

Checklist for Section 4(f) De Minimis for Public Parks, Recreation Lands, Wildlife & Waterfowl Refuges, and Historic Properties

		CSJ: 2979-01-011
		t(s): Dallas ies): Denton
	•	ID: Denton CAD 247021 and 247020
Pr		me: Lakeview Park
are b	eing, or ha	ntal review, consultation, and other actions required by applicable Federal environmental laws for this project ave been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated 019, and executed by FHWA and TxDOT.
	_	checklist was developed as a tool to assist in streamlining the Section 4(f) <i>De Minimis</i> process and to ensure that formation is documented in the File of Record (ECOS).
Wh	at Type	e of Property is Being Evaluated?
İ	X A park	recreation land, or wildlife/waterfowl refuge
	-	pric property
1		
Sec	tion 4(f	f) Defining Criteria for Parks, Recreation, and Refuge Properties
1.	Yes	Is the property publicly owned?
2.	Yes	Is the property open to the public (except in certain cases for refuges)?
3.	Yes	Is the property's major purpose for park, recreation, or refuge activities?
4.	Yes	Is the property significant?
-		
Def	ining t	he Property's Significance
Note	: Significa	nce is presumed in the absence of a determination with the official with jurisdiction.
1	Yes	Does the property play an important role in meeting the park, recreation, or refuge objectives for the official with jurisdiction?
2.	Yes	Is the property's major purpose for park, recreation, or refuge activities?
Fct	ahlishi	ng Section 4(f) Use of the Property
_5	~~::J::!!	ig section it is obeing

Does the project require a use (i.e., new right of way, new easement(s), etc.)?

Yes

that

Establishing Section 4(f) De Minimis Eligibility

1.	Yes	Was it determined that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection?
2.	Yes	Was a public notice and an opportunity for public review and comment provided? (This requirement can be satisfied in conjunction with other public involvement procedures, such as those for NEPA process)
3.	Yes	Did the Official with Jurisdiction concur that the property was significant and that the proposed project meets ALL conditions of items above?

Section 4(f) Use:

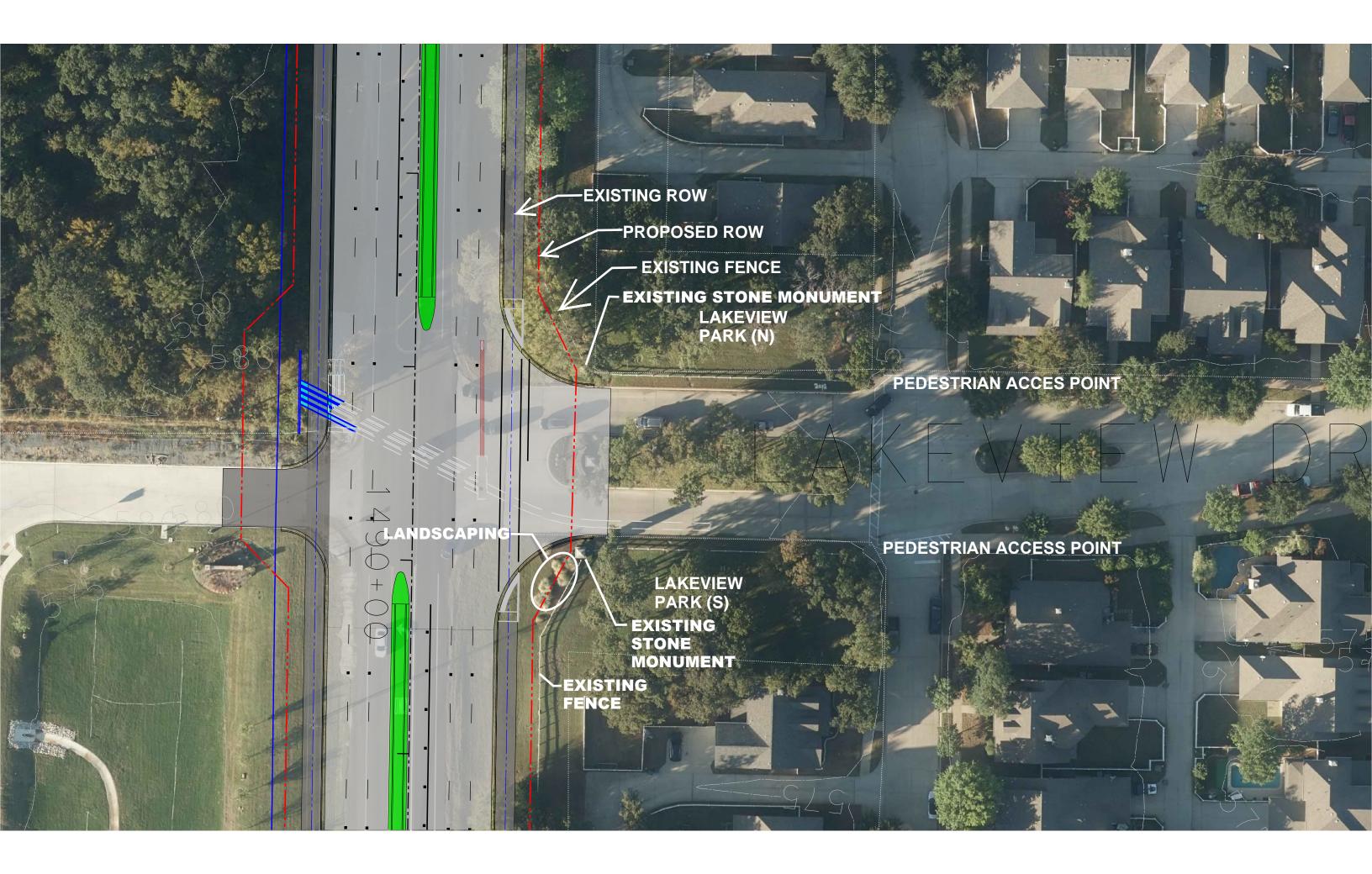
At the intersection of FM 2931 and Lakeview Drive, TxDOT proposes the permanent incorporation into the right-of-way of a single park on two separate parcels separated by Lakeview Drive, Lakeview Park north and Lakeview Park south. The park is owned and maintained for public recreation purposes by the Town of Providence Village. The proposed widening of FM 2931 would require the acquisition of 0.49-acre from the park, all of which would lie on the TxDOT side of the white fence (see Attachments). No right of way acquisition would occur from within the fenced areas, no landscaping or trees would be affected, and no amenities would be affected by the proposed project.

