


MEMORANDUM

TO: Mayor England
Vice Mayor Kostka
Commissioner George
Commissioner Samora
Commissioner Rumrell

FROM: Max Royle, City Manager 

DATE: July 27, 2020

SUBJECT: Opening of 2nd Street West of 2nd Avenue: Review of Options and Costs

BACKGROUND

The section of 2nd Street west of 2nd Avenue isn't accessible. Off and on since 1992, there has been discussion of opening the section. However, the section wasn't built because not all the owners of the adjacent lots would agree to pay the costs to open the street. City policy was and still is that those who want to build on platted but unbuilt streets must pay the costs to build the street. In the past, this policy has been followed for the opening of 10th Street between the Boulevard and 2nd Avenue and, more recently, for the opening of 8th Street between the Boulevard and 2nd Avenue.

Mr. Eric Kenney, who owns two lots on 2nd Street west of 2nd Avenue, wants to develop those lots for residential use. He is willing to pay the costs to build 2nd Street from where it currently ends east of 2nd Avenue westward across the 2nd Avenue right of way to his lots. However, the residents of the existing homes along 2nd Street east of 2nd Avenue oppose connecting the two sections of 2nd Street. At its July 7 and August 4, 2014, meetings, the City Commission discussed connecting the two sections and the residents' opposition to the connection and decided by consensus to approve having the access to 2nd Street west of 2nd Avenue from 1st Street.

More recently, at the continuation of your July 6th meeting on July 7, 2020, you asked the Public Works Director to provide options and costs for accessing 2nd Street west of 2nd Avenue.

ATTACHMENTS

They are:

- a. Pages 1-2, the minutes of that part of your July 7, 2014, meeting, when you discussed the unopened section of 2nd Street
- b. Pages 3-4, the minutes of that part of your August 4, 2014, meeting, when the discussion was continued.
- c. Pages 5-5, the minutes of that part of your July 6, 2020, meeting.
- d. Pages 7-9, the minutes of that part of your July 7th continuation meeting.
- e. Pages 10-15, the report from the Public Works Director, Mr. Tredik, concerning accessing 2nd Street west of 2nd Avenue.

OPTIONS

Mr. Tredik notes there are three options:

1. From the existing, paved section of 2nd Street westward across the 2nd Avenue right-of way.
2. From 1st Street north along the 2nd Avenue right-of-way.
3. From 3rd Street south along the 2nd Avenue right-of-way.

For each option, Mr. Tredik provides pros and cons. However, he hasn't provided costs. It's been estimated that building a road in the 2nd Avenue right-of-way, either from 1st or 3rd Streets, could cost \$75,000 or more. At this time, the money for this project is not in the proposed Fiscal Year 2021 budget.

Mr. Kenney has said he will pay the cost to pave and connect the two sections of 2nd Street and to open 2nd Street to his lots. He will not pay the costs to open 2nd Avenue from either 1st or 3rd Streets.

ACTION REQUESTED

There are three. First, as Mr. Tredik notes on page 10, it is that you discuss what alignment you prefer for accessing 2nd Street west of 2nd Avenue, so that Mr. Kenney can build on his two lots.

Second, if you decide that 2nd Street is to be accessed from either 1st or 3rd Streets on the 2nd Avenue right-of-way, who is to pay the cost, the City, Mr. Kenney, or all the owners of the lots along 2nd Street west of 2nd Avenue.

Third, whether you want the City staff to begin proceedings for a special assessment so that all the lot owners will pay the costs to build the road on 2nd Avenue and the costs to open 2nd Street from 2nd Avenue west to where it ends at the Sea Oaks subdivision. The process to levy the assessment will take several months.

FROM MINUTES OF CITY COMMISSION MEETING, JULY 7, 2014

OLD BUSINESS

4 Unopened Section of 2nd Street West of 2nd Avenue: Continuation of Discussion to Open

Public Works Director Joe Howell explained there were 16 platted lots on the street and one of the owners had asked the City to open the street on that block. Commissioner Helhoski disclosed that his sister lived in the subject area, but he had no interest in the property. Chief Hardwick was concerned with fire and rescue access in light of a narrow turning radius. He would prefer opening both intersections for easier access.

