

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, RELATING TO HISTORIC**
3 **PRESERVATION; DESIGNATING CERTAIN LAND**
4 **GENERALLY LOCATED AT THE SOUTHEAST COR-**
5 **NER OF THE INTERSECTION OF S. TAMPA AVE. AND**
6 **W. CHURCH STREET, AND COMMONLY KNOWN AS**
7 **TINKER FIELD, AS AN ORLANDO HISTORIC LAND-**
8 **MARK; PROVIDING FOR SEVERABILITY, CORREC-**
9 **TION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE**
10 **DATE.**

11
12 **WHEREAS**, section 65.720, Code of the City of Orlando, Florida ("Orlando City
13 Code"), provides for the designation of a "site, building, structure[,] or object as an His-
14 toric Landmark [] when appropriate documentation demonstrates significance in history,
15 architecture, archeology, engineering[,] or culture and it possesses integrity of location,
16 design, setting, materials, workmanship, feeling[,] and association..."; and

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18 **WHEREAS**, section 65.720, Orlando City Code, further requires that a site, build-
19 ing, structure, or object proposed for designation as an Orlando Historic Landmark
20 demonstrate "[association] with events that have made a significant contribution to the
21 broad patterns of our history", or "[association] with the lives of persons significant in our
22 past", or "[t]hat embodies the distinctive characteristics of a type, period or method of
23 construction, or that represents the work of a master, or that possesses high artistic val-
24 ues", or "[t]hat has yielded or may be likely to yield, information important in prehistory or
25 history"; and

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27 **WHEREAS**, at its regular meeting of February 5, 2014, the City of Orlando His-
28 toric Preservation Board (the "HPB") directed the City Historic Preservation Officer to
29 research whether Tinker Field and associated improvements were eligible for designa-
30 tion as an Orlando Historic Landmark under the criteria provided at section 65.720, Or-
31 lando City Code; and

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33 **WHEREAS**, at its regular meeting of March 5, 2014, the HPB, based upon the in-
34 itial research and advice of the City Historic Preservation Officer, nominated Tinker Field
35 for designation as an Orlando Historic Landmark; and

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37 **WHEREAS**, based upon the evidence presented to the HPB at its regular meet-
38 ing of April 2, 2014, including the information and analysis contained in the "Staff Report"
39 to the Historic Preservation Board for application case number HPB2014-00034 (entitled
40 "Item #2 – 317 South Tampa Avenue (Tinker Field) Landmark Application"), the HPB
41 found that Tinker Field was eligible for designation as an Orlando Historic Landmark un-
42 der subsection 65.720(a), Orlando City Code, because the field "is associated with
43 events that have made a significant contribution to the broad patterns of our history," and
44 under subsection 65.720(b), Orlando City Code, because the field "is associated with the
45 lives of persons significant in our past," and that the associated grandstand structure da-
46 ting to 1963 (the "1963 grandstand") was eligible, but only under subsection 65.720(a),

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Orlando City Code, and that other structures and improvements associated with Tinker Field have either “been so significantly altered,” or are not at least 50 years old, and therefore are not eligible for designation as an Orlando Historic Landmark; and

WHEREAS, based upon these findings, the HPB, at its regular meeting of April 2, 2014, recommended to the City Municipal Planning Board (the “MPB”) that the City Council of the City of Orlando, Florida (the “Orlando City Council”), designate Tinker Field and the 1963 grandstand as an Orlando Historic Landmark, and that the associated improvements and structures ineligible for designation be identified as “non-contributing supporting resources”; and

WHEREAS, at its regular meeting of April 28, 2014, the Orlando City Council accepted the meeting minutes of the HPB’s April 2, 2014, meeting, and “acknowledged the HPB recommendation for Tinker Field while instructing the MPB to consider recommending an Orlando Landmark designation only for the ‘diamond’ of the existing Tinker Field”; and

WHEREAS, based upon the evidence presented to the MPB at its regular meetings of May 20, 2014, and July 15, 2014, including the information and analysis contained in the “Staff Report” to the Municipal Planning Board for application case number HPB2014-00034 (entitled “Item #7 – 317 South Tampa Avenue (Tinker Field) Landmark Application”), information and analysis provided by the Orlando Venues Department, and a “Structural Condition Assessment of Tinker Field Baseball Stadium” prepared by Walter P. Moore and Associates, Inc., the MPB recommended that the Orlando City Council designate only the baseball “diamond” of Tinker Field as an Orlando Historic Landmark; and

WHEREAS, Tinker Field is a historic baseball field generally located at the southeast corner of the intersection of South Tampa Avenue and West Church Street, and is more particularly described by the legal description of the area by metes and bounds attached to this ordinance as **Exhibit “A”** (the “Property” or “Tinker Field”); and

WHEREAS, for purposes of this ordinance, the Property and Tinker Field are hereby defined to be comprised of approximately ~~62.183~~ ^{62.18} acres of land and includes the described areas of the historic infield and outfield playing surface of Tinker Field; and

