

## US 380 FEASIBILITY STUDY – PARKS AND SECTION 4(f) REVIEW

MARCH 12, 2019

### INVENTORY

Parks and public open space holdings were inventoried for a large area, including public and privately-owned parcels, school facilities, and floodplain-protection areas. In addition to field reconnaissance, sources of information reviewed to identify such properties included:

- City of McKinney Parks, Recreation Plan, Open Space, Trails, and Streetscape Master Plan; May 16, 2017
- Town of Prosper Parks, Recreation, and Open Space Plan; September 2015
- City of Princeton Parks & Recreation Website
- City of Fairview Future Land Use Plan; June 7, 2005

The majority of the ‘park’ parcels possibly affected are located within the City of McKinney. Based on their Master Plan, the following property categories were assigned:

- **Existing Park** – active or passive park/recreation facility as indicated and named in Master Plan. These properties either have existing facilities or an approved master plan for the development of recreation facilities.
- **Future Park Expansion** – properties shown as high preservation potential (HPP) in the Master Plan and indicated by the City/Parks & Recreation that they would be targeted for future park/recreation facility development as need and funding arise. These properties either do not have existing facilities and may or may not be open to the public for any type of use.
- **“PIN” Parks** – possible future neighborhood park locations indicated in the Master Plan, but not associated with a specific parcel or development. It is anticipated that these locations are open for interpretation and once a developer files a plan/plat with the City, they would negotiate the location/size of a future park/recreation facility.

## SECTION 4(f) AND 6(f) APPLICABILITY

### Section 4(f) Background

As codified under Section 303 Title 409 (known as Section 4(f) of the DOT Act), the Secretary of Transportation may approve project requiring the 'use' of publicly owned land of a public park, recreation area, or wildlife/waterfowl refuge, or land of a historic site of national, state, or local significance (as determined by the officials with jurisdiction) only if:

- 1) There is no feasible and prudent alternative to such use, and
- 2) The project includes all possible planning to minimize harm

In terms of public properties – parks, recreation areas, trails/greenbelts, public use areas, etc. – they must have qualities that satisfy the following specific criteria:

- **Publicly owned** – owned by a public entity through fee simple, permanent easement, temporary easement, and/or lease agreement (does not apply to historic resources)
- **Open for public use** – the entire public is allowed to access the resource during normal operating hours; visitation is not limited to a select group(s) (does not apply to refuges)
- **Major purpose for the property is recreation** – the primary purpose is for park, recreation, or refuge or related activities; activities are other than incidental, secondary, occasional, or dispersed
- **Significant resource** – applies to the entire Section 4(f) property, considers the availability and function of the resource in terms of the objectives of the agency with jurisdiction, and the property plays an important role in meeting those objectives
  - Determined by the officials with jurisdiction
  - Presumed significant in the absence of a determination
  - Subject to review by FHWA for reasonableness

Approval of the use of a Section 4(f) property can be obtained through the following three methods depending on the magnitude of the impacts:

- Preparing a *de minimis* impact determination – after taking into account any measures to minimize harm, results in a determination the project would not adversely affect the activities features or attributes qualifying the park, recreational area, or refuge for protection under Section 4(f); or a Section 106 finding of no adverse effect or no historic properties affected.
- Applying a Programmatic Section 4(f) Evaluation – there are currently five (5) covering bike/ped projects, historic bridges, minor involvement of historic sites, minor public lands impacts, and transportation projects with a net benefit to a Section 4(f) property.
- Preparing an individual Section 4(f) Evaluation – transportation projects that result in a use of Section 4(f) property above *de minimis* levels and that do not meet the programmatic criteria.
- Section 4(f) evaluation process, as well as Section 106 (historic resources), requires public involvement.

The applicability of Section 6(f) funding to resources is also included.