Regine DeToledo, 309 St. George Street, St. Augustine; Jeanie Fitzpatrick, 102 Anastasia Lodge Drive; Eric Kenney, 8 Versaggi Drive; and Paul Crage were owners of lots on the subject area. Ms. DeToledo and Ms. Fitzpatrick opposed opening the street. Mr. Kenney and Mr. Crage wanted to know who would pay the cost of the street before making a decision.

Jay Floyd, 111A 2nd Street, said the costs should be paid by the owners of the 16 lots.

Curt Lawrence 112B 2nd Street, said the lack of through traffic was an attractive feature and wanted it to stay quiet. Laura & Chris Barkett, 114 2nd Street, agreed.

Commissioner Pawlowski said there did not appear to be a consensus of the lot owners. She felt the road should go straight through as platted. She did not favor opening 2nd Avenue to provide access. She asked that the property owners reach an agreement on a proposal for the street.

City Manager Royle said that in the past, opening a street was paid by the property owners. Vice Mayor O'Brien said the people on 2nd Street purchased those lots based on the road not being open and the City should not open it. He favored access from 2nd Avenue to the lots.

Commissioner Snodgrass said he did not have enough information. He asked that representatives from all involved departments or agencies meet to discuss the street. He favored having the City

bear the cost of the project. Mayor Samuels agreed. The Commission agreed to schedule discussion at their August meeting.

Vacation of alley at 116 2nd Street.

Mr. Kenney, 8 Versaggi Drive, asked that the alley behind 116 2nd Street be vacated. The opposite side of the alley adjoins a City-owned parkette.

Mr. Burnett said when an alley is vacated, it was split evenly between the abutting properties. A survey and the plat would show how it would be addressed in this situation.

The Commission agreed to continue this request to allow a review of the plat.

FROM MINUTES OF AUGUST 4, 2014, CITY COMMISSION MEETING

OLD BUSINESS

5. Unopened Section of 2nd Street West of 2nd Avenue: Continuation of Discussion to Open

City Manager Royle explained that the City Commission should address two questions: do they want to open the street, and from which direction would the street be accessed, 2nd Avenue or 1st Street. The owners must decide how to pay for water and sewer lines before the City will open the street. The County would have to approve setting up the funding and the City can help the owners with arranging meetings with them. Mr. Cragg was disappointed in the delay again since this was brought up in 2005. Mayor Samuels recommended the City be an advocate with the County process.

Henry Ros, 102 Anastasia Lodge Drive, wanted clarification about the financing of the road. He opposed the many fees to property owners for opening the street.

Jeannie Fitzpatrick, 102 Anastasia Lodge Drive, brought a copy of documents showing the history from 1993 regarding opening the street. This was approved many years ago and it was still not opened.

Chris Barkett, 114 2nd Street, said he wanted to open access to his property. He wanted the City to pay the cost using interest from the Marriott project's impact fees. He asked if the City could open the road using crushed shell on 2nd Street and 2nd Avenue. He said he was never informed his street might not stay a dead end.

Commissioner Helhoski suggested the City could clear land, and discuss improvement options while assisting the lot owners in working with the County on permitting.

Commissioner Pawlowski recommended the street be accessed from 2nd Avenue, or whichever route the lot owners prefer. She wanted the owners to absorb the cost.

Vice Mayor O'Brien suggested the City mow and clear the platted road so the lot owners can have access. If possible, put down a temporary base. He favored access from 1st Street via 2nd Avenue.

Commissioner Snodgrass wanted a chronology of the history of the road and a list of the options on costs. He felt the City should help with County permit applications for this project. He

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supported access from the north/south. Commissioner Helhoski agreed and supported the precedent of splitting the costs by thirds. If the City clears the property there may be additional costs later, or we may save by doing it now instead of when costs increase later.

It was the consensus of the City Commission to approve opening 2nd Street with access from 1st Street via 2nd Avenue; St Johns County Utility issues will be resolved by the lot owners, with assistance from City staff; and the funding of the construction will be determined later by the City Commission.

Jeannie Fitzpatrick suggested building a park at the end of the street.

Mr. Burnett noted the Commission did not have a consensus to open a temporary road. Mayor Samuels said the City would clear it by mowing the overgrowth, but not install a base at this time.

Jay Floyd 11 2nd Street, asked if the issue would come up again, and was told the access route would not.

