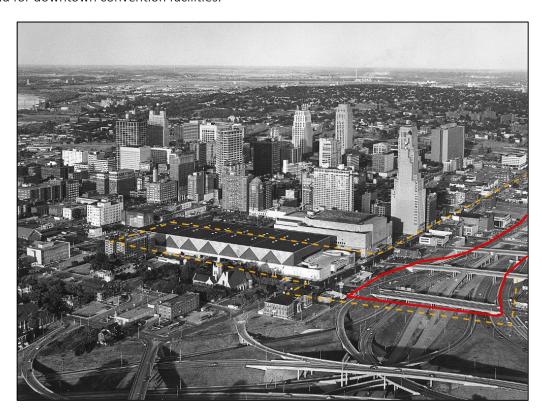


Figure 4: A c. 1970s photograph capturing a portion of the Project Study Area (red outline) and APE (dashed orange line).

Source: Missouri Valley Special Collections, Kansas City Public Library, Kansas City, Missouri. Mapping details provided by HNTB Corporation.

³² AARoads.com, "Interstate 670 Kansas/Missouri," Interstate-Guide.com, accessed 9/13/2023. https://www.interstate-guide.com/i-670-kansas-city/#.

³³ Ibid.

I-670 was completed in 1990 (Figure 13).³⁴ In 1991, an addition to Bartle Hall, the **Bartle Hall Expansion Conference Center** or **Convention Center Grand Ballroom** (**HR1B**) was approved. Doubling the space of the convention center, the addition included "an enlarged exhibition hall, a grand lobby, meeting room space, a great hall, truck docks, and a three-story conference and bank structure."³⁵ Constructed over the highway, the Bartle Hall Expansion opened in 1994 (Figure 14). Both the **H. Roe Bartle Exposition Center** and the **Bartle Hall Expansion Conference Center**, as part of the Bartle Hall complex, are eligible for listing in the NRHP under Criterion G for exceptional significance in the area of Engineering due to their designs.

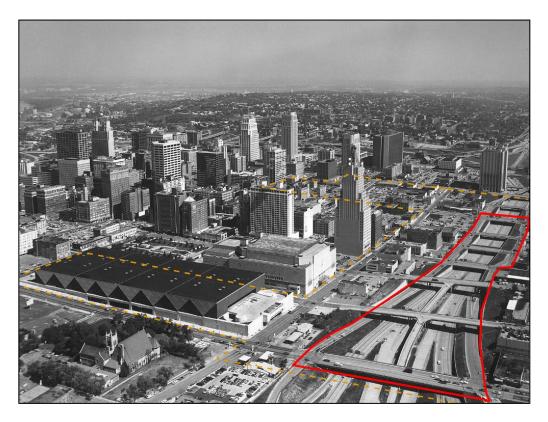


Figure 5: A c. 1970s photograph capturing a portion of the Project Study Area (red outline) and APE (dashed orange line).

Source: Missouri Valley Special Collections, Kansas City Public Library, Kansas City, Missouri. Mapping details added by Jamie Lane, HNTB Corporation

³⁴ Ibid.

³⁵ American Institute of Architects/Kansas City, *Guide to Kansas City Architecture and Public Art* (Kansas City, MO: American Institute of Architects/Kansas City and Highwater Editions, 2000), 21.



Figure 6: Construction photographs for the Bartle Hall Expansion Conference Center, 1992-1994.

Source: Missouri Valley Special Collections, Kansas City Public Library, Kansas City, Missouri

SUMMARY OF FINDINGS

In total, twenty-seven (27) resources were surveyed within the APE, including eleven (11) historical resources, eight (8) contemporary resources (not including bridges), and eight (8) bridges.

HISTORICAL RESOURCES

There were eleven (11) historical resources (more than 40 years of age) with construction dates ranging from 1902 to 1966. Of these eleven (11) historical resources, two (2) were historic resources individually listed on the NRHP, three (3) historic resources were listed as contributing to a historic district, and one (1) resource was listed as non-contributing to a historic district. There were three (3) historic resources eligible for listing. A portion of one (1) historic district, that of the **Walnut Street Warehouse and**Commercial Historic District (as well as its boundary increase) overlapped with a portion of the APE. No additional potential historic districts, historic designed landscapes, or cultural landscapes were identified.

CONTEMPORARY RESOURCES

There were eight (8) contemporary resources (less than 40 years of age), excluding bridges, within the APE. The contemporary resources identified within the APE are currently not eligible for listing as they do not meet the requirements for exceptional significance (Criterion G) and are not at least fifty (50) years of age.

BRIDGES

Eight (8) bridges were identified within the APE. The following table (Table 2) identifies these bridges and provides additional information. There are six (6) bridges within the APE that are covered under the 2012 Program Comment for Streamlining Section 106 Review for Action Affecting Post-1945 Concrete and Steel Bridges (77 Federal Register 222: 68790-68795) due to their type and location. The Program Comment was put in place to streamline the Section 106 Process for common Post-1945 concrete and steel bridge types, relieving federal agencies from Section 106 requirements of considering an undertaking's effects on these bridges and eliminating repetitive and redundant documentation and review.

Two (2) of the bridges identified within the APE, bridges **A0819** and **A8527**, although included in Section 106 activities due to their proximity to a Historic District, are not eligible for listing due to their common type. A comprehensive table listing all resources identified within the APE is featured on the following two pages.

The bridges are also identified in the Comprehensive Resource Table.

³⁶ This table is modified from a spreadsheet of bridges within the APE provided by Karen Daniels, MoDOT.

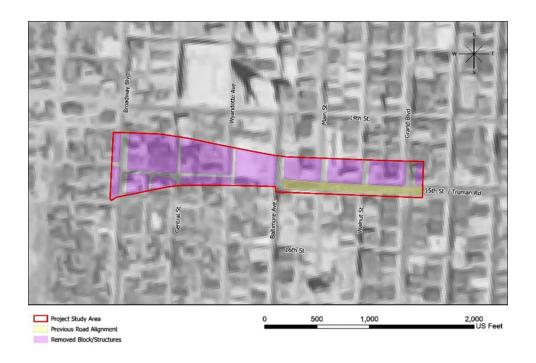
Table 2 Bridges Within the South Loop APE							
MoDOT Bridge No.	Location	Material	Span Type	Total Number of Spans	Total Length	Year Built	NRHP Status
A7959	Broadway Blvd. over I-670	Prestressed Concrete	Continuous	4	348'	2011	Not Eligible Section 106 Completed under Program Comment
A1118	Southbound Central St. over I-670	Reinforced Concrete	Continuous	5	220'	1966	Not Eligible Section 106 Completed under Program Comment)
S031B3 1	Northbound Central St. over I-670	Prestressed Concrete	Continuous	5	379'	2006	Not Eligible Section 106 Completed under Program Comment
S031B3 2	Wyandotte St. over I-670	Prestressed Concrete	Continuous	6	328'	2007	Not Eligible Section 106 Completed under Program Comment
A8918	Baltimore Ave. over I-670	Prestressed Concrete	Continuous	2	148'	2021	Not Eligible Section 106 Completed under Program Comment)
S031B3 3	Main St. over I-670	Prestressed Concrete	Continuous	2	148'	2013	Not Eligible Section 106 Completed under Program Comment
A0819	Walnut St. over I-670	Reinforced Concrete	Continuous	2	141'	1961	Not Eligible, but part of Section 106 due to proximity of Walnut Street Warehouse and Commercial Historic District
A8527	Grand Blvd. over I-670	Prestressed Concrete	Simple	2	137'	2016	Not Eligible, but part of Section 106 due to proximity of Walnut Street Warehouse and Commercial Historic District

ARCHAEOLOGY

A desktop review of historical maps (1877-1958) and aerial photographs (1948-1996) determined that fifteen decades of urban settlement occurred in the project area (see Addendum 2). An atlas map from 1877 indicates that the city limits of Kansas City already encompassed the entire APE. Sanborn Fire Insurance maps published from 1897 to 1958 show historic parcels within the APE containing structures. These historic maps cover a period of significance corresponding to a southward expansion of the Central Business District (1870s-1940). The Sanborn maps and early aerial photographs show relatively consistent street and structure locations during the first half of the twentieth century. However, subsequent aerial photographs document major changes to the built environment between 1948-1995 (EarthExplorer 2023).

