

8.0 CULTURAL RESOURCES

This chapter discusses the archaeological and historic architectural resources within the Area of Potential Effect (APE) for the LYNX Blue Line Northeast Corridor Light Rail Project (LYNX BLE). It discusses the potential effects of the alternatives under study and their associated impacts. This chapter documents consultation with the North Carolina State Historic Preservation Office (SHPO) during the identification of resources, the determinations of effects, and efforts to minimize potential harm during operation of the proposed project; mitigation measures are also discussed.

8.1 Changes to this Chapter since the Draft EIS

This chapter has been revised to reflect the identification of the proposed Light Rail Alternative as the Preferred Alternative for the LYNX BLE. Additionally, since the publication of the Draft EIS, the LYNX BLE design has been refined, as described in Chapter 2.0: Alternatives Considered. The potential effects of the Preferred Alternative on Cultural Resources and subsequent design refinements are reflected in this chapter.

8.2 Affected Environment

The APE, or study area, for archaeological resources was the limits of construction for the 30 percent design plans, and was determined in consultation with the SHPO. The APE for historic architectural resources included all areas within that the project may cause changes to the character or use of historic properties, either directly or indirectly. As such, the APE was defined as approximately 250 feet on either side of the proposed centerline of the Preferred Alternative. The following sections describe the affected environment for archaeological and historic resources.

8.2.1 Archaeological Resources

The Archaeology Identification Survey of the Proposed LYNX Blue Line Extension (Coastal Carolina Research, 2009) and its addendum of December 2009 were completed to identify new or previously recorded sites listed in or eligible for listing in the National Register (NR) within the APE. The survey identified that two previously recorded precontact Native American sites were located within the APE, but were destroyed in the 1970s by development. Therefore, no known archaeological sites were found to be located within the APE.

8.2.2 Historic Resources

The existing conditions within the study area, or APE, are documented in the *Phase II Historic Resources Survey Report* (Mattson, Alexander & Associates (MAA), 2008). The survey meets the guidelines for architectural surveys established by the North Carolina SHPO and the North Carolina Department of Transportation (October 2003).

Fieldwork, conducted during October and November 2008, consisted of an architectural survey and site inspections of selected properties and neighborhoods that warranted intensive analysis. All residential, commercial, and industrial historic districts, as well as individual buildings, were examined. Potential historic properties identified during the research and fieldwork phase were evaluated against the Section 106 criteria for eligibility for listing in the National Register (36 CFR 60.4.). The resources determined to be in or eligible for listing in the NR are shown in Figure 8-1 and described in this section.

- Phillip Carey Company Warehouse (NR-Listed) (1): 301 East 7th Street, a two-story, brick building with a low-pitched, front gable roof. This warehouse served commercial establishments along the rail corridors within Center City Charlotte. It is a rare surviving warehouse in downtown Charlotte that dates to the early 20th Century and as such is listed in the National Register. It was locally-designated by the Charlotte Landmarks Commission in 1983.
- McNeil Paper Company Warehouse Complex (NR-Eligible) (2): 301-307 East 8th Street, two masonry buildings that occupy a site along the former Southern Railway frontage within Center City Charlotte. This complex of buildings is a rare vestige of the numerous commercial storage buildings that once lined the rail corridors of Charlotte. It is recommended for the National Register due to its importance

of commerce in the early 20th century. It was added to the North Carolina Division of Culture and History's Study List in 2001 and was listed as a Local Historic Landmark in 1989.