TxDOT has limited the proposed right-of-way to only that which is necessary to construct the proposed improvements to FM 2931. Furthermore, TxDOT intends to construct a dedicated shared use path for bicyclists and pedestrians within the portions of the park that would be included in the permanent State right-of-way. The functions of Lakeview Park would not be impaired, and the functions will not cease. Nor would the project impair the functions of the park overall. Therefore, these minor changes would have no adverse effect. The park would still possess significance after the project is complete.

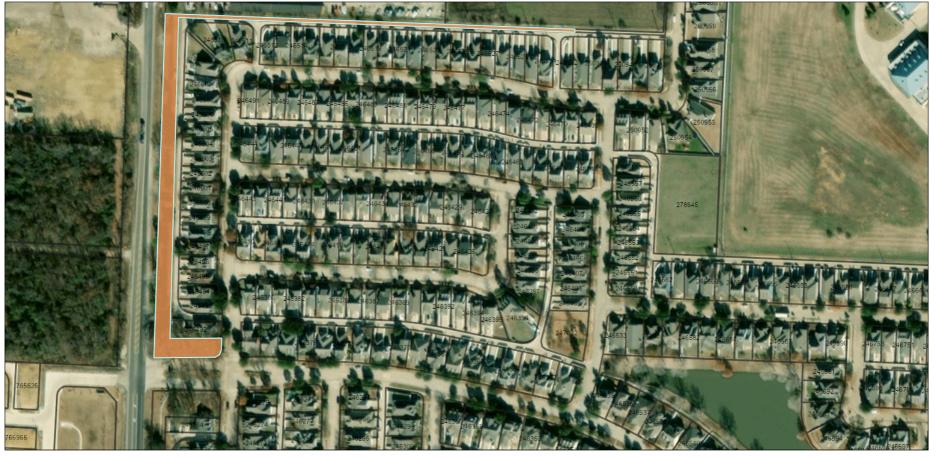
Documentation

The following **MUST** be attached to this checklist to ensure proper documentation of the Section 4(f) *De Minimis*:

✓	A detailed map of the Section 4(f) Property including current and proposed ROW; property boundaries; access points for pedestrians and vehicles and existing and planned facilities.
✓	Street level photograph of the property
✓	Concurrence letter from Official with Jurisdiction
✓	Copy of WPD I Screen from ECOS.