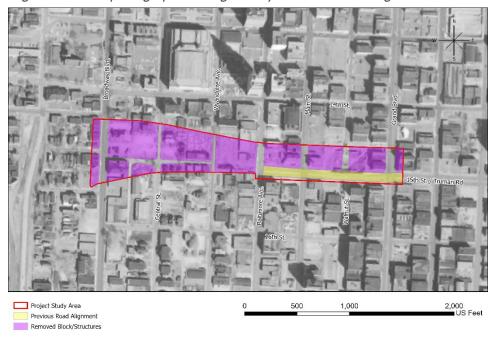
Aerial photographs indicate the city blocks and structures between Grand Boulevard and Wyandotte Street and between 14th and 15th Streets remain extant between 1948 and 1963 (Figures 15 and 16). The first section of the I-670 corridor was also under construction in 1963. By 1972 changes to the streets and structures within the APE are evident. These include 13 city blocks with a total of 42 structures which were directly affected by the construction of the I-670 corridor. Within these blocks, the historic layouts of these parcels and any sites they contained were altered by construction to an undetermined extent.

Between Grand Boulevard and Wyandotte Street, the construction zone includes portions of the seven city blocks north of 15^{th} Street (now South Truman Road). Within the APE west of Wyandotte Street, the affected blocks are north and south of 15^{th} Street and do not extend beyond 14^{th} and 16^{th} Streets. Subsequently, there are two structures fronting 14^{th} Street which were removed before the construction of the Ballroom which spans the I-670 corridor between Wyandotte and Central Streets (Figure 17).



Service Layer Credits: State of Missouri, Maxar, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, & OpenStreetMap contributors, and the GIS User Community, Esri, USGS

Figure 15: Aerial photograph showing the city blocks and road alignments in 1948.



Service Layer Credits: State of Missouri, Maxar, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Esri, USGS

Figure 16: Aerial photograph showing the city blocks and road alignments in 1963.



Service Layer Credits: State of Missouri, Maxar, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, 🕸 OpenStreetMap contributors, and the GIS User Community, Esri, USGS

Figure 17: Aerial photograph showing relationship of prior and altered city blocks and road alignments by 1996.

Source for Figures 15-17: Aerial photography courtesy of the U.S. Geological Survey

The period of significance for the historic districts within the APE corresponds to the commercial district expansion during the late nineteenth to mid-twentieth century. The construction of the downtown highway system marked the end of this period, as this was when the most ground disturbance occurred. In addition to the horizontal limits described above, the I-670 corridor was excavated to bedrock (roughly 15 ft below the natural grade) and the construction of the retaining walls also extended beyond the pavement itself, meaning that the area immediately adjacent to the highway would have been backfilled. The extent of disturbance to any potential buried deposits behind the retaining walls would have to be explored via excavation in order to determine if any deposits are in situ. The majority of the APE, between Grand Boulevard and Baltimore Streets, is either below the natural grade or was likely reconstructed to the current street alignment during the highway construction. West of Baltimore Street, the natural grade and I-670 are more congruent.

Judgmental shovel testing of the APE focused on grass covered rights-of-way adjacent to the I-670 corridor and North and South Truman Roads. Most greenway segments within the APE along North Truman Road are approximately eight feet wide and accommodate one or more buried utilities, each of which enjoys a two-foot-wide buffer zone on both sides to avoid service interruptions and legal liability for excavators, which significantly limits subsurface investigation. Greenways along South Truman Road are somewhat wider but share similar limitations. The surfaces of these greenways consist of severe hardpan and gravel that refused conventional Phase I techniques, such as shovel-testing and soil probing.

While the historic maps and aerial photographs provide the former street layout and the structure locations which contribute to a cultural context to aid in analysis of any potential artifacts present within the APE, the extent of preservation remains undetermined. The greatest potential for undisturbed layouts of building elements and open space should be the former midblock locations north of I-670 corresponding to what is now North Truman Road and the areas where the natural grade may still exist between Main, Baltimore, and Wyandotte Streets. However, these and the other grass covered areas within the APE, north of I-670 have been subjected to ground disturbance in the past and in recent years (ca. 1991-2023) large, new buildings have been constructed between North Truman Road and 14th Street. The areas south of I-670 were also subject to ground disturbance during the highway construction and most of those grassy areas visible today were once the right-of-way for 15th Street, as can be seen where its current alignment matches its historic alignment east of Locust Street (see Figure 16). It should be noted that all of the former structures seen in historic maps and aerial photographs would have been razed prior to the new building constructions and any potential buried archaeological deposits would have been subjected to at least some ground disturbance in the modern period.

Neither the background research nor the traditional Phase I testing methods conducted were able to conclusively determine if any cultural deposits exist within the APE. Any archaeological resources which may be present within the APE should be examined relative to the development of the I-670 corridor and the redevelopment of historic blocks which now contain modern constructions. The current built environment typically has large structures and pavement extending over the entire property so testable areas are few. The grass covered areas that do exist also contain utilities and further testing should consider safe and acceptable methods for further study to determine the presence or absence of any resources and their significance. Further work to identify and evaluate the significance of potential buried deposits in the APE is needed before the present project proceeds. It is recommended that backhoe testing be conducted to observe soil conditions and investigate the potential of buried deposits and, if necessary, targeted Phase II testing.

A comprehensive table listing all resources identified within the APE is featured on the following two pages.

Table 3 Comprehensive Resource Table								
Comprehensive Resource Table Resources Within the South Loop APE								
Identifier	Resource Type	Name	Address/Location	Const.; Mod. Dates	NRHP Status	NRHP Criteria (if applicable)		
HR1A	Building	H. Roe Bartle Exposition Hall (Bartle Hall Convention Center)	201 W. 14 th St.	1976	Eligible	Criteria A and C Entertainment/ Recreation Architecture		
HR1B	Building	Bartle Hall Expansion Conference Center (Convention Center Grand Ballroom)	1502 Wyandotte St.	1994	Eligible	Criteria A and C Entertainment/ Recreation Architecture		
HR2	Building	Main Street Theatre	1400 Main St.	1921; 1960, 2007	Listed Individually	Criteria A and C Entertainment/ Recreation Architecture		
HR3	Building	Lowe and Campbell Sporting Goods Company	1509-13 Baltimore Ave.	1925; 1961, 1966, 2011	Listed Individually	Criteria A and C Commerce Industry Architecture		
HR4	Building	Goodyear Tire and Rubber Company	1501 Main St.	1944; 1946	Not Eligible	N/A		
HR5	Building	1510 Walnut St.	1510 Walnut St.	1927; c. 1956	Listed, Contributing to Walnut Street Warehouse and Commercial Historic District	Criteria A and C Commerce Architecture		
HR6	Building	Smith St. John Manufacturing Company Building	1518 Walnut St.	1926	Listed, Contributing to Walnut Street Warehouse and Commercial Historic District	Criteria A and C Commerce Architecture		
HR7	Building	Grand Avenue Storage Company	1509 Walnut St.	1902; 1958, 2017	Listed, Contributing to Walnut Street Warehouse and Commercial Historic District	Criteria A and C Commerce Architecture		
HR8	Building	Electronic Business Equipment Company	1500 Grand Blvd.	1963	Eligible	Criterion C Architecture		
HR9	Building	Moriarty Investment Company	1508 Grand Blvd.	1909; 1938	Non-Contributing to Walnut Street Warehouse and Commercial Historic District (Boundary Increase II)	N/A		
HR10	Building	Western Auto Supply	1501 Grand Blvd. 1400 Baltimore	1941	Not Eligible	N/A		
CR1	Building	1400 Baltimore Office Tower	Ave.	2022	Not Eligible	N/A		
CR2	Building	Loews Kansas City Hotel	1515 Baltimore Ave.	2020	Not Eligible	N/A		
CR3	Building	Residence Inn/Courtyard by Marriot; Streetcar Grille	1535 Baltimore Ave.	2016	Not Eligible	N/A		
CR4	Building	Various Business (part of Kansas City Power and Light Entertainment District)	11-71 E. 14 th St.	2008	Not Eligible	N/A		

