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To: Planning Commission  
From: Commission of Architectural Review  
Date: July 2, 2018  
RE: **ORD. 2018-181: To amend and reordain City Code § 30-930.5 to modify the White House of the Confederacy Old and Historic District (1201 East Clay Street).**

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**I. APPLICANT**

Confederate Memorial Literary Society  
Virginia Commonwealth University Health System Authority

**II. LOCATION**

1222 E. Marshall St.

**Property Owner:**

Confederate Memorial Literary Society  
Virginia Commonwealth University Health System Authority

**III. PURPOSE**

The Confederate Memorial Literary Society and the Virginia Commonwealth University Health System Authority have requested the removal of a parcel, E0000208020, from the White House of the Confederacy City Old and Historic District.

In June 2017, the Confederate Memorial Literary Society subdivided their property and transferred a portion, 1222 E. Marshall Street (E0000208020), to the Virginia Commonwealth University Health System Authority. This parcel contains the Museum of the Confederacy constructed in 1976. The Confederate Memorial Literary Society retained a portion of the property, 1201 E. Clay Street (E000020805), containing the Dr. John Brockenbrough House (White House of the Confederacy), built in 1818, and the related garden.

**IV. SUMMARY & RECOMMENDATION**

The request is to amend the boundaries of the White House of the Confederacy Old and Historic District to remove the recently created parcel -- 1222 E. Marshall Street (E0000208020). The White House of the Confederacy Old and Historic District was established in 1970 along with 10 other individual properties which were recognized for their "historical and architectural interest." The Old and Historic District contained the 1818 Dr. John Brockenbrough House and related garden which served as the White House of the Confederacy from 1861-1865. From 1871 to 1890, the house was used as the Central School and in 1894, it was acquired by the Confederate Memorial Literary Society. In 1896, the mansion was opened to the public as the Confederate Museum. Architecturally, the Brockenbrough house is significant because it was designed by Robert Mills, who is considered America's first native born and trained architect. When the historic district was established in 1970, the boundaries matched those of the original parcel acquired by the Confederate Memorial Literary Society in 1894. The Brockenbrough House was designated a National Historic Landmark in 1960. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because

they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. A revised National Register Nomination was prepared in 1975, which included the new museum building that was under construction. The revised nomination made note of the two-story glass wall of the new museum facing the garden and the original building and the use of long vertical panels which is a prominent motif of the historic dwelling.

Per Section 30-930.2 the purpose of creating old and historic districts is to provide a means by which the City council may recognize and protect the historic, architectural, cultural, and artistic heritage of the City.

At the May 22, 2018 regular meeting of the Commission of Architectural Review, the request was presented during the business portion of the meeting. Staff recommended against the amendment on the basis that the original boundaries were established to protect and preserve the 1818 Brockenbrough Mansion (White House of the Confederacy) and its environs. Staff also expressed concern over the precedent that may be established by this action to encourage or support the removal of buildings from City Old and Historic Districts.

Robert Benaicha, representing the Confederate Memorial Literary Society, spoke. He stated that the request for removal grew out of a desire to construct a new museum building in a different location that would more adequately house the museum's exhibits. He alleged that the zoning Ordinance expressly contemplates the repeal and amendment of Old and Historic District boundaries, and he maintained that the request is, therefore, consistent with the spirit of the ordinance.

The only member of the public to speak was Cyane Crump, Executive Director of Historic Richmond who stated that as a matter of policy, HRF is concerned with any proposal that would reduce, rather than expand, a historic district.

There being no further public comment, the Chairman stated that as the Commission of Architectural Review, it is their role to preserve historic districts, and therefore, it would be problematic for the Commission to give a recommendation to reduce a district. Mr. Hendricks added that the negative space from buildings adjacent to a historic building is just as vital to historic preservation as the preservation of the historic building itself. Mr. Johnson agreed that although the museum's mission may be to preserve certain historic exhibits, the Commission's historic preservation interests are broader and independent of the museum's interests.