- Orient Manufacturing Company/Chadwick Hoskins No. 3 (NR-Listed) (3): 311 East 12th Street, currently known as the Alpha Mill, was listed on the National Register in 2006 and 2007 as part of the certified rehabilitation of the property for use as apartments. The mill is listed for its importance with industry in Charlotte during the early 20th Century and for its architecture. The mill is one of a small group of surviving Charlotte cotton mills and is a substantial, brick, Romanesque Revival factory. It was the second textile mill erected in Charlotte. It was listed as a Locally Designated Historic Landmark in 1984.
- Chadbourn Hosiery Mills (NR-Eligible) (4): 451 Jordan Place, a large, rectangular, masonry mill constructed in 1947. This mill represents the largest example of a hosiery mill in Charlotte and is one of two hosiery mills remaining in town. It is recommended eligible for the National Register due to its association with early industry and for its architecture. The mill is a stylish example of the postwar textile mill.
- North Charlotte Historic District (NR-Listed) (5): bound by the railroad tracks on the north, just south of Anderson Street on the east, Spencer Street to the southeast, Charles Avenue on the southwest and just north of Matheson on the west. This district was nominated to the National Register in 1990 for its association with industry and architecture. This historic district contains Charlotte's largest concentration of intact cotton mills and mill housing related to the rise of textile manufacturing in the Piedmont region of the U.S. The district encompasses 155 acres and over 400 resources. The majority of buildings date from 1903 and circa 1915. The district is oriented towards the former Southern Railway, now the North Carolina Railroad (NCRR), and North Davidson Street. This area is locally known as "NoDa."
- Herrin Brothers Coal and Ice Company Complex (NR-Eligible) (6): 315 East 36th Street, a well-preserved complex of functional, frame, brick, metal and concrete buildings historically associated with a small-scale fuel and ice operation. This complex is recommended eligible for the National Register for its association with commerce and for its architecture. It is one of two intact examples of such fuel and ice facilities remaining in Charlotte.
- Standard Chemical Products Plant (NR-Eligible) (7): 600 East Sugar Creek Road, a modernist office and laboratory that faces Sugar Creek Road at the former Southern Railway tracks, now the present day NCRR tracks. This 1956 building is recommended for the National Register for its association with early Charlotte industry and architecture. The plant is a notable example of post-World War II modernist architecture in Charlotte.
- Republic Steel Corporation Plant (NR-Eligible) (8): 601 Sugar Creek Road, a one-story office at the northwest corner of the property facing Sugar Creek Road and an expansive, brick and corrugated steel warehousing and fabrication units to the rear. This circa 1956 plant was recommended eligible for the National Register based on its association with early Charlotte industry and architecture. It is a modernist architectural style building with historic rail uses.
- General Motors Corporation Training Center (NR-Eligible) (9): 5500 North Tryon Street, is a large one-story, masonry facility with a flat roof, front office, adjacent auditorium, and a long classroom wing. The building was constructed in 1954 and served as a regional training center. It is recommended eligible for the National Register based on its association with early Charlotte commerce and its architecture. It is a fine, low-rise modernist building of the postwar era.

8.3 Environmental Consequences

The following sections describe the environmental consequences, or effects, to archaeological and historic architectural resources.

8.3.1 No-Build Alternative

Under the No-Build Alternative, there would be no changes to the existing transportation services or facilities in the Northeast Corridor, beyond those projects already committed. Therefore, the No-Build Alternative would have no effects on archaeological and historic architectural resources.

8.3.2 Preferred Alternative

8.3.2.1 Archaeological Resources

No archaeological resources were found within the APE or at any of the proposed station locations. Therefore, it is expected that the Preferred Alternative would have No Effect on archaeological resources. However, as these resources are underground and not visible, impacts to archaeological resources cannot be dismissed until construction activities begin. A plan for late discovery is discussed in Chapter 18.0: Construction Impacts.

