

**HISTORIC RESOURCES
TECHNICAL MEMORANDUM**

FOR THE

**Federal Boulevard Improvements between
West 7th Avenue and West Howard Place
Environmental Assessment**

Prepared for

CITY AND COUNTY OF DENVER

COLORADO DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

Prepared by

PINYON ENVIRONMENTAL, INC.

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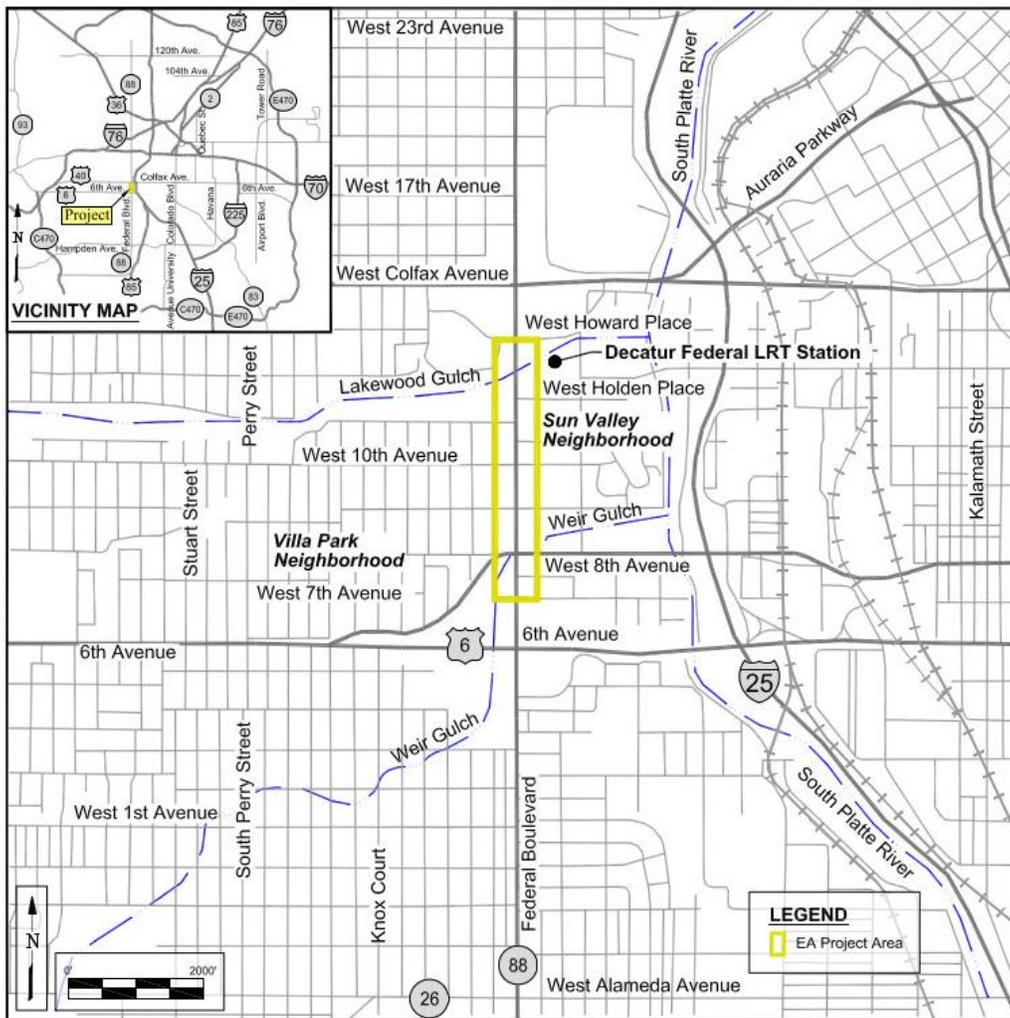
ACRONYMS

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
APE	Area of Potential Effect
CCD	City and County of Denver
CDOT	Colorado Department of Transportation
CFR	Code of Federal Regulations
EA	Environmental Assessment
FHWA	Federal Highway Administration
LRT	Light Rail Transit
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
PEL	Planning and Environmental Linkages
ROW	Right of Way
RTD	Regional Transportation District
SHPO	State Historic Preservation Office

INTRODUCTION

This Technical Memorandum has been prepared in support of the *Federal Boulevard Improvements Environmental Assessment (EA)*. The general project area extends from West 7th Avenue to West Howard Place along Federal Boulevard (“Project Area,” Figure 1). This Memorandum evaluates the effects of the Federal Boulevard Improvement Project (the Proposed Action) and the No-Action Alternative with respect to historic resources. The study area for historic resources is the Area of Potential Effect (APE).

Figure 1. EA Project Area



Federal and State Regulations and Policies

This Memorandum has been prepared to address the potential impacts to historic resources during the Proposed Action in accordance with the following regulations or policies:

- Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended
- Section 4(f) of the Department of Transportation Act of 1966
- Significant historic resources are those that are listed or may be eligible for inclusion on the National Register of Historic Places (NRHP). Sites qualifying for the NRHP must retain sufficient integrity (of location, design, setting, materials, workmanship, feeling, and association) and meet one or more of the eligibility criteria specified in 36 *Code of Federal Regulations* (CFR) 60.4. To merit NRHP-eligibility or listing, a site must meet one or more of the following specific eligibility criteria from 36 CFR 60.4:
 - A. Be associated with events that have made a significant contribution to the broad patterns of our history
 - B. Be associated with the lives of persons significant in our past
 - C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
 - D. Have yielded, or may be likely to yield, important information for our knowledge of prehistory or history

PEL STUDY SUMMARY

A Planning and Environmental Linkages (PEL) Study was prepared for the project in October 2009 by Felsburg Holt & Ullevig (FHU, 2009). An “Intensive-Level Survey of Historic Buildings,” was prepared by Tatanka Historical Associates, Inc. (Tatanka), as an addendum to the PEL Study in July 2009 (THA, 2009). At that time, 17 buildings and structures old enough to qualify for consideration of potential listing on the NRHP were identified within the APE; however, all of the properties were finally, officially determined to be not eligible for listing on the NRHP (Table 1). In a letter dated August 17, 2009, the Colorado State Historic Preservation Office (SHPO) concurred with the results of the July 2009 survey report, including CDOT’s determinations of NRHP eligibility for the 17 potential historic resources surveyed within the PEL Study’s APE (SHPO, 2009); this letter is presented in Appendix A.

Table 1. 2009 Intensive Level Survey Results

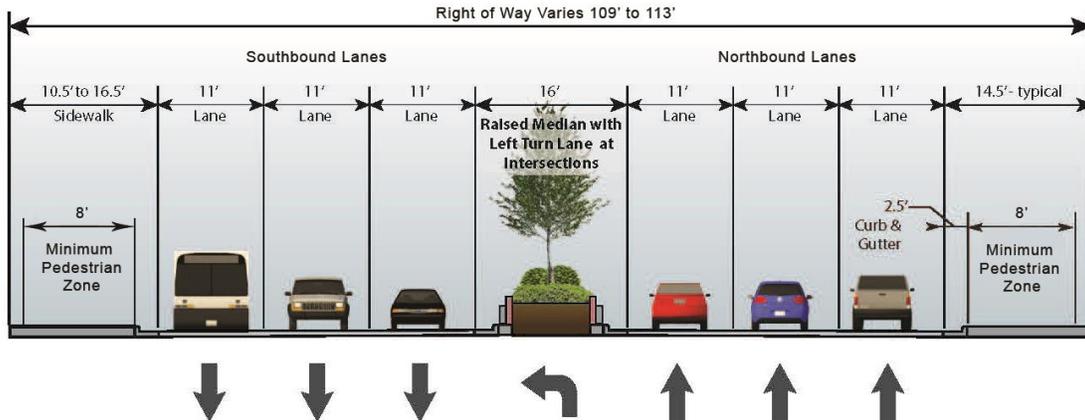
Resource Name	Site Number	Resource Address	Eligibility Determination
Majestic Furniture Manufacturing	5DV10719	730 Federal Boulevard	Officially Not Eligible–2009
Demuth-Meiningner House	5DV5132	745 Federal Boulevard	Officially Not Eligible–2009
Bill’s Liquor Store	5DV5137	775 Federal Boulevard	Officially Not Eligible–2009
Mecca Tavern	5DV5138	801 Federal Boulevard	Officially Not Eligible–2009
Miller’s Groceteria	5DV10634	816 Federal Boulevard	Officially Not Eligible–2009
Cook House/ Romey’s Auto Shop	5DV10625	859 Federal Boulevard	Officially Not Eligible–2009
General Plumbing Company	5DV10626	867-869 Federal Boulevard	Officially Not Eligible–2009
Auto Equipment Company	5DV10633	880-890 Federal Boulevard	Officially Not Eligible–2009
Hilts-Herman House	5DV10627	935 Federal Boulevard	Officially Not Eligible–2009
Unique Garage & Filling Station	5DV10628	995 Federal Boulevard	Officially Not Eligible–2009
Kitchen Service Company	5DV10629	1015 Federal Boulevard	Officially Not Eligible–2009
Plamondon House	5DV10630	1041 Federal Boulevard	Officially Not Eligible–2009
Anderson- Wilcox House	5DV10631	1063 Federal Boulevard	Officially Not Eligible–2009
Samuel & Mollie West House	5DV10632	1075 Federal Boulevard	Officially Not Eligible–2009
Phil & Fannie Silverman House	5DV916	1077 Federal Boulevard	Officially Not Eligible–2009
Capitol Wet Wash Co./ Capitol Laundry Co.	5DV8224	1317 Federal Boulevard	Officially Not Eligible–2009
Alsbach House	5DV10720	2946 West Severn Place	Officially Not Eligible–2009

PROPOSED ACTION

The Proposed Action is to add a third northbound lane between West 7th Avenue and West 10th Avenue and a raised median throughout the Project Area to improve mobility and safety (Figure 2). North of West 10th Avenue, the width of the existing three northbound lanes would be brought up to standard (11 feet). The existing southbound lanes would also be brought up to standard width in areas where they are currently substandard.

Note that this Project Area differs from that of the PEL Study as the portion of Federal Boulevard to the south of West 7th Avenue, including the interchange with United States Highway 6 (US 6), is being addressed by the US 6 Bridges Design-Build project. However, the proposed improvements are consistent with the Proposed Action in the PEL Study.

Figure 2. Proposed Action



The widening of Federal Boulevard during the Proposed Action will meet American Association of State Highway and Transportation Officials (AASHTO) and CDOT standards. Access will be limited by controlling left-turns at non-signalized points. In the Proposed Action, the existing signalized crosswalks at the intersections of Federal Boulevard with West 8th Avenue and West 10th Avenue will be upgraded with new traffic and pedestrian signal indications and enhanced concrete crosswalks. Sidewalks on the west and east sides of the street will be brought up to Americans with Disabilities Act (ADA) standards; this will match the existing sections of Federal Boulevard to the north and south.

Access to bus service, which connects to local and regional destinations as well as the greater transit system, including the nearby West Line of RTD's LRT system, will be improved by upgrading the sidewalk to be consistent and compliant with ADA standards. Additionally, connectivity to the Weir Gulch Trail would be enhanced with better signage for the trail, reducing the curvature of the "T" intersection where the trail and sidewalk connect along West 8th Avenue, signage for the Trail, and a wider sidewalk along West 8th Avenue, all of which support the City and County of Denver's (CCD's) Bicycle Master Plan (CCD, 2001) and Denver Moves (CCD, 2011). These improvements are anticipated to improve mobility, safety, and enhance multi-modal options within the Project Area.

In summary, the Proposed Action consists of the following elements:

- Federal Boulevard roadway alignment and improvements
 - Widening Federal Boulevard from the ROW boundary on the west side of Federal Boulevard toward the east between West 7th Avenue and approximately West 10th Avenue with an additional 11-foot northbound lane

- Restriping and widening the three northbound lanes on Federal Boulevard between approximately West 10th Avenue to approximately West Howard Place to be 11 feet wide
- Restriping and widening the three southbound lanes on Federal Boulevard between approximately West 7th Avenue and West 10th Avenue to be 11 feet wide
- Bicycle and pedestrian improvements
 - Improving the sidewalks on the east side of Federal Boulevard between West 7th Avenue and West 10th Avenue to meet ADA standards and better accommodate pedestrians
 - Standardizing inconsistent sidewalk widths on both the east and west sides of Federal Boulevard with an 8-foot pedestrian zone consisting of either a detached 5-foot sidewalk with a 3-foot buffer or an attached 8-foot sidewalk with ADA-compliant curb ramps and driveway cuts
 - Enhancing access to the Decatur-Federal LRT station through improved multi-modal connectivity by improving the sidewalks throughout the Project Area
 - Upgrading existing pedestrian signals and constructing enhanced concrete crosswalks at the signalized intersections of Federal Boulevard with West 8th Avenue and West 10th Avenue
 - Enhancing bicycle and pedestrian connectivity to the Weir Gulch Trail with better signage, wider sidewalks, and access ramps
 - Enhancing bicycle connectivity to Routes D-10 and D-12 by adding signage in the Project Area that meets CCD and CDOT standards

NO-ACTION ALTERNATIVE

The No-Action Alternative would leave Federal Boulevard as it currently is configured and would not provide any improvements beyond typical maintenance activities. The roadway would remain the same, with 3 southbound and 2 northbound lanes (each 9.5 to 11 feet in width) and a continuous two-way, center, left-turn median between West 7th Avenue and West 10th Avenue (Figure 3). The segment of Federal Boulevard from West 10th Avenue to West Howard Place has three southbound and three northbound lanes, and a continuous two-way left-turn median over Lakewood Gulch (Figure 4). The existing sidewalks along the both sides of Federal Boulevard in the Project Area are either narrow or not well-defined, and the curb ramps at intersections do not meet current ADA or CDOT standards. As part of State Highway 88, normal maintenance of Federal Boulevard would continue to be performed by CDOT. This includes the current direct discharge of stormwater to the nearby gulches.

Figure 3. No-Action Alternative between West 7th Avenue and West 10th Avenue

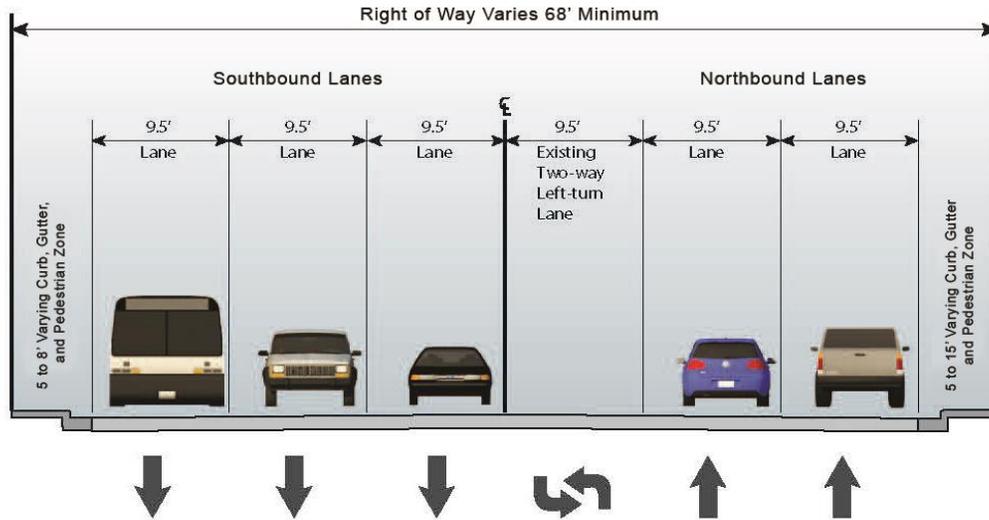
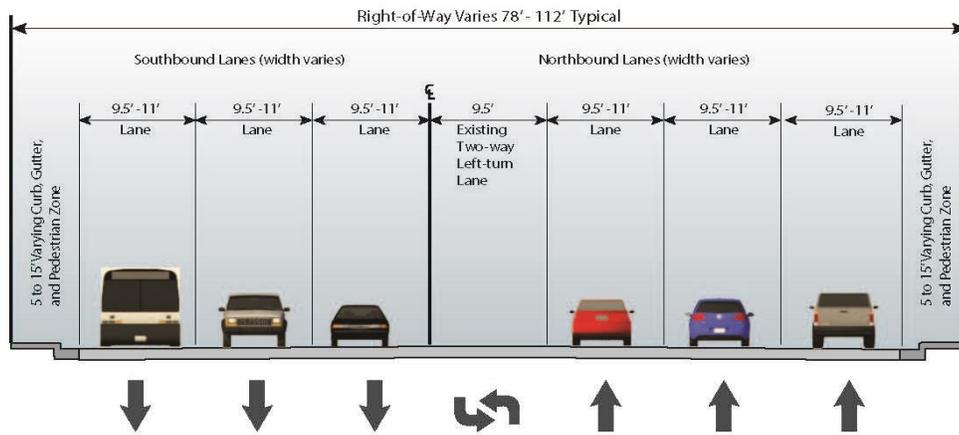


Figure 4. No-Action Alternative between West 10th Avenue and West Howard Place



METHODOLOGY

Given the lapse in time and the ongoing refinement of the Proposed Action’s design since the PEL Study, the APE was adjusted to reflect a change in the Project limits. In November and December 2013, an Intensive Historical Survey of the revised APE was performed by Pinyon Environmental, Inc. (Pinyon), to identify historic resources that might be eligible for listing on the NRHP, as summarized below.

A search of the Denver County Assessor’s records was completed to identify any parcels within the APE that host buildings or structures that are 50 years old or older (Figure 5).

Figure 5. EA Area of Potential Effect



In addition, the 2009 report by Tatanka and the COMPASS database were consulted to identify properties that were previously recorded and their respective determinations.

The COMPASS database search revealed that 12 resources within the APE had previously been recorded, all under the 2009 survey effort; all of these properties had been officially determined to be not eligible for listing on the NRHP (Table 1). Given that these resources were determined officially not eligible, they were not re-visited as a part of this EA. A field survey in late 2013 documented the additional properties within the APE that are 50 years old or older and were not previously documented. Photographs were taken (Appendix A) and Architectural Inventory Forms were completed for these resources.

EXISTING CONDITIONS

Description of Revised APE

The previous PEL Study APE included every parcel which fronted Federal Boulevard from West 5th Avenue to Howard Place, and, in several areas, a second parcel deep to account for potential indirect impacts. Since that time, details regarding the ROW acquisitions have been developed and the Project limits were reduced. Therefore, the APE was narrowed to include only those areas where direct or indirect impacts could occur along Federal Boulevard from West 7th Avenue to West Howard Place (Figure 5). The APE includes all parcels hosting buildings or structures that are 50 years old or older that have the potential to experience direct or indirect impacts as a result of the Proposed Action. The APE follows existing ROW and legal parcel lines, except for parcels hosting buildings or structures that are not yet 50 years old; in that case, the APE follows the area of potential disturbance by the Proposed Action. The APE was expanded along the south side of West 9th Avenue to address potential impacts from the proposed sidewalk and access improvements. In addition, the APE was expanded to include two parcels, located between West 7th Avenue and West Severn Place, due to the potential for indirect impacts when the structures to the west are demolished to construct the Proposed Action. North of West Severn Place, parcels to the east of those fronting Federal Boulevard were excluded from the revised APE, given that these properties are generally not yet 50 years old, or they are geographically separated from the area where impacts could occur (i.e., separated by a great distance), which would minimize the potential for direct impacts.

Survey Results

Twelve potential historical resources were surveyed at an intensive level in December 2013. This survey resulting in the production of 12 architectural inventory forms. Only one of the resources, Vigil's Shamrock Service Station (5DV11363), was determined eligible for listing on the NRHP. The remaining resources lack either significance or integrity, and they were found to be not eligible for listing on the NHRP (Table 2).

Table 2. 2013 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Official Determination of Eligibility
Fashion Plaza 707	5DV11372	707 Federal Boulevard	Not Eligible
Western Material Handling	5DV11370	753–759 Federal Boulevard	Not Eligible
United Automotive, LLC	5DV11369	765 Federal Boulevard	Not Eligible
Not Applicable	5DV11368	913–925 Federal Boulevard	Not Eligible
Casa de Fashion/ The Treasure Thrift Store	5DV11366	969–975 Federal Boulevard	Not Eligible
Not Applicable	5DV11367	970 Federal Boulevard	Not Eligible
Family Dollar	5DV11365	990 Federal Boulevard	Not Eligible
Restaurante El Zarape	5DV11364	1065 Federal Boulevard	Not Eligible
Vigil's Shamrock Service Station	5DV11363	1251 Federal Boulevard	Eligible
Complete Auto Care	5DV11371	2970 West Severn Place	Not Eligible
Troy's Auto Repair	5DV11400	2943 West 7 th Avenue	Not Eligible
Gordon Sign	5DV11373	2930 West 9 th Avenue	Not Eligible

Fashion Plaza 707/707 Federal Boulevard (5DV11372): The Fashion Plaza building was initially constructed in 1962, and a large warehouse portion was added in 1966. There are no associations with the building and important trends in history, and there are not any associations between the building and significant persons. Therefore, the resource is not significant under Criteria A or B. A large, non-historic addition (which more than doubled the size of the building) was constructed in 1966; therefore, the building is not significant under Criterion C. In addition, several of the storefront windows were recently replaced and the fenestration pattern of the building was altered. Given these features (i.e., the large addition and alterations), the building no longer serves as a good representative example of the Modern Movement. The building lacks significance and is therefore not eligible for listing on the NRHP.

