THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: October 25, 2022

Subject: Local Historic Landmark Designation - Walton Street Park & Pool (570 Walton Street)

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director; Alex Cole, Urban Planner III

Action Requested: Adoption of an ordinance designating the property known as Walton Street Park & Pool, located at 570 Walton Street, as a local historic landmark.

Project Location and Contacts:

- The designation site consists of a 4.37 acre parcel located at 570 Walton Street (PIN 9648.12-2845) owned by the City of Asheville.
- Petitioners/Applicant: Josi Ward, Historic Preservation Consultant (Foreground Consulting)/Preservation Society of Asheville & Buncombe County

Summary of Petition:

- The subject property consists of a 4.37 acre parcel located on Walton Street within the Southside Neighborhood.
- The property contains a swimming pool and associated bathhouse, a basketball court, softball field, picnic shelter, playground area, and an asphalt parking lot.
- Walton Street Park was established by the City of Asheville and the Works Progress Administration (WPA), and was constructed in 1938-1939 and opened to the public in June 1939;
    - the Walton Street Pool was completed in the fall of 1947;
    - the Poolhouse was completed in 1948 and
    - the Pool and Poolhouse opened to the public in June 1948
- A study of the subject property was conducted by the applicant, and it was determined that the Walton Street Park & Pool are significant for being the sole municipal park and swimming area for Asheville's Black population, and are thus associated with events that have contributed significantly to the history of Asheville and Buncombe County; areas of significance include:
    - Black ethnic heritage,
    - Entertainment/Recreation, and
    - Social History
- The park complex retains the arrangement of features established during the period of significance (1939-1972).
- The park, pool, and bathhouse retain integrity of the location, setting, association, feeling, workmanship, and design.
- The proposed designation includes the entire park parcel, swimming pool, and exterior of the bathhouse.
- Pursuant to N.C. General Statutes 160D-945 and 160-946, and UDO Ch. 8-5 and 8-6, the Historic Resources Commission has found the subject property to be of special significance in terms of its historical, prehistoric, architectural, or cultural importance, and to possess integrity of design, setting, workmanship, materials, feeling and/or association, and recommends in favor of local historic landmark designation.
- Local historic landmark designation dictates that any future alteration of the site and/or site features will require review by the Historic Resources Commission for a Certificate of Appropriateness.

Comprehensive Plan Consistency:

- This action aligns with Goal 7 (Celebrate the Unique Identify of Neighborhoods Through Creative Placemaking) and Goal 8 (Elevate the Arts and Cultural Sectors to Strengthen and Preserve Heritage and History) of the Living Asheville Comprehensive Plan by continuing to support stewardship and preservation of historic properties and by celebrating and honoring the City's cultural and historic resources.

- This proposal also aligns with the 2036 Council Vision in the “Well-Planned and Livable Community” area.
- The local historic landmark designation would preserve a historic place that greatly contributes to Asheville’s historic and cultural history.

Fiscal Impact:
- None.

Council Goal(s):
- A Well-Planned and Livable Community

Committee(s):
- Historic Resources Commission - October 12, 2022 - unanimously recommended approval
- African American Heritage Commission - September 8, 2022 - unanimously recommended approval

Staff Recommendation:
- Staff finds that the proposed local historic landmark designation has special historic and cultural significance, and is compatible with the Living Asheville Comprehensive Plan and the Historic Preservation Master Plan.
- The African American Heritage Commission reviewed this proposed designation on September 8, 2022 and the Historic Resources Commission reviewed this proposed designation on October 12, 2022.
- Both commissions voted unanimously in favor of the landmark designation and recommended Asheville City Council approval of this local historic landmark designation application.

Suggested Motion to Approve:
- Move to adopt the ordinance designating Walton Street Park & Pool as a local historic landmark as recommended by the Historic Resources Commission based on the special historic and cultural significance of the property and integrity of design, setting, workmanship, materials, feeling and/or association of the property.