FROM MINUTES OF JULY 6, 2020, CITY COMMISSION MEETING

NEW BUSINESS

10. Opening 2nd Street West of 2nd Avenue for Construction of Single-Family Residences: Review of Proposal (Presenters: Bill Tredik, Public Works Director; Brian Law, Building Official)

Mayor England introduced Item 10 and asked Public Works Director Tredik to give his response.

Public Works Director Tredik showed a slide of the area (Exhibit 4). He then gave the history of this item dating back from 1998 to present. He advised that Mr. Kenney told staff that he would pay for the road to go straight through on 2nd Street. He explained that the costs for the City to do it would be approximately \$50,000 according to former Public Works Director Howell and he advised that now it would be \$75,000 or more. He commented that funding is a problem due to the budget for this project. He explained the three options that would work.

Mayor England asked Mr. Kenney to come to the podium.

Eric Kenny, 6 Oceanside Drive, St. Augustine Beach, FL, advised that he would like to pay for the road, so the City does not pay for anything. He requested this in order to complete the two homes he has built and to build two more homes that have no access to the property.

Commissioner Samora asked if there was a cost issue to go through 2nd Avenue.

Mr. Kenney advised it would be cost prohibitive.

Commissioner Samora asked if Mr. Kenney would be willing to contribute the cost to do the paving he wants and asked if he would agree to go straight through and the City would pay for the rest of the paving.

Mr. Kenney advised yes if the City can get it done quickly.

Mayor England asked if the paving is done straight through would sidewalks be done.

Mr. Kenney advised that he is not sure because he has not contacted an engineer; however, he believes that the sidewalks and handicap ramps would be done on both sides where the two sides connects.

Mayor England advised that the neighbors have expressed safety concerns if the road goes through.

Commissioner George asked what streets would this be done on.

Mr. Kenney advised on 115 and 117 2nd Street.

Mayor England opened the Public Comments section. The following addressed the Commission:

Chris Bartket, 114 2nd Street, St. Augustine Beach, FL, explained that he wants the least impact for the current residents. He advised that no neighbors were notified of this paving and the former public works director said it was his job pave to those undeveloped lots. He commented that the Commission said that they would not go through to these lots in 2014.

Marc Craddock, 116 2nd Street, St. Augustine Beach, FL, advised that the neighborhood has never been approached about paving. He explained that the alternate route is from 1st Street. The minutes reflected that this access route would not be done, and the neighbors want a

dead-end street. He commented that Mr. Kenney just wants a lower cost option and asked the Commission not to revisit this.

Jade Floyd, 111 2nd Street, St. Augustine Beach, FL, explained that this issue would not come up again and the same concerns remain. He advised that there is no room for sidewalks because the street is so narrow. He complained that this is quality of life issue for the neighbors.

Attorney James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine, FL, explained that he represents several property owners on the western section in the area. He explained that his clients did not reach the 65% threshold that needs to be accomplished and want an alternative from 2nd Street.

Mayor England closed the Public Comments section and asked Attorney Whitehouse if he was representing the owners of the undeveloped lots where the street does not go through.

Attorney Whitehouse advised yes. He explained that he has not spoken to all the owners but advised that they want this to move forward quickly and whichever is quickest they would be in favor of.

Public Works Director Tredik advised that there were 11 in favor of the paving, which is 69%. He advised that if the City wants to go from the south there are two owners who are dead set against it. If there is alternative path, there needs to be enough contributions upfront and the budget would have to reflect the project.

Mayor England suggested that the meeting be continued in order to complete this item tomorrow.

10. Opening 2nd Street West of 2nd Avenue for Construction of Single-Family Residences: Review of Proposal (Presenters: Bill Tredik, Public Works Director; Brian Law, Building Official)

Mayor England continued Item 10.

City Attorney Douglas advised that public comments should be done again because the vote will be done today.

Commissioner Rumrell asked to table the item to give notice to everyone and reschedule the date to August Regular Commission meeting.

Mayor England suggested that since people were in the audience for public comments, she would like to give them a chance to speak. She then opened the Public Comments section. The following addressed the Commission:

Chris Barkett, 114 2nd Street, St. Augustine Beach, FL, explained that the neighbors are thinking of safety as their number one priority in finding an alternative route. He explained that 2nd Street is very narrow and there is no widening of the street available. Sidewalks cannot be put in either. He explained that if Mr. Kenney is willing to give a portion of the alternate route, then no one opposes it. He requested that Public Works Director Tredik advise how many times Mr. Kenney has asked to pave 2nd Street and when was the last time he did so.