TABLE 2: Potential Section 4(f) and Section 6(f) Properties										
Parks and Recreation Areas										
MAP #	Name	Ownership / Officials with Jurisdiction	Location	Property Uses	Section 4(f) Criteria				LWCF monies applied [Section 6(f)]*	Recommendation
					Publicly Owned	Accessible for Public Use	Major Purpose is Recreation	Significant Resource		
3, 5, 7, 8, 9	Airport Open Space	City of McKinney	North of Airport	Undeveloped open space, indicated as high preservation potential (HPP) property in McKinney P&R plan. City/P&R indicated could develop as park in future based on need and funding.	YES	YES	NO	TBD	NO	DIRECT EFFECT – additional ROW needed along southside of US 380. Area provides general open space north of the Airport. No improvements (trails, playgrounds, shelters, etc.), part of area located in RPZ. Douglas Parcel (9) – “dual purpose park and transportation improvements”; purchase w/general obligation bonds
4, 6	Gray Branch Park Future Expansion Parcels	City of McKinney	S. of 380 at Lake Forest Drive	Planned Community Park Expansion (FUTURE)	YES	NOT CURRENTLY	TBD	TBD	NO	DIRECT EFFECT – ROW may be needed for existing US 380 expansion. No park/rec improvements exist at this time.
10, 13	Trinity River Greenway	City of McKinney	S. of 380 at Airport Road	2 parcels, park	YES	YES	YES	YES	NO	DIRECT EFFECT – expand existing 380 and Green Alignment (S)
11	Gray Branch Park	City of McKinney	S. of 380 at Lake Forest Drive	Community Park	YES	YES (future)	YES (future)	YES (future)	NO	NO DIRECT EFFECT – park in development stage, master plan approved by City in 2012. 2 adjacent parcels indicated by City that they would be high priority for future expansion.
14, 15, 16,18, 19, 33	Wilson Creek Greenway	City of McKinney	Along Wilson Creek	Linear Park, multiple parcels (Bonnie Wenk); along Wilson Creek (HPP)	YES	YES	YES	YES	YES Wilson Creek Park 1984	DIRECT EFFECT – Red Alignment (S), multiple parcels Need to confirm w/City where LWCF monies were used (NPS indicates combination of acquisition/development)
17	Wattley Park	City of McKinney	W of Airport Road, S of US 380	City park	YES	YES	YES	YES	NO	NO DIRECT EFFECT – unless improvements on US 380 move south; located less than 200 feet from south ROW (approx.)
20	Erwin Park	City of McKinney	E of Lake Forest Dr	City park	YES	YES	YES	YES	NO	NO DIRECT EFFECT – BLUE bypass passes along the southern boundary of the property. A shift north would directly affect the property.
21	Old Settler’s Park	City of McKinney	W of Airport Road, S of US 380 (access from Greenville Rd)	City park	YES	YES	YES	YES	NO	NO DIRECT EFFECT – located approx. 400 feet west of Airport Rd (blue alignment)
22	Twin Groves Park	USACE	West end of bridge over Lake Lavon, N of US 380	Regional park	YES	YES	YES	YES	NO	DIRECT EFFECT – easements or additional ROW along N side of US 380 may be needed to accommodate improvements.
23	Caddo Park	USACE	East end of bridge over Lake Lavon, N of US 380	*Park closed until further notice*	YES	YES	YES	YES	NO	DIRECT EFFECT – easements or additional ROW along N side of US 380 may be needed to accommodate improvements. Park closed at this time (no public access).
24	Elm Creek Park	USACE	East end of bridge over Lake Lavon, N of US 380	Regional park	YES	YES	YES	YES	NO	DIRECT EFFECT – easements or additional ROW along N side of US 380 may be needed to accommodate improvements. Park limits vary by source – need to confirm w/USACE..
25	Lake Lavon/Lavon Recreation Area	USACE	N of US 380; perimeter of Lake Lavon	Reservoir (water supply and recreation) multi-use recreation, habitat management	YES	YES (multi-use property)	YES (multi-use property)	YES	NO	DIRECT EFFECT – easements or additional ROW along existing US 380 may be needed to accommodate improvements. Borders Lake Lavon on all sides, both side of US 380.
26	Fairview Soccer Complex	City of Fairview	Old Mill Rd SE of Airport	Soccer complex, controlled by AYSES Soccer Club; gated/locked, no public use during non-club use periods	YES	NO	NO	TBD	NO	DIRECT EFFECT – property gated, no public access during period when AYSES club events are not occurring. Schedule posted on website does not indicate public accessibility. AYSES “leases” 2 other properties in TX where the same program is supported. Parcel owned by City of Fairview but located within the McKinney city limits/ETJ.
27, 28	Nature Preserve (future)	City of Fairview	Old Mill Rd S of Airport	Current – pasture/ag; gated (no public access)	YES	NO	NO	TBD	NO	DIRECT EFFECT – property currently gated and not publicly accessible, currently used for ag (pasture); parcel owned by City of Fairview but located within the McKinney city limits/ETJ.

29	Forest Grove Phase I Amenity Center	City of Princeton	E of Monte Carlo Blvd, N of US 380	Platted/planned as amenity center for neighborhood	YES	TBD	TBD	TBD	NO	NO DIRECT EFFECT – under development, located approx. 900 feet N of US 380
30	JM Caldwell Sr. Community Park (Princeton Community Park)	City of Princeton	500 W. College Street (more than 1000 feet north of US 380)	Community Park (WWII POW Camp)	YES	YES	YES	YES	NO	NO DIRECT EFFECT – egress easement tied to US 380
38	La Cima Lake & Park	Town of Prosper	US 380 and N Stonebridge Dr	Greenbelt/trail corridor, associated with a residential development (Lakes of La Cima Homes)	YES	TBD	TBD	TBD	NO	DIRECT EFFECT – additional ROW along S side of US 380. Open space for the Lakes of La Cima Homes development.
39	Ridgecrest Dog Park	City of McKinney	W of S Ridge Road, S of US 380 Trail Side Dr/Valley View Dr)	Dog park	YES	YES	YES	YES	NO	NO DIRECT EFFECT – less than 0.1 miles south of US 380
40	Heard National Science Museum and Wildlife Sanctuary	Heard National Science Museum and Wildlife Sanctuary	SW of Airport, W of Fairview Nature Preserve	Main facility at 1 Nature Place, McKinney	NO	TBD	TBD	YES	NO	NO DIRECT EFFECT – if RED bypass alignment would shift, could be directly affected.

**NOTES:**

\* Based on review of LWCF listing for Collin County TX conducted October 2017. Many entries indicate general projects (e.g., City of McKinney Parks Improvements) with no reference to a specific property. Coordination with the applicable city/county is required to determine whether LWCF monies were used for individual properties. See LWCF Listing for Collin County TX in Attachment 1.

TPWD LWRCRP – The Land and Water Resources Conservation and Recreation Plan (LWRCRP) is a planning document for TPWD. Properties are inventoried every 10 years. It has no legal effect on properties. The codes used are described at <https://tpwd.texas.gov/gis/apps/lwrcrp/>. The TPWD LWRCRP page is located at <https://tpwd.texas.gov/publications/land-and-water-plan>.

