

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.**

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

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51 **WHEREAS**, based upon these findings, the HPB, at its regular meeting of April
52 2, 2014, recommended to the City Municipal Planning Board (the “MPB”) that the City
53 Council of the City of Orlando, Florida (the “Orlando City Council”), designate Tinker
54 Field and the 1963 grandstand as an Orlando Historic Landmark, and that the associat-
55 ed improvements and structures ineligible for designation be identified as “non-
56 contributing supporting resources”; and

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58 **WHEREAS**, at its regular meeting of April 28, 2014, the Orlando City Council ac-
59 cepted the meeting minutes of the HPB’s April 2, 2014, meeting, and “acknowledged the
60 HPB recommendation for Tinker Field while instructing the MPB to consider recom-
61 mending an Orlando Landmark designation only for the ‘diamond’ of the existing Tinker
62 Field”; and

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

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

78
79 **WHEREAS**, for purposes of this ordinance, the Property and Tinker Field are
80 hereby defined to be comprised of approximately ~~62.183~~ acres of land and includes the
81 described areas of the historic infield and outfield playing surface of Tinker Field; and

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

85
86 **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the
87 City Historic Preservation Board, the Municipal Planning Board, and the testimony and
88 evidence provided by City staff and the public, the Orlando City Council hereby finds and
89 determines that, in accordance with the criteria provided in section 65.720, Orlando City
90 Code, appropriate documentation has been provided to demonstrate that the Property is
91 “significan[t] in history, ...or culture and [] possesses integrity of location, design, set-

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

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96 **WHEREAS**, based upon the findings of the City Historic Preservation Officer, the
97 City Historic Preservation Board, the Municipal Planning Board, and the testimony and
98 evidence provided by City staff and the public, the Orlando City Council hereby finds and
99 determines that, in accordance with the criteria provided in section 65.720, Orlando City
100 Code, the Property is, in fact “significan[t] in history, ...or culture and [] possesses integ-
101 rity of location, design, setting...feeling[,] and association...”, that the Property is “asso-
102 ciated with events that have made a significant contribution to the broad patterns of our
103 history,” and that the Property is “associated with the lives of persons significant in our
104 past.”; and

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

114
115 **WHEREAS**, the Orlando City Council hereby declares that also among its inten-
116 tions with respect to section 2 of this ordinance is that the effort to develop a plan of
117 commemoration, including public participation in the plan’s development, include mean-
118 ingful input and participation by the commissioner for District 5; and

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120 **WHEREAS**, the Orlando City Council hereby finds and determines that this ordi-
121 nance is in the best interest of the public health, safety, and welfare; and

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

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126 **SECTION 1. DESIGNATION OF ORLANDO HISTORIC LANDMARK.** In ac-
127 cordance with section 65.720, Orlando City Code, the Property is hereby designated an
128 Orlando Historic Landmark, and is henceforth subject to all the laws and benefits appli-
129 cable to said designation. Notwithstanding anything in the Orlando City Code or this or-
130 dinance to the contrary, a certificate of appropriateness is only required for any construc-
131 tion, alteration, restoration, or relocation of any permanent new structures on the Proper-
132 ty, and for any permanent use inconsistent with the Property’s historic use as a baseball
133 field. For purposes of this ordinance, “new” structures” means structures constructed af-
134 ter the effective date of this ordinance, and the term “structures” includes, without limita-
135 tion, monuments, signs, plaques, and other objects of commemoration. Work to restore,
136 repair, and maintain Tinker Field and any work to install or maintain ~~monuments, signs,~~

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

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147 **SECTION 2. HISTORIC COMMEMORATION.** The purpose of this ordinance is
148 to preserve historic Tinker Field for future generations. This ordinance includes a finding
149 that, among other things, Tinker Field is associated with events that have made a signifi-
150 cant contribution to the broad patterns of our history and is associated with the lives of
151 persons significant in our past. In that regard, the City will develop a plan for the appro-
152 prate commemoration of these contributions and persons. The plan of commemoration
153 may include the preservation and display of objects currently existing at Tinker Field and
154 the construction of monuments, signs, plaques, or other objects of commemoration at
155 Tinker Field. In the development of the plan, the City will undertake all reasonable efforts
156 to engage the assistance of the Wells' Built Museum of African American History & Cul-
157 ture and will also consult with a recognized expert in local history. The public shall be
158 given an opportunity to provide input in the development of the plan. As provided in sec-
159 tion 1 of this ordinance, the construction of monuments, signs, plaques, and other ob-
160 jects of commemoration is subject to approval by certificate of appropriateness in ac-
161 cordance with the City's Land Development Code, including without limitation, review by
162 the City's historic preservation officer and the Historic Preservation Board, with their re-
163 spective recommendation of approval, approval with conditions, or denial being present-
164 ed to the Orlando City Council for final action. Upon completion of the work described by
165 the approved plan of commemoration, the City will be responsible for the ongoing
166 maintenance of the Property.

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168 **SECTION 3. SEVERABILITY.** If any provision of this ordinance or its applica-
169 tion to any person or circumstance is held invalid, the invalidity does not affect other pro-
170 visions or applications of this ordinance which can be given effect without the invalid
171 provision or application, and to this end the provisions of this ordinance are severable.

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173 **SECTION 4. SCRIVENER'S ERROR.** The City Attorney may correct scriven-
174 er's errors found in this ordinance by filing a corrected copy of this ordinance with the
175 City Clerk.

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177 **SECTION 5. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

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179 **DONE, THE FIRST READING,** by the City Council of the City of Orlando, Flori-
180 da, at a regular meeting, this _____ day of _____, 2015.

181
182 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City
183 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day
184 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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