Eric Kenney, 6 Oceanside Drive, St. Augustine Beach, FL, clarified that he has not agreed to put his money towards an alternate route because then he would be paying more than anyone else for the same access. He would pay for the access coming off 2nd Street to facilitate the building of the homes he has under contract and finish the two homes right now. He commented that he would provide Mr. Howell's emails to everybody and those emails said not to do 2nd Street and 7th Street because Mr. Howell and Mr. Larson told him he was not responsible for that paving, they were. He advised that there are some zoning violations and will file them with the St. Augustine Beach Zoning Department tomorrow.

Commissioner George asked when the purchase was on 2nd Street.

Mr. Kenney advised that he is still under contract and will purchase them when this issue is resolved. He explained that he has been waiting for six years with properties under contract for something to happen. He advised that he is not the current owner.

Jay Floyd, 111 2nd Street, St. Augustine Beach, FL, explained that he has access, which has been approved already but he does not want to pay for that access because it would cost him more money. He explained that his bamboo will be damaged.

Marc Craddock, 116 2nd Street, St. Augustine Beach, FL, he thanked the Commission for what they do; advised that a lot of the neighbors were not here tonight or last night; Mr. Kenney is not the property owner; neighbors were not properly notified about this issue; and 2nd Street is only 20 feet wide and is not compliant to regulations; he requested a traffic and environmental study and a green space analysis.

Mayor England closed the Public Comments section and advised that since all the neighborhood was not notified and the Commission does not have all the costs yet for this type of project, she would like to get more information. She then asked staff for their comments.

Public Works Director Tredik explained that coming from the north would be a problem for fire trucks.

Building Official Law advised that he asked the Fire Department off the record what they would prefer, and they said that they prefer straight access.

Mayor England asked staff to put in writing the three options with the positives and negatives and the costs for all three options. She explained that safety is number one and quality of life is number 2. She requested the costs of sidewalks and underground utilities as well.

Public Works Director Tredik advised that there will be a cost to getting those answers.

Mayor England said that maybe it should be done in stages, but we need the options in writing.

Commissioner Rumrell advised that he has multi concerns such as denying the right of access to a property and whether the City must pay for that or not. He wants options laid out and advised that he does not want this issue to be some government takeover or legal battle. He asked that this be a priority so that Mr. Kenney does not lose the contract and sue the City. He requested proper notices to the residents and a traffic study to be done.

Commissioner George advised that there was a clear policy on how to open a street. She gave the example of 8th Street. She explained that the lot owners must pay for it and the universal policy was adopted in 2016 for any street. She requested that the details of that policy should be given to the Commission. She said that majority of the neighbors wanted the west block of 2nd Street and the egress and ingress south onto 2nd Avenue, which would take a little traffic off A1A Beach Boulevard. She recalled discussion regarding access for emergency vehicles and that option would accommodate the turn. She requested staff provide what the preference would be for the Fire Department so that it can be reasonably accommodated. She explained that there is no liability on the City because the lots are undervalued but believes that the Commission should follow the policy that was set in 2016. The policy asks how many property owners agree to do the project and how the costs gets distributed. She explained that the City has an ordinance that show traffic patterns already instead of doing a traffic study.

Mayor England advised that the policy was that the owners would have to pay for the pavement.

Commissioner Samora asked to reevaluate all three routes in a timely manner. He commented that the policy that was made six years ago may not apply today because of the parking and traffic. This must be done quickly and if there was a precedence, then research it. He suggested notifying all the neighborhood including 1st Street and 3rd Street.

Vice Mayor Kostka advised that she remembers this issue on 8th Street and agreed with Commissioner George. She explained that it did not move forward because all the owners did not agree with putting in the road. She asked that all the property owners be noticed. She said that the City has a record that the City does not have to pay for the road, but the property owners are obligated to pay the expense.

Assistant City Attorney Taylor advised that the 2014 decision is not binding, and this would be a separate issue. The City has protection to do what it wants, but this issue should be resolve in an accelerated manner.

Mayor England was concerned that Public Works Director Tredik has a lot to do with the recent flooding and weir, etc. She asked what the Commission could do to help him with this.

