



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-0099

CNST-10

Meeting Date: 10/5/2021

PLACEMENT: Consent

TITLE:

ADOPTION OF RESOLUTIONS: APPROVING AND ACCEPTING A DEED FROM MCARTHUR GOLF CLUB, LLC FOR RIGHT-OF-WAY; OPENING SE CONSTITUTION BOULEVARD; AND AUTHORIZING THE INSTALLATION OF STOP SIGNS AT SE CONSTITUTION BOULEVARD AND SE CIRCLE STREET

EXECUTIVE SUMMARY:

At staff's request, McArthur Golf Club, LLC (McArthur) has applied for a Road Opening Permit to open SE Constitution Boulevard from SR-5 (SE Federal Highway) to SE Circle Street in Poinciana Gardens. The road will provide an alternate access for the residents of Poinciana Gardens and will provide McArthur construction access to the recently approved West Golf Course.

DEPARTMENT: Public Works

PREPARED BY: **Name:** Lisa A. Wichser, P.E., CFM
Title: County Engineer

REQUESTED BY:

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

McArthur Golf Club, LLC (McArthur) received approval to construct the West Golf Course and requests construction access to avoid impacts to the golfers on the existing East Golf Course. After reviewing several proposed corridors through Poinciana Gardens, staff suggested McArthur open SE Constitution Boulevard west from SR-5 (SE Federal Highway) to SE Circle Street to use temporarily and ultimately provide the residents of Poinciana Gardens a permanent full access to SE Federal Highway. Currently, Poinciana Gardens residents that travel north must first travel south on SE Federal Highway and turnaround. SE Constitution Boulevard provides full access to the Heritage Ridge residents east of SE Federal Highway. It is anticipated that extending SE Constitution Boulevard across SE Federal Highway will generate enough traffic volume and delay to justify signaling the intersection. If accepted, the right-of-way for SE Constitution Boulevard will be used as a construction access for the West Golf Course until it is ultimately paved by McArthur and a traffic signal is installed on SE Federal Highway by the County.

From SE Circle Street, construction access to the West Golf Course will meander through County

and McArthur properties.

The County owns and maintains the Poinciana stormwater treatment area (Lake McArthur), which is west of SE Circle Street. County crews access Lake McArthur over a somewhat natural and somewhat stabilized shelf along its northern limits. In exchange for its use, McArthur has agreed to stabilize the maintenance shelf.

The property west of Lake McArthur is owned by McArthur and there is a cleared path that leads to the West Golf Course through most of the property. McArthur would like to temporarily stabilize this path and other portions of the property with the understanding that all disturbed properties will be restored to their natural condition upon completion of construction.

McArthur has prepared a sketch and legal description of the right-of-way for the extension of SE Constitution Boulevard and has executed a warranty deed that will be recorded upon the Board of County Commissioners' approval and acceptance. Once accepted, McArthur will begin clearing and stabilizing the construction access from SE Federal Highway to the West Golf Course. The work outside the right-of-way will be performed under approval of the County Administrator, or her designee, through a letter agreement, which will have assurances that all disturbed areas are properly restored and SE Constitution Boulevard is constructed in accordance with County standards and accepted by the County Engineer pursuant to Section 155.38.B, Code of Ordinances, Martin County. SE Constitution Boulevard will be added to the County's inventory and STOP signs on each approach to the intersection of SE Circle Street and SE Constitution Boulevard will be included with the final acceptance of roadway.

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

1. Move that the Board adopt Resolutions:
 - a. accepting and approving the Warranty Deed for dedication of property from McArthur Golf Course, LLC, a Foreign limited liability corporation, and designating the property as Martin County right-of-way, and authorizing the Chair to execute any and all documents associated with this transaction.
 - b. accepting SE Constitution Boulevard 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;
 - c. authorizing the installation of STOP signs on the approaches to the intersection of SE Constitution Boulevard with SE Circle Street after the construction of SE Constitution Boulevard is complete.
2. Authorize the County Administrator, or designee, to execute any and all documents associated with the temporary use of the County's property and the applicant's property to gain access to construct the West Golf Course, with assurances that SE Constitution Boulevard is constructed in

accordance with County standards and that all disturbed areas are properly restored.

ALTERNATIVE RECOMMENDATIONS

Pull this Item from the Consent Agenda and provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

Maintenance of SE Constitution Boulevard would start 15 to 20 years after the road is paved and accepted.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☒ Other: 3 Resolutions

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