Table continued on next page

Table 3 Cont'd.							
Comprehensive Resource Table Resources Within the South Loop APE							
Identifier	Resource Type	Name	Address/Location	Const.; Mod. Dates	NRHP Status	NRHP Criteria (if applicable)	
CR5	Building	Three Light	1400 Walnut St.	2023	Not Eligible	N/A	
CR6	Building	Various Business (part of Kansas City Power and Light Entertainment District)	101-81 E. 14 th St.	2008	Not Eligible	N/A	
CR7	Building	Two Light	1401 Walnut St.	2018	Not Eligible	N/A	
CR8	Building	TMobile Center	1407 Grand Blvd.	2007	Not Eligible	N/A	
A7959	Structure	MoDOT Bridge A7959	Broadway Blvd. over I-670	2011	Not Eligible	N/A	
A1118	Structure	MoDOT Bridge A1118	Southbound Central St. over I-670	1966	Not Eligible	N/A	
S031B31	Structure	MoDOT Bridge S031B31	Northbound Central St. over I-670	2006	Not Eligible	N/A	
S031B32	Structure	MoDOT Bridge S031B32	Wyandotte St. over I-670	2007	Not Eligible	N/A	
A8918	Structure	MoDOT Bridge A8918	Baltimore Ave. over I-670	2021	Not Eligible	N/A	
S031B33	Structure	MoDOT Bridge S031B33	Main St. over I-670	2013	Not Eligible	N/A	
A0819	Structure	MoDOT Bridge A0819	Walnut St. over I-670	1961	Not Eligible	N/A	
A8527	Structure	MoDOT Bridge A8527	Grand Blvd. over I-670	2016	Not Eligible	N/A	

As previously mentioned, although changes to existing infrastructure will occur for the South Loop Project, **no historic resources will be affected**, as the profile for the deck of the park will not be raised beyond the current arterial network grade. There are no planned impacts to the existing streetcar infrastructure, including trackwork, overhead catenary system, and the existing traction power substation within the project area.

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APPENDIX

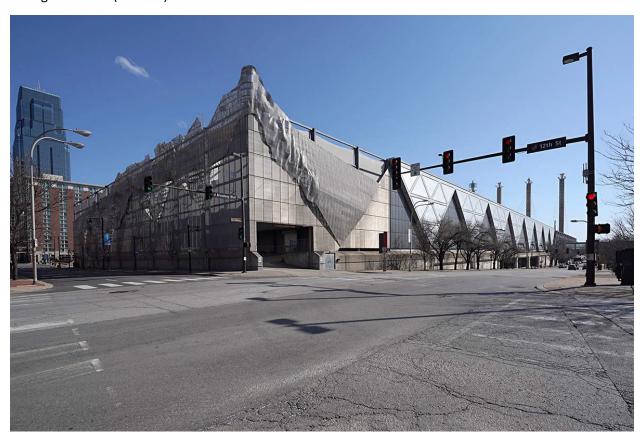
HISTORICAL RESOURCE SURVEY INVENTORY FORMS- OMITTED FOR CONFIDENTIALITY
CONTEMPORARY RESOURCE PHOTO LOG

CORRESPONDENCE - OMITTED FOR CONFIDENTIALITY

H. Roe Bartle Exhibition Hall and Bartle Hall Expansion Conference Center, 201 W. 14th Street, Kansas City, MO



Facing southeast (arrow 1).



MainStreet Theatre, 1400 Main Street, Kansas City, MO



Facing southwest (arrow 1).



Lowe and Campbell Sporting Goods Building, 1509-13 Baltimore Avenue, Kansas City, MO



1509-13 Baltimore Avenue

Main (west) facade, facing east (arrow 1).

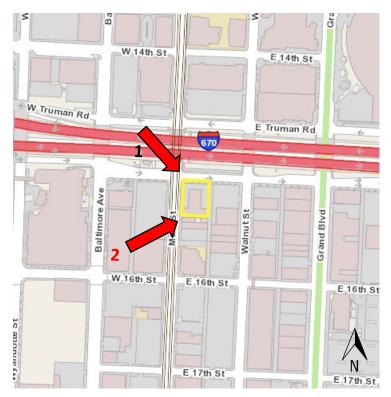


1509-13 Baltimore Avenue

West and north facades, facing southeast (arrow 2).



Goodyear Tire and Rubber Company, 1501 Main Street, Kansas City, MO

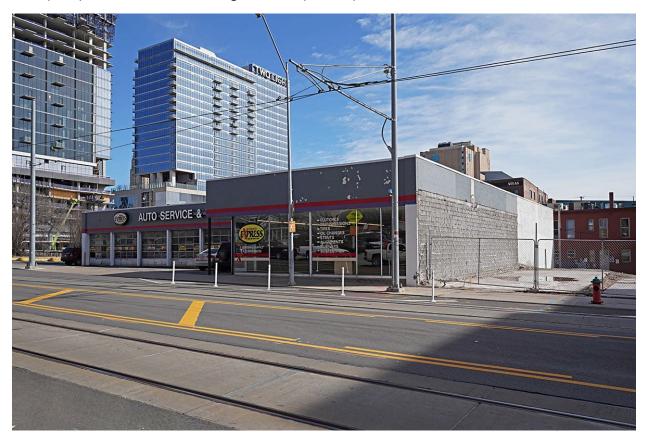


West and north facades, facing southeast (arrow 1).

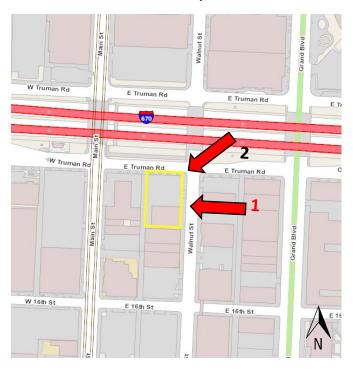


1501 Main Street

Main (west) and south facades, facing northeast (arrow 2).



1510 Walnut Street, Kansas City, MO



Main (east) facade, facing west (arrow 1).

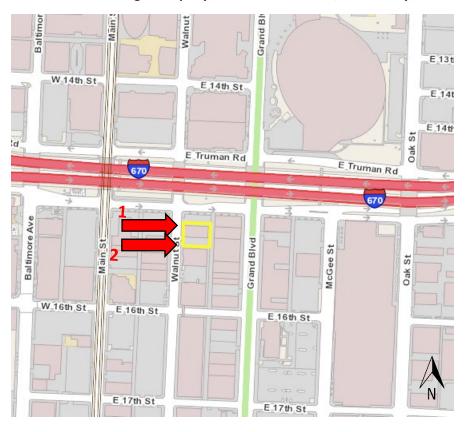


1510 Walnut Street

East and north facades, facing southwest (arrow 2).



Grand Avenue Storage Company, 1509 Walnut Street, Kansas City, MO



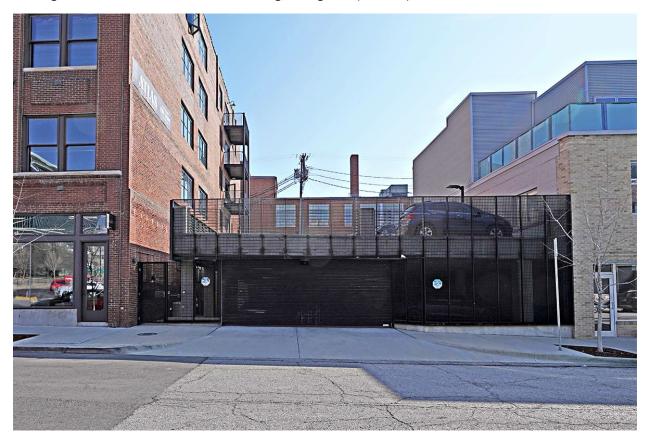
1509 Walnut Street

Main (west) facade, facing east (arrow 1).



1509 Walnut Street

Parking structure to the south of the building, facing east (arrow 2).