Public Works Director Tredik advised that he would make some sketches on the three options and give the cost and time it would be completed. He advised that he was not a traffic engineer, which is a specialty field, and he would have to get a traffic study completed which would cost money.

Mayor England asked if the Commission feels a traffic study right now would be necessary.

Commissioner George advised that she trusted staff to give their opinion and feels that they are trained in this area, so no traffic study is needed. She said that they have other County colleagues that they can check with as well.

Commissioner Rumrell agreed with Commissioner George that no formal traffic study is needed, especially when time is of the essence.

Mayor England advised then no traffic study would be done at this point.

Public Works Director Tredik advised that he would bring this back to the Commission at the next meeting.

Mayor England asked the Commission to help Public Works Director Tredik as they can because streets and accesses is one of the basics for the City.

Vice Mayor Kostka asked to have proper notice as well.

Mayor England gave direction to staff to bring this item back in August.

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: August 3, 2020

SUBJECT: Construction of a portion of 2nd Street west of 2nd Avenue

BACKGROUND

The unopened portion of 2nd Street in St. Augustine Beach lies between Sea Oaks Subdivision to the west and an unopened portion of Second Avenue right-of-way to the east (see Figure 1). This unopened right-of-way abuts sixteen (16) medium density residential lots which are not currently developable due to lack of access.

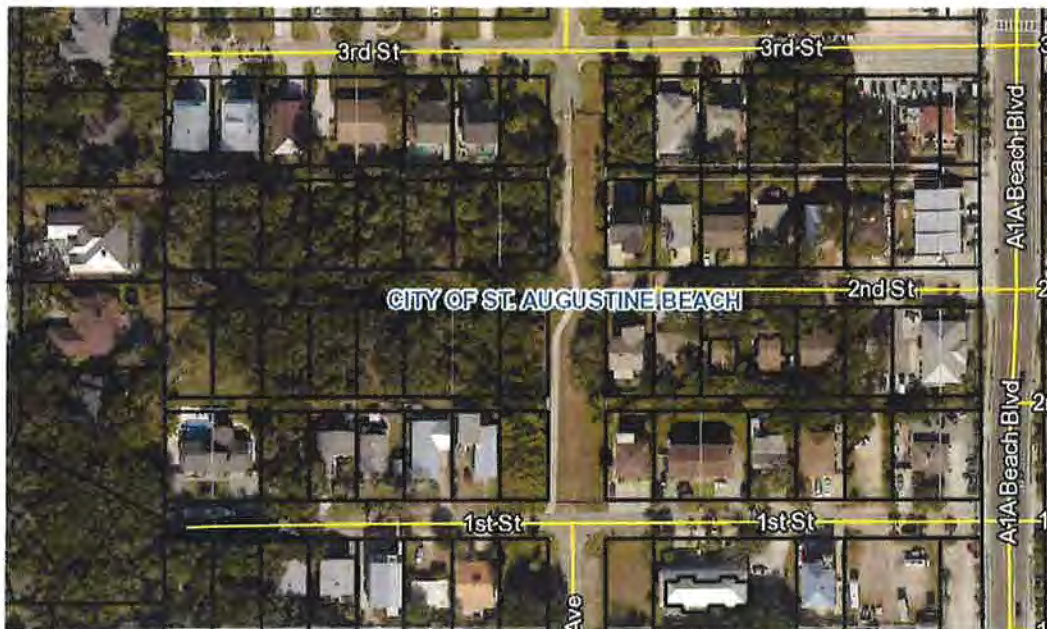


Figure 1 - Location of Unopened 2nd Street Right-of-Way

Over the years, discussions have occurred concerning the opening of the 2nd Street right-of-way, with the most recent in the summer of 2014. On August 4, 2014 the City Commission considered options for the opening of 2nd Street. The first option (Figure 2) involved extending 2nd Street westward to its terminus. The estimated cost for this option in 2014 dollars was \$188,000.



Figure 2 - 2nd Street Extension (2014 Option 1)

The second option considered was to extend 2nd Avenue north from 1st Street to access 2nd Street (Figure 3). The estimated cost for this option in 2014 dollars was \$244,000.

