

MOORE-TURNER GARDENS
AGREEMENT OF UNDERSTANDING BETWEEN
THE SPOKANE PARK BOARD AND THE LANDMARKS COMMISSION

This Agreement is entered into this ^{15th}~~9th~~ day of May, 2000, by and between the City of Spokane ("City"), acting through the Historic Landmarks Commission ("Commission") and the City of Spokane, acting through its Park Board, the owner of the property located at Seventh and Stevens, commonly known as the Moore-Turner Gardens, in the City/County of Spokane.

WHEREAS, the City of Spokane adopted Ordinance C-26353 on November 23, 1981, and

WHEREAS, the County of Spokane adopted Ordinance 82-0038 on January 12, 1982; and

WHEREAS, both Ordinance C-26353, as amended, and Ordinance 82-0038 provide that the City/County Historic Landmarks Commission is responsible for the stewardship of historic and architecturally significant properties in the City and County; and

WHEREAS, Article V, Section 48, of the City Charter grants the Park Board the power to care for, manage and improve all parks owned by the City; and

WHEREAS, The Park Board recognizes the significance of the historic features and is committed to restoring the Moore-Turner Gardens as closely as possible to historic records; -- NOW THEREFORE,

The Commission and the Park Board hereby agree as follows:

1. CONSIDERATION. The Commission agrees to designate the Moore-Turner Gardens on the Spokane Register of Historic Places. The Park Board agrees to consider recommendations from the Commission regarding the historic characteristics and features of the Moore-Turner Gardens.
2. FILING. This Agreement shall be filed as a public record.
3. ALTERATION OR EXTINGUISHMENT. This Agreement may be altered or extinguished by either party upon notice to the other party. In the event the Park Board fails to comply with Management Standards, except where modified, or any City ordinance governing historic landmarks, the sole remedy of the Commission is to revoke, after notice and an opportunity for a hearing, this Agreement.

4. EXISTING CONDITIONS. The Moore-Turner Gardens, located on Spokane Park Department property adjacent to the D.C. Corbin House, are a recent discovery. A lengthy research process from 1998 to 2000, which was supported by the Spokane Parks and Recreation Department, uncovered historic foundations, staircases and garden features, which were then documented by historic plans and photographs. Research identified the formal gardens as significant, because they reflect the culture and lifestyle of Seventh Avenue due to the association with Senator George Turner, the former owner of the gardens and surrounding estate.

5. PROMISE OF OWNERS. Owner agrees to and promises to fulfill “THE SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS (Revised 1995)” and those standards promulgated by the Commission for the Moore-Turner Gardens provided they are agreed to by the Park Board. Compliance with the Management Standards shall be monitored by the Historic Landmarks Commission. It is agreed between the parties that the Park Board will exercise best efforts to comply with the Management Standards in cooperation with advice from the Landmarks Commission. (Attached as Exhibit “B”)

6. HISTORIC LANDMARKS COMMISSION. The Park Board recognizes the value of and is dedicated to preserving the historic character of the Moore-Turner Gardens, and will work with the Commission to ensure preservation and enhancement of the site’s historically significant, character-defining features. This Agreement is not retroactive and neither party intends to review existing features of the Moore-Turner Gardens. The Park Board agrees to provide the Landmarks Commission the opportunity to review and provide recommendations on plans and projects that impact the Moore-Turner Gardens. Thirty (30) days prior to Park Board action, the Park Board agrees to submit to the Commission, plans and/or projects for any action which would affect the following:

- (A) Demolition of historic structures within the Moore-Turner Gardens boundaries;
- (B) Relocation of historic structures in the Moore-Turner Gardens boundaries;
- (D) Change in use of the property as a public park;
- (E) Any work that changes the character-defining features of the Moore-Turner Gardens, as defined in Exhibit A.

7. MASTER PLAN. It is understood and agreed that the Park Board, with assistance from Preservation Office staff, will prepare a master plan for overall restoration, which will fully define and guide the treatment of the Moore-Turner Gardens features, in accordance with the SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION. The Commission will receive updates and drafts of the master plan through staff reports, and Preservation Office staff will transmit their recommendations for incorporation into the plan. After the

master plan is complete, Commission review will only be required for deviation from the master plan, and/or for the reasons listed above.

Further, it is understood that the Commission's recommendations are not required for any work that is considered normal operations and maintenance, including removal of dead or diseased trees. In addition, the Park Board shall not be required to consult with the Commission to protect and maintain historic structures and material and to perform in-kind repair of character-defining materials and features.

8. DEMOLITION. The Park Board agrees to apply for a "Certificate of Appropriateness" prior to demolition of any historic structures identified on Exhibit A. In the case of an application for a "Certificate of Appropriateness," the Park Board agrees to meet with the Commission to seek alternatives to demolition. These negotiations may last no longer than forty-five (45) days. If no alternative is found within that time, the Commission may take up to forty-five (45) additional days to attempt to develop alternatives or suggest mitigative measures.

This Agreement is entered into the year and date first above written.

SPOKANE PARK BOARD

By Michael D. Stone
Michael D. Stone, CLP
Interim Director of Parks and Recreation



CITY OF SPOKANE


CITY MANAGER

ATTEST: 
City Clerk

Approved as to form:


Assistant City Attorney

EXHIBIT A

The following specific landscape features shall also be included under the terms of this Management Agreement:

Moore-Turner Gardens

Rose Arbor North and South Staircases
Concrete Pond and Waterfall
Reflection Pond and Adjacent Staircases
Pergola Ruins
Greenhouse Foundation
Conservatory Foundation
Stone House Foundation
Pump House Foundation
South Slope Retaining Wall
Tea House Site
West Staircases
Water System

ATTACHMENT B