Electronic Business Equipment Company, 1500 Grand Boulevard, Kansas City, MO

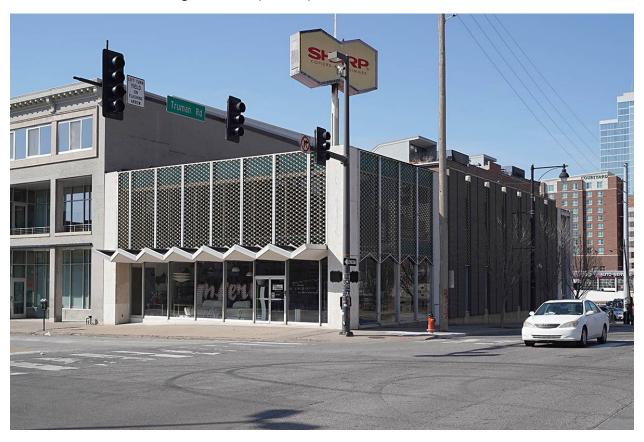


Main (east) facade, facing west (arrow 1).



1500 Grand Boulevard

East and north facades, facing southwest (arrow 2).



Moriarty Investment Company, 1508 Grand Boulevard, Kansas City, MO



Main (east) facade, facing west (arrow 1).



1508 Grand Boulevard

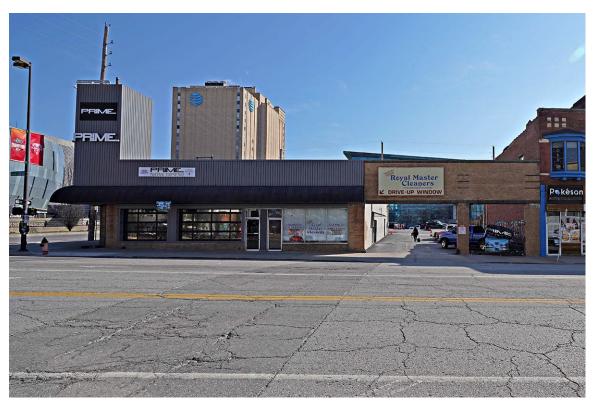
Main (east) and partial north facades, facing southwest (arrow 2).



Western Auto Supply, 1501 Grand Boulevard, Kansas City, MO

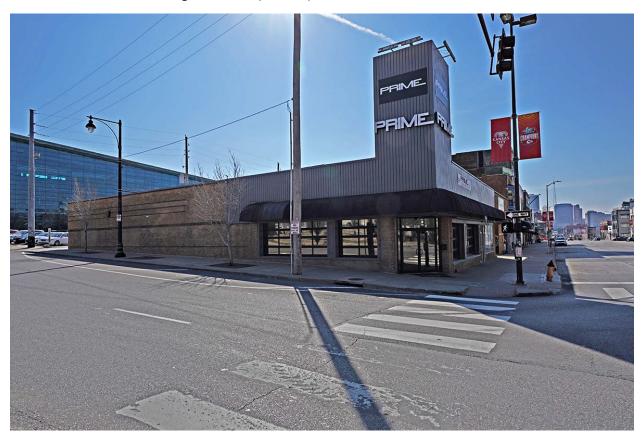


West facade, facing east (arrow 1).



1501 Grand Boulevard

East and north facades, facing southwest (arrow 2).





PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, THE MISSOURI STATE HISTORIC PRESERVATION OFFICER, THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, THE KANSAS CITY PORT AUTHORITY, AND THE CITY OF KANSAS CITY, MISSOURI, REGARDING KANSAS CITY PORT AUTHORITY PROJECT NO. 611200 SOUTH LOOP PROJECT INTERSTATE 670 BETWEEN BROADWAY BLVD AND GRAND BLVD JACKSON COUNTY, MISSOURI

UNDERTAKING: The project will construct a structural deck over a four-block section of Interstate 670 (I-670) in downtown Kansas City, Missouri, creating a 5.5-acre street-level area that will be used for passive green space, community gathering, and public and private events. Between Wyandotte Street and Grand Boulevard. Kansas City Port Authority Project Number 611200 (Attachment A).

STATE: Missouri

AGENCY: Federal Highway Administration

WHEREAS, the Federal Highway Administration (FHWA) Missouri Division is the federal agency responsible for ensuring the undertaking complies with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) codified in its implementing regulations 36 CFR Part 800, *Protection of Historic Properties*; and

WHEREAS, the duties of the Missouri State Historic Preservation Officer (SHPO) pursuant to Section 106 of the NHPA (54 USC 306108) and 36 CFR Part 800 include responsibilities to advise, assist, review, and consult with Federal agencies as they carry out their historic preservation responsibilities and to respond to Federal agencies' requests within a specified period of time; and

WHEREAS, the Missouri Highways and Transportation Commission (MHTC) is the board that governs the Missouri Department of Transportation (MoDOT), appoints the Director and authorizes the Statewide Transportation Improvement Program, and acting by and through MoDOT, has participated in the consultation and has been invited to be a signatory to this Programmatic Agreement (PA); and

WHEREAS, the MoDOT is assisting the FHWA with oversight of this project, including compliance with Section 106 of the NHPA; and

WHEREAS, the Port Authority of Kansas City (Port KC) is the recipient of funding through the Reconnecting Communities and Neighborhoods Grant Program and has been invited to participate in the preparation of and be invited signatories to this PA; and

WHEREAS, the City of Kansas City, Missouri is a partner in the project and has been invited to participate in the preparation of and be invited signatories to this PA; and

WHEREAS, the FHWA, Port KC, and the City of Kansas City, Missouri are conducting an environmental study under the National Environmental Policy Act (NEPA) for the South Loop Project, and anticipate a NEPA Finding of No Significant Impact (FONSI) will be issued, and anticipates funding from Reconnecting Communities and Neighborhoods Grant Program to fund improvements pursuant to the Infrastructure Investment and Jobs Act (IIJA) (commonly called the Bi-Partisan Infrastructure Legislation (BIL) (PL 117-58); and

WHEREAS, the MoDOT, Port KC and the City of Kansas City, acting on behalf of the FHWA, has determined that the undertaking's area of potential effects (APE), as defined at 36 CFR Part 800.16(d), has been identified as the project footprint, including existing right of way (ROW) and new ROW, including permanent and temporary easements, for the consideration of direct effects per 36 CFR Part 800.16(d), and considered the dimensional aspects of the APE including height and depth as well as length and width. In addition, for the consideration of effects due to visual, vibration and atmospheric and auditory effects, the APE extends approximately two city lots in each direction past the construction limits of the project. The APE is depicted on Figure 1 in Attachment A and further described and mapped in Attachment B to this PA; and

WHEREAS, the FHWA has notified the Advisory Council on Historic Preservation (Council) of the development of this PA (January 3, 2024) and the Council has not responded; and

WHEREAS, the FHWA recognizes that the Iowa Tribe of Kansas and Nebraska, Iowa Tribe of Oklahoma, Kaw Indian Nation of Oklahoma, Miami Tribe of Oklahoma, Osage Nation, Ponca Tribe of Nebraska, Ponca Tribe of Oklahoma, Sac and Fox Nation of the Missouri in Kansas and Nebraska, Sac and Fox Tribe of the Mississippi in Iowa, Sac and Fox Nation of Oklahoma, Shawnee Tribe, and the Wyandotte Nation have an interest in the undertaking area, and has consulted with them on a government-to-government basis (October 26, 2023); and,

WHEREAS, to date no responses have been received from the Tribes; and

WHEREAS, public involvement for this undertaking will be handled in accordance with the MoDOT *Engineering Policy Guide*, Chapter 129: Public Involvement; and

WHEREAS, public meetings were held on March 7, 2023 (Kirk Family YMCA, Kansas City), April 11, 2023 (The Gallery, Kansas City), and September 19, 2023 (The Gallery Event Space, Kansas City). Information from the meetings was available virtually and members of the public can still comment on the project through the website¹; and

WHEREAS, no comments specifically about historic properties or project effects on historic properties were received; and

¹ https://kcsouthloopproject.org/: accessed December 12, 2023.