8.3.2.2 Historic Resources

The determination of effects on historic architectural resources is documented in the *Evaluation of Effects Report* (MAA, 2009) and SHPO correspondence, and is summarized in Table 8-1. The Preferred Alternative would have No Effect on three of the historic resources listed in or eligible for the National Register, and would have No Adverse Effect on the Orient Manufacturing Company/Chadwick Hoskins No. 3; North Charlotte Historic District; Herrin Brothers Coal and Ice Company Complex; Standard Chemical Products Plant; and the General Motors Corporation Training Center. The proposed project would not alter any of the characteristics that qualify the historic resources listed in Table 8-1 for inclusion on the National Register. This is due primarily to the fact that no historic properties would be altered or removed by the proposed project, and the proposed project would not greatly alter the urban, industrial and rail-oriented view sheds of the historic resources. *De minimis* Section 4(f) findings are proposed for these resources. See Section 8.5.2 for additional detail regarding Section 4(f) and Appendix B: Agency Correspondence for SHPO's concurrence with the proposed findings.

A general and detailed noise and vibration assessment was conducted in accordance with the Federal Transit Administration's *Transit Noise and Vibration Impact Assessment* guidance manual, May 2006. Additional information is discussed in Chapter 13.0: Noise and Vibration and Chapter 18.0 Construction Impacts.

**Table 8-1
Summary of Potential Historic Resource Impacts**

Resource	Preferred Alternative	Section 4(f)*
1. Philip Carey Company Warehouse	No Effect	n/a
2. McNeil Paper Company Warehouse Complex	No Effect	n/a
3. Orient Manufacturing Company/Chadwick Hoskins No. 3	No Adverse Effect	<i>de minimis</i> impact
4. Chadbourn Hosiery Mills	No Effect	n/a
5. North Charlotte Historic District	No Adverse Effect	<i>de minimis</i> impact
6. Herrin Brothers Coal and Ice Company Complex	No Adverse Effect	<i>de minimis</i> impact
7. Standard Chemical Products Plant	No Adverse Effect	<i>de minimis</i> impact
8. Republic Steel Corporation Plant	No Effect	n/a
9. General Motors Corporation Training Center	No Adverse Effect	<i>de minimis</i> impact

* See Section 8.5.2 for additional detail.

Source: Evaluation of Effects Report (MAA, 2009) as concurred with by the SHPO on October 1, 2009, January 11, 2010, February 7, 2011, and May 20, 2011.

The following summarizes the effects of the Preferred Alternative on each of the historic resources identified:

- Phillip Carey Company Warehouse (NR-Listed) (1): The proposed project would have No Effect on this resource. The light rail vehicles would run on the existing LYNX Blue Line tracks located behind this building, which would be relocated slightly to the north (away from the structure), and along

tracks to be installed for the southbound trains. No additional right-of-way would be needed from this resource. The introduction of light rail near this resource would not alter the characteristics for which this resource is listed on the National Register.

