



## Agenda Item Summary

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**File ID:** 20-0415

**CNST-16**

**Meeting Date:** 2/18/2020

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**PLACEMENT:** Consent

**TITLE:**

**REQUEST ROAD OPENING OF NE CEDAR STREET**

**EXECUTIVE SUMMARY:**

Request to open approximately 990 linear feet of NE Cedar Street in Jensen Beach and to accept the roadway into the County's road inventory as a publicly owned and publicly maintained roadway.

**DEPARTMENT:** Public Works

**PREPARED BY:** **Name:** Michelle Cullum, P.E.

**Title:** Development Review Administrator

**REQUESTED BY:** Rafael J. Roca, Division President of DR Horton, Inc.

**PRESET:**

**PROCEDURES:** None

**BACKGROUND/RELATED STRATEGIC GOAL:**

On April 30, 1962, Section One of Legion Heights was recorded in Plat Book 4, Page 17 of the public records of Martin County, Florida and included a dedication of the platted rights-of-way to the public. This plat created the first 1,280 feet of NE Cedar Street right-of-way starting at the intersection of NE Savannah Road. The right-of-way for NE Cedar Street was 25-foot wide. On October 4, 1991, a Right-of-Way Deed was recorded in OR Book 1025, Page 767 of the public records of Martin County dedicating 25-feet as public right-of-way to extend NE Cedar Street for an additional 1,320 linear feet to the east. On October 9, 1991, another Right-of-Way Deed was recorded in OR Book 1025, Page 776 of the public records of Martin County dedicating 25-feet as public right-of-way to extend NE Cedar Street for an additional 1,320 linear feet to the east. The two Right-of-Way Deed dedications created a total of 50-foot wide right-of-way for the future extension of NE Cedar Street. On October 6, 1994, a Right-of-Way Deed was recorded in OR Book 1092, Page 1932 of the public records of Martin County dedicating 25-feet as public right-of-way south of the right-of-way that was dedicated by Section One of Legion Heights.

Pursuant to Section 4.843.K of the Martin County Land Development Regulations, "In order for a building permit to be issued for the construction of any structure, the lot must directly front on an open road." DR Horton, Inc. is the contract purchaser of the two parcels with PCN 223741003000007607 and PCN 223741003000007803, which is east of the eastern terminus of NE Cedar Street. Neither parcel directly fronts an open road. Accordingly, DR Horton, Inc. has submitted a Road Opening Permit application to open the road right-of-way and construct the road to

County Standards. As such, DR Horton, Inc is requesting the Board of County Commissioners to authorize staff 1) to issue the Road Opening Permit upon the County Engineer's determination that the final design is in compliance with Article 4, Division 19 (Roadway Design), Land Development Regulations and 2) to include the road in the County's Road Inventory upon the County Engineer's acceptance of the Certification of Construction Completion.

Staff has reviewed a Conceptual Plan for the proposed road. Staff has advised DR Horton's Engineer of Record, The Milcor Group Inc., that at a minimum, the following will need to be transmitted for review prior to the issuance of the Road Opening Permit:

- Detailed construction plans;
- An accepted stormwater management plan;
- An environmental assessment of listed species (gopher tortoise);
- A Commitment to Complete the Required Improvements, with adequate security.

If authorized, the following road characteristics will be added into the County's Road Inventory upon completion of the construction and acceptance by the County Engineer:

<b>Name:</b>	<b>NE Cedar Street</b>
<b>Length:</b>	990 feet
<b>Limits:</b>	East of NE Mission Drive
<b>Ownership:</b>	Martin County
<b>Maintaining Entity:</b>	Martin County
<b>Functional Classification:</b>	Local Residential
<b>Right-of-way width:</b>	50 feet
<b>Pavement width / type:</b>	20 feet of asphalt
<b>Sidewalk width / side:</b>	6 feet on north side
<b>On-street parking / side:</b>	None
<b>Method of stormwater treatment:</b>	Exfiltration trenches
<b>Posted speed limit:</b>	25 MPH

These characteristics are consistent with Division 19 - Roadway Design of the Land Development Regulations.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board adopt a Resolution to accept NE Cedar Street into the County’s Road Inventory as publicly owned and publicly maintained upon the issuance of the Road Opening Permit and the County Engineer’s acceptance of the construction of the roadways.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from Consent Agenda and direct staff accordingly.

**FISCAL IMPACT:**

**RECOMMENDATION**

The future cost to the County to resurface the additional 990-feet of road is approximately \$24,750.00, which is not anticipated until the year 2039. Minor maintenance costs (less than \$500 per year) may be associated with the proposed stormwater facilities.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☐ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☒ Resolution  
☐ Other:

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