WHEREAS, in accordance with 36 CFR Part 800, the FHWA acknowledges and accepts the guidance outlined in the Council's *Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites*; and

WHEREAS, 36 CFR Part 800.11(c) provides for the confidentiality of archaeologically sensitive information where appropriate, and FHWA has accordingly modified the role of public involvement required by 36 CFR Part 800.2(d); and

NOW, THEREFORE, the FHWA and the SHPO agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

FHWA, with the assistance of MoDOT, shall ensure that the following measures are carried out by, or under the direction of, a professional who meets the Professional Qualification Standards set forth in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716):

I. CONSULTATION AND PUBLIC INVOLVEMENT

- A. The FHWA, assisted by MoDOT, Port KC and the City of Kansas City, shall consult with federally recognized Tribal Nations with ancestral, historic, and ceded land connections to Missouri and that may attach religious and/or cultural significance to historic properties in the county with the project and invite them to participate in Section 106 consultation per 36 CFR Part 800.2(c)(2).
- B. The FHWA, MoDOT, Port KC and the City of Kansas City, in consultation with the SHPO, shall work to identify other consulting parties to notify of the project and invite to participate in consultation per 36 CFR Part 800.2(c)(3) and 800.2(c)(5). These parties shall include, at a minimum:
 - 1. The local elected official(s) with jurisdiction over the project area.
 - 2. If communities in the project area have been designated Certified Local Governments (CLG) under the program jointly administered by the National Park Service and SHPO, the CLG point of contact.²
 - 3. Local historical societies serving the project area.³
 - 4. Local preservation organizations.

² Missouri Certified Local Government Program, List of Missouri CLG: https://mostateparks.com/sites/mostateparks/files/CLG PrimaryContactList.pdf

³ State Historical Society of Missouri, Society Directory: https://shsmo.org/local-societies/directory

- 5. Bridge preservation groups.
- 6. Communities participating in the Main Street Program in the project area.⁴
- C. Consultation shall occur at major milestones in the Section 106 process and shall also be timed to allow the consulting parties the opportunity to have input into the project through timing of the National Environmental Policy Act (NEPA) documentation. Consultation shall occur at:
 - 1. Project Kickoff—project notification and invitation to consult
 - 2. Development of Purpose and Need and Initial Range of Alternatives/Development of Area of Potential Effects and discussion of field methods to be employed
 - 3. Narrowing of Range of Alternative—Results of Background (Archival) Survey; preliminary discussion of results of built environment results
 - 4. Selection of Preferred Alternative
 - a. effects of the preferred alternative on built environment resources
 - b. preliminary archaeological results
 - c. Resolution of adverse effects including appropriate mitigation measures for adversely affected properties
- D. The public shall be kept informed of the status of the Section 106 process and informed of how to request consulting party status through the project website (if one is developed for the project), project publications, and through public meetings held for the project, which will include displays on the Section 106 process and handouts explaining the Section 106 process and how to request consulting party status for the project.
 - 1. Any substantive comments about historic properties or Section 106 concerns received from the public will be shared with the consulting parties and will be addressed in the Section 106 consultation process and the resolution discussed in the project documentation for the National Environmental Policy Act (NEPA).
 - 2. Consulting parties will be informed of substantive comments received from the public concerning Section 106 and historic properties and how they will be addressed.
- E. Any requests for consulting party status that are received shall be considered by FHWA, MoDOT, Port KC, the City of Kansas City and the SHPO.

⁴ Missouri Main Street Connection, Participating Communities: https://www.momainstreet.org/participating-communities/

II. QUALIFICATION STANDARDS

A. FHWA, MoDOT, Port KC and the City of Kansas City shall ensure that actions prescribed by this Agreement that involve the identification, evaluation, recording, treatment, monitoring, or disposition of historic properties, or that involve the reporting or documentation of such actions in the form of reports, forms, or other records, shall be carried out by or under the direct supervision of a person or persons who meets the Secretary of the Interior's Professional Qualifications Standards (SOI) (published in 48 FR 44716-44740) for the resource being considered.

III. AREA OF POTENTIAL EFFECTS

- A. FHWA, MoDOT, Port KC and the City of Kansas City shall consult with SHPO, Tribal Nations and consulting parties to determine the APE for the project, with the understanding that the APE will be three dimensions (i.e., having height and depth as well as length and width), encompass the full range of alternatives and will be refined as alternatives are added and eliminated throughout the study (see Attachment B). The APE shall consider:
 - 1. Direct effects from construction-related activities including ground disturbance, demolition of resources, visual, auditory, vibration and atmospheric effects;
 - 2. Proposed construction impacts, ground-disturbing and non-ground-disturbing, to justify the types and level of investigative effort to identify historic properties.
 - 3. The APE may contract over time as alternatives are eliminated. Tribal Nations and other consulting parties will be consulted as this occurs.
 - 4. Indirect effects, as clarified by the D. C. Circuit Court in *National Parks Conservation Assoc. v. Semonite* and the Council, as those effects "caused by the undertaking that are later in time or farther removed in distance but still reasonably foreseeable"⁵; and
- B. The APE may be supplemented if the Design-Build Process is utilized. If the Design-Build consultant proposes an alternative(s) that meets Purpose & Need that falls outside the original APE, FHWA, MoDOT, Port KC, and the City of Kansas City shall consult per Stipulation III.A.

⁵ NPCA v. Semonite, No. 18-5179 (D. C. Cir 2019); ACHP, Court Ruling on Definitions Informs Agencies on Determining Effects, 2019: https://www.achp.gov/news/court-rules-definitions-informs-agencies-determining-effects.

IV. IDENTIFICATION OF RESOURCES

- A. FHWA, MoDOT, Port KC and the City of Kansas City shall ensure that the Built Environment investigations are conducted in a manner consistent with MoDOT's Built Environment Methods.
- B. FHWA, MoDOT, Port KC and the City of Kansas City shall ensure that the archaeological investigations are conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and SHPO's Guidelines for Phase I Archaeological Surveys and Reports.

C. Reporting

- 1. The results of the Built Environment and Archaeological surveys shall be reported in a single, comprehensive report. The report shall include:
 - a. Background Research Results including previous surveys, NRHP listed and determined eligible properties, previously reported sites, appropriate historic context, and historic mapping to understand the APE
 - b. Field Survey Results will be reported on the MoDOT Section 106 Survey Memo, which meets the standards set by the Missouri SHPO for surveys done in Missouri. Any properties where access was denied or where survey was not possible for any reason shall be clearly identified on mapping and in the report text; and
 - c. Determinations made through consultation between MoDOT, FHWA, SHPO, the Tribal Nations and other consulting and interested parties shall be included in the Report.
 - d. The report shall be shared with FHWA, SHPO and consulting parties. SHPO and the consulting parties shall have thirty (30) days to comment on the results and findings of the report. The results and findings shall be the topics of meetings between MoDOT, FHWA, SHPO and the consulting parties as needed.
- D. Properties that could not be accessed for survey during the Phase I investigations shall be surveyed, in accordance with the Archaeological Research Design developed for the project (located in Attachment C), as design proceeds and access to the property is available.
- E. If the APE is supplemented during the Design-Build process, the processes in Stipulation IV shall be followed for the identification of resources within that APE.

V. NATIONAL REGISTER OF HISTORIC PLACES ELIGIBILITY EVALUATION

- A. The Port KC and the City of Kansas City, in consultation with FHWA, MoDOT, SHPO, Tribal Nations, and other consulting and interested parties, shall apply the NRHP criteria (36 CFR Part 63), and applicable guidance issued by the Keeper of the National Register, to each property identified in the field survey or through consultation to determine if the property is eligible for listing in the NRHP (a historic property).
- B. The Port KC and the City of Kansas City will seek the concurrence of FHWA, MoDOT, SHPO, Tribal Nations and other consulting parties, on eligibility for each resource identified as eligible for listing in the NRHP.
- C. Properties that are eligible for listing in the NRHP shall have the following addressed in the report: the NRHP criteria the property is eligible for listing under; area(s) of significance, characteristics that qualify the property for inclusion in the NRHP, contributing and non-contributing elements, period(s) of significance and boundary of the historic property.
- D. If the APE expands during the Design-Build process, the processes in Stipulation V shall be utilized to evaluate and consult about eligibility of resources.

