

2024-277J

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City Commission
City of Gainesville
200E. University Ave.
Gainesville, FL 32601

Dear Honorable Mayor and Commissioners,

On July 18th you will be reviewing a Design Plat petition submitted by EDA on behalf of New Generation Home Builders. I am an Affected Party and unfortunately not able to attend the meeting. I have concerns about the Design Plat and about what is owed to the homeowners of Blues Creek by the Developer and ask that these be considered by our City Commission.

Concerns discussed in this letter are:

- 1) Developer's objection to comply with the existing Plat.
- 2) The privatization issues of a small townhouse community within the Blues Creek development structure.
- 3) The implications of providing only one garage for each townhouse.
- 4) Lack of gutters for each townhouse.

I fully support Mrs. Cricchio's letter to the City Commission. As stated on the Blues Creek Unit 5, Phase 1 executed Plat (Plat Book 24, Page 73), "Note: The Developer Shall Complete Pool Construction When 2/3 Of The Lots In Unit 5 Have Received A Certificate of Occupancy." This "Note" can be seen on the Plat between Lot#'s 4&5. It is my understanding from HOA Board Member, Mrs. Cricchio, that during a meeting with the Developer (Mr. Ross), he stated he never intended to build a pool. Since then he sent Mrs. Cricchio an offer in an e-mail to pay our HOA \$,1000. per unit sold in Unit 5, Phase 2 upon receiving each Certificate of Occupancy for a total of \$36,000. This amount represents approximately 5% of the cost estimate received by the HOA to complete a pool on the designated lot within the executed Plat. The Plat is signed by officials from the City of Gainesville, including the City Attorney and City Manager (see attached). I request that the current Design Plat be denied until the Developer agrees that he will comply with the obligation created when the Blues Creek Unit 5, Phase 1 Plat was fully executed and registered in the Plat Book. I further request that the City enforce upon the Developer the pool obligation and inform the people of Blues Creek what action the City of Gainesville will take.

The Blues Creek wetland property was purchased by Larry Ross in the 1970s. By the mid 1980s, a small group of environmentalists filed suit against him. The end result was the establishment of a 90-acre drainage easement. The purpose of this drainage easement is to handle all stormwater drainage from the Blues Creek development (approximately 450 homes).

I live in Unit 5, Phase 1, of the Blues Creek development where construction started in 2003. The road (NW 80th Ave.) was built, however, improper drainage left it underwater. To fix this, the Developer ran a drainage pipe from Unit 5, Phase 1, to behind Unit 4 (lots 12-15), ultimately terminating at the drainage easement. This alleviated flooding of NW 80th Ave.

Note: In 2008 Public Works cut and repaved a section of NW 80th Ave., this was necessary for the installation of an under drain connecting multiple stormwater drain inlets. It was done to address buckling, cracking and puddling of standing water along NW 80th Ave.

In the proposed Design Plat, the drainage pipe will be maintained by three different entities:

- 1) The City of Gainesville which is already responsible for the section in Unit 5, Phase 1.
- 2) A small section partially behind lot numbers 12 & 13 are to be maintained by Unit 5, Phase 2. A major amount of stormwater from Unit 5, Phase 2 will connect in this location, the balance of their stormwater drainage will tie into the drainage pipe somewhere behind lots 14 or 15.
- 3) The Developer will be responsible for pipe maintenance behind Unit 4 lots 13-15 to its termination at the 90-acre drainage easement. The Developer retains ownership of the Drainage Easement property.

The drainage pipe's total length is less than 2/10^{ths} of a mile. The City of Gainesville is already responsible for more than ½ of the pipe. To me, the most simplistic solution is for the City to take over ownership of the entire drainage pipe and not divide it up among three entities. I am asking you to think about what happens in a decade, or two decades or more, not just the immediate future. What happens if the developer closes his current business and how might that impact the Blues Creek community? Will the City know who is responsible or will they need to take time to determine responsibility? Complicating a process increases cost, and as currently proposed there will be a cost for the City just to figure out who is responsible for any future problems with the drainage pipe. Should our City remain unwilling to accept the remainder of the drainage pipe, then I request that the Design Plat and Final Plat "Notes" include a guarantee that the Blues Creek community will never be held responsible for the drainage pipe that is currently proposed to be the responsibility of the Developer.

Privatization of the road and Unit 5, Phase 2 section of drainage pipe is counterproductive in providing affordable housing. The proposed townhouses owners will be required to bear the burden of these costs with increase of their HOA fees. No fewer than two of the four City Commissioners voted for this project because they said it would help bring "affordable housing" to Gainesville. Privatization is contradictory to that goal so I request that the proposed Design Plat be amended so that our City take over the road and drainage pipe.

The current proposal has 36 homes and 30 garages. I request the development design be changed to 33 homes and garages; one garage for every home. This is important because it allows townhome owners to eliminate the single large waste bin in favor of having their own individual trash and recycling storage. A single trash bin is less convenient for townhouse owners, creates a permanent central waste center next to conserved land where there is an abundance of wildlife that will interact with it, creates an ongoing odor problem in one corner of the development, and can be a handicap for the disabled to access. This change will improve parking accommodations for service vehicles (some of which do not fit into a single space) and for visitors during parties. Parking from Unit 5, Phase 2 should not leak over into Unit 5, Phase 1. That problem will negatively affect Unit 5, Phase 1 property owners home values.

At a Neighborhood Meeting Mr. Sweger agreed to have the Developer install gutters on every townhouse, with the gutters tied into the stormwater drainage system in order to alleviate erosion issues behind the townhouses. There is no mention of this on the Design Plat.

Many suggestions to improve the Developer's design have been suggested, all but the gutters met with flat refusal. I request that you take to heart my suggestions in the spirit in which they are offered, to improve the lives of both future and present homeowners of the Blues Creek Community. I ask that you deny the proposed Design Plat with recommendations to the Developer for re-submittal.

Thank you for your consideration.

Respectfully,

Michael Turco