Denton CAD Webmap



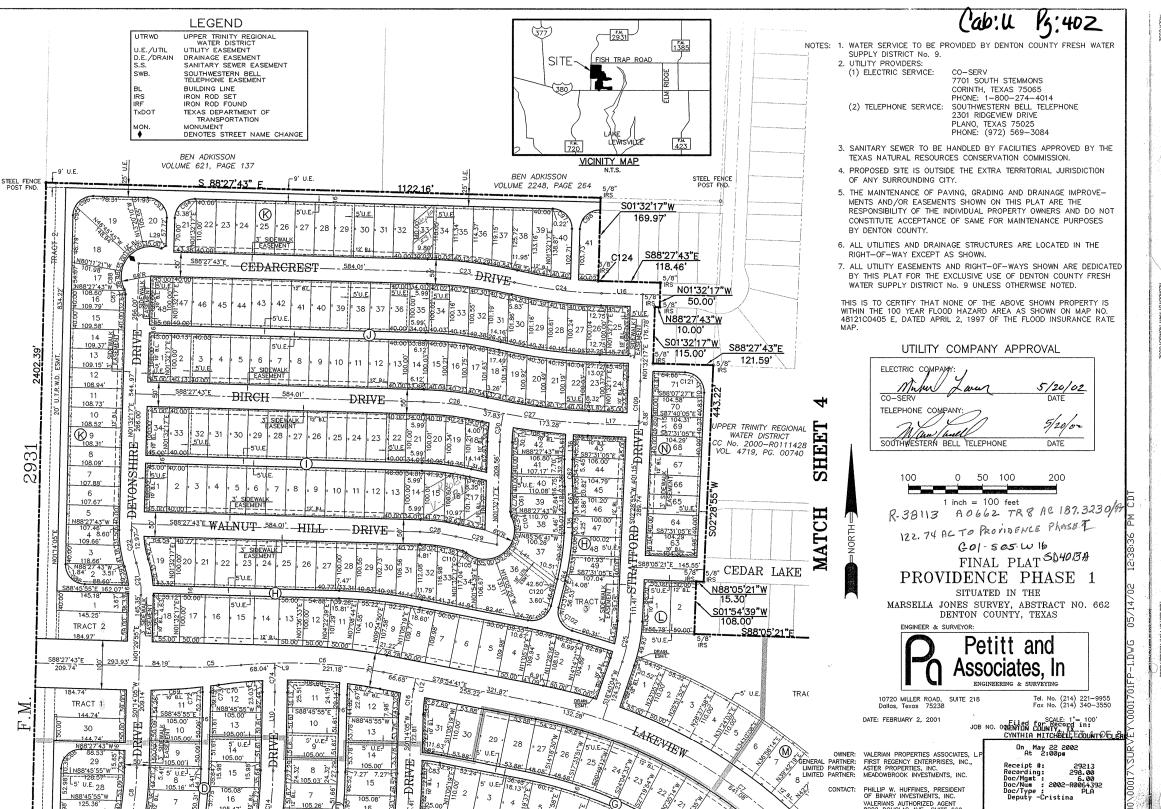
November 3, 2020

		1:2,257	,		
0	0.02	0.04			0.09 mi
\vdash	+ +	+ +	+	 -	
0	0.04	0.07			0.14 km

General			Values					
Market Value		\$5,160.00	Imp. Total					\$0.00
Address			Land Home	esite				\$0.00
Owner	PROVIDENCE VIL	LAGE, TOWN OF-100%	Land Non-H	Home	site			\$5,160.00
Mailing Address 17	745 FM 2931 PROVIDENCE \	VILLAGE TX 76227-5274	Agricultura	l Mar	ket			\$0.00
Property Type		Real Property	Timber Ma	rket				\$0.00
Area		Oft²	Timber Rec	ductio	n			\$0.00
Class			Homestead	l Cap				\$0.00
Legal Description	PROVIDENCE PH	H 1 LOT 2(OPEN SPACE)	Appraised \	Value				\$5,160.00
Geo ID	SD4013A-0	000000-0000-0000-0008	Assessed \	/alue				\$5,160.00
Subdivision	PROVI	IDENCE PH 1-SD4013A						
Neighborhood	Exemption 11	I.11 Cities-EX11.11CTY	Deed Histo	ory				
Homestead Cap		\$0.00		_		_		
Taxing Jurisdictions	PROVIDENCE VILLAGE TOWN OF—C51 DENTON COUNTY—G01 DENTON ISD—S05 PROVIDENCE VILLAGE WCID (DISSO—W16		Date	Туре	e Seller	Buyer	Deed Number	Sale Price
			2015-08-15	OT	DENTON CO FRESH WATER SUPPLY DIST 9	PROVIDENCE VILLAGE, TOWN OF	2017-14922	Unavailable
Subdivision Stats			2005-12-28	SW	PROVIDENCE PHASE 1A	DENTON CO FRESH WATER	05-159866	Unavailable
PROVIDENCE PH 1					HOA, VALERIAN	SUPPLY DIST 9		
Minimum Market		\$49,811.00			PROP ASSOC LP			
Median Market	Median Market		2000-05-04 SW	SW	PRIOR OWNER	VALERIAN	00-48674	Unavailable
Maximum Market		\$3,100,000.00				PROP ASSOC	22 .007 1	
Median Living Area		1995ft²				LP P		
Difference from Median I	Market	-200.00%						
Difference from Median I	_iving Area	-200.00%						

Land Segments	
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Type	Acres	Area
0 - 0	1.29	56192 ft ²

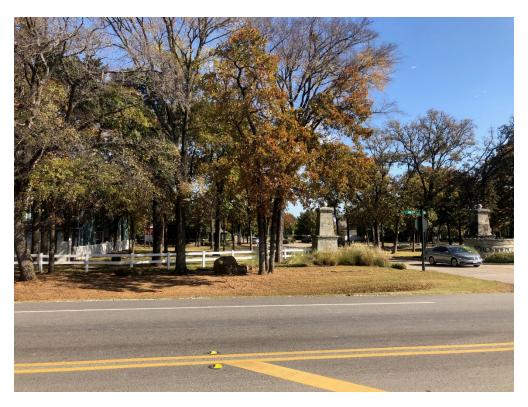


SHEET

MATCH

16

OF BINARY INVESTMENTS, INC.
VALERIANS AUTHORIZED AGENT
8222 DOUGLAS AVE., SUITE 660
DALLAS, TEXAS 75225
PHONE (214) 526–3000