Western Material Handling/753–759 Federal Boulevard (5DV11370): It is believed that the original automotive-service garage portion of this property was constructed in 1925. Sometime between 1983 and 1984, a detached garage was constructed perpendicular to the automotive garage. Later, the two buildings were connected by an open-air addition. There are no associations with the building and important trends in history, and no association with significant persons; therefore, the resource is not significant under Criteria A or B. The building was heavily modified with the construction of a non-historic addition that more than doubled the size of the building. In addition, garage doors have been replaced and windows have been boarded over on both the 1925 automotive-service garage and the 1980s portion of the building. Given the large additions and

alterations, the building no longer serves as a good example of a 1920s automotive-service garage. Therefore, the building is not significant under Criterion C, and it is not eligible for listing on the NRHP because it lacks significance.

United Automotive, L.L.C./765 Federal Boulevard (5DV11369): The United Automotive property hosts a wood-frame garage that was likely constructed in 1935 and a recently added mobile home that serves as an office. The property does not qualify for listing on the NRHP under any of the NHPA Criteria. There are no historical connections with the garage and events or themes in history, significant persons, or distinctive characteristics of a type, period, or method of construction which would warrant significance under Criteria A, B, or C. The garage is the only remaining building or structure that is 50 years old or older, and it lacks any historic context. In addition, the main feature that identifies the building as a garage, the garage door, has been replaced with an incompatible vinyl garage door, which affects its ability to serve as a good example of a garage from the 1920s. Given that there are few distinctive architectural elements, limited contextual features, and the resource lacks significance, it is not eligible for listing on the NRHP.

913–925 Federal Boulevard (5DV11368): This resource consists of an office building that was constructed in 1961 and an older, former residential building with an unknown construction date. The resource is not significant under Criterion A because it is not associated with the events that have made a significant contribution to the broad patterns of our history. The small residential building at the rear of the parcel was likely part of a larger residential complex at one point that has since been demolished. The office building was constructed long after this area of Federal Boulevard experienced an increase in commercial buildings during the 1940s and 1950s. Historical research did not reveal any significance under Criterion B. Finally, the resource is not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. The architect of the building is unknown, and, although the two-story commercial building employs some elements of the curtain-wall style, it is not a well-executed example. According to the Washington State Historic Preservation Office, the curtain-wall style was common between 1948 and 1965, and it was a way of “using a prefabricated exterior wall sheathing system of glass hung to their frames” (WSHPO, 2014). Though the two-story commercial building displays “...a repetitive grid of vertical extruded aluminum mullions and horizontal rails,” and spandrels that “...hide the floors and ceilings,” typical of the curtain wall system, it is a poor example. The repetitive vertical grid is only found on the front, or east elevation, while typical buildings exhibiting the curtain-wall style employ the “...system for a majority of the exterior façade.” The building at 913–925 Federal Boulevard utilizes the system on the east elevation only, while the north and south elevation are void of any fenestration. A portion of the west elevation contains the large, vertical windows; however, the “ribbon” effect present on the east elevation is lacking and projecting sunshades that are attached to the elevation largely obscure the windows. Because of this scheme, the sense of verticality and pattern indicative of the curtain-wall style is lost.

Given that the curtain-wall method is only apparent on one elevation, the building has vinyl replacement windows and doors that detract from the original execution of the fenestration, and the office building was built sharing an extension of the northern wall with the residential building to the west, the building does not stand as a good example of the curtain-wall style or the Modern Movement. The resource lacks significance and is therefore not eligible for listing on the NRHP.

Casa de Fashion and The Treasure Thrift Store/969–975 Federal Boulevard (5DV11366):

This resource consists of two commercial buildings that were constructed on the same parcel in 1962 and 1964. There is no evidence that the resource contributed to the broad patterns of our history or that it is associated with persons significant in our past; therefore, it is not significant under Criteria A or B. The resource is not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master. Although the structure at 975 Federal Boulevard employs some elements of the curtain-wall style, it is not a well-executed example. Though the east façade of the building displays “...a repetitive grid of vertical extruded aluminum mullions and horizontal rails,” and spandrels that “...hide the floors and ceilings,” typical of the curtain-wall system, it is a poor example (WSHPO, 2014). The repetitive grid is only found on the front, east elevation. Given that the curtain-wall method is only apparent on one elevation, the building has a vinyl replacement garage door, and the boarded up fenestration detracts from the original execution of the fenestration, it does not stand as a good example of the curtain-wall style or the Modern Movement.

The building at 969 Federal Boulevard is a brick commercial building lacking any distinctive stylistic elements and has replacement storefront windows and boarded up windows. The main feature identifying the building as a commercial building is the storefront window, which has been replaced. Because this building lacks any distinctive stylistic elements, and the character defining feature, the storefront windows, have been replaced, it is not significant under Criterion C and is not eligible for listing on the NRHP.

970 Federal Boulevard (5DV11367): This resource consists of a garage that was constructed in 1954 and a non-historic mobile home that currently serves as an office building. It is an isolated garage that is presently associated with a car-sales business located to the south. No information on previous uses of the garage could be located. The resource does not demonstrate connections with events or themes of history (Criterion A), significant persons (Criterion B), or distinctive characteristics of a type, period, or method of construction (Criterion C). The gable-front, rectangular-plan garage lacks any distinguishing architectural features. The garage has been modified with the addition of corrugated metal siding and a vinyl garage door. Due to the garage’s common design and altered materials, it is not characteristic of any particular type, period, or method of construction. The garage does not have historical or architectural significance, and is therefore not eligible for listing on the NRHP.

Family Dollar/990 Federal Boulevard (5DV11365): This resource consists of a brick commercial building constructed in 1963. There is no association between the building and events or themes of history (Criterion A), significant persons (Criterion B), or distinctive characteristics of type, period, or method of construction (Criterion C). Historically, the building served as a hardware and lumber store; however, it was more notably known as the West Neighborhood Health Clinic, which occupied the building during the 1970s. Any connection to either of these functions is no longer visible, as the building has been stripped of any distinctive features and currently serves as a Family Dollar store. The building no longer holds any connection to a particular style or type because of the recent extensive modifications to the fenestration, including a drastic change to the orientation of the building, from what was once a corner entry on the northwest elevation to a modern storefront door on the south elevation. The building demonstrates limited historic connection, which is diminished through multiple modifications, and is therefore not significant and not eligible for listing on the NRHP.

Restaurante El Zarape/1065 Federal Boulevard (5DV11364): Restaurante El Zarape is a heavily modified commercial building that was constructed in 1964. There are no connections with the building and themes or events in our history, significant persons, or distinctive characteristics. As a result, the building is not significant under Criteria A, B, or C. The building has no discernable style or type, and an incompatible shed-roof addition was added across the entire expanse of the east elevation, obscuring storefront windows that are typical of this type of building. In addition, the replacement windows and application of faux-stone decorative elements have severely diminished any historical connection the building may have once had. As a result, Restaurante El Zarape is not eligible for listing on the NRHP.

Vigil's Shamrock Service Station/1251 Federal Boulevard (5DV11363): This resource consists of a former gasoline station constructed in 1959. Vigil's Service Station is eligible under Criterion A for Transportation as a good example of an Oblong Box-type gasoline station associated with the development of Federal Boulevard as a major transportation corridor. The development of the Oblong Box-type reflected changes in automobile transportation and the way that gasoline was marketed. Popular from the 1930s through the 1970s, the Oblong Box-type gasoline station is now becoming increasingly rare. Vigil's Service Station is also eligible under Criterion C as a good example of an Oblong Box-type gasoline station that incorporates elements of the Moderne style. The southern portion clearly displays several distinctive elements of the Moderne style, including a flat roof, horizontal emphasis, rounded corners, smooth surfaces, speed lines, little ornamentation, and a metal canopy. Although an addition was constructed to the north and west of what is believed to be the original portion of the building, these additions are older than 50 years of age and have developed significance with the original portion of the building. In addition, some changes to the fenestration have occurred, but these changes are reversible and do not detract from the character defining features of the building. Because the resource is significant under Criteria A and C, and it retains

sufficient integrity, it is eligible for listing on the NRHP.

Complete Auto Care/2970 West Severn Place (5DV11371): Complete Auto Care is an automotive-service garage that was built in 1962. It is not significant under Criteria A, B, or C. The construction of the garage is not linked to the construction of or establishment of Federal Boulevard as a major thoroughfare through the city, as Federal Boulevard was known as a major north-south route through the western urban area for several years prior to the construction of this garage. In addition, the main feature that identifies it as a service garage, the garage doors, have been impacted by recent alterations affecting its ability to serve as a good example of an automobile-service garage from that era. With the exception of the garage doors, there is very little architectural detailing indicating the use or association of the building with the automobile industry. Because the building demonstrates limited historic connection or significance, it is not eligible for listing on the NRHP.

Troy's Auto Care/2943 West 7th Avenue (5DV11400): Troy's Auto Care was constructed in 1964 and does not demonstrate significance under Criteria A, B, or C. The construction of the automotive-repair building is not linked to the construction of or establishment of Federal Boulevard as a major thoroughfare through the city, as Federal Boulevard was known as a major north-south route through the western urban area for several years prior to the construction of the building. In addition, the main features that identify the structure as a service garage, the garage doors, have been impacted by recent alterations affecting its ability to serve as a good example of an automobile-service garage from the 1960s. With the exception of the garage doors, there is very little architectural detailing indicating the use or association of the building with the automobile industry, and there have been several recent modifications to the building and features. Because there are very few distinctive architectural elements and multiple, incompatible modifications the building is not a good example of an automobile service garage from the early 1960s. The building lacks significance and is not eligible for listing on the NRHP.

Gordon Sign/2930 West 9th Avenue (5DV11373): The Gordon Sign complex consists of an office building and a warehouse with six garage bays that were built in 1962 and an eight-bay garage building built in 1973. There are no associations with the building and important trends in history. Although the building has been occupied by the same business since its construction, there is no indication that the company or building is associated with events that have made significant contributions to our collective history. Because of this, it is not significant under Criterion A. It is also not significant under Criterion B, because there are no known associations with the property and persons significant in our past. Finally, the resource is not significant under Criterion C because it does not embody the distinctive characteristics of a type, period, or method of construction or represent the work of a master. Although the building dates to the Modern Movement era, it is not a particularly noteworthy or distinctive example of a building from this era. The building is an office building with neither an extreme vertical

nor horizontal emphasis. The building contains rectangular windows and support pillars that seem to indicate a vertical emphasis; however, this sense of verticality is negated with the overpowering horizontal cornice band. The building lacks an association with a particular style within the Modern Movement. Given that the Gordon Sign building lacks significance, it is not eligible for listing on the NRHP.

EFFECT DETERMINATIONS

The Proposed Action has a potential to effect the one historic resource within the Study Area determined eligible for listing on the NRHP, as summarized below (Tables 3 and 4).

Table 3. Effects Findings

Resource Name	Site Number	Resource Address	Eligibility Determination –Year	Effects Determination
Majestic Furniture Manufacturing	5DV10719	730 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Demuth-Meiningner House	5DV5132	745 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Bill’s Liquor Store	5DV5137	775 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Mecca Tavern	5DV5138	801 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Miller’s Groceteria	5DV10634	816 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Cook House/ Romey’s Auto Shop	5DV10625	859 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
General Plumbing Company	5DV10626	867–869 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Auto Equipment Company	5DV10633	880–890 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Hilts-Herman House	5DV10627	935 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Unique Garage & Filling Station	5DV10628	995 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Plamondon House	5DV10630	1041 Federal Boulevard	Officially Not Eligible–2009	No Historic Properties Affected
Alsbach House	5DV10720	2946 West Severn Place	Officially Not Eligible–2009	No Historic Properties Affected

Historic Resources for the Federal Boulevard Improvements EA

Resource Name	Site Number	Resource Address	Eligibility Determination –Year	Effects Determination
Fashion Plaza 707	5DV11372	707 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Western Material Handling	5DV11370	753–759 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
United Automotive, LLC	5DV11369	765 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Not Applicable	5DV11368	913–925 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Casa de Fashion/ The Treasure Thrift Store	5DV11366	969–975 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Not Applicable	5DV11367	970 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Family Dollar	5DV11365	990 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Restaurante El Zarape	5DV11364	1065 Federal Boulevard	Officially Not Eligible–2014	No Historic Properties Affected
Vigil’s Shamrock Service Station	5DV11363	1251 Federal Boulevard	Officially Eligible–2014	No Adverse Effect
Complete Auto Care	5DV11371	2970 West Severn Place	Officially Not Eligible–2014	No Historic Properties Affected
Troy’s Auto Care	5DV11400	2843 West 7 th Avenue	Officially Not Eligible–2014	No Historic Properties Affected
Gordon Sign	5DV11373	2930 West 9 th Avenue	Officially Not Eligible–2014	No Historic Properties Affected

Majestic Furniture/730 Federal Boulevard (5DV10719): From this property, the Proposed Action would require 1,649-square feet for a ROW which would result in the demolition of the building to construct the Proposed Action and a total of 6,248 square feet of impacts as the entire parcel would need to be acquired. The resource was previously officially determined to be not eligible for listing on the NRHP and, as a result, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to Majestic Furniture.

Demuth-Meininger/745 Federal Boulevard (5DV5132): From this property, the Proposed Action would require a temporary easement measuring 339 square feet to construct a sidewalk and driveway. Given that this resource was previously officially determined not eligible for listing on the NRHP, CDOT has determined that the Proposed

Action would result in a *no historic properties affected* determination with regard to the Demuth-Meininger property.

Bill's Liquor Store/775 Federal Boulevard (5DV5137): The Proposed Action would require a temporary easement measuring 250 square feet from Bill's Liquor Store in order to construct a sidewalk and driveways. The resource was previously officially determined not eligible and, as a result, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to Bill's Liquor Store.

Mecca Tavern/801 Federal Boulevard (5DV5138): At the Mecca Tavern, the Proposed Action would require a permanent easement measuring 24 square feet in order to construct, access, and maintain a fire hydrant. (Note: This property is also identified as 815 Federal Boulevard in Denver County Assessor's records.) The resource was officially determined not eligible for listing on the NRHP in 2009 and, therefore, CDOT has determined that the acquisition of the permanent easement would result in a *no historic properties affected* determination with regard to the Mecca Tavern.

Miller's Groceteria/816 Federal Boulevard (5DV10634): From the Miller's Groceteria property the Proposed Action would require 22,151 square feet of ROW, resulting in demolition of the building and a total of 39,628 square feet of impacts, as the entire parcel would need to be acquired. The resource was previously officially determined not eligible for listing on the NRHP and, as a result, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to Miller's Groceteria.

Cook House and Romey's Auto Shop/859 Federal Boulevard (5DV10625): A temporary easement measuring 337 square feet would need to be acquired from the Cook House/Romey's Auto Shop property to construct a sidewalk and driveways. Because the resource was previously officially determined not eligible CDOT has determined that the acquisition of the temporary easement would result in a *no historic properties affected* determination with regard to the Cook House.

General Plumbing Company/867–869 Federal Boulevard (5DV10626): The Proposed Action would require a temporary easement measuring 100-square feet from the General Plumbing Company property to accommodate sidewalks and driveways. Because the resource was previously officially determined not eligible for listing on the NRHP, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to the General Plumbing Company.

Auto Equipment Company/880–890 Federal Boulevard (5DV10633): The Proposed Action would require a temporary easement measuring 2,467 square feet from this property to construct a sidewalk and 8,006 square feet of ROW in order to construct the proposed improvements. The resource was previously officially determined not eligible for listing on the NRHP and, as a result, CDOT has determined that the proposed

acquisitions and improvements would result in a *no historic properties affected* determination with regard to the Auto Equipment Company.

Hilts-Herman House/935 Federal Boulevard (5DV10627): The Proposed Action would require a temporary easement measuring 627 square feet from the Hilts-Herman house property to construct a sidewalk and driveway. Because the resource was previously officially determined not eligible for listing on the NRHP CDOT has determined that the Proposed Action would result in a finding of *no historic properties affected* with regard to the Hilts-Herman House.

Unique Garage & Filling Station/995 Federal Boulevard (5DV10628): In order to construct the proposed improvements, the Proposed Action would require 97 square feet of ROW and a temporary easement measuring 705-square feet in order to construct a sidewalk and driveway. The resource was previously officially determined not eligible for listing on the NRHP and, as a result, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to the Unique Garage & Filling Station.

Plamondon House/1041 Federal Boulevard (5DV10630): The Proposed Action would require a temporary easement measuring 409 square feet from the Plamondon House property for the construction of a sidewalk and driveways. Because the resource was previously officially determined not eligible for listing on the NRHP, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to the Plamondon House resource.

Alsbach House/2946 West Severn Place (5DV10720): This resource was included in the APE to account for potential indirect impacts from the improvements that affect the parcel located directly to the west of the Alsbach House property. The parcels to the west (2970 West Severn Place and 730 Federal Boulevard) are slated for full acquisition, as the structures would be demolished to accommodate Proposed Action improvements. However, there would be no direct impacts to this property. Because the resource was previously officially determined not eligible for listing on the NRHP CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to the Alsbach House.

Fashion Plaza 707/707 Federal Boulevard (5DV11372): At this location, the Proposed Action would require a permanent easement measuring 12 square feet for the purposes of construction, access, and maintenance of a fire hydrant. A temporary easement of 663 square feet would also be acquired to construct a sidewalk and driveway. This resource was determined not eligible for listing on the NRHP. As a result CDOT has determined the easements would result in a *no historic properties affected* determination with regard to the Fashion Plaza.

Western Material Handling/753-759 Federal Boulevard (SDV11370): The Proposed Action would obtain a permanent easement measuring 10 square feet from this property to construct and retain future access to a fire hydrant. Additionally, in order to construct a sidewalk and driveway, a temporary easement measuring 629 square feet would be obtained. The resource was determined not eligible for listing on the NRHP. As a result, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to the Western Material Handling property.

United Automotive, L.L.C./765 Federal Boulevard (SDV11369): A temporary easement measuring 616 square feet would be acquired from United Automotive to construct a sidewalk and driveway under the Proposed Action. The resource is not eligible for listing on the NRHP, and CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to United Automotive, L.L.C.

913–925 Federal Boulevard (SDV11368): The Proposed Action would require a temporary easement measuring 828 square feet from this property to construct a sidewalk and driveway. Because the resource has been determined to be not eligible for listing on the NRHP, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to this property.

Casa de Fashion and The Treasure Thrift Store/969–975 Federal Boulevard (SDV11366): In order to construct a sidewalk and driveway, the Proposed Action would require a temporary easement of 1,163 square-feet from this property. The resource is not eligible for listing on the NRHP. Therefore, CDOT has determined that the Proposed Action would result in a *no historic properties affected* determination with regard to the Casa de Fashion and The Treasure Thrift Store property.

970 Federal Boulevard (SDV11367): In order to construct the proposed improvements, the Proposed Action would require 2,092 square feet of ROW and a temporary easement measuring 1,096 square feet to construct a sidewalk and driveway. CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to this property.

Family Dollar/990 Federal Boulevard (SDV11365): At this location, the Proposed Action would require 5,196 square feet of ROW, resulting in demolition of the building and a total of 32,864 square feet of impacts as the entire parcel would need to be acquired. This resource was determined to be not eligible for listing on the NRHP. As a result, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to the Family Dollar property.

Restaurante El Zarape/1065 Federal Boulevard (SDV11364): At this location, the Proposed Action would require 219 square feet of ROW and a temporary easement of 118 square feet to construct a sidewalk and driveway. The resource was determined to be not eligible for listing on the NRHP and, as a result, CDOT has determined the Proposed

Action would result in a *no historic properties affected* determination with regard to the Restaurante El Zarape.