- McNeil Paper Company Warehouse Complex (NR-Eligible) (2): The proposed project would have No Effect on this resource. The light rail vehicles would run on the existing LYNX Blue Line tracks located behind this building, which would be relocated slightly to the north (away from the structure), and along tracks to be installed for the southbound trains. The 9th Street Station would be located one block to the north of the property. The proposed project would not require the acquisition of land from the property. The introduction of light rail near this resource would not alter the characteristics for which this resource is listed on the National Register.
- Orient Manufacturing Company/Chadwick Hoskins No. 3 (NR-Listed) (3): The proposed project would have a No Adverse Effect on this resource. Although the trackway would be constructed within the historic boundary of the property, the new tracks would be built within existing railroad right-of-way which has always overlapped the parcel boundaries of the historic mill. A retaining wall and bridge structure would be constructed along the north side of the property to elevate the light rail tracks over the existing CSX rail line. A potential moderate noise impact would occur for the current residential use of this property; however, there would be no effect on the property as a historic resource because light rail operations would not create noise or vibration levels greater than the historic operations of the freight trains through the area and would not alter the historic character and function of the property. While the retaining wall and bridge would alter the views to and from the property, this would occur within the context of the property where views are historically industrial and rail-oriented and the views to the south are already compromised by the existing I-277 structures. There would be an effect on this property due to these two elements, but this effect would not be adverse and would not alter the characteristics for which this resource is listed on the National Register.
- Chadbourn Hosiery Mills (NR-Eligible) (4): The proposed project would have No Effect on the Chadbourn Hosiery Mills. This resource is located across Brevard Street from the proposed location of the Preferred Alternative. The building does not have windows and, therefore, no views from the building would be altered. The existing Duke Energy electrical substation is located across the street and comprises the views from the building. The context of the resource is industrial and the light rail would not alter this resource or the characteristics which make it eligible for the National Register.
- North Charlotte Historic District (NR-Listed) (5): The proposed project would have a No Adverse Effect on this historic resource. The Preferred Alternative would include two tracks that parallel the south side of the existing railroad right-of-way, a station at 36th Street, relocation of the existing freight tracks, and the depression of 36th Street under the future light rail and existing freight tracks. At 36th Street, the proposed light rail line and relocated freight tracks would be approximately eight feet above the existing grade. Near 36th Street, the National Register boundaries for the North Charlotte Historic District overlap the existing railroad right-of-way. Portions of the proposed alignment and retaining walls would lie within the historic boundary. The action would occur largely within the existing right-of-way; however, minor land acquisition would be required within the North Charlotte Historic District at the Johnston Mill property for station access. Additionally, the rear loading area of the former Grinnell Manufacturing Company Building, a contributing resource to the historic district located at 36th Street and the railroad, would be eliminated. However, this would not alter the structure or its current use, as loading no longer occurs at this location. Additionally, as part of the depression of 36th Street, a retaining wall would be constructed along 36th Street adjacent to the Grinnell Manufacturing Company Building. Retaining walls deflect, or move, and engineering analysis determined that the deflections in the retaining wall along 36th Street could cause structural impacts to the Grinnell Manufacturing Company Building due to its close proximity. In an effort to protect this contributing historic resource, CATS has proposed the use of an underpinning system (i.e., the use of foundation brackets) to support the building and protect it from deflections of the retaining wall. The underpinning system is located completely underground, and CATS would not require permanent acquisition of any of the property, including the building, to achieve this proposed action. Rather, additional temporary easements would be needed for installation of the foundation brackets. The proposed action would not result in negative impacts to the Grinnell Manufacturing Building. SHPO concurred with a No Adverse Effect on the North Charlotte Historic District as a result of this action (Appendix B: Agency Correspondence). The 36th Street Station staircase and bicycle and pedestrian walkways, and the depression of 36th Street would also occur within the National

Register boundaries of this district. All access to resources within the district would be maintained. This depression of 36th Street would result in an alternation of one of the streets within the district, but this alternation would not change the characteristics which make it eligible for the National Register. The existing freight track relocation would occur outside of the National Register boundaries. No structures within the historic district would be demolished or altered as a result of the proposed project.