Property 247021 looking east from FM 2931



Property 247021 looking east from FM 2931



Property 247021 looking north from Lakeview Drive



Property 247021 looking north from Lakeview Drive



Property 247021 looking west from Devonshire Drive

Denton CAD Webmap

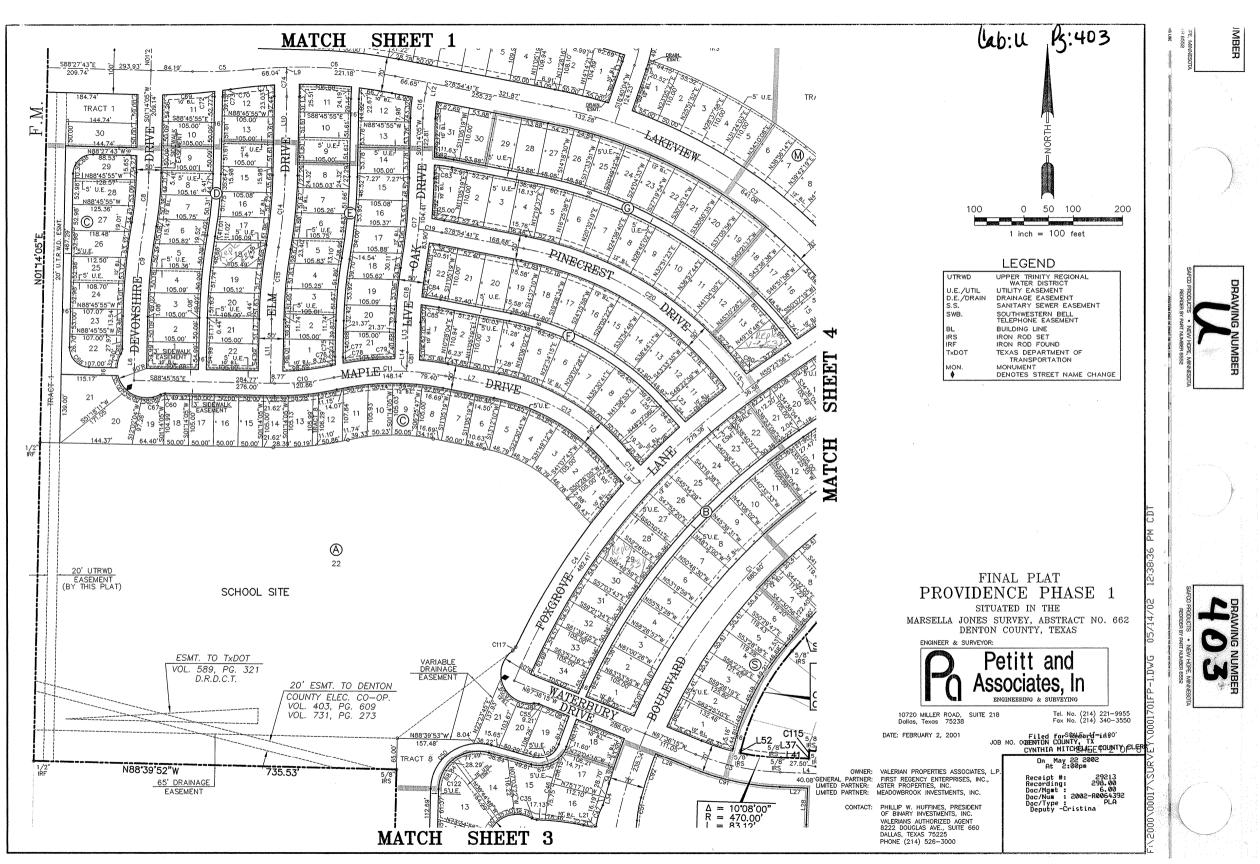


November 3, 2020 1:2,257 0.04 0.02

General			Values					
Market Value		\$3,440.00	Imp. Total					\$0.00
Address			Land Home	esite				\$0.00
Owner	PROVIDENCE VIL	LAGE, TOWN OF-100%	Land Non-I	Home	site			\$3,440.00
Mailing Address	745 FM 2931 PROVIDENCE V	/ILLAGE TX 76227-5274	Agricultura	l Marl	ket			\$0.00
Property Type		Real Property	Timber Ma	rket				\$0.00
Area		Oft²	Timber Red	ductio	n			\$0.00
Class			Homestead	d Cap				\$0.00
Legal Description	PROVIDENCE PH	1 1 LOT 1(OPEN SPACE)	Appraised '	Value			\$3,440.00	
Geo ID	SD4013A-0	00000-0000-0000-0007	Assessed \	/alue				\$3,440.00
Subdivision	PROVI	DENCE PH 1-SD4013A						
Neighborhood	Exemption 11	.11 Cities-EX11.11CTY	Deed Histo	ory				
Homestead Cap		\$0.00		_	. "	_		
Taxing Jurisdictions	PROVIDENCE VILLAGE TOWN OF—C51 DENTON COUNTY—G01 DENTON ISD—S05 PROVIDENCE VILLAGE WCID (DISSO—W16		Date		Seller	Buyer	Number	Sale Price
			2015-08-15	5 OT	DENTON CO FRESH WATER SUPPLY DIST 9	PROVIDENCE VILLAGE, TOWN OF	2017-14922	Unavailable
Subdivision Stats			2005-12-28	SW	PROVIDENCE PHASE 1A	DENTON CO FRESH WATER	05-159866	Unavailable
PROVIDENCE PH 1					HOA, VALERIAN PROP ASSOC LP	SUPPLY DIST 9		
Minimum Market		\$49,811.00			PROPASSOC LP			
Median Market		\$231,962.50	2000-05-04	- SW	PRIOR OWNER	VALERIAN	00-48674	Unavailable
Maximum Market		\$3,100,000.00				PROP ASSOC	22 .007 1	
Median Living Area		1995ft²				LP P		
Difference from Median	Market	-200.00%						
Difference from Median	Living Area	-200.00%						