Vigil's Shamrock Service Station/1251 Federal Boulevard (5DV11363): At this location, the Proposed Action would require a permanent easement measuring 247 square feet for the construction, access, and maintenance of a storm-sewer line. The improvements would take place in the far northern corner of the parcel, approximately 70 feet from the building in an area that is already covered in recent asphalt paving. A review of older aerial imagery shows that the area was paved sometime between 2011 and 2012. Prior to that, the area where the easement would be obtained was gravel and dirt. It was disturbed in 2010, when the area was used for staging during construction of the bicycle and pedestrian facilities along Sanchez Park and Lakewood Gulch to the north of the property. Because the area was so recently disturbed and covered in asphalt paving, which is considered a non-historic element of the property, obtaining a permanent easement for the construction and maintenance of a storm-sewer line would not affect any of the resource's integrity or its ability to convey significance under Criterion C. As a result, CDOT has determined that the Proposed Action would result in a *no adverse effect* determination to the Vigil's Shamrock Service Station resource.

Complete Auto Care/2970 West Severn Place (5DV11371): The Proposed Action would require 2,745 square feet of ROW resulting in demolition of the building and a total of 6,257 square feet of impacts as the entire parcel would need to be acquired. Because it is not eligible for listing on the NRHP, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to the Complete Auto Care resource.

Troy's Auto Care/2843 West 7th Avenue (5DV11400): The Proposed Action would not have any direct impacts on this property. It was included in the APE to account for any indirect impacts because the building on the parcel immediately to the west would be removed to construct the Proposed Action. The resource is separated from the parcel to the west by an alley, which creates a buffer between this resource and the area where the Proposed Action would have direct impacts. Because the resource was determined not eligible for listing on the NRHP, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to Troy's Auto Care.

Gordon Sign/2930 West 9th Avenue (5DV11373): At this location, the Proposed Action would require a temporary easement measuring 560 square feet to construct a driveway. The resource, however, was determined not eligible for listing on the NRHP. As a result, CDOT has determined the Proposed Action would result in a *no historic properties affected* determination with regard to the Gordon Sign property.

DE MINIMIS USE

The Proposed Action has been determined to have *no adverse effect* on Vigil's Shamrock Service Station, the one property in the Project Area officially found to be eligible for listing on the NRHP, through Section 106 consultation with the Colorado SHPO, Denver Landmarks Preservation Commission, and Historic Denver, Inc. (Appendix C). Based on this determination, the effects of the Proposed Action constitute a *de minimis* impact and the requirements of 23 USC 128, 49 USC 303, and 23 CFR 774 have been satisfied.

Table 4. Historic Resources Impacts

Resource	Proposed Action	No-Action Alternative
<p>Twelve potential historic resources located within the Area of Potential Effect (APE) were surveyed at an intensive level in December 2013. This survey resulted in the production of 12 architectural inventory forms. Only one of the resources, Vigil's Shamrock Service Station (5DV11363), was determined eligible for listing on the National Register of Historic Places (NHRP). The remaining resources lack either significance or integrity and were found to be not eligible for listing on the NHRP.</p>	<p>Permanent Impacts:</p> <p>Impacts by the Proposed Action would result in <i>no adverse effect</i> to Vigil's Shamrock Service Station.</p> <p>Temporary Impacts:</p> <p>No temporary impacts to historic or archaeological resources are anticipated to occur if the Proposed Action is implemented.</p>	<p>Permanent Impacts:</p> <p>No permanent impacts to historic resources would occur if the No-Action Alternative is implemented.</p> <p>Temporary Impacts:</p> <p>No temporary impacts to historic resources would occur if the No-Action Alternative is implemented.</p>

MITIGATION MEASURES

There are no recommended mitigation measures for historic resources, as there are no adverse impacts to historic resources which result from implementation of the Proposed Action.

REQUIRED PERMITS

Consultation under NHPA Section 106 was conducted with the SHPO which concurred that Project will result in *no adverse effect* to the Virgil's Shamrock Service Station located at 1251 Federal Boulevard (5DV11363) (Appendix C) and FHWA made a Section 4(f) *de minimis* finding in May 2014.

STAKEHOLDER COORDINATION

The CCD has continued to provide opportunities for public involvement between the PEL Study in 2009 and initiation of this EA. A public meeting was held in August 14, 2014 prior to the completion of this EA to solicit further comment on and discussion of the Project. A Spanish-speaking translator was present at the open house, and materials were presented in both English and Spanish; Korean translation was available upon request. Stakeholder coordination will continue to take place throughout the Project's development and construction.

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Historic Resources for the Federal Boulevard Improvements EA

THA, 2009. "Intensive-Level Survey of Historic Buildings Planning Environmental Linkage Study, Federal Boulevard West 5th Avenue to West Howard Place", Tatanka Historical Associates (THA), February, 2009.

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Appendix A – Photographic Log

Historic Resources for the Federal Boulevard Improvements EA

Photo 1:
Fashion Plaza
707
(5DV11372)
View looking
southwest



Photo 2:
Western
Material
Handling
(5DV11370)
View looking
northwest



Historic Resources for the Federal Boulevard Improvements EA

Photo 3:
United
Automotive,
L.L.C.
(5DV11370)
View looking
west at
wooden
garage and
prefabricated
building



Photo 4:
913-925
Federal
Boulevard
(5DV11368)
View looking
northwest



Photo 5: Casa de Fashion and The Treasure Thrift Store (5DV11366) View looking southwest at 975 Federal Boulevard



Photo 6: 970 Federal Boulevard (5DV11367) View looking south



Photo 7:
Family Dollar
(5DV11365)
View looking
north



Photo 8:
Restaurante
El Zarape
(5DV11364)
View looking
southwest



Photo 9:
Vigil's
Shamrock
Service
Station
(5DV11363)
View looking
northwest



Photo 10:
Complete
Auto Care
(5DV11371)
View looking
southeast



Photo 11:
Troy's Auto
Care
(5DV11400)
View looking
north



Photo 12:
Gordon Sign
(5DV11373)
Looking
southeast at
main office
building



Appendix B – PEL SHPO Consultation Correspondence 2009

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6
2000 South Holly Street
Denver, CO 80222
Phone: 303-757-9461
Fax: 303-757-9073



July 27, 2009

Mr. Edward C. Nichols
State Historic Preservation Officer
Colorado Historical Society
1300 Broadway
Denver, Colorado 80203

Re: Area of Potential Effect (APE) and Determinations of Eligibility
Intensive Level Survey of Historic Buildings for the Federal Boulevard (5th Avenue to
Howard Place) Planning Environmental Linkage (PEL) Study, City and County of
Denver.

Dear Mr. Nichols:

This letter and the attached documentation constitute the Colorado Department of Transportation's (CDOT) request for your review of the Area of Potential Effects (APE) and a request for concurrence on determinations of eligibility for the Planning Environmental Linkage (PEL) study referenced above. The undertaking proposes to add a third northbound lane on Federal Boulevard from 5th Avenue to approximately Howard Place in the City and County of Denver (CCD). Federal Boulevard is a principal north-south urban arterial roadway that is under the jurisdiction of CDOT as State Highway 88 (SH 88).

Planning Environmental Linkage (PEL) Study

In August 2005, the current federal transportation authorization bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), was signed into law. SAFETEA-LU authorizes the federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005 to 2009. SAFETEA-LU incorporates changes aimed at improving and streamlining the environmental process for transportation projects by allowing states to conduct corridor planning activities prior to the start of the National Environmental Policy Act (NEPA) process. In accordance with SAFETEA-LU, CCD, in cooperation with the Federal Highway Administration (FHWA) and CDOT, is preparing a PEL Study to evaluate transportation improvements along Federal Boulevard from 5th Avenue to Howard Place in Denver, Colorado. FHWA defines PEL as a voluntary approach to transportation decision-making that considers environmental, community, and economic goals early in the planning stage and carry them through project development, design, and construction.

Due to limited funding at this time, a PEL was determined to be the appropriate level of environmental documentation for the entire corridor from 5th Avenue to Howard Place. Funding is currently available for a portion of the corridor from 5th Avenue to 7th Avenue. No historic properties were found to be individually eligible for the NRHP between 5th Avenue and 7th Avenue. As part of the PEL, CCD will prepare a non-programmatic Categorical Exclusion (CatEx) in conformance with NEPA Section 771.117(d) and FHWA requirements. As funding becomes available, the appropriate level of environmental analysis in conformance with NEPA and based on the PEL study will be conducted for the remaining portions of the corridor.

Proposed Project Description

The proposed project consists of the following elements:

- ▶ Federal Boulevard roadway alignment and improvements
 - Conversion of the northbound Federal Boulevard auxiliary lane from 5th Avenue to eastbound US 6, which is planned as part of the I-25 Valley Highway project, to a northbound through lane
 - Restriping of the Federal Boulevard bridge over US 6 to 7th Avenue, which will be reconstructed as part of the I-25 Valley Highway project, with an additional northbound through lane
 - Construction of three 11-ft southbound through lanes, three 11-ft northbound through lanes, and a 16-ft raised median with a left turn lane at intersections on Federal Boulevard from 7th Avenue to approximately 12th Avenue
 - Widening of Federal Boulevard from the right-of-way boundary line on the west side of Federal Boulevard toward the east between US 6 and approximately 12th Avenue with an additional northbound lane
 - Restriping of Federal Boulevard from approximately 12th Avenue to approximately Howard Place including the Federal Boulevard bridge over Lakewood Gulch, which will be reconstructed as part of the RTD FasTracks West Corridor LRT project, with an additional northbound through lane
 - Construction of new curb and gutter on both sides of Federal Boulevard from 5th Avenue to Howard Place
 - Provision of an increased curb turning radii at the intersections along Federal Boulevard from 5th Avenue to Howard Place
 - Elimination of access curb cuts where possible along Federal Boulevard between 5th Avenue and Howard Place
- ▶ Bicycle/Pedestrian Improvements
 - Wider sidewalks on both the west and east side of Federal Boulevard between 5th Avenue and Howard Place to better accommodate bicycles and pedestrians
 - Replacement of the discontinuous sidewalk on both sides of Federal Boulevard with an 8-ft pedestrian zone consisting of either a detached 5-ft sidewalk with a 3-ft buffer or an attached 8-ft sidewalk with ADA-compliant curb ramps and driveway cuts
 - Installation of crosswalk pavement markings and countdown pedestrian signal heads at the Federal Boulevard/8th Avenue and Federal Boulevard/10th Avenue intersections
 - Maintain existing ADA accessible routes for properties along Federal Boulevard between 5th Avenue and Howard Place
 - Improve access to the Federal/Decatur station
 - Installation of pedestrian signals and crosswalks at the Federal Boulevard/8th Avenue and Federal Boulevard/10th Avenue signalized intersections
- ▶ Water Quality/Drainage Improvements
 - Construction of a water quality pond in the vicinity of Weir Gulch to manage storm water flows in the area of 8th Avenue in accordance with CDOT and CCD Municipal Separate Storm Sewer System (MS4) requirements

- Increase the size of the stormceptors (best management practice [BMP]) to manage storm water flows in the area of 12th Avenue, which will be installed by RTD during replacement of the Federal Boulevard bridge over Lakewood Gulch

Survey Methodology and Establishment of the APE:

An initial reconnaissance survey of the project corridor was completed on March 3rd, 2008 by Jason Marmor, a staff historian formerly with Felsburg Holt & Ullevig (FHU). Mr. Marmor examined the project corridor along Federal Boulevard from 7th Avenue to Howard Place and collected cursory data about buildings and structures (railroads, bridges) that appeared to exceed 50 years of age. The initial reconnaissance survey involved the identification of historic and potentially historic properties within the APE as preliminarily defined at that time. Ron Sladek, Tatanka Historical Associates Inc. (THAI) completed the survey report, which is attached, and prepared architectural site forms within the APE.

Following the initial site reconnaissance, a review of Denver County tax assessor's online property records to obtain reported dates of construction for the buildings immediately adjacent to Federal Boulevard and for the second row of properties behind buildings on the east side of Federal Boulevard was conducted. A file search through the Colorado Historical Society's COMPASS online cultural resources database was also completed to determine which properties had already been documented and evaluated for significance. This approach determined which properties along the project corridor warranted further review for NRHP-eligibility, and which properties could be excluded.

Based on the initial site reconnaissance and the file search of the Denver County tax assessor's online property records and the Colorado Historical Society's COMPASS online cultural resources database, an APE was developed that included the proposed improvements along Federal Boulevard and the adjacent historic resources. A map of the APE and historic resources within that boundary is included as **Figure 1**.

APE Boundaries:

The proposed cross-section for Federal Boulevard, as identified in the PEL study, is 106 feet in width or approximately 38 feet wider than the existing cross-section of Federal Boulevard. The proposed improvements extend along Federal Boulevard for approximately one mile from 5th Avenue to Howard Place. Portions of the proposed project overlap with other planned transportation projects in the area. North of 12th Avenue, the proposed project overlaps with the RTD West Corridor LRT project, and south of 7th Avenue the proposed project overlaps with the I-25 Valley Highway project. Since these areas have been surveyed previously, they were not surveyed as part of this study (**Figure 2**).

To identify the APE boundaries for potential direct effects, the reported dates of construction for the buildings on each property adjacent to Federal Boulevard between 7th Avenue and 12th Avenue, which is the portion of the project area that was not included in a previous study, was obtained from the Denver County tax assessor's online property records. **Figure 3** depicts the reported dates of construction for these properties. In addition to the properties immediately adjacent to Federal Boulevard that potentially would be directly affected by the project, properties that potentially would be indirectly affected by the removal of buildings between them and Federal Boulevard were included in the APE. The reported dates of construction for buildings in the second row of properties behind buildings along Federal Boulevard that likely would be acquired for right-of-way and demolished were obtained (**Figure 3**). The full right-of-way acquisitions for the properties are limited to the east side of Federal Boulevard between 6th Avenue and 10th Avenue. **Table 1** summarizes the full and partial acquisitions based on a conceptual level of roadway design.

Table 1 Summary of Full and Partial Right-of-Way Acquisitions

Right-of-Way	Construction Date	State Identification Number
Full Acquisitions		
690 Federal Blvd	1977	Not Applicable (N/A)
710 Federal Blvd	1980	N/A
724 Federal Blvd	1972	N/A
730 Federal Blvd	1955	5DV10719
2970 W. Severn Pl		N/A
816 Federal Blvd	1939	5DV10634
830 Federal Blvd	1968	N/A
880 Federal Blvd	1957	5DV10633
990 Federal Blvd	1963	N/A
Partial Acquisitions		
750 Federal Blvd	2001	N/A
900 Federal Blvd	1989	N/A
950 Federal Blvd	1969	N/A
1000 Federal Blvd	1989	N/A
1034 Federal Blvd	No building on property	N/A
1100 Federal Blvd	No building on property	N/A

The specific APE boundaries are defined as:

- ▶ **Northern Boundary** – Federal Boulevard Bridge over Lakewood Gulch. RTD has prepared a Categorical Exclusion for replacement of the Federal Boulevard Bridge over Lakewood Gulch north of 12th Avenue to Howard Place as part of the RTD West Corridor LRT project.
- ▶ **Southern Boundary** – 7th Avenue. CDOT prepared an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) to add a third northbound lane along Federal Boulevard between Alameda Avenue and 5th Avenue. CDOT also prepared a Draft Environmental Impact Statement (EIS), Final EIS, and Record of Decision (ROD) for the I-25 Valley Highway project, which extends along 6th Avenue to the Federal Boulevard/6th Avenue interchange and includes Federal Boulevard from 5th Avenue to 7th Avenue.
- ▶ **East Boundary** - The APE includes the proposed improvements to Federal Boulevard and buildings that exceed 50 years of age that are immediately adjacent to Federal Boulevard between 7th Avenue and 12th Avenue. No roadway improvements are proposed along the east-west streets intersecting Federal Boulevard between 7th Avenue to 12th Avenue except at the immediate intersections. Parcels fronting the east side of Federal Boulevard are not uniformly shaped. Right-of-way is expected to be acquired along the east side of Federal Boulevard. The APE includes properties in the second row that potentially would be indirectly affected by the removal of buildings between them and Federal Boulevard. These buildings in the second row would be visible from Federal Boulevard due to removal of the existing buildings along Federal

Boulevard. The full right-of-way acquisitions for the property are limited to the east side of Federal Boulevard between 6th Avenue and 10th Avenue.

- ▶ **West Boundary** - The APE includes buildings that exceed 50 years of age that are immediately adjacent to Federal Boulevard between 5th Avenue and 12th Avenue or is limited to the Federal Boulevard right-of-way. The APE does not extend west of the alley located between Federal Boulevard and Grove Street. West of Federal Boulevard is the Villa Park neighborhood. No roadway improvements are proposed along the east-west streets intersecting Federal Boulevard between 7th Avenue to Holden Place except at the immediate intersections. No full or partial right-of-way acquisitions are expected to occur along the west side of Federal Boulevard. Due to the lack of impacts to the Villa Park neighborhood, this neighborhood was not included in the APE.

We request your comments on the APE boundaries as discussed above and represented on the enclosed map (Figure 1).

Survey

CDOT surveyed properties within the APE constructed in 1958 or earlier. Seventeen properties were surveyed. Table 2 summarizes the survey results.

Table 2 Survey Log

Property Address	Historic Property Name	State Identification Number	Individual Eligibility	District Potential
730 Federal Blvd	Majestic Furniture Manufacturing	5DV10719	No	No
745 Federal Blvd	Demuth-Meininger House	5DV5132	No	No
775 Federal Blvd	Bill's Liquor Store	5DV5137	No	No
801 Federal Blvd	Mecca Tavern	5DV5138	No	No
816 Federal Blvd	Miller's Groceteria	5DV10634	No	No
859 Federal Blvd	Cook House/Romey's Auto Shop	5DV10625	No	No
867-869 Federal Blvd	General Plumbing Company	5DV10626	No	No
880-890 Federal Blvd	Auto Equipment Company	5DV10633	No	No
935 Federal Blvd	Hilts-Herman House	5DV10627	No	No
995 Federal Blvd	Unique Garage & Filling Station	5DV10628	No	No
1015 Federal Blvd	Kitchen Service Company	5DV10629	No	No
1041 Federal Blvd	Plamondon House	5DV10630	No	No
1063 Federal Blvd	Anderson-Wilcox House	5DV10631	No	No
1075 Federal Blvd	Samuel & Mollie West House	5DV10632	No	No
1077 Federal Blvd	Phil & Fannie Silverman House	5DV916	No	No
1317 Federal Blvd	Capitol Wet Wash Co./Capitol Laundry Co.	5DV8224	No	No
2946 W. Severn Place	Alsbach House	5DV10720	No	No

Eligibility Determinations

As noted in the attached survey report, no historic resources were identified in the APE. It was determined that none of the APE's historic properties were found to be individually eligible for the National Register of Historic Places based upon the research and field analysis completed for this project. These conclusions were drawn because all of the buildings were lacking in historical significance and architectural integrity. Greater detail about each of the 17 properties surveyed along Federal Boulevard (5th Avenue to Howard Place) is found on the individual architectural inventory forms in the attached survey report.

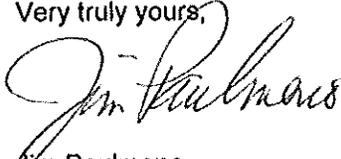
The likelihood of a National Register district being formed in this area was determined to be very poor. Of the 17 historic properties found along Federal Boulevard in the APE, it is unlikely that any would be considered good candidates to contribute to a historic district.

Mr. Edward Nichols
July 27, 2009
Page 6

We request your concurrence with these determinations of eligibility. Your response is necessary for FHWA's compliance with the State Register Act, Section 106 of the National Historic Preservation Act, and the Advisory Council on Historic Preservation's regulations.

Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Dianna Litvak at 303-757-9461.