VI. ASSESSMENT OF EFFECTS

- A. Port KC, the City of Kansas City and MoDOT, on behalf of FHWA, shall apply the criteria of adverse effects (36 CFR Part 800.5) to each property listed in or eligible for listing in the NRHP, for each alternative under consideration. FHWA, MoDOT, Port KC, and the City of Kansas City shall consult with the SHPO, Tribal Nations and other consulting parties about the effects of the various alternatives on historic properties.
- B. If FHWA, MoDOT, Port KC, and the City of Kansas City find that project activities have adverse effects on properties eligible for the NRHP, they shall consult with SHPO, Tribal Nations and other consulting parties to resolve the adverse effects, consistent with guidance provided in 36 CFR Part 800.6. This consultation shall include efforts to develop and evaluate alternatives or modifications to the undertaking that could avoid or minimize the adverse effects on said historic properties.
- C. For projects utilizing the Design-Build process, the effects of the project on historic properties will be re-evaluated as the project design is developed through consistent communication between the Design-Build, Port KC, City of Kansas City and MoDOT Historic Preservation staffs:

- 1. If there is an adverse effect finding, Port KC and City of Kansas City shall provide MoDOT with information to notify the Council of the adverse effect for review, and to forward to FHWA to send to the Council.
- 2. FHWA, MoDOT, the Port KC and the City of Kansas City shall consult with Tribal Nations, SHPO and the other consulting parties to resolve the adverse effect, per Stipulation VII to inform them of the resource, the change in effect and what is causing the change:
 - a. SHPO and the consulting parties will have thirty (30) days to review the information and provide comments.
 - b. If there is disagreement about the finding, FHWA, MoDOT, Port KC, and the City of Kansas City will consult with the parties to resolve the disagreement.
 - c. If the disagreement cannot be resolved, procedures for resolution in 36 CFR 800.5(c)(2) shall be implemented.
- 3. FHWA, MoDOT, the Port KC and the City of Kansas City shall consult with the SHPO, Tribal Nations and consulting parties to resolve any adverse effects using the processes in Stipulation VII: Resolution of Adverse Effects.

VII. RESOLUTION OF ADVERSE EFFECTS

- A. If FHWA, MoDOT, the Port KC and the City of Kansas City find project activities have adverse effects on historic properties, they will consult with SHPO, Tribal Nations and other interested parties to resolve the adverse effects, consistent with guidance provided in 36 CFR Part 800.6, through the implementation of a Mitigation Plan for Built Environment Resources or an Archaeological Data Recovery Plan(s) developed in accordance with the Council's Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites and the Secretary of the Interior's Standards for Archaeological Documentation.
- B. Mitigation measures that benefit and engage the public shall be developed to the extent practical. Public benefit mitigation measures may be used as a substitute for traditional mitigation measures in some cases.
- C. All mitigation measures shall be memorialized in a Mitigation Plan, which shall be developed and will contain all agreed upon mitigation measures.

- D. The Mitigation Plan or Archaeological Data Recovery Plan will be negotiated among the signatories and consulting parties and will become effective only upon written concurrence by representatives for all signatories and invited signatories.
- E. If adverse effects are avoided during the Design-Build process, the Mitigation Plan or Archaeological Data Recovery Plan can be amended by the signatories and consulting parties.

VIII. TREATMENT OF HUMAN REMAINS

- A. The FHWA recognizes that any human remains (other than from a crime scene or covered under Missouri's Cemeteries Law, §§ 214. RSMo) that may be discovered during project activities and are located on non-federal land are subject to the immediate jurisdiction of the SHPO, albeit FHWA or its delegate is responsible to have a professional archaeologist analyze the remains and advise SHPO of the physical location and cultural and biological characteristics, and if SHPO determines, as per the consultation conducted under Section 106, excavation is warranted, such remains will be handled pursuant to the Missouri Unmarked Human Burial Sites Act, §§ 194.400 194.410, RSMo. All discoveries of human remains shall be treated as sensitive information and shall not be made available to the public.
- B. Native American skeletal remains, associated or unassociated funerary objects, sacred objects, and objects of cultural patrimony that may be discovered during the archaeological survey, testing, or data recovery excavations on federal land are the responsibility of the federal agency that manages that property. The involved Federal land-managing agency will notify any Tribe that might attach cultural affiliation to the identified remains as soon as possible after their identification. The Federal Agency shall take into account Tribal recommendations regarding treatment of the remains and proposed actions, and then direct MoDOT to carry-out the appropriate actions.
- C. The USDOT is a signatory to the Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Indigenous Sacred Sites to affirm their commitment to improve the protection of, and access to, Indigenous sacred sites through enhanced and improved interdepartmental coordination, collaboration, and action and to demonstrate their commitment through the early consideration of the protection and access to Indigenous sacred sites in agency decision-making and regulatory processes.
- D. If human remains are encountered during archaeological investigations:
 - 1. The archaeologists shall immediately stop all work within a fifty (50)-meter (approximately 165-foot) radius of the remains and shall not resume without specific authorization from either the SHPO or the local law

- enforcement officer, or if on federal land the land management agency, whichever party has jurisdiction over and responsibility for such remains.
- 2. MoDOT HP staff will notify the local law enforcement (to ensure that it is not a crime scene) and the SHPO as per the Missouri Unmarked Human Burial Sites Act and contact FHWA and Tribes that have expressed interest in Section 106 undertakings in the County the remains were found in, within twenty-four (24) hours of the discovery.
- 3. FHWA will notify any tribe that might attach cultural affiliation to the identified remains as soon as possible after their identification.
- 4. FHWA shall, to the maximum extent possible, seek consensus and incorporate identifications, recommendations, and Native American traditional knowledge to the maximum extent possible regarding treatment of the remains and proposed actions.
- MoDOT shall monitor the archaeological data recovery and handling of any such human remains and associated or unassociated funerary objects, sacred objects or objects of cultural patrimony, to assure itself that these are handled, excavated or processed in accordance with the Missouri Unmarked Human Burials Sites Act.
- 6. Should, through consultation with Tribes, excavation be determined necessary, MoDOT will provide notification within twenty-four (24) hours to affiliated Tribes when physically transferring possession of ancestors or cultural items to SHPO for continued consultation on reinternment.

E. If human remains are encountered during construction:

- 1. The contractor shall immediately stop all work within a fifty (50)-meter (approximately 165-foot) radius of the remains and shall not resume without specific authorization from either the SHPO or the local law enforcement officer, or if on federal land the land management agency, whichever party has jurisdiction over and responsibility for such remains.
- 2. The contractor shall notify the MoDOT Construction Inspector and/or Resident Engineer who will contact the MoDOT HP section within twenty-four (24) hours of the discovery.
- 3. MoDOT HP staff will immediately notify the local law enforcement, or if on federal land the land management agency, (to ensure that it is not a crime scene) and the SHPO as per the Missouri Unmarked Human Burial Sites Act or to notify SHPO what has occurred and that it is covered by Missouri's Cemeteries Law, §§ 214. RSMo.

- 4. MoDOT HP staff will notify FHWA that human remains have been encountered within twenty-four (24) hours of being notified of the find.
- 5. If, within twenty-four (24) hours, the contractor is unable to contact appropriate MoDOT staff, the contractor shall initiate the involvement by local law enforcement, or if on federal land the land management agency, and the SHPO. A description of the contractor's actions will be promptly made to MoDOT.
- 6. FHWA will notify any tribe that might attach cultural affiliation to the identified remains as soon as possible after their identification.
- 7. FHWA shall, to the maximum extent possible, seek consensus and incorporate identifications, recommendations, and Native American traditional knowledge regarding treatment of the remains and proposed actions.
- 8. MoDOT, under FHWA oversight, shall monitor the handling of any such human remains and associated funerary objects, sacred object or objects of cultural patrimony in accordance with the Missouri Unmarked Human Burial Sites Act.
- 9. Should, through consultation with Tribes, excavation be determined necessary, MoDOT will provide notification within twenty-four (24) hours to affiliated Tribes when physically transferring possession of ancestors or cultural items to SHPO for continued consultation on reinternment.

IX. POST-REVIEW DISCOVERIES

A. Planning for Subsequent Discoveries

The Port KC and the City of Kansas City shall include in any environmental document, contract, and specifications a plan for post-review discovery of historic properties. Implementation of the plan as originally proposed or modified as necessary owing to the nature and extent of the properties discovered, will be in accordance with 36 CFR Part 800.4-6.