Land Segments

Type	Acres	Area
0 - 0	0.86	37461 ft ²





Property 247020 looking northeast from FM 2931



Property 247020 looking east from FM 2931



Property 247020 looking south from Lakeview Drive



Property 247020 looking west from Devonshire Drive



4777 E. HIGHWAY 80, MESQUITE, TEXAS 75150-6643 | 214.320.6200 | WWW.TXDOT.GOV

February 23, 2022

District: Dallas **County**: Denton **CSJ#**: 2979-01-011

Highway: Farm-To-Market (FM) 2931 Project Limits: US 380 to FM 428

Section 4(f) Property: Lakeview Park North and Lakeview Park South

SUBJECT: NOTIFICATION OF INTENT TO PURSUE *DE MINIMIS* TO SECTION 4(f) (23 CFR 774.3(b))

Mr. Brian Roberson, Town Manager Town of Providence Village, Texas Town Hall 1755 Main Street Providence Village, TX 76227 broberson@pvtx.gov

Dear Mr. Roberson:

In accordance with 23 CFR 774.3(b), we are seeking concurrence for the above referenced project, which will be carried out with Federal funds. This letter requests review and consultation concerning the determinations of significance and findings of no adverse effects. TxDOT also intends to pursue a Section 4(f) *de minimis* determination.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 9, 2019, and executed by FHWA and TxDOT.

Introduction

The Texas Department of Transportation (TxDOT) proposes to widen FM 2931 from US 380 to FM 428 from two lanes with no median to six lanes with a raised median and left-turn bays; no cross-street improvements are proposed. The existing right-of-way along the corridor is approximately 100 feet wide, while the typical proposed right-of-way would be approximately 130 feet wide.

At the intersection of FM 2931 and Lakeview Drive, TxDOT proposes the permanent incorporation into the right-of-way of portions of two separate parcels, Lakeview Park North and Lakeview Park South, both owned and maintained for public recreation purposes by the Town of Providence Village. The proposed widening of FM 2931 would require the acquisition of 0.26 acre from Lakeview Park North and 0.23 acre from Lakeview Park South, all of which would lie on the TxDOT side of the white fence (see Attachments – Exhibit 1-Location Map, Exhibit 2-Aerial Map

Mr. Brain Roberson 2 February 23, 2021

of Lakeview Park North and Lakeview Park South, Exhibit 3 – Insert from Schematic, and Photos 1 thru 3). No right of way acquisition would occur from within the fenced areas, no landscaping or trees would be affected, and no amenities would be affected by the proposed project.

TxDOT has limited the proposed right-of-way to only that which is necessary to construct the proposed improvements to FM 2931. Furthermore, TxDOT intends to construct a dedicated shared use path for bicyclists and pedestrians within the portions of Lakeview Park North and South that would be included in the permanent State right-of-way.

Determination of No Adverse Effects and Certification of Section 4(f) De Minimis

Survey determined that the Lakeview Park North and Lakeview Park South properties on which the *use* will take place have significance under the requirements of 23 CFR 774.3(b). In order to qualify for a Section 4(f) *de minimis*, it was established that the project activities would not adversely affect the activities, features, or attributes that make the properties eligible for Section 4(f) protection.

The functions of Lakeview Park North and Lakeview Park South would not be impaired, and their functions will not cease. Nor would the project impair the functions of the properties overall. Therefore, these minor changes would have no adverse effect. The properties would still possess their significance after the project is complete.

If you feel that TxDOT has met the above requirements and have no additional comments about the project, then please endorse this letter and return it to us by **March 23**, **2022**. This endorsement will signify your concurrence that there is no adverse effect to the above properties. Additional information about Section 4(f) requirements can be found at the following or you may request additional information from TxDOT:

http://environment.fhwa.dot.gov/(S(1vyep545s3wmhuubnvexkmm2))/4f/index.asp

Conclusion

In accordance with 23 CFR 774.3(b), I hereby request your signed concurrence with the finding of no adverse effects. Furthermore, TxDOT determined that the proposed project activities meet the requirements of a *de minimis* finding under Section 4(f).

Mr. Brain Roberson 3 February 23, 2021

Thank you for your assistance with the federal review process. If you need further information, please call me at (214) 320-6686.