Very truly yours,



Jim Paulmeno
Region 6 Planning and Environmental Manager

Enclosure: **Figure 1 Area of Potential Effect (APE)**
Figure 2 Planned Transportation Projects in the Vicinity of the Area of Potential Effect (APE)
Figure 3 Reported Construction Dates of Federal Boulevard (7th Avenue to 12th Avenue) Adjacent Properties

cc: Jonathan Chesser, CDOT Region 6
Karen Good, City and County of Denver
Kevin Maddoux, Felsburg Holl and Ullevig

Figure 1 Area of Potential Effect (APE)

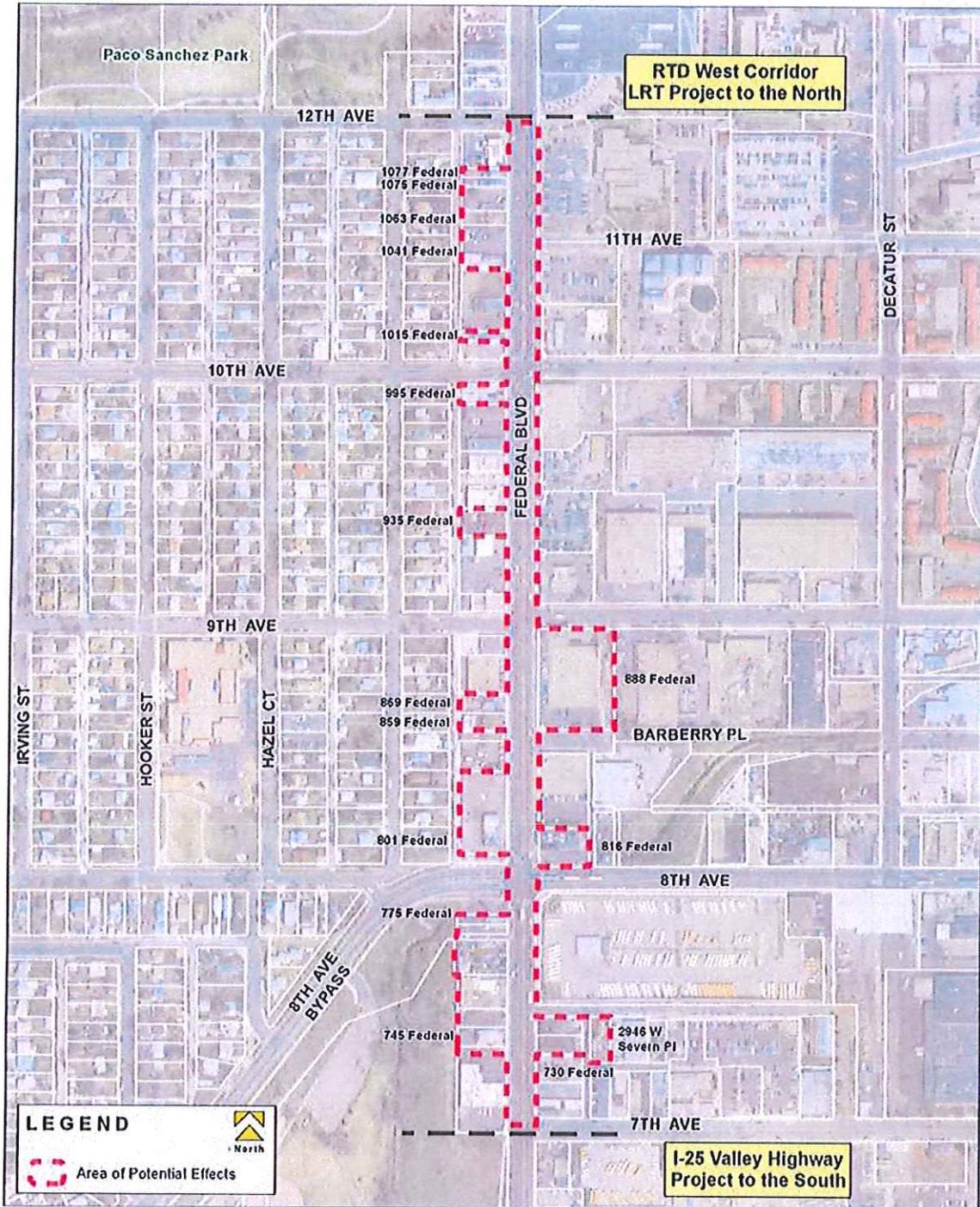


Figure 2 Planned Transportation Projects in the Vicinity of the Area of Potential Effect (APE)

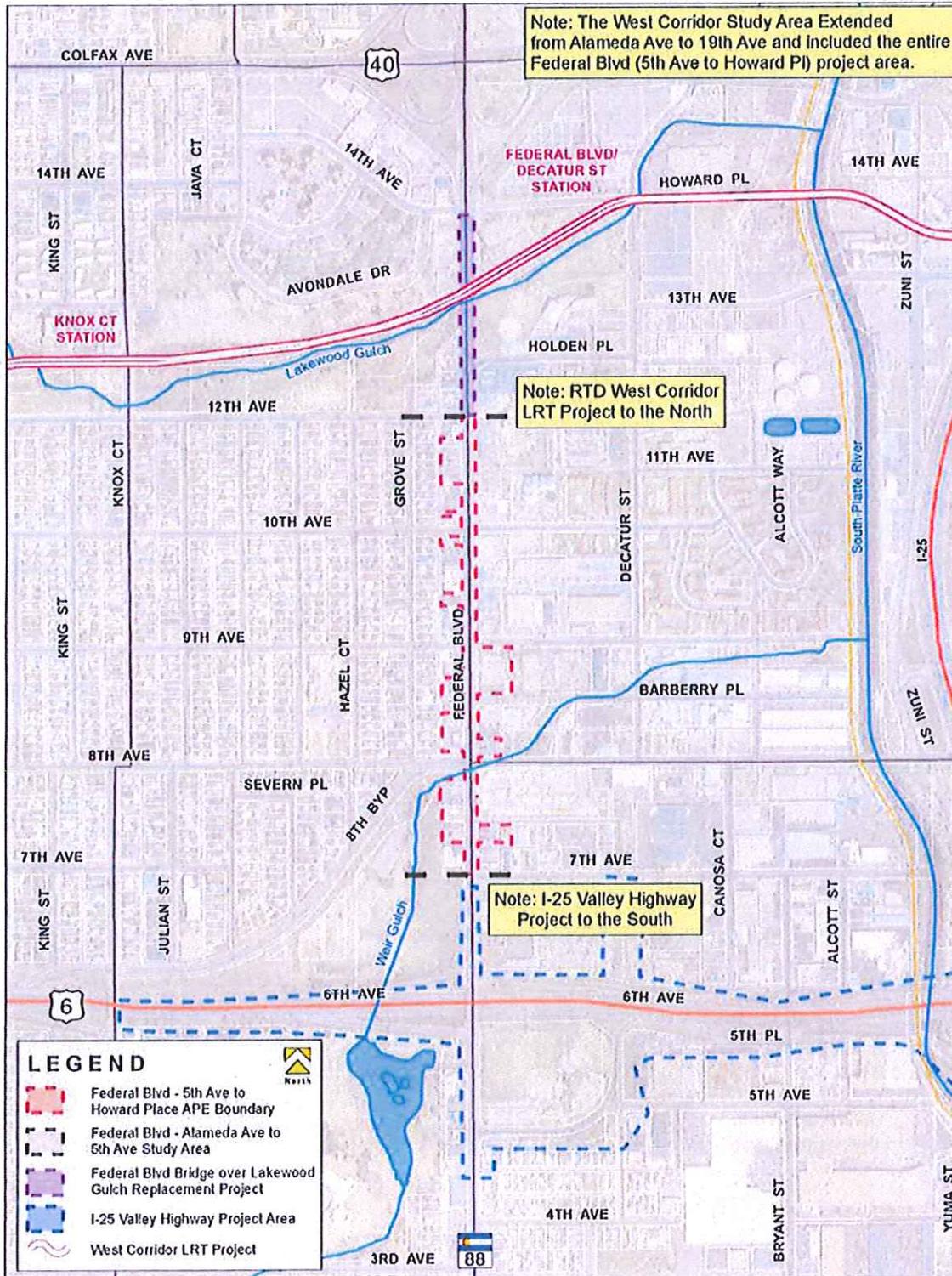
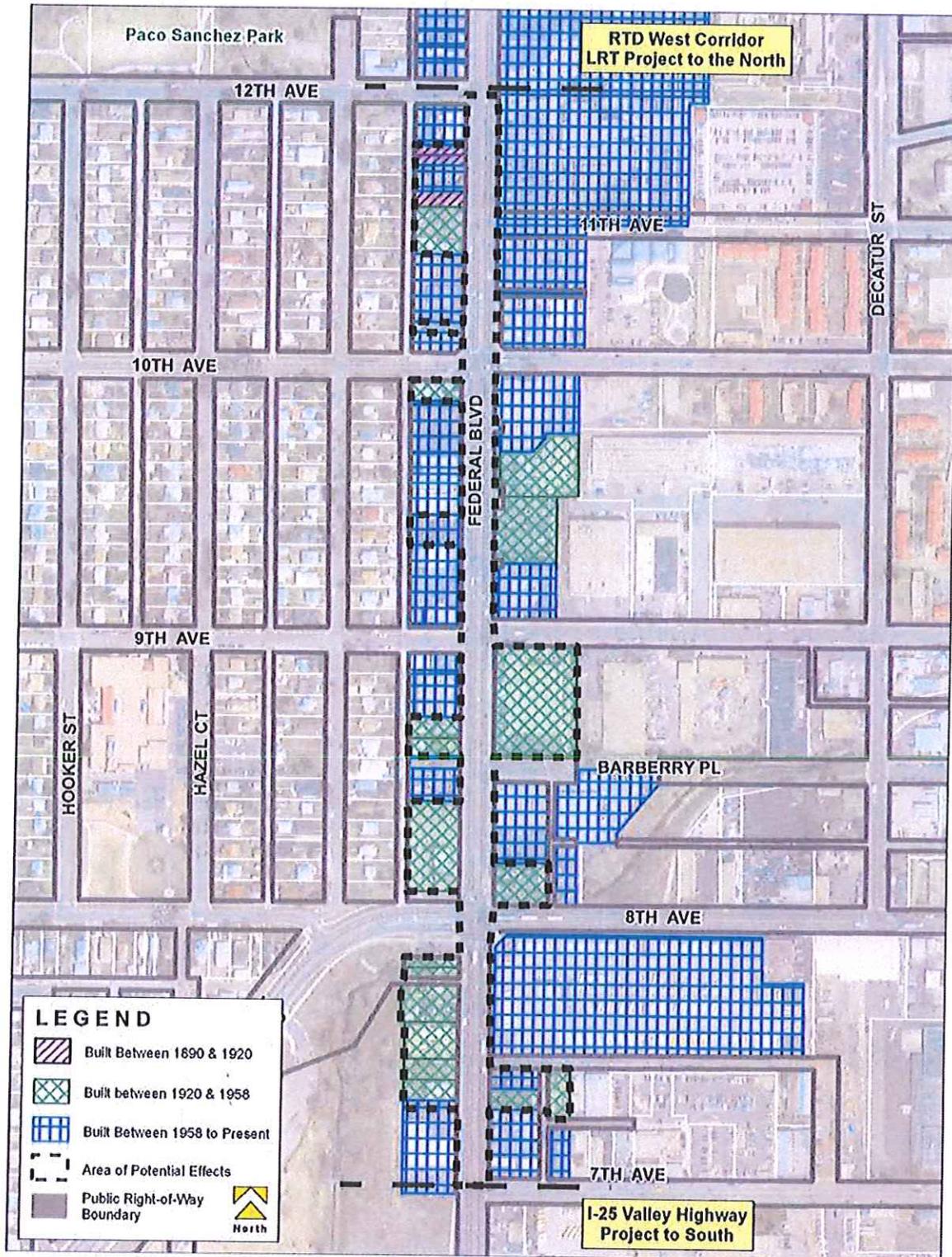


Figure 3 Reported Construction Dates of Federal Boulevard (7th Avenue to 12th Avenue) Adjacent Properties



STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6
2000 South Holly Street
Denver, CO 80222
Phone: 303-757-9461
Fax: 303-757-9073



August 12, 2009

Mr. George Gause
City and County of Denver
Denver Planning Office Dept. 205
201 West Colfax Ave.
Denver, CO 80202

Re: Area of Potential Effect (APE) and Determinations of Eligibility
Intensive Level Survey of Historic Buildings for the Federal Boulevard (5th Avenue to
Howard Place) Planning Environmental Linkage (PEL) Study, City and County of
Denver.

Dear Mr. Gause:

As staff representative of the Denver Landmarks Preservation Board, FHWA and CDOT would like to formally offer the Board the opportunity to participate as a consulting party for the Section 106 of the National Historic Preservation Act compliance process, as provided in Section 800.3(f)(1) of the regulation, for the above-referenced project. The City and County of Denver (CCD), in cooperation with the Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA), is planning to improve Federal Boulevard from 5th Avenue to approximately Howard Place. Federal Boulevard is a principal north-south urban arterial roadway that is under the jurisdiction of CDOT as State Highway 88 (SH 88).

This letter and the attached documentation constitute the Colorado Department of Transportation's (CDOT) request for your review of the Area of Potential Effects (APE) and determinations of eligibility for the Planning Environmental Linkage (PEL) study referenced above. As a potential Section 106 consulting party, we welcome your comments regarding our determinations of eligibility. Any information you can provide will help ensure that important historical resources are considered in the project planning process.

Planning Environmental Linkage (PEL) Study

In August 2005, the current federal transportation authorization bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), was signed into law. SAFETEA-LU authorizes the federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005 to 2009. SAFETEA-LU incorporates changes aimed at improving and streamlining the environmental process for transportation projects by allowing states to conduct corridor planning activities prior to the start of the National Environmental Policy Act (NEPA) process. In accordance with SAFETEA-LU, CCD, in cooperation with the Federal Highway Administration (FHWA) and CDOT, is preparing a PEL Study to evaluate transportation improvements along Federal Boulevard from 5th Avenue to Howard Place in Denver, Colorado. FHWA defines PEL as a voluntary approach to transportation decision-making that considers environmental, community, and economic goals early in the planning stage and carry them through project development, design, and construction.

Due to limited funding at this time, a PEL was determined to be the appropriate level of environmental documentation for the entire corridor from 5th Avenue to Howard Place. Funding is currently available for a portion of the corridor from 5th Avenue to 7th Avenue. No historic properties were found to be individually eligible for the NRHP between 5th Avenue and 7th Avenue. As part of the PEL, CCD will prepare a non-programmatic Categorical Exclusion (CatEx) in conformance with NEPA Section 771.117(d) and FHWA requirements. As funding becomes available, the appropriate level of environmental analysis in conformance with NEPA and based on the PEL study will be conducted for the remaining portions of the corridor.

Proposed Project Description

The proposed project consists of the following elements:

- ▶ Federal Boulevard roadway alignment and improvements
 - Conversion of the northbound Federal Boulevard auxiliary lane from 5th Avenue to eastbound US 6, which is planned as part of the I-25 Valley Highway project, to a northbound through lane
 - Restriping of the Federal Boulevard bridge over US 6 to 7th Avenue, which will be reconstructed as part of the I-25 Valley Highway project, with an additional northbound through lane
 - Construction of three 11-ft southbound through lanes, three 11-ft northbound through lanes, and a 16-ft raised median with a left turn lane at intersections on Federal Boulevard from 7th Avenue to approximately 12th Avenue
 - Widening of Federal Boulevard from the right-of-way boundary line on the west side of Federal Boulevard toward the east between US 6 and approximately 12th Avenue with an additional northbound lane
 - Restriping of Federal Boulevard from approximately 12th Avenue to approximately Howard Place including the Federal Boulevard bridge over Lakewood Gulch, which will be reconstructed as part of the RTD FasTracks West Corridor LRT project, with an additional northbound through lane
 - Construction of new curb and gutter on both sides of Federal Boulevard from 5th Avenue to Howard Place
 - Provision of an increased curb turning radii at the intersections along Federal Boulevard from 5th Avenue to Howard Place
 - Elimination of access curb cuts where possible along Federal Boulevard between 5th Avenue and Howard Place
- ▶ Bicycle/Pedestrian Improvements
 - Wider sidewalks on both the west and east side of Federal Boulevard between 5th Avenue and Howard Place to better accommodate bicycles and pedestrians
 - Replacement of the discontinuous sidewalk on both sides of Federal Boulevard with an 8-ft pedestrian zone consisting of either a detached 5-ft sidewalk with a 3-ft buffer or an attached 8-ft sidewalk with ADA-compliant curb ramps and driveway cuts
 - Installation of crosswalk pavement markings and countdown pedestrian signal heads at the Federal Boulevard/8th Avenue and Federal Boulevard/10th Avenue intersections
 - Maintain existing ADA accessible routes for properties along Federal Boulevard between 5th Avenue and Howard Place

- Improve access to the Federal/Decatur station
- Installation of pedestrian signals and crosswalks at the Federal Boulevard/8th Avenue and Federal Boulevard/10th Avenue signalized intersections
- ▶ Water Quality/Drainage Improvements
 - Construction of a water quality pond in the vicinity of Weir Gulch to manage storm water flows in the area of 8th Avenue in accordance with CDOT and CCD Municipal Separate Storm Sewer System (MS4) requirements
 - Increase the size of the stormceptors (best management practice [BMP]) to manage storm water flows in the area of 12th Avenue, which will be installed by RTD during replacement of the Federal Boulevard bridge over Lakewood Gulch

Survey Methodology and Establishment of the APE:

An initial reconnaissance survey of the project corridor was completed on March 3rd, 2008 by Jason Marmor, a staff historian formerly with Felsburg Holt & Ullevig (FHU). Mr. Marmor examined the project corridor along Federal Boulevard from 7th Avenue to Howard Place and collected cursory data about buildings and structures (railroads, bridges) that appeared to exceed 50 years of age. The initial reconnaissance survey involved the identification of historic and potentially historic properties within the APE as preliminarily defined at that time. Ron Sladek, Tatanka Historical Associates Inc. (THAI) completed the survey report, which is attached, and prepared architectural site forms within the APE.

Following the initial site reconnaissance, a review of Denver County tax assessor's online property records to obtain reported dates of construction for the buildings immediately adjacent to Federal Boulevard and for the second row of properties behind buildings on the east side of Federal Boulevard was conducted. A file search through the Colorado Historical Society's COMPASS online cultural resources database was also completed to determine which properties had already been documented and evaluated for significance. This approach determined which properties along the project corridor warranted further review for NRHP-eligibility, and which properties could be excluded.

Based on the initial site reconnaissance and the file search of the Denver County tax assessor's online property records and the Colorado Historical Society's COMPASS online cultural resources database, an APE was developed that included the proposed improvements along Federal Boulevard and the adjacent historic resources. A map of the APE and historic resources within that boundary is included as **Figure 1**.

APE Boundaries:

The proposed cross-section for Federal Boulevard, as identified in the PEL study, is 106 feet in width or approximately 38 feet wider than the existing cross-section of Federal Boulevard. The proposed improvements extend along Federal Boulevard for approximately one mile from 5th Avenue to Howard Place. Portions of the proposed project overlap with other planned transportation projects in the area. North of 12th Avenue, the proposed project overlaps with the RTD West Corridor LRT project, and south of 7th Avenue the proposed project overlaps with the I-25 Valley Highway project. Since these areas have been surveyed previously, they were not surveyed as part of this study (**Figure 2**).

To identify the APE boundaries for potential direct effects, the reported dates of construction for the buildings on each property adjacent to Federal Boulevard between 7th Avenue and 12th Avenue, which is the portion of the project area that was not included in a previous study, was obtained from the Denver County tax assessor's online property records. **Figure 3** depicts the reported dates of construction for these properties. In addition to the properties immediately adjacent to Federal Boulevard that potentially would be directly affected by the project,

properties that potentially would be indirectly affected by the removal of buildings between them and Federal Boulevard were included in the APE. The reported dates of construction for buildings in the second row of properties behind buildings along Federal Boulevard that likely would be acquired for right-of-way and demolished were obtained (Figure 3). The full right-of-way acquisitions for the properties are limited to the east side of Federal Boulevard between 6th Avenue and 10th Avenue. Table 1 summarizes the full and partial acquisitions based on a conceptual level of roadway design.

Table 1 Summary of Full and Partial Right-of-Way Acquisitions

Right-of-Way	Construction Date	State Identification Number
Full Acquisitions		
690 Federal Blvd	1977	Not Applicable (N/A)
710 Federal Blvd	1980	N/A
724 Federal Blvd	1972	N/A
730 Federal Blvd	1955	5DV10719
2970 W. Severn Pl		N/A
816 Federal Blvd	1939	5DV10634
830 Federal Blvd	1968	N/A
880 Federal Blvd	1957	5DV10633
990 Federal Blvd	1963	N/A
Partial Acquisitions		
750 Federal Blvd	2001	N/A
900 Federal Blvd	1989	N/A
950 Federal Blvd	1969	N/A
1000 Federal Blvd	1989	N/A
1034 Federal Blvd	No building on property	N/A
1100 Federal Blvd	No building on property	N/A

The specific APE boundaries are defined as:

- ▶ **Northern Boundary** – Federal Boulevard Bridge over Lakewood Gulch. RTD has prepared a Categorical Exclusion for replacement of the Federal Boulevard Bridge over Lakewood Gulch north of 12th Avenue to Howard Place as part of the RTD West Corridor LRT project.
- ▶ **Southern Boundary** – 7th Avenue. CDOT prepared an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) to add a third northbound lane along Federal Boulevard between Alameda Avenue and 5th Avenue. CDOT also prepared a Draft Environmental Impact Statement (EIS), Final EIS, and Record of Decision (ROD) for the I-25 Valley Highway project, which extends along 6th Avenue to the Federal Boulevard/6th Avenue interchange and includes Federal Boulevard from 5th Avenue to 7th Avenue.
- ▶ **East Boundary** - The APE includes the proposed improvements to Federal Boulevard and buildings that exceed 50 years of age that are immediately adjacent to Federal Boulevard between 7th Avenue and 12th Avenue. No roadway improvements are

proposed along the east-west streets intersecting Federal Boulevard between 7th Avenue to 12th Avenue except at the immediate intersections. Parcels fronting the east side of Federal Boulevard are not uniformly shaped. Right-of-way is expected to be acquired along the east side of Federal Boulevard. The APE includes properties in the second row that potentially would be indirectly affected by the removal of buildings between them and Federal Boulevard. These buildings in the second row would be visible from Federal Boulevard due to removal of the existing buildings along Federal Boulevard. The full right-of-way acquisitions for the property are limited to the east side of Federal Boulevard between 6th Avenue and 10th Avenue.

