



# DOAR

## Development Order Amendment Report

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### **DRI #132 - GATEWAY CENTRE CITY OF PINELLAS PARK**

On November 16, 2016, the City of Pinellas Park rendered Ordinance No. 3997 to the Tampa Bay Regional Planning Council. The Ordinance, adopted by the Pinellas Park City Council on November 10, 2016, reflects an amendment by the City to rescind/repeal the Gateway Centre DRI.

#### **BACKGROUND**

On July 23, 1986, the Pinellas Park City Council granted a Development Order (Ordinance No. 1617) to Gateway Centre Joint Venture for a 589.7-acre, multi-use development. The project was generally located west of Interstate 275 and 28th Street, north of Gandy Boulevard, east of U.S. 19 and south of the equivalent of a Lake Boulevard extension, within the jurisdictions of Pinellas Park and St. Petersburg. A companion (and nearly identical) Development Order was subsequently adopted by the St. Petersburg City Council on October 30, 1986 (Ordinance No. 939-G) to assess the project requirements within their jurisdictional limits.

As originally approved, the project spanned two jurisdictions (i.e. Cities of Pinellas Park & St. Petersburg) and was jointly and specifically approved to consist of 998,232 sq. ft. of Office, 2,287,425 sq. ft. of Light Industrial, 150,000 sq. ft. of Commercial, 300 Hotel rooms, 300 Multi-Family residential units and a 12,575 sq. ft. Auto Museum. An additional 1,531,000 sq. ft. of Office, 520,000 sq. ft. of Light Industrial, 96,000 sq. ft. of Commercial and 200 Hotel rooms was conceptually approved between the two jurisdictions, as would have been subject to further transportation analysis.

On March 14, 1994, the TBRPC approved the designation of the entire Gateway Centre DRI as a "Regional Activity Center" (RAC), which became effective following the September 20, 1994 amendment to the Region's *Comprehensive Regional Policy Plan*.

The Development Order was modified on numerous occasions by each jurisdiction over the years. The most recent Amendment, adopted by the Pinellas Park City Council on July 10, 2008, recognized the "bifurcation" of the project into two distinct DRIs to coincide with jurisdictional limits. Corresponding development entitlements, responsibilities and mitigation were assigned to each of the Gateway Centre DRIs with the sum equaling previously granted approvals.

The Gateway Centre/Pinellas Park Development Order has been amended only once since the bifurcation (Ordinance No. 3661/December 11, 2008) to: add a 4.13-acre parcel ("Parcel C-2"); authorize alternative use(s) on Parcels C-2, LI-3 and O-1 while limiting the uses associated with Parcels C-3, C-4 and H-1; and modify the Land Use Equivalency Matrix.

In a letter dated January 10, 2012 from Pinellas Park Zoning Director Dean Neal, the City of Pinellas Park concurred with the Developer’s request for a further four year extension of the Gateway Centre/Pinellas Park DRI Phase 1 Buildout and Development Order expiration dates made in accordance with 2011 legislation (HB 7207), to December 31, 2016 and December 31, 2017, respectively.

The following constitutes the currently-approved phasing for the 490± acre Gateway Centre/Pinellas Park DRI:

| LAND USE                     | PHASE 1<br>(Buildout: 12/31/2016) | PHASE 2 <sup>1</sup><br>(Buildout: TBD) | TOTAL <sup>1</sup>     |
|------------------------------|-----------------------------------|---|------------------------|
| OFFICE (Sq. Ft.)             | 768,713 <sup>2</sup>              | 990,479                                 | 1,759,192 <sup>2</sup> |
| LIGHT INDUSTRIAL (Sq. Ft.)   | 1,487,425                         | 520,000                                 | 2,007,425              |
| COMMERCIAL (Sq. Ft.)         | 150,000                           | 96,000                                  | 246,000                |
| HOTEL (Rooms)                | 300                               | 200                                     | 500                    |
| RESIDENTIAL (MF Units)       | 742 <sup>2</sup>                  | 0                                       | 742 <sup>2</sup>       |
| AUTO MUSEUM (Sq. Ft.)        | 12,575                            | 0                                       | 12,575                 |
| PROJECT TRIPS (PM Peak Hour) | 3,418                             | TBD                                     | TBD                    |

1. Specific approval of Phase 2 is contingent upon further transportation analysis(es).
2. The above entitlements are reflective of a August 22, 2012 correspondence in which conversion of 229,519 sq. ft. of Phase 1 Office for 432 additional Multi-Family/ Apartment units within Phase 1 was requested.

## DEVELOPMENT ORDER AMENDMENT

The Ordinance authorized rescission/abandonment of the Gateway Centre Development Order.

## DISCUSSION

Through the annual reporting process, it was acknowledged that 289,695 sq. ft. of Office, 965,973 sq. ft. of Light Industrial, 58,788 sq. ft. of Commercial (i.e. 52,689 sq. ft. *Dimmitt* auto dealership & 6,099 *Wawa* convenience store), 732 Multi-Family residential units and a 14,652 sq. ft. Auto Museum were all completed to date. It is hereby referenced that the development totals are exclusive of the recently-opened Maserati-Alfa Romeo dealership located at 3033 Gandy Boulevard (i.e. northwest corner of Gandy Boulevard/Grand Avenue intersection).

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 mitigation required for Phase 1 of the DRI has been completed.”]

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...*

## **RECOMMENDATION**

The rescission/abandonment of the Gateway Centre Development Order appears to be in accordance with all statutory provisions including those citations identified above.

It is recommended that the State Land Planning Agency concur with the rescission/abandonment of the Development Order as authorized by the City of Pinellas Park for DRI #132 - Gateway Centre.

# GENERAL LOCATION MAP