Sincerely,

Sandra Williams Environmental Program Manager Dallas District- DAL-ENV Texas Department of Transportation 4777 E. Highway 80 Mesquite, TX 75150-6643

CONCUR: NO ADVERSE EFFECT DETERMINATION OF *DE MINIMIS* IMPACT UNDER SECTION 4(f) GUIDELINES

NAME Mr. Brian D. Kohurson, Townolmanayyantangent from bononi bilegice DATE age/22/2022

[Insert Name and Title of Official with Jurisdiction]

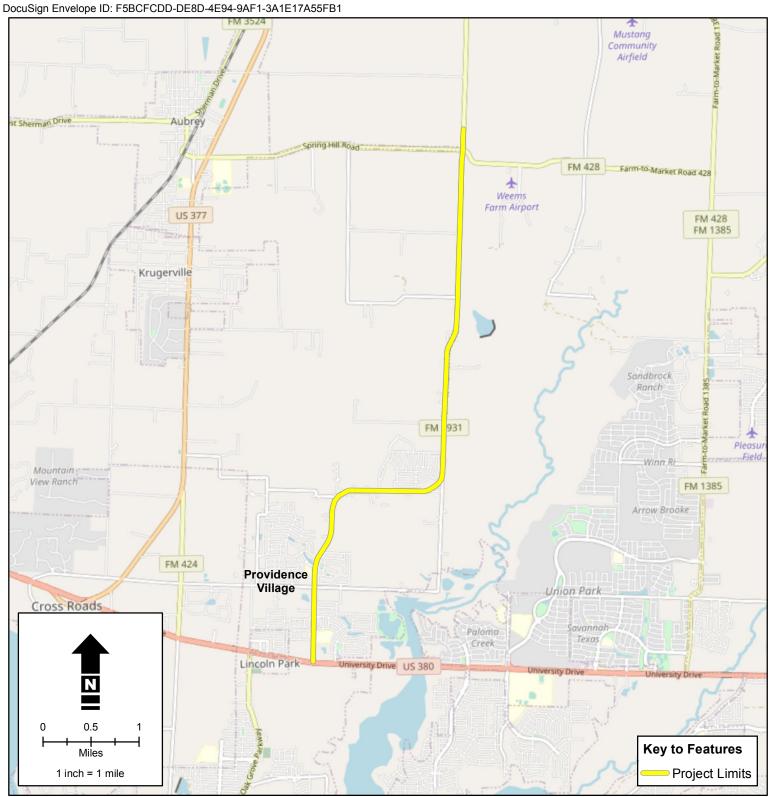




Exhibit 1

Project Location

FM 2931 from FM 428 to US 380 Denton County, Texas CSJ: 2979-01-011



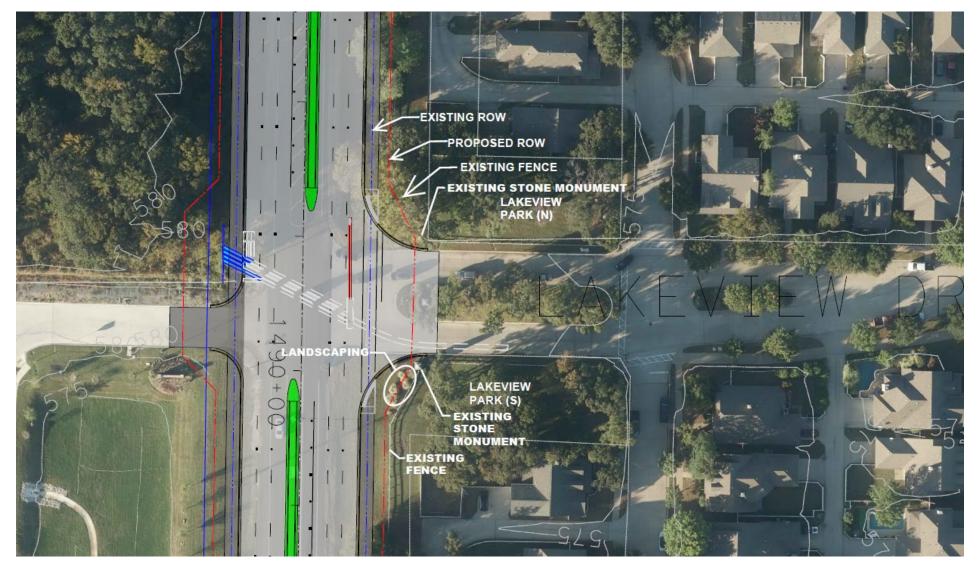


Exhibit 2 - Aerial Map of Lakeview Park North and Lakeview Park South

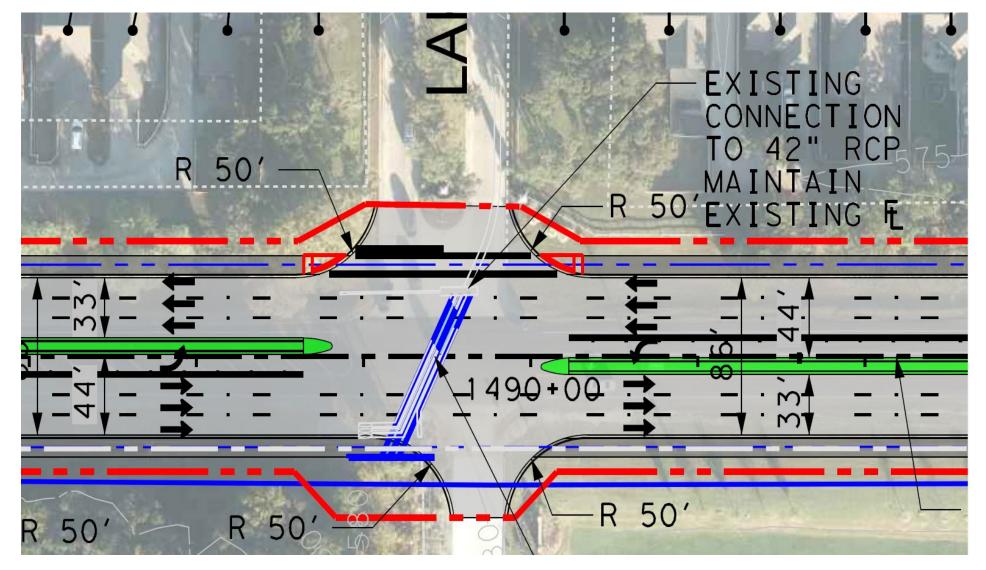


Exhibit 3 - Insert from Schematic of Lakeview Park North and Lakeview Park South

LAKEVIEW DRIVE & LAKEVIEW PARK (NORTH & SOUTH)



Photo 1 - Lakeview Park North and Lakeview Park South

LAKEVIEW PARK (SOUTH)

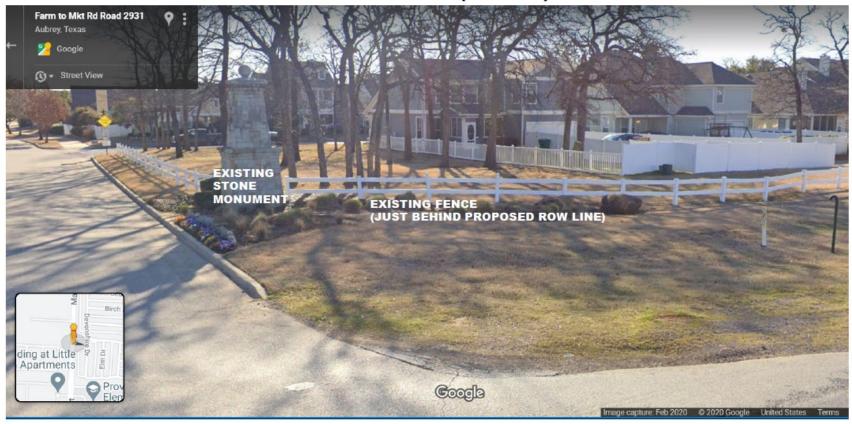


Photo 2 - Lakeview Park South

LAKEVIEW PARK (NORTH)

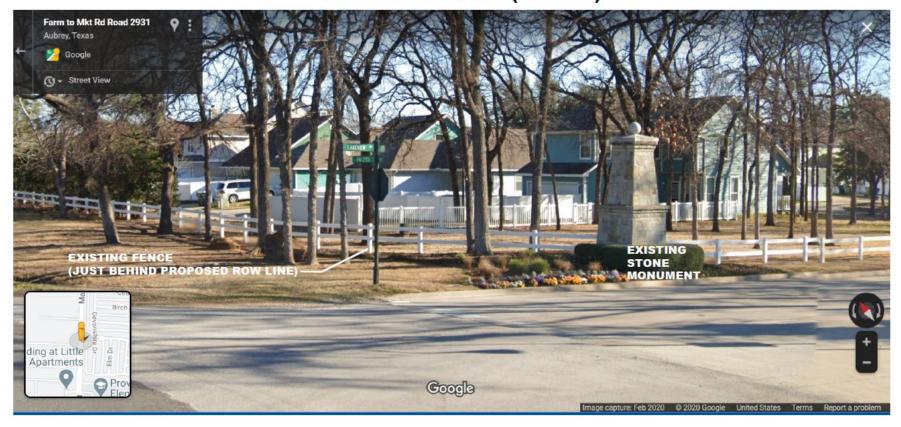


Photo 3 - Lakeview Park North