- ▶ **West Boundary** - The APE includes buildings that exceed 50 years of age that are immediately adjacent to Federal Boulevard between 5th Avenue and 12th Avenue or is limited to the Federal Boulevard right-of-way. The APE does not extend west of the alley located between Federal Boulevard and Grove Street. West of Federal Boulevard is the Villa Park neighborhood. No roadway improvements are proposed along the east-west streets intersecting Federal Boulevard between 7th Avenue to Holden Place except at the immediate intersections. No full or partial right-of-way acquisitions are expected to occur along the west side of Federal Boulevard. Due to the lack of impacts to the Villa Park neighborhood, this neighborhood was not included in the APE.

We request your comments on the APE boundaries as discussed above and represented on the enclosed map (Figure 1).

Survey

CDOT surveyed properties within the APE constructed in 1958 or earlier. Seventeen properties were surveyed. Table 2 summarizes the survey results.

Table 2 Survey Log

Property Address	Historic Property Name	State Identification Number	Individual Eligibility	District Potential
730 Federal Blvd	Majestic Furniture Manufacturing	5DV10719	No	No
745 Federal Blvd	Demuth-Meiningner House	5DV5132	No	No
775 Federal Blvd	Bill's Liquor Store	5DV5137	No	No
801 Federal Blvd	Mecca Tavern	5DV5138	No	No
816 Federal Blvd	Miller's Groceteria	5DV10634	No	No
859 Federal Blvd	Cook House/Romey's Auto Shop	5DV10625	No	No
867-869 Federal Blvd	General Plumbing Company	5DV10626	No	No
880-890 Federal Blvd	Auto Equipment Company	5DV10633	No	No
935 Federal Blvd	Hilts-Herman House	5DV10627	No	No
995 Federal Blvd	Unique Garage & Filling Station	5DV10628	No	No
1015 Federal Blvd	Kitchen Service Company	5DV10629	No	No
1041 Federal Blvd	Plamondon House	5DV10630	No	No
1063 Federal Blvd	Anderson-Wilcox House	5DV10631	No	No
1075 Federal Blvd	Samuel & Mollie West House	5DV10632	No	No
1077 Federal Blvd	Phil & Fannie Silverman House	5DV916	No	No
1317 Federal Blvd	Capitol Wet Wash Co./Capitol Laundry Co.	5DV8224	No	No
2946 W. Severn Place	Alsbach House	5DV10720	No	No

Eligibility Determinations

As noted in the attached survey report, no historic resources were identified in the APE. It was determined that none of the APE's historic properties were found to be individually eligible for the National Register of Historic Places based upon the research and field analysis completed for this project. These conclusions were drawn because all of the buildings were lacking in historical significance and architectural integrity. Greater detail about each of the 17 properties

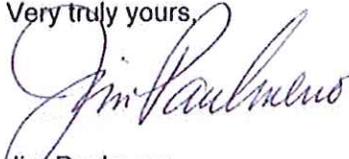
surveyed along Federal Boulevard (5th Avenue to Howard Place) is found on the individual architectural inventory forms in the attached survey report.

The likelihood of a National Register district being formed in this area was determined to be very poor. Of the 17 historic properties found along Federal Boulevard in the APE, it is unlikely that any would be considered good candidates to contribute to a historic district.

If you are interested in participating as a consulting party for this project under the Section 106 guidelines, please respond in writing within 30 days receipt of this letter to Dianna Litvak, CDOT Region 6 Senior Staff Historian, at the address on the letterhead or via email at dianna.litvak@dot.state.co.us. We request that your response include a statement of demonstrated interest in historic properties associated with this improvement project, as stipulated in the Section 106 regulations. This determination of eligibility has been submitted to Edward C. Nichols, Colorado State Historic Preservation Officer, for concurrence. Should you decide to participate as a consulting party, we will forward his response once we receive it.

If you elect to become a consulting party, we will continue to keep you informed during the compliance process for this project. If you require additional information or have questions about the Section 106 process, please contact Ms. Litvak at (303) 757-9461.

Very truly yours,



Jim Paulmeno
Region 6 Planning and Environmental Manager

Enclosures: **Figure 1 Area of Potential Effect (APE)**
Figure 2 Planned Transportation Projects in the Vicinity of the Area of Potential Effect (APE)
Figure 3 Reported Construction Dates of Federal Boulevard (7th Avenue to 12th Avenue) Adjacent Properties
Intensive Level Survey Report of Historic Properties in APE

cc: Jonathan Chesser, CDOT Region 6
Karen Good, City and County of Denver
Kevin Maddoux, Felsburg Holt and Ullevig

Figure 1 Area of Potential Effect (APE)

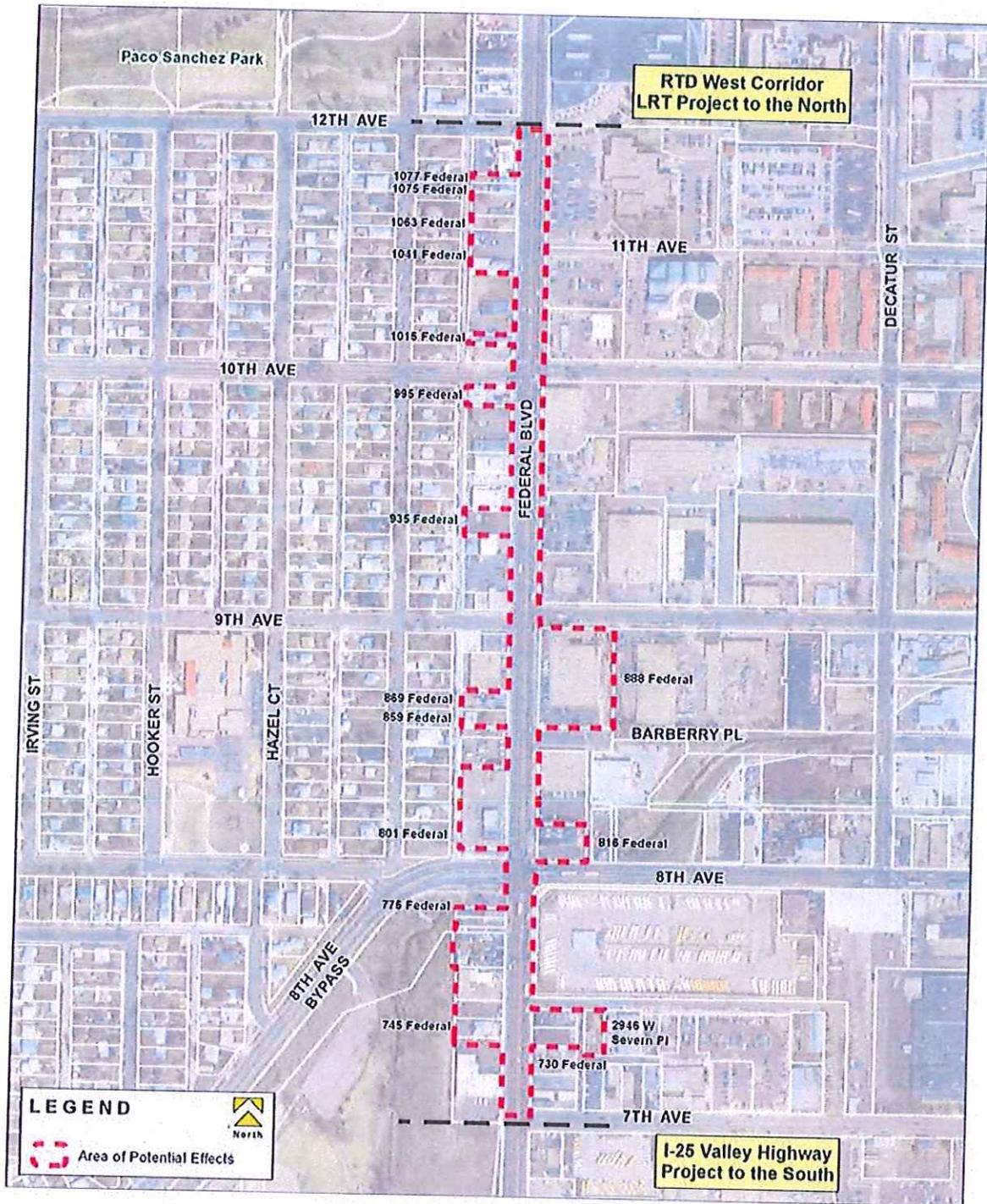


Figure 2 Planned Transportation Projects in the Vicinity of the Area of Potential Effect (APE)

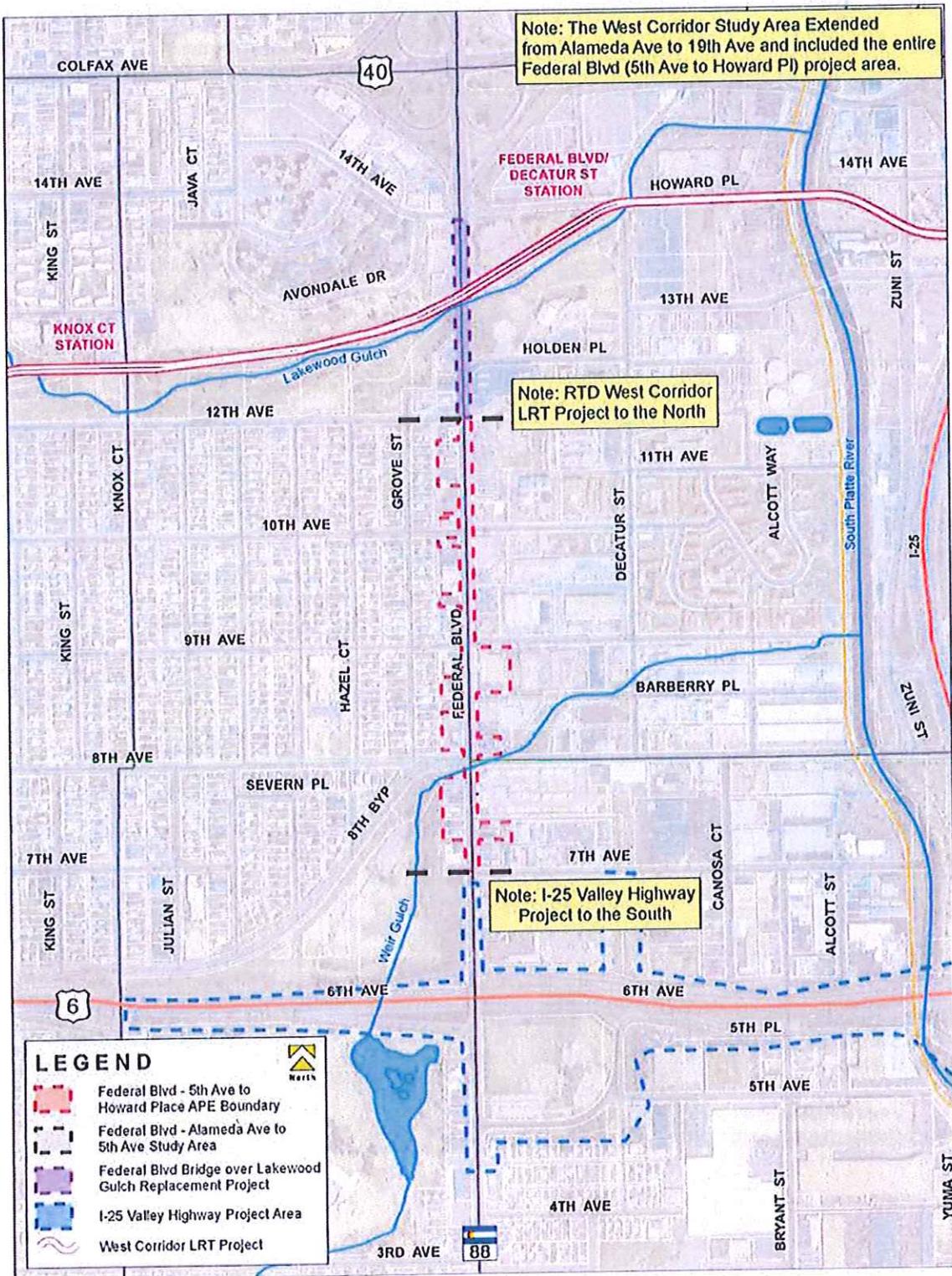
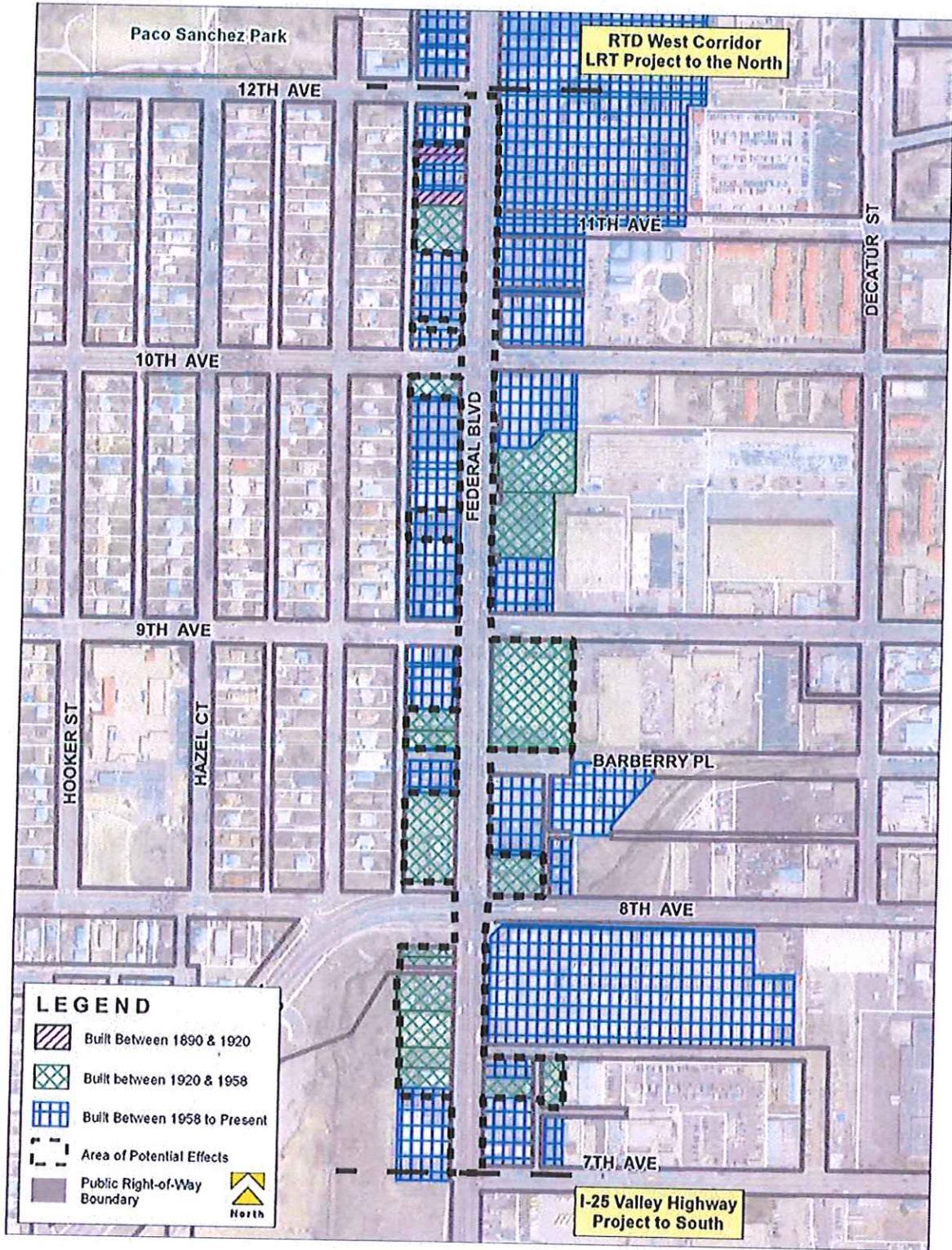


Figure 3 Reported Construction Dates of Federal Boulevard (7th Avenue to 12th Avenue) Adjacent Properties





 OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

August 17, 2009

Jim Paulmeno
Region 6 Planning and Environmental Manager
Colorado Department of Transportation, Region 6
2000 South Holly Street
Denver, CO 80222

Re: Federal Boulevard, 5th Avenue to Howard Place, City and County of Denver. (CHS #55407)

Dear Mr. Paulmeno,

Thank you for your correspondence dated July 27, 2009 and received by our office on August 3, 2009 regarding the consultation of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the proposed Area of Potential Effects (APE), we have an additional question. The proposed APE illustrated in Appendix A of the survey report does not reach to the project limits illustrated in the scope of work boundary in Appendix D of the report. We recommend that the APE boundary at least reach to the project limits of the proposed project.

After review of the provided information, we concur with the recommended findings of National Register eligibility for the properties listed below.

- 5DV.10719
- 5DV.5132
- 5DV.5137
- 5DV.5138
- 5DV.10634
- 5DV.10625
- 5DV.10626
- 5DV.10633
- 5DV.10627
- 5DV.10628
- 5DV.10629
- 5DV.10630
- 5DV.10631
- 5DV.10632
- 5DV.916
- 5DV.10720

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Coordinator, at (303) 866-4678.

Sincerely,

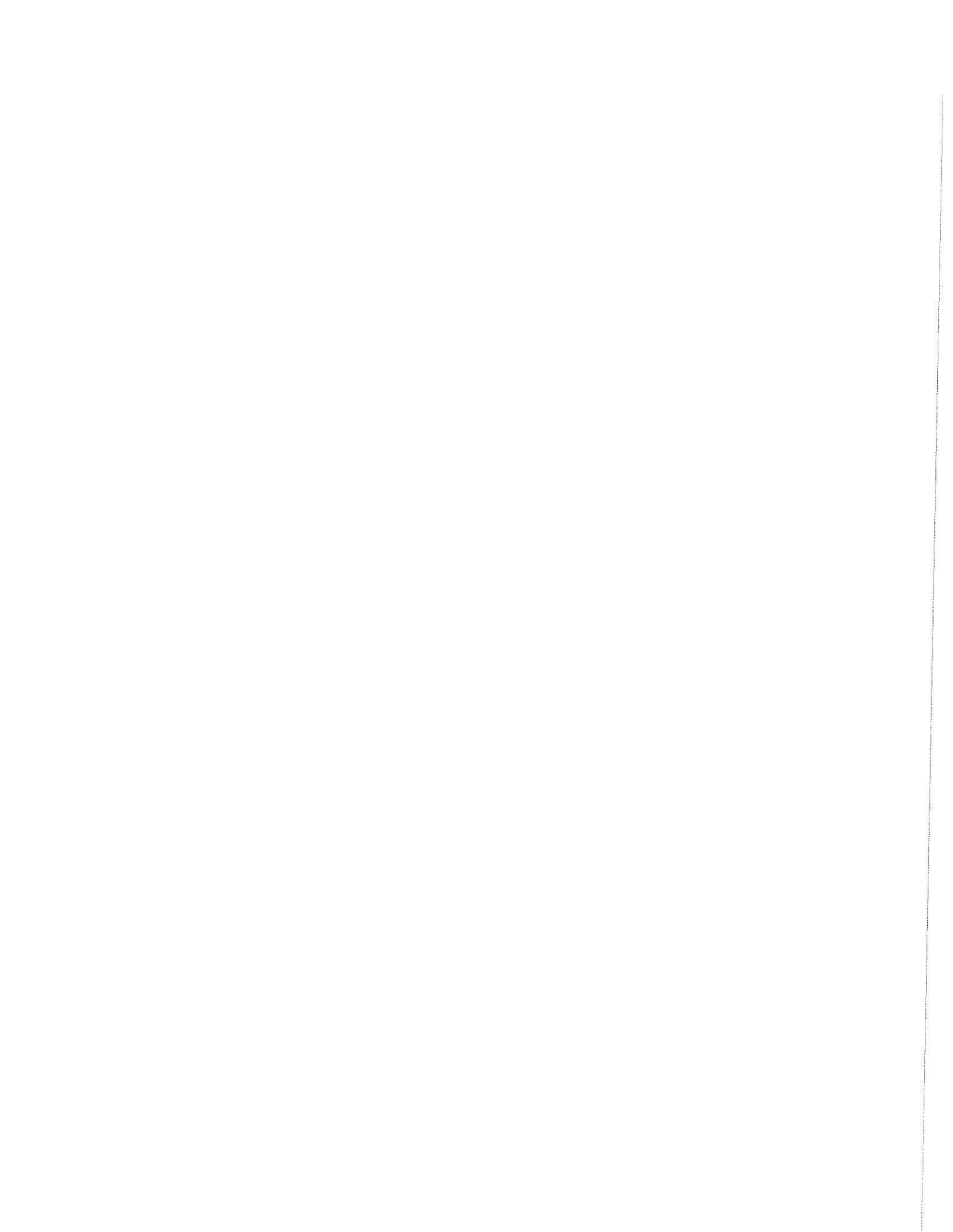


Edward C. Nichols
State Historic Preservation Officer



COLORADO HISTORICAL SOCIETY

1300 BROADWAY DENVER COLORADO 80203 TEL 303/866-3395 FAX 303/866-2711 www.coloradohistory-oahp.org



Appendix C –SHPO and Consulting Party Correspondence 2014



MEMORANDUM

Planning & Environmental
2000 South Holly Street
Denver, Colorado 80222
(303)757-9372
FAX (303)757-9036

TO: Jon Chesser, R1 Environmental Program Manager

FROM: Ashley L. Bushey, Region 1 Historian

DATE: June 2, 2014

SUBJECT: Section 106 Clearance, APE Modification, Updated Determinations of Eligibility and Effects, and Section 4(f) De Minimis; CDOT Project No. CC0881-025 (19957) Federal Boulevard Improvements 7th Avenue to Holden Place Environmental Assessment

This memo is to notify you that the Section 106 Consultation and Section 4(f) process has been completed for the project referenced above.