WHEREAS, Tinker Field was dedicated on April 19, 1923, and was listed on the National Register of Historic Places on May 14, 2004; and

WHEREAS, based upon the findings of the City Historic Preservation Officer, the City Historic Preservation Board, the Municipal Planning Board, and the testimony and evidence provided by City staff and the public, the Orlando City Council hereby finds and determines that, in accordance with the criteria provided in section 65.720, Orlando City Code, appropriate documentation has been provided to demonstrate that the Property is “significan[t] in history, ...or culture and [] possesses integrity of location, design, set-

ting...feeling[,] and association...”, that the Property is “associated with events that have made a significant contribution to the broad patterns of our history,” and that the Property is “associated with the lives of persons significant in our past.” and

WHEREAS, based upon the findings of the City Historic Preservation Officer, the City Historic Preservation Board, the Municipal Planning Board, and the testimony and evidence provided by City staff and the public, the Orlando City Council hereby finds and determines that, in accordance with the criteria provided in section 65.720, Orlando City Code, the Property is, in fact “significan[t] in history, ...or culture and [] possesses integrity of location, design, setting...feeling[,] and association...”, that the Property is “associated with events that have made a significant contribution to the broad patterns of our history,” and that the Property is “associated with the lives of persons significant in our past.” and

WHEREAS, the Orlando City Council hereby declares that among its intentions with respect to section 2 of this ordinance is that before demolition of the existing stadium and related improvements, the City will undertake all reasonable efforts to salvage historic and sentimental objects and features, particularly those that can be used in the historic commemoration plan required by section 2 of this ordinance, and also those that may be helpful to the City, the Wells’ Built Museum of African American History & Culture, and the Orange County Regional History Center in other efforts to share the history of Tinker Field; and

WHEREAS, the Orlando City Council hereby declares that also among its intentions with respect to section 2 of this ordinance is that the effort to develop a plan of commemoration, including public participation in the plan’s development, include meaningful input and participation by the commissioner for District 5; and

WHEREAS, the Orlando City Council hereby finds and determines that this ordinance is in the best interest of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

SECTION 1. DESIGNATION OF ORLANDO HISTORIC LANDMARK. In accordance with section 65.720, Orlando City Code, the Property is hereby designated an Orlando Historic Landmark, and is henceforth subject to all the laws and benefits applicable to said designation. Notwithstanding anything in the Orlando City Code or this ordinance to the contrary, a certificate of appropriateness is only required for any construction, alteration, restoration, or relocation of any permanent new structures on the Property, and for any permanent use inconsistent with the Property’s historic use as a baseball field. For purposes of this ordinance, “new” structures” means structures constructed after the effective date of this ordinance, and the term “structures” includes, without limitation, monuments, signs, plaques, and other objects of commemoration. Work to restore, repair, and maintain Tinker Field and any work to install or maintain ~~monuments, signs,~~

~~plaques, way-finding signs and~~ underground infrastructure and utilities ~~, or memorial objects within the Property~~ is hereby made exempt from the requirement for a certificate of appropriateness. Also hereby made exempt from the requirement for a certificate of appropriateness is any temporary structure or improvement associated with a temporary use of the Property, so long as work associated with the temporary structure or improvement does not undermine the lasting integrity of location, design, setting, feeling, and association of the Property and that the designated portions of the infield and outfield are returned to their historic appearance as a baseball field after the temporary structures or improvements are removed.

SECTION 2. HISTORIC COMMEMORATION. The purpose of this ordinance is to preserve historic Tinker Field for future generations. This ordinance includes a finding that, among other things, Tinker Field is associated with events that have made a significant contribution to the broad patterns of our history and is associated with the lives of persons significant in our past. In that regard, the City will develop a plan for the appropriate commemoration of these contributions and persons. The plan of commemoration may include the preservation and display of objects currently existing at Tinker Field and the construction of monuments, signs, plaques, or other objects of commemoration at Tinker Field. In the development of the plan, the City will undertake all reasonable efforts to engage the assistance of the Wells' Built Museum of African American History & Culture and will also consult with a recognized expert in local history. The public shall be given an opportunity to provide input in the development of the plan. As provided in section 1 of this ordinance, the construction of monuments, signs, plaques, and other objects of commemoration is subject to approval by certificate of appropriateness in accordance with the City's Land Development Code, including without limitation, review by the City's historic preservation officer and the Historic Preservation Board, with their respective recommendation of approval, approval with conditions, or denial being presented to the Orlando City Council for final action. Upon completion of the work described by the approved plan of commemoration, the City will be responsible for the ongoing maintenance of the Property.

SECTION 32. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 43. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 54. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2015.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2015.

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**DONE, THE SECOND READING AND A PUBLIC HEARING, AND ENACTED
ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the
City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of
_____, 2015.

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

City Clerk

THIS ORDINANCE WAS DRAFTED AND
IS APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA, BY:

City Attorney

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