- B. If cultural resources are encountered during construction:
 - 1. The contractor shall immediately stop all work within a fifty (50)-meter (approximately 165 foot) radius around the limits of the resource and shall not resume work without specific authorization from a MoDOT Historic Preservation Specialist.

- 2. The contractor shall notify the MoDOT Resident Engineer or Construction Inspector, who shall contact the MoDOT Historic Preservation (HP) section within twenty-four (24) hours of the discovery.
- 3. MoDOT HP shall contact FHWA, Tribes and SHPO within forty-eight (48) hours of learning of the discovery to report the discovery after a preliminary evaluation of the resource and reasonable efforts to see if it can be avoided.
- 4. FHWA shall make an eligibility and effects determination based upon the preliminary evaluation and consult with MoDOT, Tribes and SHPO to minimize or mitigate any adverse effect.
- 5. FHWA shall take into account Tribal recommendations regarding the eligibility of the property and proposed actions, and direct MoDOT to carry out the appropriate actions. The Council does not need to be notified if the SHPO, Tribes, and other parties agree to treatment plan.
- 6. MoDOT shall provide FHWA and SHPO with a report of the actions when they are completed.
- 7. Upon receipt, FHWA shall provide this report to the Tribes.
- 8. MoDOT, in coordination with FHWA, will make this report available to the public and other consulting parties, if it is not limited by the requirements for confidentiality, as identified in Stipulation X.
- C. If the discovery is not limited by the confidentiality requirements of Section 304 of the NHPA and Stipulation X of this Agreement, the public shall be notified of the late discovery, in the following manner:
 - 1. Information on the discovery shall be posted to the MoDOT website associated with the project, if one exists. This information will include the nature of the discovery, how it is being treated, and the evaluation of it. The website will include information on how to contact the project manager or the MoDOT HP Section with comments or concerns about the discovery.
 - 2. MoDOT will issue a press release about the discovery. The press release will include the nature of the discovery, how it is being treated and the evaluation. The press release will include a way for the public to contact the project manager or the MoDOT HP Section if they have comments or concerns about the discovery.

12

X. CONFIDENTIALITY

All parties to this Agreement acknowledge that information about historic properties or potential historic properties are or may be subject to the provisions of Section 304 of NHPA. Section 304 allows FHWA to withhold from disclosure to the public, information about the location, character, or ownership of a historic resource if the signatories and invited signatories determine that disclosure may: 1) cause a significant invasion of privacy; 2) risk harm to the historic resource; or 3) impede the use of a traditional religious site by practitioners. Having so acknowledged, all parties to this Agreement will ensure that all actions and documentation prescribed by this Agreement are, where necessary, consistent with the requirements of Section 304 of the NHPA.

XI. DURATION

This Agreement shall remain in effect for a period of ten (10) years after the date it takes effect, unless it is terminated prior to that time. No later than six (6) months prior to the conclusion of the ten (10)-year period, MoDOT will notify all parties in writing if an extension is needed. The Agreement may be extended for an additional term, the length of which will be agreed to by the signatories and invited signatories. The extension will be codified through an amendment of the Agreement in accordance with Stipulation XIV. If any party objects to extending the Agreement, or proposes amendments, MoDOT will consult with the parties to consider amendments or other actions to avoid termination.

XII. REPORTING

The Port KC and the City of Kansas City, acting on behalf of FHWA, shall, at the end of each calendar year following the execution of this PA, provide to all signatories a written report regarding the actions taken to fulfill the terms of the agreement, and shall file a copy with the Council per 36 CFR Part 800.6(b)(iv). The report shall include the following information:

- A. Any stipulations completed during the calendar year;
- B. Work done toward completion of any stipulations during the calendar year;
- C. Any consultation done regarding any of the stipulations during the calendar year, the subject of the consultation and parties consulted with; and
- D. The status of the project, including tasks that remain outstanding.

XIII. DISPUTE RESOLUTION

Any party to this Agreement may terminate it by providing thirty (30) calendar daysnotice in writing to the other parties explaining the reason for termination, provided that the parties will consult during the period prior to termination to seek agreement on amendments and other actions that would avoid termination. In the event of termination, FHWA shall ensure that undertakings shall be reviewed individually in accordance with 36 CFR Part 800.3-800.6 that were previously covered by this Agreement.

At any time during implementation of this Agreement, should any member of the public raise an objection in writing pertaining to such implementation to any signatory or invited signatory to this Agreement, that signatory or invited signatory shall immediately notify FHWA. FHWA shall immediately notify the other signatories and invited signatories in writing of the objection. Any signatory or invited signatory may choose to comment on the objection to FHWA. FHWA shall establish a reasonable time frame for this comment period. FHWA shall consider the objection, and in reaching its decision, FHWA will take all comments from the other parties into account. Within fifteen (15) days following closure of the comment period, FHWA will render a decision regarding the objection and respond to the objecting party. FHWA will promptly notify the other parties of its decision in writing, including a copy of the response to the objecting party. FHWA's decision regarding resolution of the objection will be final. Following the issuance of its final decision, FHWA may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.

XIV. AMENDMENTS

Any signatory or invited signatory to this Agreement may at any time propose amendments, whereupon all signatories and invited signatories shall consult to consider such amendment. This Agreement may be amended only upon written concurrence of all signatories and invited signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the Council.

XV. TERMINATION

Any party to this Agreement may terminate it by providing thirty (30) calendar daysnotice in writing to the other parties explaining the reason for termination, provided that
the parties will consult during the period prior to termination to seek agreement on
amendments and other actions that would avoid termination. In the event of termination,
FHWA shall ensure that undertakings shall be reviewed individually in accordance with
36 CFR Part 800.3-800.6 that were previously covered by this Agreement.

XVI. EXECUTION

Execution of this PA by the FHWA, the SHPO, the MHTC, Port KC and the City of Kansas City and the implementation of its terms evidence that FHWA has taken into account the effects of this undertaking on historic properties and afforded the Council an opportunity to comment. A copy of the executed PA shall be provided by FHWA to the Council for their records.

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UNDERTAKING: The project will construct a structural deck over a four-block section of Interstate 670 (I-670) in downtown Kansas City, Missouri, creating a 5.5-acre street-level area that will be used for passive green space, community gathering, and public and private events. Between Wyandotte Street and Grand Boulevard. Kansas City Port Authority Project Number 611200 (Attachment A).

STATE: Missouri

AGENCY: Federal Highway Administration

Signatory:

Federal Highway Administration

By: Rebecca Rost Date: 1/14/2025

UNDERTAKING: The project will construct a structural deck over a four-block section of Interstate 670 (I-670) in downtown Kansas City, Missouri, creating a 5.5-acre street-level area that will be used for passive green space, community gathering, and public and private events. Between Wyandotte Street and Grand Boulevard. Kansas City Port Authority Project Number 611200 (Attachment A).

STATE: Missouri

AGENCY: Federal Highway Administration

Signatory:

State Historic Preservation Officer

By: Date: 3-27-24

Deputy State Historic Preservation Officer

UNDERTAKING: The project will construct a structural deck over a four-block section of Interstate 670 (I-670) in downtown Kansas City, Missouri, creating a 5.5-acre street-level area that will be used for passive green space, community gathering, and public and private events. Between Wyandotte Street and Grand Boulevard. Kansas City Port Authority Project Number 611200 (Attachment A).

STATE: Missouri

AGENCY: Federal Highway Administration

Invited Signatory:

Missouri Highways and Transportation Com	mission
By:	Date: 4 1 7024
Assistant Chief Engineer	
Attest:	Approved as to form:
Tametit	Im Vanh
Commission Secretary	Commission Counsel

UNDERTAKING: The project will construct a structural deck over a four-block section of Interstate 670 (I-670) in downtown Kansas City, Missouri, creating a 5.5-acre street-level area that will be used for passive green space, community gathering, and public and private events. Between Wyandotte Street and Grand Boulevard. Kansas City Port Authority Project Number 611200 (Attachment A).