Section 106

SHPO Response

CDOT consulted on eligibility and effects with the State Historic Preservation Officer (SHPO), and with the Denver Landmark Preservation Commission in the capacity of consulting party, in letters dated May 2, 2014. In a letter dated May 15, 2014, SHPO concurred with the recommended determination of *not eligible* for eleven (11) resources and with the determination of *eligible* for resource 5DV11363. SHPO concurred with the recommend finding of *no historic properties affected* for eleven (11) resources and with the finding of *no adverse effect* for resource 5DV11363 and acknowledged the intention of FHWA to make a finding of 4(f) *de minimis* with regard to this resource.

In a letter dated May 15, 2014, the Denver Landmark Preservation referenced agreement with the above-outlined findings.

Section 4(f)

CDOT consulted with the Federal Highway Administration (FHWA) regarding the determination of Section 4(f) *de minimis* for resource 5DV11363, Vigil's Shamrock Service Station, in a letter dated May 22, 2014. FHWA concurred with the finding of *de minimis* impact on May 30, 2014.

Clearance to proceed on this project is recommended. As always, please notify me of any changes to the project scope or limits that would require a re-evaluation of the clearance.

AK 6.2.14

Enclosures: Consultation Correspondence

Cc: Amy Kennedy, Pinyon Environmental
Lisa Schoch, CDOT EPB
File





COLORADO

Department of Transportation

Region 1

Planning & Environmental
2000 South Holly Street,
Denver, CO 80222-4818

May 22, 2014

Mr. John M. Cater
Division Administrator
FHWA - Colorado Division
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228

SUBJECT: Finding of Section 4(f) *De Minimis*, CDOT Project No. CC 0881-025 (19957); Federal Boulevard Improvements Environmental Assessment between 7th Avenue and Holden Place, Denver County, Colorado (CHS # 55407)

Dear Mr. Cater:

This letter and the attached materials constitute a request for concurrence with a finding of *de minimis* impact for the project referenced above. The project began as a Planning and Environmental Linkages study completed in 2009. As of January 2014, an Environmental Assessment (EA) has been initiated for the project, consisting of Federal Boulevard between 7th Avenue and Howard Place. Additional project details have been determined, allowing for the modification of the APE to reflect the specific project area and effects, and requiring the inventory of additional properties not included in the initial survey effort of 2009.

AREA OF POTENTIAL EFFECTS: The previous APE (2009) included every parcel fronting Federal Boulevard between 5th Avenue and Howard Place and, in several areas along the east side of Federal Boulevard, a second parcel deep to account for potential indirect impacts resulting from the demolition of buildings fronting Federal Boulevard. The current EA has developed specific areas for right-of-way (ROW) acquisition and defined project limits, allowing refinement of the APE. The APE was expanded along the south side of 9th Avenue to include proposed sidewalk and access improvements, and includes two parcels between West 7th Avenue and West Severn Place that do not front Federal Boulevard. These properties were included in the APE because of the potential for indirect impacts when the buildings to the west are demolished to construct the project. North of this area, the parcels east of those fronting Federal Boulevard are not yet fifty years old or were separated from the area where impacts will occur by a great distance and/or geographic features that create a barrier from the potential indirect impacts and therefore were excluded from the revised APE. The APE includes all parcels containing buildings or structures that are fifty-years old or older that have the potential for direct or indirect impacts from the Proposed Action. The APE follows existing ROW and legal parcel lines, except in parcels containing buildings or structures that are *not* yet fifty years old; in these areas the APE follows the area of disturbance. Please see the attached APE graphic for more information (Figure 1).

Resource Descriptions

Twenty-four (24) resources were identified in the APE; twelve (12) under a survey conducted in 2009 and an additional twelve (12) identified in a recent study conducted in 2013. Only one of these resources was determined *eligible* to the National Register of Historic Places; this resource is the subject of this submission. The remaining resources were determined *not eligible*. Please refer to the attached Section

106 consultation materials for additional information regarding eligibility determinations for extant resources in the project area.

Vigil's Shamrock Service Station (SDV11363): This resource consists of a former automobile service station constructed in 1959. Vigil's Service Station is eligible under Criterion A for Transportation as a good example of an Oblong Box type gas station associated with the development of Federal Boulevard as a major transportation corridor. The development of the Oblong Box type reflected changes in automobile transportation and the way that gas was marketed. Popular from the 1930s through the 1970s, the Oblong Box gas station type is now becoming increasingly rare. Vigil's Service Station is also *eligible* under Criterion C in the area of Architecture as a good example of an Oblong Box type gas station that incorporates elements of the Moderne style.

De Minimis Use

Vigil's Shamrock Service Station (SDV11363): The project requires acquisition of a permanent easement of 247 square feet (0.0057 acres) from this property for the construction, access, and maintenance of a storm sewer line. The easement area represents 21.6% of the overall 1139 square foot (0.026 acre) parcel. The improvements will take place in the northern corner of the parcel approximately 70 feet from the building. The improvements will take place in an area of the property covered with asphalt between 2011 and 2012. Because the area was so recently disturbed and the pavement is not considered a contributing feature to the historic eligibility of the resource, the work will not diminish the character defining features of the resource or affect the ability of the resource to convey significance under Criteria A or C.

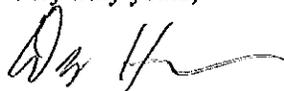
Finding of De Minimis Determination

This project has been determined to have *no adverse effect* to resource SDV11363, the Vigil's Shamrock Service Station, through Section 106 consultation with Colorado SHPO and with the Denver Landmarks Preservation Commission and Historic Denver, Inc., in the capacity of Consulting Parties. SHPO concurred with the abovementioned determinations for resource SDV11363 by a letter dated May 15, 2014. Comments were received from the Denver Landmarks Preservation Commission in a letter dated May 15, 2014, confirming agreement with the recommended Section 106 determinations. Please see the attached Section 106 correspondence for additional information.

Based on the information presented above and in the attached documentation, the effects of this proposed improvement on the properties described above constitute a *de minimis* impact and the requirements of 23 USC 138, 49 USC 303, and 23 CFR 774 have been satisfied. This finding is considered valid unless new information is obtained or the proposed effects change to the extent that consultation under Section 106 must be reinitiated.

If you concur with this finding, please sign below.

Very truly yours,



For Charles Attardo
Region 1 Planning and Environmental Manager

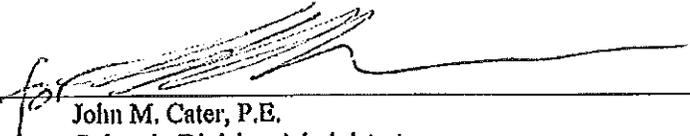
Enclosures:

Section 106 Correspondence
Site forms

APE Map

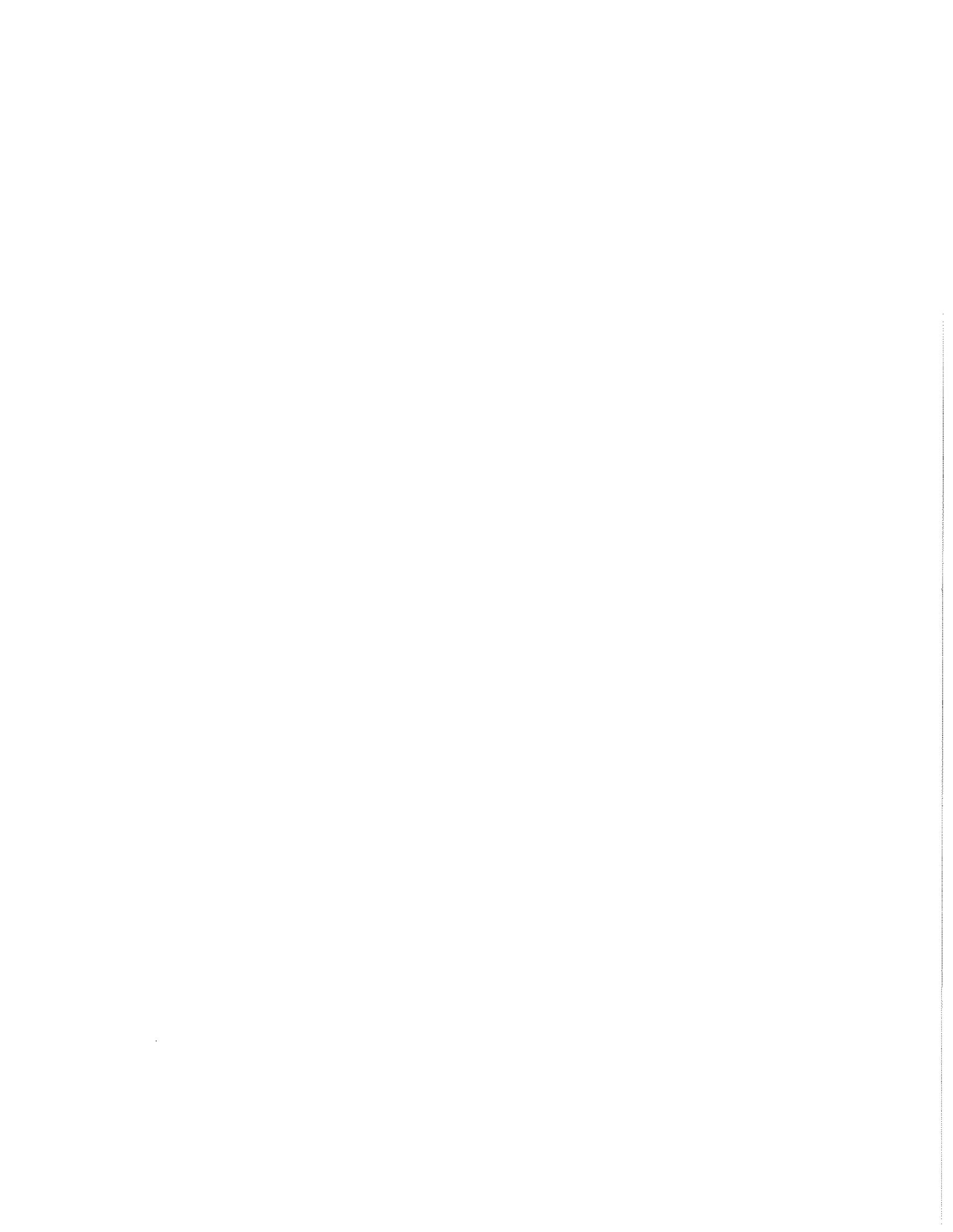
Cc: File

I concur:

for 

John M. Cater, P.E.
Colorado Division Administrator

05/30/2014
Date





COLORADO

Department of Transportation

Region 1

Planning & Environmental
2000 South Holly Street,
Denver, CO 80222-4818

May 2, 2014

Mr. Edward C. Nichols
State Historic Preservation Officer
History Colorado
1200 Broadway
Denver, CO 80203

SUBJECT: APE Modification, Updated Determinations of Eligibility and Effects, and Section 4(f) *De Minimis* Notification; CDOT Project No. CC 0881-025 (19957): Federal Boulevard Improvements Environmental Assessment between 7th Avenue and Holden Place, Denver County, Colorado (CHS # 55407)

Dear Mr. Nichols:

This letter and the attached materials constitute a request for concurrence on changes to the Area of Potential Effects (APE) and Determinations of Eligibility and Effects for the project referenced above, which was previously consulted on with your office in August 2009 as part of a Planning and Environmental Linkages Study completed in 2009. As of January 2014, an Environmental Assessment (EA) has been initiated for the project, consisting of Federal Boulevard between 7th Avenue and Howard Place. Additional project details have been determined, allowing for the modification of the APE to reflect the specific project area and effects, and requiring the inventory of additional properties not included in the initial survey effort of 2009. The updated information has been documented as an Addendum to the Determinations of Eligibility Report, and is included in this submission.

Project Description

The Proposed Action Alternative (Proposed Action) for the Federal Boulevard EA is to add a raised median and third northbound lane between 7th Avenue to Howard Place. This widening will meet AASHTO and CDOT standards and manage access by limiting left- and right-turn movements at non-signalized points. The bridge over Lakewood Gulch was reconstructed previously to accommodate three northbound lanes as a part of the Regional Transportation District FasTracks West Corridor Light Rail project. It is currently striped to allow two lanes of northbound traffic and will be re-striped to three lanes as a part of the Proposed Action. Crosswalks at the 8th Avenue and 10th Avenue signalized intersections are also included and the sidewalks on both the east and west sides of the street will be brought up to Americans with Disability Act (ADA) standards to match the existing and planned sections of Federal Boulevard to the north and south. Bus stops and access to bus service, which connects to local and regional destinations as well as the greater transit system including the nearby West Line of light rail transit, will be improved. Connectivity to and signage for the Weir Gulch Trail will be enhanced, which supports the Bicycle Master Plan (CCD, 2001). These improvements are anticipated to improve mobility, safety, and enhance multi-modal options within the corridor.

Area of Potential Effects

The previous APE (2009) included every parcel fronting Federal Boulevard between 5th Avenue and Howard Place and, in several areas along the east side of Federal Boulevard, a second parcel deep to account for potential indirect impacts resulting from the demolition of buildings fronting Federal Boulevard. The current

EA has developed specific areas for right-of-way (ROW) acquisition and defined project limits, allowing refinement of the APE. The APE was expanded along the south side of 9th Avenue to include proposed sidewalk and access improvements, and includes two parcels between West 7th Avenue and West Severn Place that do not front Federal Boulevard. These properties were included in the APE because of the potential for indirect impacts when the buildings to the west are demolished to construct the project. North of this area, the parcels east of those fronting Federal Boulevard are not yet fifty years old or were separated from the area where impacts will occur by a great distance and/or geographic features that create a barrier from the potential indirect impacts and therefore were excluded from the revised APE. The APE includes all parcels containing buildings or structures that are fifty-years old or older that have the potential for direct or indirect impacts from the Proposed Action. The APE follows existing ROW and legal parcel lines, except in parcels containing buildings or structures that are *not* yet fifty years old; in these areas the APE follows the area of disturbance. Please see the attached APE graphic for more information (Figure 1).

Survey Methodology

A search of the Denver County Assessor’s records was completed to identify parcels within the APE containing buildings or structures of fifty-years or older. Previously surveyed resources were identified through a search of the COMPASS database maintained by History Colorado and the original survey report: *Intensive-Level Survey of Historic Buildings, Planning Environmental Linkages Study, Federal Boulevard, West 5th Avenue to West Howard Place, Denver, Colorado* by Tatanka Historical Associates, Inc. from 2009. These efforts revealed that twelve resources within the updated APE had previously been recorded, resulting in a determinations of *officially not eligible* to the National Register of Historic Places (NRHP) for each resource (Appendix A). Because these resources were determined officially not eligible, they were not re-visited as a part of this project update. Jennifer Wahlers of Pinyon Environmental completed a field survey of the project area in November and December 2013. Architectural Inventory Forms were completed for resources meeting or exceeding fifty years of age that have not been previously surveyed. Please refer to the attached *Addendum to the Determinations of Eligibility* for additional details.

Eligibility Determinations

Seventeen resources were documented under the 2009 survey effort. Only twelve of those resources remain within the current APE. Concurrence on the eligibility of these resources was reached in 2009 by the State Historic Preservation Office (SHPO). The resources from the 2009 survey effort are listed in Table 1.

Table 1: 2009 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
Majestic Furniture Manufacturing	5DV10719	730 Federal Boulevard	Officially Not Eligible- 2009	In APE
Demuth-Meiningner House	5DV5132	745 Federal Boulevard	Officially Not Eligible- 2009	In APE
Bill’s Liquor Store	5DV5137	775 Federal Boulevard	Officially Not Eligible- 2009	In APE
Mecca Tavern	5DV5138	801 Federal Boulevard	Officially Not Eligible-2009	In APE
Miller’s Groceteria	5DV10634	816 Federal Boulevard	Officially Not Eligible- 2009	In APE
Cook House/ Romey’s Auto Shop	5DV10625	859 Federal Boulevard	Officially Not Eligible- 2009	In APE
General Plumbing Company	5DV10626	867-869 Federal Boulevard	Officially Not Eligible- 2009	In APE

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
Auto Equipment Company	5DV10633	880-890 Federal Boulevard	Officially Not Eligible-2009	In APE
Hilts-Herman House	5DV10627	935 Federal Boulevard	Officially Not Eligible- 2009	In APE
Unique Garage & Filling Station	5DV10628	995 Federal Boulevard	Officially Not Eligible- 2009	In APE
Kitchen Service Company	5DV10629	1015 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Plamondon House	5DV10630	1041 Federal Boulevard	Officially Not Eligible- 2009	In APE
Anderson-Wilcox House	5DV10631	1063 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Samuel & Mollie West House	5DV10632	1075 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Phil & Fannie Silverman House	5DV916	1077 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Capitol Wet Wash Co./ Capitol Laundry Co.	5DV8224	1317 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Alsbach House	5DV10720	2946 West Severn Place	Officially Not Eligible- 2009	In APE

Twelve new resources within the APE were documented under this updated survey effort. For additional details regarding the assessment of eligibility for these resources, please refer to summaries provided in the attached *Addendum to the Determinations of Eligibility (7th Avenue to West Holden Place)*, contained in section V. Survey Results. Architectural Inventory Forms (OAHF Form 1403) are also contained in the *Addendum Report*. No potential for a National Register Historic District was identified within this area, as the area has been heavily impacted by recent development and alterations to buildings. The buildings located in this area of Federal Boulevard represent a wide variety of uses, eras, and building types and lack the cohesion necessary to warrant a district. Table 2 below summarizes the survey results.

Table 2: 2013 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination
Fashion Plaza 707	5DV11372	707 Federal Boulevard	Not Eligible
Western Material Handling	5DV11370	753-759 Federal Boulevard	Not Eligible
United Automotive, LLC	5DV11369	765 Federal Boulevard	Not Eligible
N/A	5DV11368	913-925 Federal Boulevard	Not Eligible
Casa de Fashion/ The Treasure Thrift Store	5DV11366	969-975 Federal Boulevard	Not Eligible
N/A	5DV11367	970 Federal Boulevard	Not Eligible
Family Dollar	5DV11365	990 Federal Boulevard	Not Eligible
Restaurante El Zarape	5DV11364	1065 Federal Boulevard	Not Eligible
Vigil's Shamrock Service Station	5DV11363	1251 Federal Boulevard	Eligible
Complete Auto Care	5DV11371	2970 West Severn Place	Not Eligible
Troy's Auto Repair	5DV11400	2943 West 7 th Avenue	Not Eligible
Gordon Sign	5DV11373	2930 West 9 th Avenue	Not Eligible

Vigil's Shamrock Service Station (5DV11363): Only one resource was found to be *eligible* within the updated APE. This resource consists of a former automobile service station constructed in 1959. Vigil's Service Station is eligible under Criterion A for Transportation as a good example of an Oblong Box type gas station associated with the development of Federal Boulevard as a major transportation corridor. The

development of the Oblong Box type reflected changes in automobile transportation and the way that gas was marketed. Popular from the 1930s through the 1970s, the Oblong Box gas station type is now becoming increasingly rare. Vigil's Service Station is also *eligible* under Criterion C in the area of Architecture as a good example of an Oblong Box type gas station that incorporates elements of the Moderne style.