- Herrin Brothers Coal and Ice Company Complex (NR-Eligible) (6): The proposed project would have a No Adverse Effect on this resource. An effect would occur as a result of the depression of 36th Street under the future light rail and relocation of existing freight tracks adjacent to this resource. A minor amount of land (approximately 5,874 square feet, less than 2 percent) would be acquired, but no buildings located on the property would be altered or demolished. The relocated freight tracks would extend through the southern edge of the property within the existing rail corridor. The proposed action would not require the alteration or demolition of any structures located on site. Access to the site would be maintained at its current location; however a temporary construction easement would be required to construct the retaining wall for the depression of 36th Street. The 36th Street Station would be constructed on the south side of the rail corridor, away from this resource, introducing a relatively minor, but new visual element to this resource. While some effects would occur as a result of the proposed project, these alterations would not change the characteristics which make it eligible for the National Register. Changes in acquisition needs since the Draft EIS (due to engineering refinements and acquisition of more-detailed survey data) were discussed with SHPO. Relative correspondence concurring with a finding of No Adverse Effect is located in Appendix B: Agency Correspondence.
- Standard Chemical Products Plant (NR-Eligible) (7): The proposed project would have No Adverse Effect on this resource. The proposed light rail line would be constructed within the existing railroad right-of-way which is outside the National Register boundary for the property. An effect would occur as a result of the placement of the Sugar Creek Station within the existing railroad right-of-way approximately 300 feet south of Sugar Creek Road, which the North Carolina Railroad is planning to depress under the railroad. The station would be at the existing grade. The southeast corner of the property would need to be acquired to accommodate a sidewalk and ramp for the station. The area needed for the sidewalk and ramp is now part of a paved loading area, and no buildings or significant features would be demolished for the proposed project. While some effects would occur as a result of the proposed project, these alterations would not change the characteristics which make it eligible for the National Register.
- Republic Steel Corporation Plant (NR-Eligible) (8): The proposed project would have No Effect on this resource. The proposed project would be constructed within the existing railroad right-of-way which is outside the National Register boundaries of the property. Due to the industrial nature of this setting, the proposed project would not alter the characteristics which make this resource eligible for the National Register. No permanent acquisition of the property would be needed, but a temporary construction easement would be required.
- General Motors Corporation Training Center (NR-Eligible) (9): The proposed project would have a No Adverse Effect on this resource. The proposed project would require the acquisition of minor amounts of land (approximately 10 percent of the property) from the southeast corner of the property within the National Register boundaries. The proposed project would leave much of the existing parking lot for the building intact. The retaining walls for the bridge over the Old Concord Road/North Tryon Street/US-29 intersection would begin to ascend along the rear of this property. Because this property is surrounded by commercial and industrial land uses and this retaining wall would be constructed near the rear of the property, this change would not alter the views of this property. While these effects would occur as a result of the proposed project, the alterations would not change the characteristics which make it eligible for the National Register.

8.4 Mitigation

No listed archaeological sites or archaeological remains were found within the study area or in any of the proposed station locations. Thus, no mitigation for archaeological resources is required for the Preferred Alternative. A plan for late archaeological discovery is discussed in Chapter 18.0: Construction Impacts.

Efforts to minimize effects to historic resources were taken into account during the design of the Preferred Alternative. Mitigation measures for potential impacts to historic resources during construction are discussed in Chapter 18.0 Construction Impacts.

8.5 Consultation

This section describes the consultation undertaken by the Federal Transit Administration (FTA) and Charlotte Area Transit System (CATS). Copies of consultation letters are provided in Appendix B: Agency Correspondence.

8.5.1 Section 106 Consultation

This section discusses consultation efforts with other interested parties, including SHPO and the general public. The purpose of consultation has been to share information on the Preferred Alternative and to discuss the following:

- Limits of the APE;
- Identification of historic resources deemed eligible for listing in the National Register (Determinations of Eligibility);
- Recommendation of effects; and,
- Avoidance, reduction or mitigation efforts that may be needed to offset any adverse effects on cultural resources.

FTA initiated consultation with the SHPO on March 5, 2005 in accordance with Section 106 of the National Historic Preservation Act. An early coordination meeting was held with the SHPO on June 18, 2008. Preliminary Evaluations for the Republic Steel Corporation and the Standard Chemical Company were submitted to the SHPO on May 9, 2008 and a letter concurring with these evaluations was provided on June 17, 2008.

A request for consultation comments was sought on the APE and on the *Phase II Historical Architectural Resources Survey Report* dated November 7, 2008. Determinations of Eligibility were provided by the SHPO in a letter dated January 16, 2009. Another coordination meeting was held with the SHPO's office on September 15, 2009 to discuss the *Evaluation of Effects Report* (MAA, 2009) dated September 4, 2009. The determination of the effects discussed in that meeting, and listed in this chapter, was documented by CATS in a letter dated September 21, 2009. An addendum to the report was submitted to SHPO on December 28, 2009. The SHPO provided written concurrence on the effects determination on October 1, 2009 and with the addendum on January 11, 2010.