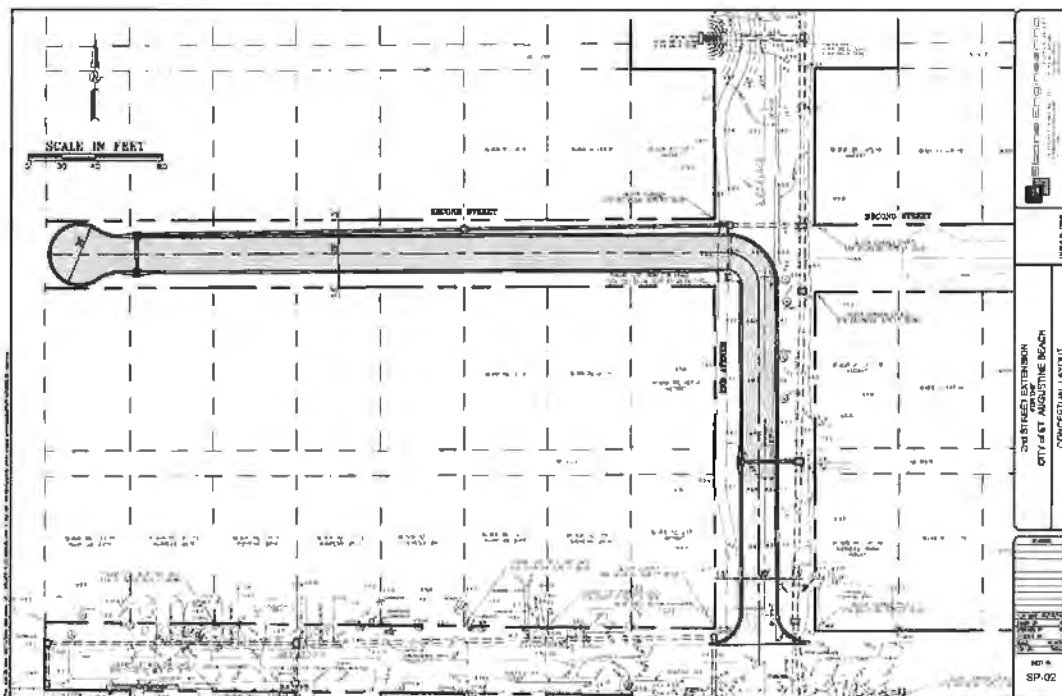


Figure 3 - 2nd Street Extension (2014 Option 2)

The above 2014 estimated costs did not include design and construction of residential utilities, service connection fees, etc. As recorded in the approved August 4, 2014 City Commission minutes, "It was the consensus of the City Commission to approve opening 2nd Street with

access from 1st Street via 2nd Avenue; St. Johns County Utility issues will be resolved by the lot owners, with assistance from City staff; and the funding of the construction will be determined later by the City Commission.” Subsequent to the August 4, 2014 City Commission meeting, St. Johns County Utilities provided an estimate of utility costs, bringing the total estimated cost for the consensus alignment to \$341,000.

A public meeting with property owners was held on Wednesday, November 12, 2014. Four (4) of the eight (8) property owners were present, with another unofficially represented. The 2nd Street survey, the conceptual designs and the preliminary conceptual cost estimates were presented and discussed. Potential means of financing and constructing the underground utilities, and eventually the improved road, were discussed, including the potential for the City to fund 2nd Avenue portion of the roadway and the property owners funding the 2nd Street portion of the roadway. No commitments were made, and no resolution was reached. The City sent out letters requesting support of the project from the property owners, realizing that they would be responsible for a significant portion of the cost, unfortunately there was not property owner consensus and the project did not move forward.

The issue resurfaced in 2019, when the City was contacted by a property owner requesting reconsideration. Letters were again mailed out and 11 of the 16 properties (68.75%) were in favor of opening the road, knowing they would be required to pay a significant portion of the overall expense, which would have increased significantly from the 2014 estimate. No further action has been taken at this time since the project is not in the current fiscal year budget. Additionally, without full participation of the property owners, the city would need to front design and construction costs and develop and approve an assessment mechanism for funding of the property owners’ portion of the construction.

In recent weeks, Mr. Eric Kenny – an interested party who desires to purchase the easternmost lots on the north side of the unopened 2nd Street right of way – has approached the City to discuss constructing roadway in a portion of the unopened 2nd Street right-of-way to serve 2 lots he would like to purchase. Mr. Kenny has offered to fund the design and construction of the extension of 2nd Street, meeting City standards, to the western property line of the lots he intends to purchase, as well as pay for design and construction of any utility extension necessary to serve these two lots. This would also include the paving of the dirt portion (approximately 50 feet) of 2nd Street just east of 2nd Avenue. Mr. Kenny understands that any design and construction must allow eventual tie in by the remaining properties to the west.

