



Legislation Details (With Text)

File #: 090906. **Version:** 2 **Name:** FINAL WRITTEN ORDER - APPEAL OF PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR THE HIGHWAY 441 SUPER WAL-MART (B)

Type: Staff Recommendation **Status:** Passed

File created: 5/20/2010 **In control:** City Attorney

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Title: FINAL WRITTEN ORDER - APPEAL OF PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR THE HIGHWAY 441 SUPER WAL-MART (B)

Final Order of the City of Gainesville, Florida In The Matter of Appeal of Preliminary Development Plan Approval granted by the Development Review Board for the Highway 441 Super Wal-Mart; Legistar No. 090906; Petition No. DB-10-6

Sponsors:

Indexes:

Code sections:

Attachments: 1. 090906_appeal_20100401.pdf, 2. 090906a_Staff PPT_20100401.pdf, 3. 090906b_DRB Petition 10-6 Rpt_20100401.pdf, 4. 090906c_CityAttorneyMemo_20100401.pdf, 5. 090906d_Wal-Mart Master Plan_20100401.pdf, 6. 090906_Recusal_Ltr_20100401.pdf, 7. 090906_Gville Walmart CCOM Hearing.pdf, 8. 090906_Final Order_20100520.pdf, 9. 090906_finalorder_20100520.pdf

Date	Ver.	Action By	Action	Result
5/20/2010	2	City Commission	Approved as Recommended	Pass
5/4/2010	0	City Commission	Approved, as shown above - See Motion(s)	
4/1/2010	0	City Commission	Continued	Pass

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The City Commission authorize the Mayor and Clerk of the Commission to execute the Final Order.

On March 11, 2010, the Development Review Board held a public meeting approving, by a vote of 3-2, the Preliminary Development Plan for Petition No. DB-10-6 with staff conditions.

On March 16, 2010, John Hudson filed an appeal challenging the approval granted by the Development Review Board.

The City Commission held formal quasi-judicial hearings on April 1, 2010 and May 4, 2010 to consider the appeal. At the conclusion of the May 4, 2010, hearing the City Commission announced its oral order to affirm the approval of the Preliminary Development Plan by the Development Review Board with further amendments imposed by the

City Commission. City Commission Rules and the Land Development Code require the decision to be embodied in a written order. Copies of the proposed order were submitted to the parties to the appeal.