



DOAR

Development Order Amendment Report

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DRI #144 - SUNWAY HILLSBOROUGH COUNTY

On August 17, 2020, Hillsborough County rendered Resolution No. R20-069 to the Tampa Bay Regional Planning Council. The Resolution reflects and amendment adopted by the Hillsborough County Board of County Commissioners on August 11, 2020.

BACKGROUND

On November 10, 1987, Hillsborough County granted a Development Order (Resolution #R87-0366) to Shannon Properties for a 72-acre Office/Hotel development. The development was initially approved to consist of 2.7 million square feet (sq. ft.) of office space and 300 hotel rooms to be located southeast of the I-75/U.S. 92 intersection in central Hillsborough County.

The Development Order had been amended five times, most recently on July 23, 1996 (Resolution No. 96-176). The amendments had cumulatively:

- extended the (formerly applicable) phasing buildout dates;
- provided an alternative plan of development, substantially downscaling the project;
- removed the transportation mitigation conditions and the requirement for use non-potable water resulting from the substantially reduced alternate plan of development, which was comprised solely of 120,000 sq. ft. of Commercial.

The Tampa Bay Regional Planning Council is uncertain as to the extent of development activities which may have transpired on the site over the past 20 years since: the last Annual Report was submitted on April 20, 2000 (for RY 1999-2000); the Development Order had formally expired on June 1, 2005; and no Development Order amendment(s) were rendered by Hillsborough County since that time.

DEVELOPMENT ORDER AMENDMENT

The Resolution authorized a rescission of the Sunway Development Order.

DISCUSSION

The statutory references applicable to rescission/abandonment of this Development Order are stated as follows:

“A change in a development-of-regional-impact guideline and standard does not abridge or modify any vested or other right or any duty or obligation pursuant to any development order or

agreement that is applicable to a development of regional impact. A development that has received a development-of-regional-impact development order pursuant to s. 380.06, but is no longer required to undergo development-of-regional-impact review by operation of a change in the guidelines and standards or has reduced its size below the thresholds in s. 380.0651, shall be governed by the following procedures: [Subsection 380.115(1), F.S.]

(a) The development shall continue to be governed by the development-of-regional-impact development order and may be completed in reliance upon and pursuant to the development order unless the developer or landowner has followed the procedures for rescission in paragraph (b)...

(b) If requested by the developer or landowner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed.” [The City has affirmed that “all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or equivalent authorization”]

In addition, Section 47(1)(a) of SB1752, enacted as part of the 2010 legislative session, reads as follows:

The Legislature hereby reauthorizes... (a) Any exemption granted for any project for which an application for development approval has been approved or filed pursuant to s. 380.06, Florida Statutes, or for which a complete development application or rescission request has been approved or is pending, and the application or rescission process is continuing in good faith, within a development that is located in an area that qualified for an exemption under s. 380.06, Florida Statutes, as amended by chapter 2009-96, Laws of Florida...

Noting that the Tampa Bay Regional Planning Council no longer has mandated coordination and/or review authority concerning Developments of Regional Impact, this *Development Order Amendment Report* has been prepared for informational purposes only in accordance with provisions outlined in Section 380.07, F.S.

**DRI #144 - SUNWAY
GENERAL LOCATION MAP**