The remaining resources in the updated APE lack significance or integrity and were found *not eligible* for listing on the NRHP.

Effects Determinations

Vigil's Shamrock Service Station – 1251 Federal Boulevard (5DV11363): The Proposed Action requires a permanent easement measuring 247 square feet (0.0057 acres) for the construction, access, and maintenance of a storm sewer line. The improvements will take place in the far northern corner of the parcel approximately 70 feet from the building in an area that is already covered in recent asphalt paving. A review of older aerial imagery shows that the area was paved sometime between 2011 and 2012. Before then, the area where the easement will be obtained was gravel and dirt. It was disturbed in 2010 when the area was used for staging during construction of the bicycle/ pedestrian facilities along Sanchez Park and Lakewood Gulch to the north of the property. Because the area was so recently disturbed and covered in asphalt paving, which is considered a non-historic element of the property, obtaining a permanent easement for the construction and maintenance of a storm sewer will not affect the defining characteristics of the resource or its ability to convey significance under either Criteria A or C. CDOT has determined that the Proposed Action will result in *no adverse effect* determination to the Vigil's Shamrock Service Station.

The following table summarizes findings of effect for properties within the APE determined *not eligible* under the 2009 or 2013 surveys. Additional information is contained in the attached *Addendum to the Determinations of Eligibility*.

Resource Name	Site Number	Effect Summary	Effects Determination
Majestic Furniture Manufacturing	5DV10719	Acquisition of total parcel and demolition.	No Historic Properties Affected
Demuth-Meininger House	5DV5132	Temporary easement of 339 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Bill's Liquor Store	5DV5137	Temporary easement of 250 square feet (0.006 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Mecca Tavern	5DV5138	Permanent easement of 24 square feet (0.0006 acres) to install and maintain a fire hydrant.	No Historic Properties Affected
Miller's Groceteria	5DV10634	Acquisition of total parcel and demolition.	No Historic Properties Affected
Cook House/ Romey's Auto Shop	5DV10625	Temporary easement of 337 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
General Plumbing Company	5DV10626	Temporary easement of 100 square feet (0.002 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Auto Equipment Company	5DV10633	ROW acquisition of 8006 square feet (0.184 acres) and a temporary easement of 2467 square feet (0.057 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Hilts-Herman House	5DV10627	Temporary easement of 627 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Unique Garage & Filling Station	5DV10628	ROW acquisition of 97 square feet (0.002 acres) and a temporary easement of 705 square feet (0.016 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Plamondon House	5DV10630	Temporary easement of 409 square feet (0.009 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Alsbach House	5DV10720	The resource was included in the APE to assess potential for indirect effects stemming from the demolition of resources to the west (2970 West Severn Place and 730 Federal	No Historic Properties Affected

Resource Name	Site Number	Effect Summary	Effects Determination
		Boulevard). There are no direct impacts. The subject resource is <i>not eligible</i> .	
Fashion Plaza 707	5DV11372	Permanent easement of 12 square feet (0.0003 acres) to install and maintain a fire hydrant. Temporary easement of 663 square feet (0.015 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Western Material Handling	5DV11370	Permanent easement of 10 square feet (0.0002 acres) to install and maintain a fire hydrant. Temporary easement of 629 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
United Automotive, LLC	5DV11369	Temporary easement of 616 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
913-925 Federal Boulevard	5DV11368	Temporary easement of 828 square feet (0.019 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Casa de Fashion/ The Treasure Thrift Store	5DV11366	Temporary easement of 1163 square feet (0.027 acres) to construct sidewalk and driveway.	No Historic Properties Affected
970 Federal Boulevard	5DV11367	ROW acquisition of 2092 square feet (0.048 acres) and a temporary easement of 1096 square feet (0.025 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Family Dollar	5DV11365	Acquisition of total parcel and demolition.	No Historic Properties Affected
Restaurante El Zarape	5DV11364	ROW acquisition of 219 square feet (0.005 acres) and a temporary easement of 118 square feet (0.003 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Complete Auto Care	5DV11371	Acquisition of total parcel and demolition.	No Historic Properties Affected
Troy's Auto Care	5DV11400	The resource was included in the APE to assess potential for indirect effects as the building on the parcel immediately west will be demolished. The resource is separated from that parcel by an alley. There will be no direct effects to the subject resource. The subject resource is <i>not eligible</i> .	No Historic Properties Affected
Gordon Sign	5DV11373	Temporary easement of 560 square feet (0.013 acres) to construct sidewalk and driveway.	No Historic Properties Affected

Notification of Section 4(f) De Minimis Determination

The Section 106 finding of *no adverse effect* outlined above for Vigil's Shamrock Service Station (5DV11363) reflects a conclusion that for the Section 4(f) historic sites affected by the project, those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resource listed above.

FHWA requests acknowledgement by Colorado SHPO of the above-described findings of *de minimis* impact on historic properties for the proposed project. Your written concurrence on the No Adverse Effect determinations as outlined above will be evidence that consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Additional comments will be considered for the *de minimis* finding.

We request your comments on the updated APE and concurrence with these determinations of eligibility and effects and the *de minimis* notification. This information has been forwarded concurrently to the City of Landmark Preservation Commission, and Historic Denver, Inc. for review; we will inform you of any comments they elect to submit. Thank you in advance for your prompt attention to this matter. If you require additional information, please contact Region 1 Senior Historian Ashley L. Bushey at (303) 757-9397 or at ashley.bushey@state.co.us.

Sincerely,



for Charles Attardo
Region 1 Planning and Environmental Manager

Attachments:

APE Map

Addendum Report to Determinations of Eligibility, including:

Appendix A: PEL SHPO Consultation Correspondence 2009

Appendix B: Architectural Inventory Forms

Cc: Jon Chesser, CDOT Region 1 Environmental
Amy Kennedy, Pinyon Environmental, In



COLORADO

Department of Transportation

Region 1

Planning & Environmental
2000 South Holly Street,
Denver, CO 80222-4818

May 2, 2014

Mr. George Gause
City and County of Denver
Denver Planning Office
201 West Colfax Ave.
Denver, CO 80202

SUBJECT: APE Modification, Updated Determinations of Eligibility and Effects, and Section 4(f) *De Minimis* Notification; CDOT Project No. CC 0881-025 (19957): Federal Boulevard Improvements Environmental Assessment between 7th Avenue and Howard Place, Denver County, Colorado (CHS # 55407)

Dear Mr. Gause:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and Determinations of Eligibility and Effects for the project referenced above, which was previously consulted on with your office in August 2009 as part of a Planning and Environmental Linkages Study completed in 2009. As of January 2014, an Environmental Assessment (EA) has been initiated for the project, consisting of Federal Boulevard between 7th Avenue and Howard Place. Additional project details have been determined, allowing for the modification of the APE to reflect the specific project area and effects, and requiring the inventory of additional properties not included in the initial survey effort of 2009. The updated information has been documented as an Addendum to the Determinations of Eligibility Report, and is included in this submission. As part of the Section 106 obligation to consider effects of the project on historic properties eligible for or listed on the National Register of Historic Places (NRHP), we are providing the Denver Landmark Preservation Commission with the opportunity to comment on our effects determinations for the project.

Project Description

The Proposed Action Alternative (Proposed Action) for the Federal Boulevard EA is to add a raised median and third northbound lane between 7th Avenue to Howard Place. This widening will meet AASHTO and CDOT standards and manage access by limiting left- and right-turn movements at non-signalized points. The bridge over Lakewood Gulch was reconstructed previously to accommodate three northbound lanes as a part of the Regional Transportation District FasTracks West Corridor Light Rail project. It is currently striped to allow two lanes of northbound traffic and will be re-striped to three lanes as a part of the Proposed Action. Crosswalks at the 8th Avenue and 10th Avenue signalized intersections are also included and the sidewalks on both the east and west sides of the street will be brought up to Americans with Disability Act (ADA) standards to match the existing and planned sections of Federal Boulevard to the north and south. Bus stops and access to bus service, which connects to local and regional destinations as well as the greater transit system including the nearby West Line of light rail transit, will be improved. Connectivity to and signage for the Weir Gulch Trail will be enhanced, which supports the Bicycle Master Plan (CCD, 2001). These improvements are anticipated to improve mobility, safety, and enhance multi-modal options within the corridor.

Area of Potential Effects

The previous APE (2009) included every parcel fronting Federal Boulevard between 5th Avenue and Howard Place and, in several areas along the east side of Federal Boulevard, a second parcel deep to account for potential indirect impacts resulting from the demolition of buildings fronting Federal Boulevard. The current EA has developed specific areas for right-of-way (ROW) acquisition and defined project limits, allowing refinement of the APE. The APE was expanded along the south side of 9th Avenue to include proposed sidewalk and access improvements, and includes two parcels between West 7th Avenue and West Severn Place that do not front Federal Boulevard. These properties were included in the APE because of the potential for indirect impacts when the buildings to the west are demolished to construct the project. North of this area, the parcels east of those fronting Federal Boulevard are not yet fifty years old or were separated from the area where impacts will occur by a great distance and/or geographic features that create a barrier from the potential indirect impacts and therefore were excluded from the revised APE. The APE includes all parcels containing buildings or structures that are fifty-years old or older that have the potential for direct or indirect impacts from the Proposed Action. The APE follows existing ROW and legal parcel lines, except in parcels containing buildings or structures that are *not* yet fifty years old; in these areas the APE follows the area of disturbance. Please see the attached APE graphic for more information (Figure 1).

Survey Methodology

A search of the Denver County Assessor's records was completed to identify parcels within the APE containing buildings or structures of fifty-years or older. Previously surveyed resources were identified through a search of the COMPASS database maintained by History Colorado and the original survey report: *Intensive-Level Survey of Historic Buildings, Planning Environmental Linkages Study, Federal Boulevard, West 5th Avenue to West Howard Place, Denver, Colorado* by Tatanka Historical Associates, Inc. from 2009. These efforts revealed that twelve resources within the updated APE had previously been recorded, resulting in a determination of *officially not eligible* to the National Register of Historic Places (NRHP) for each resource (Appendix A). Because these resources were determined officially not eligible, they were not revisited as a part of this project update. Jennifer Wahlers of Pinyon Environmental completed a field survey of the project area in November and December 2013. Architectural Inventory Forms were completed for resources meeting or exceeding fifty years of age that have not been previously surveyed. Please refer to the attached *Addendum to the Determinations of Eligibility* for additional details.

Eligibility Determinations

Seventeen resources were documented under the 2009 survey effort. Only twelve of those resources remain within the current APE. Concurrence on the eligibility of these resources was reached in 2009 by the State Historic Preservation Office (SHPO). The resources from the 2009 survey effort are listed in Table 1.

Table 1: 2009 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
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Mecca Tavern	5DV5138	801 Federal Boulevard	Officially Not Eligible-2009	In APE
Miller's Groceteria	5DV10634	816 Federal Boulevard	Officially Not Eligible- 2009	In APE

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
Cook House/ Romey's Auto Shop	5DV10625	859 Federal Boulevard	Officially Not Eligible- 2009	In APE
General Plumbing Company	5DV10626	867-869 Federal Boulevard	Officially Not Eligible- 2009	In APE
Auto Equipment Company	5DV10633	880-890 Federal Boulevard	Officially Not Eligible-2009	In APE
Hilts-Herman House	5DV10627	935 Federal Boulevard	Officially Not Eligible- 2009	In APE
Unique Garage & Filling Station	5DV10628	995 Federal Boulevard	Officially Not Eligible- 2009	In APE
Kitchen Service Company	5DV10629	1015 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Plamondon House	5DV10630	1041 Federal Boulevard	Officially Not Eligible- 2009	In APE
Anderson-Wilcox House	5DV10631	1063 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Samuel & Mollie West House	5DV10632	1075 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Phil & Fannie Silverman House	5DV916	1077 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Capitol Wet Wash Co./ Capitol Laundry Co.	5DV8224	1317 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Alsbach House	5DV10720	2946 West Severn Place	Officially Not Eligible- 2009	In APE

Twelve new resources within the APE were documented under this updated survey effort. For additional details regarding the assessment of eligibility for these resources, please refer to summaries provided in the attached *Addendum to the Determinations of Eligibility (7th Avenue to West Howard Place)*, contained in section V. Survey Results. Architectural Inventory Forms (OAHF Form 1403) are also contained in the *Addendum Report*. No potential for a National Register Historic District was identified within this area, as the area has been heavily impacted by recent development and alterations to buildings. The buildings located in this area of Federal Boulevard represent a wide variety of uses, eras, and building types and lack the cohesion necessary to warrant a district. Table 2 below summarizes the survey results.

Table 2: 2013 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination
Fashion Plaza 707	5DV11372	707 Federal Boulevard	Not Eligible
Western Material Handling	5DV11370	753-759 Federal Boulevard	Not Eligible
United Automotive, LLC	5DV11369	765 Federal Boulevard	Not Eligible
N/A	5DV11368	913-925 Federal Boulevard	Not Eligible
Casa de Fashion/ The Treasure Thrift Store	5DV11366	969-975 Federal Boulevard	Not Eligible
N/A	5DV11367	970 Federal Boulevard	Not Eligible
Family Dollar	5DV11365	990 Federal Boulevard	Not Eligible
Restaurante El Zarape	5DV11364	1065 Federal Boulevard	Not Eligible
Vigil's Shamrock Service Station	5DV11363	1251 Federal Boulevard	Eligible
Complete Auto Care	5DV11371	2970 West Severn Place	Not Eligible
Troy's Auto Repair	5DV11400	2943 West 7 th Avenue	Not Eligible
Gordon Sign	5DV11373	2930 West 9 th Avenue	Not Eligible

Vigil's Shamrock Service Station (5DV11363): Only one resource was found to be *eligible* within the updated APE. This resource consists of a former automobile service station constructed in 1959. Vigil's Service Station is eligible under Criterion A for Transportation as a good example of an Oblong Box type gas station associated with the development of Federal Boulevard as a major transportation corridor. The development of the Oblong Box type reflected changes in automobile transportation and the way that gas was marketed. Popular from the 1930s through the 1970s, the Oblong Box gas station type is now becoming increasingly rare. Vigil's Service Station is also *eligible* under Criterion C in the area of Architecture as a good example of an Oblong Box type gas station that incorporates elements of the Moderne style.

The remaining resources in the updated APE lack significance or integrity and were found *not eligible* for listing on the NRHP.

Effects Determinations

Vigil's Shamrock Service Station – 1251 Federal Boulevard (5DV11363): The Proposed Action requires a permanent easement measuring 247 square feet (0.0057 acres) for the construction, access, and maintenance of a storm sewer line. The improvements will take place in the far northern corner of the parcel approximately 70 feet from the building in an area that is already covered in recent asphalt paving. A review of older aerial imagery shows that the area was paved sometime between 2011 and 2012. Before then, the area where the easement will be obtained was gravel and dirt. It was disturbed in 2010 when the area was used for staging during construction of the bicycle/ pedestrian facilities along Sanchez Park and Lakewood Gulch to the north of the property. Because the area was so recently disturbed and covered in asphalt paving, which is considered a non-historic element of the property, obtaining a permanent easement for the construction and maintenance of a storm sewer will not affect the defining characteristics of the resource or its ability to convey significance under either Criteria A or C. CDOT has determined that the Proposed Action will result in *no adverse effect* determination to the Vigil's Shamrock Service Station.

The following table summarizes findings of effect for properties within the APE determined *not eligible* under the 2009 or 2013 surveys. Additional information is contained in the attached *Addendum to the Determinations of Eligibility*.

Resource Name	Site Number	Effect Summary	Effects Determination
Majestic Furniture Manufacturing	5DV10719	Acquisition of total parcel and demolition.	No Historic Properties Affected
Demuth-Meiningner House	5DV5132	Temporary easement of 339 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Bill's Liquor Store	5DV5137	Temporary easement of 250 square feet (0.006 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Mecca Tavern	5DV5138	Permanent easement of 24 square feet (0.0006 acres) to install and maintain a fire hydrant.	No Historic Properties Affected
Miller's Groceteria	5DV10634	Acquisition of total parcel and demolition.	No Historic Properties Affected
Cook House/ Romey's Auto Shop	5DV10625	Temporary easement of 337 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
General Plumbing Company	5DV10626	Temporary easement of 100 square feet (0.002 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Auto Equipment Company	5DV10633	ROW acquisition of 8006 square feet (0.184 acres) and a temporary easement of 2467 square feet (0.057 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Hilts-Herman House	5DV10627	Temporary easement of 627 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Unique Garage & Filling Station	5DV10628	ROW acquisition of 97 square feet (0.002 acres) and a temporary easement of 705 square feet (0.016 acres) to	No Historic Properties Affected

Resource Name	Site Number	Effect Summary	Effects Determination
		construct sidewalk and driveway.	
Plamondon House	5DV10630	Temporary easement of 409 square feet (0.009 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Alsbach House	5DV10720	The resource was included in the APE to assess potential for indirect effects stemming from the demolition of resources to the west (2970 West Severn Place and 730 Federal Boulevard). There are no direct impacts. The subject resource is <i>not eligible</i> .	No Historic Properties Affected
Fashion Plaza 707	5DV11372	Permanent easement of 12 square feet (0.0003 acres) to install and maintain a fire hydrant. Temporary easement of 663 square feet (0.015 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Western Material Handling	5DV11370	Permanent easement of 10 square feet (0.0002 acres) to install and maintain a fire hydrant. Temporary easement of 629 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
United Automotive, LLC	5DV11369	Temporary easement of 616 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
913-925 Federal Boulevard	5DV11368	Temporary easement of 828 square feet (0.019 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Casa de Fashion/ The Treasure Thrift Store	5DV11366	Temporary easement of 1163 square feet (0.027 acres) to construct sidewalk and driveway.	No Historic Properties Affected
970 Federal Boulevard	5DV11367	ROW acquisition of 2092 square feet (0.048 acres) and a temporary easement of 1096 square feet (0.025 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Family Dollar	5DV11365	Acquisition of total parcel and demolition.	No Historic Properties Affected
Restaurante El Zarape	5DV11364	ROW acquisition of 219 square feet (0.005 acres) and a temporary easement of 118 square feet (0.003 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Complete Auto Care	5DV11371	Acquisition of total parcel and demolition.	No Historic Properties Affected
Troy's Auto Care	5DV11400	The resource was included in the APE to assess potential for indirect effects as the building on the parcel immediately west will be demolished. The resource is separated from that parcel by an alley. There will be no direct effects to the subject resource. The subject resource is <i>not eligible</i> .	No Historic Properties Affected
Gordon Sign	5DV11373	Temporary easement of 560 square feet (0.013 acres) to construct sidewalk and driveway.	No Historic Properties Affected

Notification of Section 4(f) De Minimis Determination

The Section 106 finding of *no adverse effect* outlined above for Vigil's Shamrock Service Station (5DV11363) reflects a conclusion that for the Section 4(f) historic sites affected by the project, those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resource listed above.

FHWA requests acknowledgement by Colorado SHPO of the above-described findings of *de minimis* impact on historic properties for the proposed project. Your written concurrence on the No Adverse Effect determinations as outlined above will be evidence that consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Additional comments will be considered for the *de minimis* finding.

As a local government with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these

materials, as stipulated in the Section 106 regulations. For additional information on the Section 106 process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at www.achp.gov. If you have questions or require additional information, please contact CDOT Region 1 Senior Staff Historian Ashley L. Bushey at 303.757.9397 or ashley.bushey@state.co.us.

Sincerely,


for Charles Attardo

Region 1 Planning and Environmental Manager

Attachments:

APE Map

Addendum Report to Determinations of Eligibility, including:

Appendix A: PEL SHPO Consultation Correspondence 2009

Appendix B: Architectural Inventory Forms

Cc: Jon Chesser, CDOT Region 1 Environmental
Amy Kennedy, Pinyon Environmental, In



COLORADO

Department of Transportation

Region 1

Planning & Environmental
2000 South Holly Street,
Denver, CO 80222-4818

May 2, 2014

Mr. John Olson
Historic Denver, Inc.
1420 Ogden St.
Suite 202
Denver, CO 80218

SUBJECT: APE Modification, Updated Determinations of Eligibility and Effects, and Section 4(f) *De Minimis* Notification; CDOT Project No. CC 0881-025 (19957): Federal Boulevard Improvements Environmental Assessment between 7th Avenue and Howard Place, Denver County, Colorado (CHS # 55407)

Dear Mr. Olson:

This letter and the attached materials constitute a request for comments on changes to the Area of Potential Effects (APE) and Determinations of Eligibility and Effects for the project referenced above, which was previously consulted on with your office in August 2009 as part of a Planning and Environmental Linkages Study completed in 2009. As of January 2014, an Environmental Assessment (EA) has been initiated for the project, consisting of Federal Boulevard between 7th Avenue and Howard Place. Additional project details have been determined, allowing for the modification of the APE to reflect the specific project area and effects, and requiring the inventory of additional properties not included in the initial survey effort of 2009. The updated information has been documented as an Addendum to the Determinations of Eligibility Report, and is included in this submission. As part of the Section 106 obligation to consider effects of the project on historic properties eligible for or listed on the National Register of Historic Places (NRHP), we are providing Historic Denver, Inc. with the opportunity to comment on our effects determinations for the project.