STATE: Missouri

AGENCY: Federal Highway Administration

Invited Signatory:

Kansas City Port Authority

By:

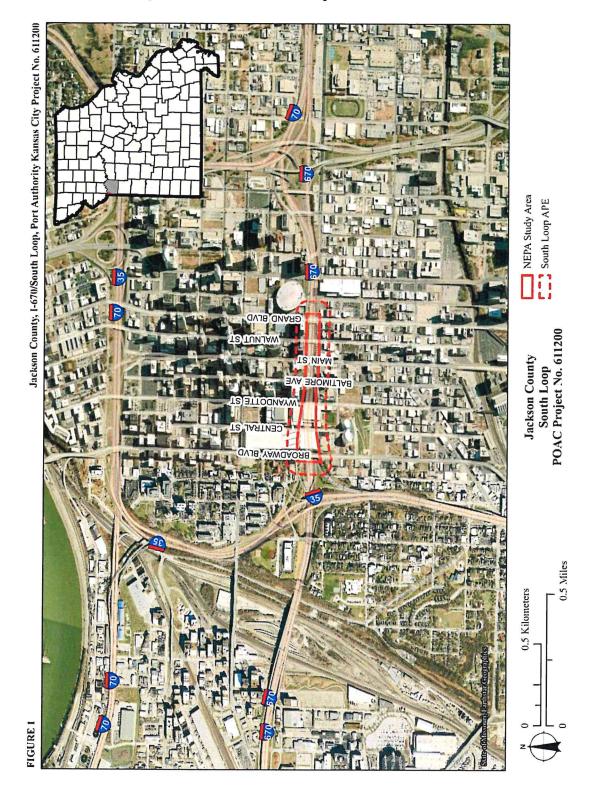
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STATE: Missouri

Invited Signatory:

AGENCY: Federal Highway Administration

Attachment A: Project Location and APE Map



Attachment B: Description of the APE

The area of potential effects (APE), has been identified as the NEPA study area, which includes existing right of way (ROW) and new ROW, including permanent and temporary easements, between North Truman Road (north of I-670) and South Truman Road (south of I-670) and between Broadway Boulevard and Grand Boulevard for the consideration of direct effects per 36 CFR Part 800.16(d), The NEPA study area is identified by the solid red line on Figure 1 in Attachment A.

The APE also extends approximately two city lots in each direction past the NEPA study area, to consider effects from vibration, visual changes, and auditory effects. This is shown by the dotted red line on Figure 1 in Attachment A.

The APE overall considers the dimensional aspect of potential effects from the project, including height and depth as well as length and width.

Attachment C: Archaeological Testing Plan

Background

Beginning in 2022, the Port Authority of Kansas City (Port KC), in coordination with the Downtown Council of Kansas City (DTC), and the City of Kansas City, Missouri (KCMO), formed a collaborative partnership to plan the South Loop. The proposed project would construct an urban park between the bridges for Grand Boulevard and Wyandotte Streets over I-670 to reconnect adjacent communities. The improvements will also have the potential to impact portions of MoDOT right-of-way that have the potential to contain cultural material.

Description of Previous Work

In December 2022, Historic, LLC contracted with HNTB to conduct a Cultural Resources Assessment of the proposed South Loop project. The assessment identified 28 historic structures and buildings which will not be affected by the undertaking. The archaeological component of the assessment, conducted by Don Dycus, MA, LLC, consisted of photographic documentation and judgmental shovel testing and soil probing. According to the cultural resources assessment, both the shovel testing and probing failed due to the presence of hardpan and buried utilities. Because background research indicates that the I-670 corridor removed part of the Central Business District of Kansas City, MoDOT recommends that further fieldwork is necessary to investigate the APE for its potential to contain subsurface cultural deposits to complete Section 106 for the South Loop project.

Archaeological Research Design

Archaeological research will concentrate on the identification and recovery of any potential artifacts and information that may exist in the greenway spaces adjacent to South and North Truman Road where previous archaeological testing was inconclusive due to the built environment's negation of standard Phase I survey methods.

Archival research focusing on the specific historic parcels within the APE should be conducted prior to fieldwork. This research should seek to identify historic properties, their layout, and the potential for preservation within the APE.

Limited subsurface testing with a small backhoe would be capable of testing for potential subsurface cultural deposits. In order to identify areas suitable and safe for excavation with a backhoe, utility plans were reviewed and indicate that utilities are present within each of the greenspace area which limits the areas suitable for backhoe excavation. According to the utility plans, the eastern half of the greenspace between I-670 and South Truman Road, between Main and Walnut Streets is free of gas, power, sewer, telecom, and water lines. It is recommended that a ground penetrating radar (GPR) be used to confirm the location of existing utilities and guide the trench placement. A backhoe should excavate a trench, approximately 4 by 8 feet, on a north/south axis to investigate the preservation potential of any cultural materials or features. In particular, this area should demonstrate the extent of the cut and fill associated with the I-670 construction and may also reveal the previously extant 15th Street alignment and streetscape.

Removal of the grass, topsoil, and gravel-rich urban soils which negated Phase I shovel testing should first proceed horizontally, so that inspection of the trench can be conducted periodically before proceeding to greater vertical depths. The archaeologist will visually inspect, with the aid of hand-tools, the backhoe trench profile and base of each excavation depth for the presence of artifacts or features greater than 50 years in age. If identified, features will not be fully excavated but may be sampled in order to determine research potential and integrity of deposits. If the archaeologist determines that there is reason to conduct Phase II testing, MoDOT will consult with the SHPO prior to making any decision.

If intact subsurface cultural deposits with significant research potential are determined to be present within the APE, monitoring by an SOI qualified archaeologist may be necessary during utility relocation. While mechanical excavation is capable of removing construction fill and trenching is suitable for assessing discrete areas, the potential for subsequent discoveries should be considered and a contingency plan should be in place. Utility relocation is the primary ground-disturbing activity anticipated as a result of the proposed project. If applicable, as excavation for utility work is conducted, a standardized monitoring form should document each day of work that is observed. Any cultural features identified via the backhoe excavation or monitoring should have its location recorded with a GPS capable of sub-meter accuracy, should be photographed while including identifying signage and a metric scale, and any archaeological sites would need to be evaluated for its NRHP eligibility and research potential. Site forms will be submitted to the SHPO to record any newly encountered archaeological sites.





Michael L. Parson Governor

> Dru Buntin Director

February 15, 2024

Melissa Scheperle Missouri Department of Transportation P.O. Box 270 Jefferson City, MO 65102

Re: SHPO Project Number: 158-JA-23 – Kansas City I-670 South Loop Project – From Wyandotte Street to Grand Boulevard between I-670 and EB/WB Truman Roads, Kansas City, Jackson County, Missouri (FHWA)

Dear Melissa Scherperle:

Thank you for submitting information to the State Historic Preservation Office (SHPO) regarding the above-referenced project for review pursuant to Section 106 of the National Historic Preservation Act, P.L. 89-665, as amended (NHPA), and the Advisory Council on Historic Preservation's regulation 36 CFR Part 800, which require identification and evaluation of historic properties.

We have reviewed the information regarding the above-referenced project and have included our comments on the following page(s). Please retain this documentation as evidence of consultation with the Missouri SHPO under Section 106 of the NHPA. SHPO concurrence does not complete the Section 106 process as federal agencies will need to conduct consultation with all interested parties. Please be advised that, if the current project area or scope of work changes, such as a borrow area being added, or cultural materials are encountered during construction, appropriate information must be provided to this office for further review and comment.

If you have questions please contact the SHPO at (573)751-7858 or call/email Charles Horton (573) 526-4591, charles.horton@dnr.mo.gov. If additional information is required please submit the information via email to MOSection106@dnr.mo.gov.

Sincerely,

STATE HISTORIC PRESERVATION OFFICE

Brik De

Brian Stith

Deputy Director Division of State Parks and

Deputy Missouri State Historic Preservation Officer

c: Michael Meyer, Missouri Department of Transportation Chris Handzel, HNTB

Brandon Yarbrough, HNTB

February 15, 2024 Melissa Scheperle Page 2 of 2

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COMMENTS:

Adequate documentation has been provided as outlined in 36 CFR Section 800.11. After review of the initial submission, the project area has no known historic properties present and a low potential for the occurrence of cultural resources. SHPO concurs with your determination of **No Historic Properties Affected**.