The *Phase I Archaeological Survey Report* was submitted to the SHPO on March 25, 2009. An addendum to this report was submitted to the SHPO on January 5, 2010, to add the Sugar Creek Park-and-Ride Option 2. The SHPO concurred with the effects of the proposed project on April 8, 2009 and with the addendum on January 25, 2010. Copies of this correspondence are included in Appendix B: Agency Correspondence.

On October 26, 2010 a letter transmitting 30 percent design changes as they relate to historic properties was provided to SHPO for review. The design changes did not affect the previously-determined findings of effects and the SHPO provided written concurrence on the effects determination on February 7, 2011 and March 24, 2011. The letters conclude that SHPO concurs with the finding that the project will not affect the McNeil Paper Company Warehouse Complex and will not adversely affect the Herrin Brothers Coal and Ice Company Warehouse. This correspondence is included in Appendix B: Agency Correspondence. As noted, additional correspondence was transmitted to SHPO regarding the aforementioned underpinning system at the Grinnell Manufacturing Company Building, a contributing resource to the North Charlotte Historic District. The SHPO provided written concurrence on the continued finding of No Adverse Effect on the North Charlotte Historic District as part of this proposed action. This correspondence is also included in Appendix B: Agency Correspondence.

8.5.2 Section 4(f) *De Minimis* Finding for Historic Resources

Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 1653) declares that it is national policy to make a special effort to preserve the natural beauty of the countryside, publicly-owned parks, recreation areas, wildlife or waterfowl refuges, or any historic sites of national, state or local significance. Section 4(f) permits the use of such land for a transportation project only when the FTA has determined that there is no reasonable or prudent alternative to such use and the project includes all possible planning to minimize harm to the resource resulting from such use.

Section 6009 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 303), also known as SAFETEA-LU, amended Section 4(f) statutory requirements to include an exception for use of protected land that would have a "*de minimis*" impact if the proposed project "will not adversely affect the activities, features, and attributes of a 4(f) resource." On December 13, 2005, FTA and Federal Highway Administration (FHWA) issued joint guidance for determining *de minimis* impacts to Section 4(f) resources. For historic properties, the *de minimis* criteria are met when:

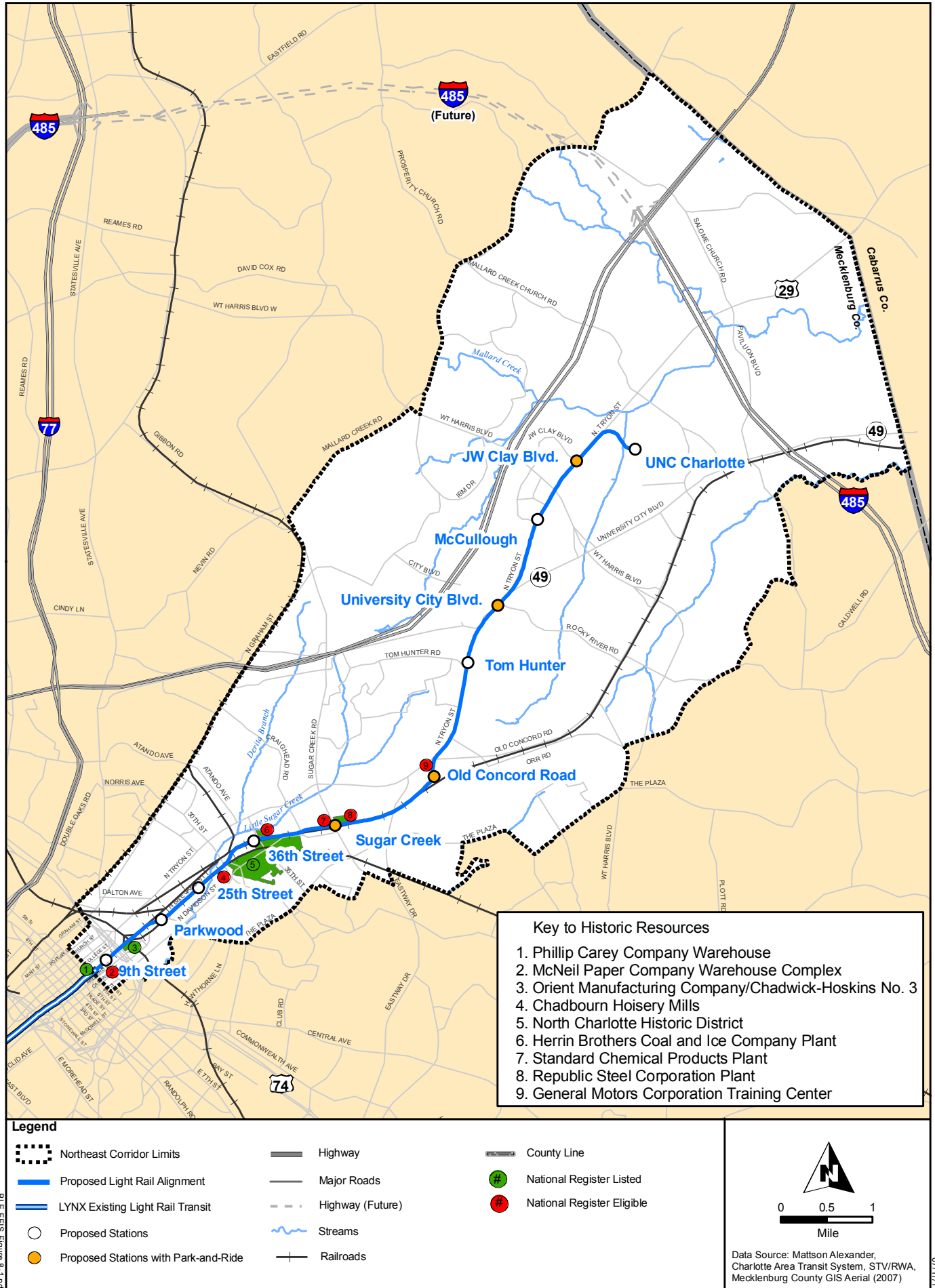
- 1) The process required by Section 106 of the National Historic Preservation Act results in the determination of a "No Adverse Effect" or "No Historic Properties Affected" with the concurrence of the SHPO in the Section 106 Consultation;
- 2) The SHPO is informed of FTA or FHWA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination; and,
- 3) FTA or FHWA has considered the views of any consulting parties participating in the Section 106 consultation.

Due to the minor land acquisitions that would result in a transportation "use" of historic resources and the No Adverse Effect determinations by which the SHPO has concurred, FTA proposed a *de minimis* Section 4(f) finding for the following resources as part of the Draft EIS:

- Orient Manufacturing Company/Chadwick Hoskins No. 3 (NR-Listed)
- North Charlotte Historic District (NR-Listed)
- Herrin Brothers Coal and Ice Company Plant (NR-Eligible)
- Standard Chemical Products Plant (NR-Eligible)
- General Motors Corporation Training Plant (NR-Eligible)

On January 28, 2010, FTA and CATS consulted with the SHPO regarding the *de minimis* finding. SHPO's concurrence was provided on February 3, 2010 and is contained in Appendix B: Agency Correspondence. Through the public and agency circulation period of the Draft EIS, FTA sought to obtain public input on the *de minimis* finding. No comments were received. As discussed in Section 8.5.1, CATS continued coordination with SHPO regarding design changes, which did not change the No Adverse Effect determinations. As such, the FTA is making a final determination of a *de minimis* finding for the above-listed properties as part of this Final EIS.

Historic Resources within the Northeast Corridor



BLE FEIS Figure 8-1.pdf

11/11/20