Project Description

The Proposed Action Alternative (Proposed Action) for the Federal Boulevard EA is to add a raised median and third northbound lane between 7th Avenue to Howard Place. This widening will meet AASHTO and CDOT standards and manage access by limiting left- and right-turn movements at non-signalized points. The bridge over Lakewood Gulch was reconstructed previously to accommodate three northbound lanes as a part of the Regional Transportation District FasTracks West Corridor Light Rail project. It is currently striped to allow two lanes of northbound traffic and will be re-striped to three lanes as a part of the Proposed Action. Crosswalks at the 8th Avenue and 10th Avenue signalized intersections are also included and the sidewalks on both the east and west sides of the street will be brought up to Americans with Disability Act (ADA) standards to match the existing and planned sections of Federal Boulevard to the north and south. Bus stops and access to bus service, which connects to local and regional destinations as well as the greater transit system including the nearby West Line of light rail transit, will be improved. Connectivity to and signage for the Weir Gulch Trail will be enhanced, which supports the Bicycle Master Plan (CCD, 2001). These improvements are anticipated to improve mobility, safety, and enhance multi-modal options within the corridor.

Area of Potential Effects

The previous APE (2009) included every parcel fronting Federal Boulevard between 5th Avenue and Howard Place and, in several areas along the east side of Federal Boulevard, a second parcel deep to account for potential indirect impacts resulting from the demolition of buildings fronting Federal Boulevard. The current EA has developed specific areas for right-of-way (ROW) acquisition and defined project limits, allowing refinement of the APE. The APE was expanded along the south side of 9th Avenue to include proposed sidewalk and access improvements, and includes two parcels between West 7th Avenue and West Severn Place that do not front Federal Boulevard. These properties were included in the APE because of the potential for indirect impacts when the buildings to the west are demolished to construct the project. North of this area, the parcels east of those fronting Federal Boulevard are not yet fifty years old or were separated from the area where impacts will occur by a great distance and/or geographic features that create a barrier from the potential indirect impacts and therefore were excluded from the revised APE. The APE includes all parcels containing buildings or structures that are fifty-years old or older that have the potential for direct or indirect impacts from the Proposed Action. The APE follows existing ROW and legal parcel lines, except in parcels containing buildings or structures that are *not* yet fifty years old; in these areas the APE follows the area of disturbance. Please see the attached APE graphic for more information (Figure 1).

Survey Methodology

A search of the Denver County Assessor's records was completed to identify parcels within the APE containing buildings or structures of fifty-years or older. Previously surveyed resources were identified through a search of the COMPASS database maintained by History Colorado and the original survey report: *Intensive-Level Survey of Historic Buildings, Planning Environmental Linkages Study, Federal Boulevard, West 5th Avenue to West Howard Place, Denver, Colorado* by Tatanka Historical Associates, Inc. from 2009. These efforts revealed that twelve resources within the updated APE had previously been recorded, resulting in a determination of *officially not eligible* to the National Register of Historic Places (NRHP) for each resource (Appendix A). Because these resources were determined officially not eligible, they were not revisited as a part of this project update. Jennifer Wahlers of Pinyon Environmental completed a field survey of the project area in November and December 2013. Architectural Inventory Forms were completed for resources meeting or exceeding fifty years of age that have not been previously surveyed. Please refer to the attached *Addendum to the Determinations of Eligibility* for additional details.

Eligibility Determinations

Seventeen resources were documented under the 2009 survey effort. Only twelve of those resources remain within the current APE. Concurrence on the eligibility of these resources was reached in 2009 by the State Historic Preservation Office (SHPO). The resources from the 2009 survey effort are listed in Table 1.

Table 1: 2009 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
Majestic Furniture Manufacturing	5DV10719	730 Federal Boulevard	Officially Not Eligible- 2009	In APE
Demuth-Meininger House	5DV5132	745 Federal Boulevard	Officially Not Eligible- 2009	In APE
Bill's Liquor Store	5DV5137	775 Federal Boulevard	Officially Not Eligible- 2009	In APE
Mecca Tavern	5DV5138	801 Federal Boulevard	Officially Not Eligible-2009	In APE
Miller's Groceteria	5DV10634	816 Federal Boulevard	Officially Not Eligible- 2009	In APE

Resource Name	Site Number	Resource Address	Eligibility Determination	Status within Updated APE
Cook House/ Romey's Auto Shop	5DV10625	859 Federal Boulevard	Officially Not Eligible- 2009	In APE
General Plumbing Company	5DV10626	867-869 Federal Boulevard	Officially Not Eligible- 2009	In APE
Auto Equipment Company	5DV10633	880-890 Federal Boulevard	Officially Not Eligible-2009	In APE
Hilts-Herman House	5DV10627	935 Federal Boulevard	Officially Not Eligible- 2009	In APE
Unique Garage & Filling Station	5DV10628	995 Federal Boulevard	Officially Not Eligible- 2009	In APE
Kitchen Service Company	5DV10629	1015 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Plamondon House	5DV10630	1041 Federal Boulevard	Officially Not Eligible- 2009	In APE
Anderson-Wilcox House	5DV10631	1063 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Samuel & Mollie West House	5DV10632	1075 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Phil & Fannie Silverman House	5DV916	1077 Federal Boulevard	Officially Not Eligible- 2009	Demolished
Capitol Wet Wash Co./ Capitol Laundry Co.	5DV8224	1317 Federal Boulevard	Officially Not Eligible- 2009	Out of APE
Alsbach House	5DV10720	2946 West Severn Place	Officially Not Eligible- 2009	In APE

Twelve new resources within the APE were documented under this updated survey effort. For additional details regarding the assessment of eligibility for these resources, please refer to summaries provided in the attached *Addendum to the Determinations of Eligibility (7th Avenue to West Howard Place)*, contained in section V. Survey Results. Architectural Inventory Forms (OAHF Form 1403) are also contained in the *Addendum Report*. No potential for a National Register Historic District was identified within this area, as the area has been heavily impacted by recent development and alterations to buildings. The buildings located in this area of Federal Boulevard represent a wide variety of uses, eras, and building types and lack the cohesion necessary to warrant a district. Table 2 below summarizes the survey results.

Table 2: 2013 Intensive Level Survey Results

Resource Name	Site Number	Resource Address	Eligibility Determination
Fashion Plaza 707	5DV11372	707 Federal Boulevard	Not Eligible
Western Material Handling	5DV11370	753-759 Federal Boulevard	Not Eligible
United Automotive, LLC	5DV11369	765 Federal Boulevard	Not Eligible
N/A	5DV11368	913-925 Federal Boulevard	Not Eligible
Casa de Fashion/ The Treasure Thrift Store	5DV11366	969-975 Federal Boulevard	Not Eligible
N/A	5DV11367	970 Federal Boulevard	Not Eligible
Family Dollar	5DV11365	990 Federal Boulevard	Not Eligible
Restaurante El Zarape	5DV11364	1065 Federal Boulevard	Not Eligible
Vigil's Shamrock Service Station	5DV11363	1251 Federal Boulevard	Eligible
Complete Auto Care	5DV11371	2970 West Severn Place	Not Eligible
Troy's Auto Repair	5DV11400	2943 West 7 th Avenue	Not Eligible
Gordon Sign	5DV11373	2930 West 9 th Avenue	Not Eligible

Vigil's Shamrock Service Station (5DV11363): Only one resource was found to be *eligible* within the updated APE. This resource consists of a former automobile service station constructed in 1959. Vigil's Service Station is eligible under Criterion A for Transportation as a good example of an Oblong Box type gas station associated with the development of Federal Boulevard as a major transportation corridor. The development of the Oblong Box type reflected changes in automobile transportation and the way that gas was marketed. Popular from the 1930s through the 1970s, the Oblong Box gas station type is now becoming increasingly rare. Vigil's Service Station is also *eligible* under Criterion C in the area of Architecture as a good example of an Oblong Box type gas station that incorporates elements of the Moderne style.

The remaining resources in the updated APE lack significance or integrity and were found *not eligible* for listing on the NRHP.

Effects Determinations

Vigil's Shamrock Service Station – 1251 Federal Boulevard (5DV11363): The Proposed Action requires a permanent easement measuring 247 square feet (0.0057 acres) for the construction, access, and maintenance of a storm sewer line. The improvements will take place in the far northern corner of the parcel approximately 70 feet from the building in an area that is already covered in recent asphalt paving. A review of older aerial imagery shows that the area was paved sometime between 2011 and 2012. Before then, the area where the easement will be obtained was gravel and dirt. It was disturbed in 2010 when the area was used for staging during construction of the bicycle/ pedestrian facilities along Sanchez Park and Lakewood Gulch to the north of the property. Because the area was so recently disturbed and covered in asphalt paving, which is considered a non-historic element of the property, obtaining a permanent easement for the construction and maintenance of a storm sewer will not affect the defining characteristics of the resource or its ability to convey significance under either Criteria A or C. CDOT has determined that the Proposed Action will result in *no adverse effect* determination to the Vigil's Shamrock Service Station.

The following table summarizes findings of effect for properties within the APE determined *not eligible* under the 2009 or 2013 surveys. Additional information is contained in the attached *Addendum to the Determinations of Eligibility*.

Resource Name	Site Number	Effect Summary	Effects Determination
Majestic Furniture Manufacturing	5DV10719	Acquisition of total parcel and demolition.	No Historic Properties Affected
Demuth-Meiningger House	5DV5132	Temporary easement of 339 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Bill's Liquor Store	5DV5137	Temporary easement of 250 square feet (0.006 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Mecca Tavern	5DV5138	Permanent easement of 24 square feet (0.0006 acres) to install and maintain a fire hydrant.	No Historic Properties Affected
Miller's Groceteria	5DV10634	Acquisition of total parcel and demolition.	No Historic Properties Affected
Cook House/ Romey's Auto Shop	5DV10625	Temporary easement of 337 square feet (0.008 acres) to construct sidewalk and driveway.	No Historic Properties Affected
General Plumbing Company	5DV10626	Temporary easement of 100 square feet (0.002 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Auto Equipment Company	5DV10633	ROW acquisition of 8006 square feet (0.184 acres) and a temporary easement of 2467 square feet (0.057 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Hilts-Herman House	5DV10627	Temporary easement of 627 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Unique Garage & Filling Station	5DV10628	ROW acquisition of 97 square feet (0.002 acres) and a temporary easement of 705 square feet (0.016 acres) to construct sidewalk and driveway.	No Historic Properties Affected

Resource Name	Site Number	Effect Summary	Effects Determination
Plamondon House	5DV10630	Temporary easement of 409 square feet (0.009 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Alsbach House	5DV10720	The resource was included in the APE to assess potential for indirect effects stemming from the demolition of resources to the west (2970 West Severn Place and 730 Federal Boulevard). There are no direct impacts. The subject resource is <i>not eligible</i> .	No Historic Properties Affected
Fashion Plaza 707	5DV11372	Permanent easement of 12 square feet (0.0003 acres) to install and maintain a fire hydrant. Temporary easement of 663 square feet (0.015 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Western Material Handling	5DV11370	Permanent easement of 10 square feet (0.0002 acres) to install and maintain a fire hydrant. Temporary easement of 629 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
United Automotive, LLC	5DV11369	Temporary easement of 616 square feet (0.014 acres) to construct sidewalk and driveway.	No Historic Properties Affected
913-925 Federal Boulevard	5DV11368	Temporary easement of 828 square feet (0.019 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Casa de Fashion/ The Treasure Thrift Store	5DV11366	Temporary easement of 1163 square feet (0.027 acres) to construct sidewalk and driveway.	No Historic Properties Affected
970 Federal Boulevard	5DV11367	ROW acquisition of 2092 square feet (0.048 acres) and a temporary easement of 1096 square feet (0.025 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Family Dollar	5DV11365	Acquisition of total parcel and demolition.	No Historic Properties Affected
Restaurante El Zarape	5DV11364	ROW acquisition of 219 square feet (0.005 acres) and a temporary easement of 118 square feet (0.003 acres) to construct sidewalk and driveway.	No Historic Properties Affected
Complete Auto Care	5DV11371	Acquisition of total parcel and demolition.	No Historic Properties Affected
Troy's Auto Care	5DV11400	The resource was included in the APE to assess potential for indirect effects as the building on the parcel immediately west will be demolished. The resource is separated from that parcel by an alley. There will be no direct effects to the subject resource. The subject resource is <i>not eligible</i> .	No Historic Properties Affected
Gordon Sign	5DV11373	Temporary easement of 560 square feet (0.013 acres) to construct sidewalk and driveway.	No Historic Properties Affected

Notification of Section 4(f) De Minimis Determination

The Section 106 finding of *no adverse effect* outlined above for Vigil's Shamrock Service Station (5DV11363) reflects a conclusion that for the Section 4(f) historic sites affected by the project, those effects will not "alter, directly or indirectly, any of the characteristics of [the] historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" as described in 36 CFR § 800.5(a)(1). Based on this finding, FHWA intends to make a *de minimis* finding for the Section 4(f) requirements for the historic resource listed above.

FHWA requests acknowledgement by Colorado SHPO of the above-described findings of *de minimis* impact on historic properties for the proposed project. Your written concurrence on the No Adverse Effect determinations as outlined above will be evidence that consultation requirements of Section 6009 of SAFETEA-LU, as they will be codified at 23 U.S.C. § 138(b)(2)(B) and (C) and 49 U.S.C. § 303(d)(2)(B) and (C) are satisfied. Additional comments will be considered for the *de minimis* finding.

As a local organization with a potential interest in this undertaking, we welcome your comments on these determinations. Should you elect to respond, we request you do so within thirty (30) days of receipt of these materials, as stipulated in the Section 106 regulations. For additional information on the Section 106

process, please visit the website of the Advisory Council on Historic Preservation (ACHP) at www.achp.gov.
If you have questions or require additional information, please contact CDOT Region 1 Senior Staff
Historian Ashley L. Bushey at 303.757.9397 or ashley.bushey@state.co.us.

Sincerely,

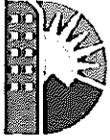


for Charles Attardo
Region 1 Planning and Environmental Manager

Attachments:

APE Map
Addendum Report to Determinations of Eligibility, including:
Appendix A: PEL SHPO Consultation Correspondence 2009
Appendix B: Architectural Inventory Forms

Cc: Jon Chesser, CDOT Region 1 Environmental
Amy Kennedy, Pinyon Environmental, In



DENVER
THE MILE HIGH CITY

Community Planning and Development
Denver Landmark Preservation

201 West Colfax, Dept. 205
Denver, CO 80202
p: (720)-865-2709
f: (720)-865-3050

www.denvergov.org/preservation

E-Mail: landmark@denvergov.org

May 15, 2014

Ashley L. Bushey
State of Colorado; Department of Transportation
Region 1, Planning and Environmental
2000 South Holly Street
Denver, CO 80222

Subject: APE Modification and Updated Eligibility Determinations, and Section 4(f) *De Minimis* Notification; CDOT Project No. CC 0881-025 (19957): Federal Boulevard Improvements Environmental Assessment between 7th Avenue and Howard Place, Denver County, Colorado (CHS # 55407)

Thank you for the opportunity to provide comments for the proposal.

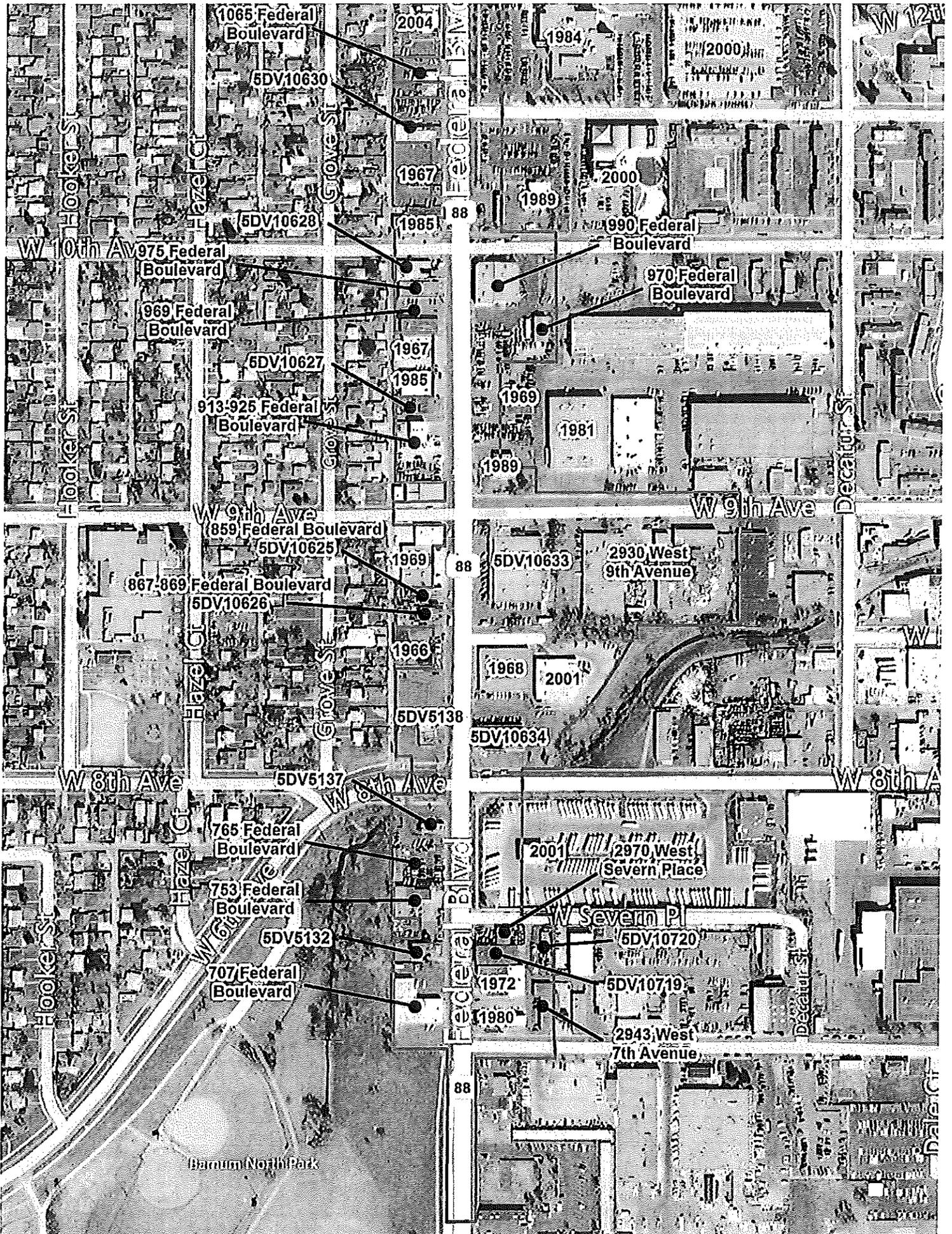
We are providing comments based on our role as Certified Local Government (CLG) representative for Denver County, Colorado for compliance with Section 106 (36 CFR 800) of the National Historic Preservation Act and the National Environmental Policy Act (NEPA).

Our office concurs with the Area of Potential Effect modifications and Updated Eligibility Determinations as outlined in your May 2, 2014 letter. We also concur with the *de minimis* finding for Vigil's Shamrock Service Station (SDV11363).

Again, thank you for providing the information. If you need further information, please do not hesitate to contact our office.

Sincerely,

George Gause
Landmark Preservation
City & County of Denver Colorado



1065 Federal Boulevard

5DV10630

2004

1984

2000

W 12th

1967

1989

2000

W 10th Ave

975 Federal Boulevard

5DV10628

1985

990 Federal Boulevard

970 Federal Boulevard

969 Federal Boulevard

5DV10627

1967

1969

1981

1989

W 9th Ave

859 Federal Boulevard

5DV10625

1969

88

5DV10633

2930 West 9th Avenue

867-869 Federal Boulevard

5DV10626

1966

5DV5138

1968

2001

5DV10634

Hazel Ct

Grove St

Decatur St

W 9th Ave

W 8th Ave

W 8th Ave

W 8th Ave

765 Federal Boulevard

2001

2970 West Severn Place

753 Federal Boulevard

W Severn Pl

5DV5132

5DV10720

1972

5DV10719

1980

Hooker St

Hazel Ct

707 Federal Boulevard

2943 West 7th Avenue

88

Barnum North Park