Attachment(s)
(1) Ordinance
(2) Exhibit A Map
(3) Local Historic Landmark Designation Report
(4) Excerpt of October 12, 2022 HRC Meeting Minutes with Findings
(5) Excerpt of September 8, 2022 AAHC Meeting Minutes

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS WALTON STREET PARK AND POOL, LOCATED AT 570 WALTON STREET IN ASHEVILLE, NC AS A LOCAL HISTORIC LANDMARK

WHEREAS, pursuant to North Carolina General Statutes 160D-945 and 160D-946, and Chapter 8, sections 8-5 and 8-6 of the Code of Ordinances of the City of Asheville, the City has the authority for designation of a local historic landmark; and

WHEREAS, the Historic Resources Commission of Asheville and Buncombe County has caused to be made an investigation and report on the historic, architectural, and cultural significance of the above referenced structure and property proposed for landmark designation, and the North Carolina Department of Cultural Resources has been provided the opportunity to review and comment on the proposed designation; and

WHEREAS, Walton Street Park is a 4.37 acre green space established by the City of Asheville and the Works Progress Administration (WPA), and was constructed in 1938-1939 and opened to the public in June 1939; the Walton Street Pool was completed in the fall of 1947; the Bathhouse was completed in 1948 and the Pool and Poolhouse opened to the public in June 1948. The park was founded as a sanctioned recreational recreational space for the city's Black population during the years of Jim Crow segregation. From the year of its opening, Walton Street Park was the sole municipal park and swimming area available to the Black population in Asheville. The park complex retains the arrangement of features established during the period of significance and is historically significant in the areas of Black ethnic heritage, recreation, and social history; and

WHEREAS, a public hearing on the designation of the Walton Street Park and Pool as a local historic landmark was held by the Historic Resources Commission of Asheville and Buncombe County on October 12, 2022 and the Commission found that the property is deemed to be of special significance in terms of its and cultural importance, and possesses integrity of design, setting, workmanship, materials, feeling and/or association as outlined in the designation report and is therefore, eligible for designation; and

WHEREAS, on October 25, 2022, the Asheville City Council held a public hearing on the designation of the the Walton Street Park and Pool as a local historic landmark, taking into full consideration all statements and information presented at the public hearing and the recommendation of the Historic Resources Commission of Asheville and Buncombe County made after its public hearing held on October 12, 2022; and

WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in North Carolina General Statutes 160D-945 and 160D-946 of the North Carolina General Statutes have been met;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Section 1. The property known as the **Walton Street Park and Pool**, located at 570 Walton Street in Asheville, North Carolina and more particularly described in **Exhibit A** attached hereto and incorporated herein, and owned by the City of Asheville, is hereby designated as a local historic landmark pursuant to North Carolina General Statutes 160D-945 and 160D-946 and Chapter 8 of the Code of Ordinances of the City of Asheville, and is subject to the conditions and restrictions set forth therein and below.

Section 2. Those features of the property that are integral to its architectural and cultural significance shall be understood to include the following:

The entire 4.37 acre park parcel, swimming pool, and exterior of the poolhouse, as described in Deed Book 516 at Page 150 of the Buncombe County Register of Deeds.

Section 3. The significant features of the structure located on said property may not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Historic Resources Commission of Asheville and Buncombe County. Any application for the demolition of this property shall require a 365 day waiting period as currently set forth in Chapter 160D-949 of the North Carolina General Statutes (or any other period of time required by said statute as it may be amended hereafter).

Section 4. A suitable sign or plaque shall be posted indicating the said property has been designated as a local historic landmark and containing any other appropriate information. If the owner consents, the sign or plaque shall be placed upon the building or property. If the owner objects, a sign shall be placed on nearby public rights-of-way.

Section 5. The Historic Resources Commission via the City's Planning & Urban Design Director shall cause this ordinance to be filed and recorded as provided in Chapter 8 of the City Code.

Section 6. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid; such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clauses, or phrases be declared invalid.

Section 7. That all ordinances and clauses of ordinances in conflict herewith be and are repealed, to the extent of such conflict.

Section 8. That this ordinance shall be in force and effect on the date of adoption.

Section 9. Violation of this ordinance shall be subject to the remedies set forth in Article XVIII of Chapter 7 of the Unified Development Ordinance of Asheville, in addition to other remedies provided by law.

Read, approved and adopted this the 25th day of October, 2022.

_____ _____

CITY CLERK MAYOR

Approved as to form:

_____

CITY ATTORNEY

The undersigned hereby certifies that it is the record property owner for the property described in the City of Asheville Ordinance, and hereby consents to review of the exterior and interior features and site described herein by the Historic Resources Commission of Asheville and Buncombe County.

_____

Debra Campbell, City Manager

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, a Notary Public of the County and State aforesaid certify that Debra Campbell, on behalf of the City of Asheville, Owner of said property, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this ____ day of _____, 2022.

_____
Notary Public
Printed Notary Public Name: _____
My Commission Expires: _____