

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO HISTORIC PRESERVATION; DESIGNATING CERTAIN LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF S. TAMPA AVE. AND W. CHURCH STREET, AND COMMONLY KNOWN AS TINKER FIELD, AS AN ORLANDO HISTORIC LANDMARK; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

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

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

WHEREAS, at its regular meeting of February 5, 2014, the City of Orlando Historic Preservation Board (the "HPB") directed the City Historic Preservation Officer to research whether Tinker Field and associated improvements were eligible for designation as an Orlando Historic Landmark under the criteria provided at section 65.720, Orlando City Code; and

WHEREAS, at its regular meeting of March 5, 2014, the HPB, based upon the initial research and advice of the City Historic Preservation Officer, nominated Tinker Field for designation as an Orlando Historic Landmark; and

WHEREAS, based upon the evidence presented to the HPB at its regular meeting of April 2, 2014, including the information and analysis contained in the "Staff Report" to the Historic Preservation Board for application case number HPB2014-00034 (entitled "Item #2 – 317 South Tampa Avenue (Tinker Field) Landmark Application"), the HPB found that Tinker Field was eligible for designation as an Orlando Historic Landmark under subsection 65.720(a), Orlando City Code, because the field "is associated with events that have made a significant contribution to the broad patterns of our history," and under subsection 65.720(b), Orlando City Code, because the field "is associated with the lives of persons significant in our past," and that the associated grandstand structure dating 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”); and

WHEREAS, the Property is comprised of approximately 2.3 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 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 the demolition and removal of Tinker Field, for any construction, alteration, restoration, or relocation of any permanent improvements to the Property, and for any permanent use inconsistent with the Property's historic use as a baseball field. Work to restore, repair, and maintain Tinker Field and any work to install or maintain monuments, signs, plaques, 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.

SECTION 2. 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 3. 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 4. EFFECTIVE DATE. This ordinance takes effect upon adoption.

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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.

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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