Back To List • WPD Section I - Project Definition WPD Section II - Tool WPD Section III - Project Work Plan • WPD Section IV - Findings Print this Page + -Project Definition Project 2979-01-011 FM 2931 Widening Name: Anticipated Environmental Classification: CSJ: 2979 - 01 - 011 CE Criterion: Type: (D)-List ✓ Open-Ended D 🗸 Is this an FHWA project that normally requires an EIS per 23 CFR 771.115(a)? Project Association(s) Auto Associate CSJ from DCIS Manually Associate CSJ: Add **DCIS** DCIS Main or Doc CSJ **DCIS** Funding **Env Classification** Actions Classification Tracked In Associate There are currently no Project Associations added to this project. DCIS Project Funding and Location Funding DCIS Funding Type: ✓ Federal ✓ State Local Private Location DCIS Project Number: STP () Highway: FM 2931 District: \vee County: DENTON Project Limit -- From: US 380 Project Limit -- To: FM 428 Begin Latitude: + 33 29920667 Begin Longitude: - 96 93672356 End Latitude: + 33 22205016 End Longitude: _ 96 96502996 DCIS & P6 Letting Dates DCIS District: 06/45 DCIS Approved: DCIS Actual: • -P6 Ready To Let: P6 Proposed Letting: DCIS Project Description Type of Work: Spell Layman's Description: CONSTRUCT NEW ROADWAY LANES DCIS Project Classification: WNF - WIDEN NON-FREEWAY Design Standard: Roadway Functional Classification: 5 - Rural major collector or urban collector street V