A motion was made by James W. Klaus, seconded by Sanford Bond, that the Commission of Architectural Review forward a recommendation for denial to the Planning Commission for reasons cited in the staff report. The motion carried by the following vote: Aye – 7 Bond, Hendricks, Klaus, McRoberts, Johnson, Jones and Brewer

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**V. FINDINGS OF FACT**

**a. Site Description and Surrounding Context**

The White House of the Confederacy Old and Historic District is located at the southeast corner of East Clay and North 12<sup>th</sup> streets and contains approximately

.5 acres. The property contains two buildings – the 1818 Dr. John Brockenbrough House (White House of the Confederacy) and the 1976 Civil War Museum. There are formal gardens to the rear of the house and a hardscaped plaza entrance to the museum. To the south, east and west, across 12<sup>th</sup> Street, are large buildings associated with the Virginia Commonwealth University Health system. Across, East Clay Street to the north is the ca. 1926 Richmond Academy of Medicine that is listed on the National Register of Historic Places.

**b. Scope of Review**

The Commission of Architectural Review reviewed the amendment in its advisory capacity to the Planning Commission.

**c. CAR Review History**

The request to amend the White House of the Confederacy Old and Historic District was initially discussed at the October 10, 2017 Quarterly Business meeting of the Commission of Architectural Review. The Commission discussed the request of the Confederate Memorial Literary Society with the applicant's representatives, Mr. Robert Benaicha of McGuire Woods LLP and Mr. Waite Rawls, the president of the American Civil War Museum Foundation. The Commission did not take any action regarding the proposed request and will take formal action on the request at a later meeting.

**d. Project Description**

The proposal is to amend the Zoning Ordinance and remove a portion of the White House of the Confederacy of the Old and Historic District from the district. In June 2017, the Confederate Memorial Literary Society subdivided their property and transferred a portion, 1222 E. Marshall Street (E0000208020), to the Virginia Commonwealth University Health System Authority. This parcel contains the Museum of the Confederacy constructed in 1976. The Confederate Memorial Literary Society retained a portion of the property, 1201 E. Clay Street (E000020805), containing the Dr. John Brockenbrough House (White House of the Confederacy), built in 1818, and the related garden. Parcel E000020805 will remain in the City Old and Historic District.

**e. Master Plan**

The property is located within the Virginia Commonwealth University Medical College of Virginia Campus in an area zoned B-4, a Central Business District, which allows for a wide variety of uses. In the Downtown Plan and the Pulse Corridor Plan the area is designated as Institutional. Historic Preservation is a Corridor Principle, as outlined in the Pulse Corridor Plan: Retaining existing historic buildings is a priority. Smaller historic buildings add to a diversity of style and use along the Corridor (p. 26).

The property is also included in the VCU Health System Master Plan. According to VCU Health System -- Support Services and Planning, for the foreseeable future – the current 10 year planning period -- the museum building will be utilized as a gathering area and gift shop for the White House and as a temporary construction office and later as a faculty and staff training facility for VCU Health System.

**f. Commission of Architectural Review Guidelines**

Sec. 30-930.2. - Purpose.

The purpose of creating old and historic districts is to provide a means by which the City Council may recognize and protect the historic, architectural, cultural, and artistic heritage of the City. This process of historic preservation is a part of the promotion of the general welfare and the protection of community health and public safety of the City through the identification, preservation and enhancement of buildings, structures, landscapes, settings, neighborhoods, sites and features with special historic, cultural, artistic, and architectural significance. To achieve this general purpose, the City seeks to pursue the following specific purposes:

- 1) The identification, designation, and protection of historic resources throughout the City.
- 2) The promotion of harmony of style, form, color, proportion, texture and material between buildings of historic design and those of more modern design.
- 3) The recognition and protection of appropriate settings and environments for historic districts, buildings, structures and sites.
- 4) The enhancement of the quality of life for residents and the providing of attractions to visitors by preserving the historic resources of the City.
- 5) The education of residents and visitors about the City's historic resources.
- 6) The incorporation of historic preservation into the permit review process of the City.