Mr. Kenny requests that he be permitted to construct the extension of 2nd Street directly westward approximately 250 feet to serve the properties he intends to purchase. Though it is typical for a developer to construct roadway within platted rights-of-way for the purpose of providing access, a previous City Commission indicated a preference for a different alignment. Staff is therefore bringing this item back to the Commission for discussion and reconsideration.

As mentioned earlier, discussions in 2014 included the possibility that the City pay the portion of the cost associated with constructing 2nd Avenue from 1st Street to 2nd Street. Based upon current dollars, the probable cost for this portion of the work would be at least \$75,000, and would make necessary the removal or relocation of approximately 240 linear feet of existing 8' wide concrete bike path. Extending 2nd Street directly westward to serve the 2 lots that Mr. Kenny desires to purchase would substantially reduce the total length of roadway constructed, eliminate the need to remove or relocate the bike path, eliminate City costs, and allow the development of 4 residential lots (Mr. Kenny's plus 2 on the south side of the street).

The City Commission discussed the issue at their July 6, 2020 regular meeting. Mr. Kenny's proposal was presented for consideration, along with the background information discussed earlier. The City Commission heard public comment from property owners along the opened portion of 2nd Street (east of 2nd Avenue) who are opposed to the extension of 2nd Street westward and preferred a connection from 2nd Avenue. The City Commission discussed the previous options, including the option of connecting from 3rd Street (see figure 4 below).



Figure 4 - Option 3

The Commission asked staff to bring this item back to the August 3, 2020 meeting for further discussion of the pros and cons of each of the 3 options. All property owners west of A1A Beach Boulevard between 1st Street and 3rd Street were notified of the scheduled August 3, 2020

meeting, so that all stakeholders had an opportunity to voice their position on the proposed project.

DISCUSSION

All of the options have advantages and disadvantages. The pros and cons of each option are included below.

Option	Pros	Cons
Option 1 2 nd Street Extension	<ul style="list-style-type: none"> • Lowest overall cost • Minimal or no city cost • Least new impervious surface • Least impact to existing bike path • No side yard roadway for houses abutting 2nd Avenue • Preferred access by Fire Department • More green space on 2nd Avenue 	<ul style="list-style-type: none"> • Additional traffic on 2nd St. • Narrow 2nd St. pavement width (18' +/-) • Lack of sidewalk on 2nd St. • Narrow right of way (40') • Single ingress/egress for full length of street • Ingress/Egress at Boulevard can be difficult during times of high traffic
Option 2 2 nd Avenue from 1 st Street	<ul style="list-style-type: none"> • No traffic impact to existing houses on 2nd Street • Easier ingress/egress to/from A Street • Less new traffic to Beach Boulevard 	<ul style="list-style-type: none"> • Higher cost • More impervious surface • Roadway abuts side yards of existing houses on 2nd Avenue • Potential congestion at 1st St. and 2nd Ave. • Potential congestion at 1st Street and A1A Beach Boulevard • Potential parking issues with overflow from 2nd Avenue lot. • Narrow 1st Street right-of-way (40') • Narrow 1st Street pavement (18' +/-) • Relocation of a portion of the 2nd Ave. bike path • Loss of green space on 2nd Avenue
Option 3 2 nd Avenue from 3 rd Street	<ul style="list-style-type: none"> • No traffic impact to existing houses on 2nd Street • Three (3) ingress/egress points to/from Beach Boulevard • Wider 3rd Street right of way (60') • Wider 3rd Street pavement (22') 	<ul style="list-style-type: none"> • Higher cost • More impervious surface • Replace/lengthen pipe in 2nd Ave. • Roadway on side yard of existing houses on 2nd Avenue • More traffic on 2nd Ave., 3rd, 5th, and 7th Streets • All ingress/egress from Boulevard • Relocation of full block of bike path • Loss of green space on 2nd Avenue

ACTION REQUESTED

Further discussion and direction to staff regarding the preferred alignment for the construction of the unopened portion of 2nd Street.