Jurisdiction								
No V	Does the project cross a state boundary, or require a new Presidential Permit or modification of an existing Presidential Permit?							
	Who is the lead agency responsible for the approval of the entire project?							
TXDOT ✓								
No V		overnment's or a private developer's own staff or consultant preparing the CE documentation, E	A or FIS?					
Yes V	_	roject require any federal permit, license, or approval?	art of Els.					
	•	E □ IBWC □ USCG □ NPS □ IAJR □ Other						
No 🗸		roject occur, in part or in total, on federal or tribal lands?						
Environmental C	learance Pro	ject Description						
Project Area Typical Depth of Im	ma ata.	2 (Feet) Maximum Depth of Impacts: 12 (Feet)						
New ROW Required	_							
New Perm. Easemen			1 (A amas)					
New Perin. Easemen	ii Kequirea:	(Acres) New Temp. Easement Required: [0	(Acres)					
Project Description								
Describe Limits of								
2931 reconstruc	tion proje	to widen FM 2931 from US 380 to FM 428 in Denton County, Texas. The FM ect includes widening approximately 6.37 miles of FM 2931 with a 1,300-	^					
foot transition	north of	FM 428/Spring Hill Road; no cross-street improvements are proposed.						
		(ROW) width is approximately 100 feet. The typical proposed ROW would be de, with the minimum and maximum ROW width ranging from 126 feet to 244						
feet, respectiv	ely. The p	project would require the acquisition of approximately 15 feet of new ROW						
		along the length of the corridor, varying in places depending on the bosed roadway. A total of approximately 45.9 acres of new ROW and 2.1						
acres of perman	ent easeme	ent would be required.						
			~					
Describe Project Se	etting: Sr	pell.						

The project area is historically rural, transitioning to suburban in recent years with new residential subdivisions currently under construction. The City of Providence Village is the main feature of the project corridor, and that has developed since 2010.

The developed areas are a mix of rural residential and high-density, newer subdivisions, with light commercial development, several churches and Providence Elementary School.

Vegetation generally consists of pasture and urban vegetation associated with developments, with riparian areas along drainages in the northern half of the project area.

There are several small streams crossing the roadway, all draining south toward Lewisville Lake which is outside the project area.

There are two publicly-owned Town of Providence Village parks on the east side of FM 2931 at Lakeview Drive. These are Lakeview Park North and Lakeview Park South.

There are no cemeteries within or adjacent to the project area. There are no historic markers, known NRHP-listed or -eligible properties, or historic districts within or adjacent to the project area.

Describe Existing Facility:

Spell

The existing FM 2931 is a rural 2-lane undivided roadway with 10-foot wide travel lanes and no There is a center-left turn lane at the intersection with US 380, and right- and leftturn lanes at Cape Cod Boulevard.

Existing drainage is provided by vegetated ditches. Several culverts carry existing cross drainage from northwest to southeast along the corridor.

The existing ROW width is approximately 100 feet.

Describe Proposed Facility:

The project is proposing to widen FM 2931 to a 6-lane urban roadway section with a raised median and left-turn lanes in various locations. The proposed roadway would include three, 11 or 12-foot wide (depending on the section) travel lanes in each direction with no shoulders, a raised median, and a 10-foot wide shared use path on each side of the roadway.

The drainage would be closed storm-sewer with curb and gutter.

The typical proposed right-of way would be approximately 130 feet wide, with the minimum and maximum ROW width ranging from 126 feet to 244 feet, respectively. A total of approximately 45.9 acres of new ROW and 2.1 acres of permanent easement would be required.

Yes V Would the project add capacity?		
Transportation Planning		
Yes V Is the project within an MPO's boundaries	?	
No V Does the project meet the definition for a	grouped category for planning and p	rogramming purposes?
The project is located in Non-Attainment/Maintenand	ce ✓ area.	
This status applies to:	☑ O3 - Ozone	☐ NO2 - Nitrogen Dioxide
☐ PM10 - Particulate	☐ PM2.5 - Particulate	□ 1002 - Milogeli Dioxide
Environmental Clearance Information Environmental Clearance Date: Closed Date: Approved Environmental Classification:	~	Environmental LOA Date: Archived Date:
Project Contacts		
Created By: Christine Polito		Date Created: 10/24/2019
Project Sponsor: TXDOT (Or) Local Go	overnment	
Sponsor Point Of Contact: Sandra Williams - Environmenta	l Program Manager	V
Delegate Point Of Contact: Sandra Williams - Environmenta	l Program Manager	V
Other Point of Contact(s):		
		Ç
Last Updated Sandra Williams By:		Last Updated Date: 02/24/2022 01:33:48