

September 29, 2017

Ms. Marianne Pitts
Secretary
Commission of Architectural Review
City of Richmond
900 E. Broad St., Room 510
Richmond, VA 23219

Amendment of White House of the Confederacy Old & Historic District

Dear Marianne:

On behalf of the Confederate Memorial Literary Society (the "Society"), I am writing to request that the Commission of Architectural Review ("CAR") recommend an amendment of the boundaries of the White House of the Confederacy Old and Historic District (1200 East Clay Street) (the "District"), as set forth herein. This amendment would correct an accident of history in the District's delineation.

I. Background

The District's current boundaries include the White House of the Confederacy building and its gardens (the "Historic Premises") as well as approximately 40% of the footprint of the Museum of the Confederacy (the "Museum"). The White House of the Confederacy was originally built in 1818 with a third story added in 1844. The Historic Premises is listed on the National Register of Historic Places and the Virginia Landmarks Register. In contrast, the Museum building was built in approximately 1974, and is not "historic" as defined by the Zoning Ordinance of the City of Richmond (the "Zoning Ordinance"). Specifically, the Museum structure does not pertain to any period of development, event, person, or activity of importance in the history of the City, the Commonwealth, or the United States of America.¹

It appears that the District's boundary was intended simply to correspond with the boundary of the Historic Premises' original parcel, which the Society acquired in 1894 (the "1894 Tract"). The District's boundaries are shown on the attached Exhibit 1.²

II. Subdivision of Underlying Property

¹ See City Code Sec. 30-930.1.

² Please note that the City's GIS maps do not reflect the District's correct boundary. Exhibit 1 depicts the District's metes-and-bounds description as set forth in City Code Sec. 30-930.5. The remainder of the Museum is located on adjacent tracts subsequently acquired by the Society in 1962 and 1973.

On June 30, 2017, the 1894 Tract was subdivided by the Society and the new parcel on which the Museum is located (the "New Parcel") was conveyed to the VCU Health System Authority (the "Authority").³ Accordingly, the Historic Premises lies completely within the bounds of the District, and the New Parcel straddles the District boundary. The New Parcel is immediately adjacent to several multi-story hospital and medical office buildings, an emergency room access, and a parking garage.

Pursuant to Section 30-930.3(d)(5) of the Zoning Ordinance, the Society hereby requests that CAR recommend the amendment of the District boundary to conform to the boundary of the remainder of the 1894 Tract identified as "WH Tract" on the attached plat, and which entirely comprises the Historic Premises. The amendment would limit the District to encompass only the 0.24084-acre area occupied by the Historic Premises.

Under Sec. 30-930.2, Old and Historic ("O&H Districts") are intended to "recognize and protect the historic, architectural, cultural, and artistic heritage of the city" for "the identification, preservation and enhancement of...[districts, buildings and other sites]...with special historic, cultural, artistic, and architectural significance."

The District should not include that portion of the New Parcel currently lying in the District because the Museum is neither "historic" nor a City landmark, and because it is not contextually related to the Historic Premises' historic architecture and landscaping. As such, removing the New Parcel from the District will not diminish the O&H District ordinance's protection of the Historic Premises. City Code Sec. 30-930.4(d) establishes ten enumerated criteria which CAR must determine are met in order to recommend the establishment of a new O&H District. Since criteria for the repeal of an O&H District or the amendment of an O&H District's boundaries are not addressed in the City Code, below we refer to the O&H District establishment criteria to explain why the District's boundaries should be amended to carve out the New Parcel.

For the following reasons, no portion of the New Parcel should remain within the District:

1. *The Museum Building has no significant character, interest or value as a part of the historic development of the City.*
2. *The New Parcel is not a site reflective of any of an historic event which had a significant impact on the history of the City.*
3. *The Museum Building does not exemplify the architectural, cultural, economic, social, political, artistic, or religious history of the City.*
4. *The Museum Building and the adjacent buildings do not portray any particular architectural character related to the history of the City.*
5. *The Museum Building is not a rare example of a building built for a particular purpose, a type or form of building, a particular architectural style, or a form of engineering.*

³ The terms of the New Parcel conveyance prohibit the Authority from building anything on the New Parcel within twenty (20) feet of the White House building.

6. *The Museum Building is not the work of a designer or craftsman whose individual work has significantly impacted the City, the Commonwealth, or the United States of America.*
7. *The Museum Building does not contain elements of design, detail, material or craftsmanship that represent a significant innovation for its time period.*
8. *The Museum Building is not related to a park, street configuration, open space, hill, body of water, or landscaped grounds of significance in the areas of urban planning or landscape architecture.*
9. *The Museum Building does not constitute a landmark of the City owing to its unique location or unusual physical characteristics.*
10. *Although the Museum Building is adjacent to the Historic Premises (which is a historic landmark) and changes to it would not impact the preservation of the Historic Premises or its current context.*

For the foregoing reasons, we believe CAR should recommend that City Council adopt an ordinance and resolution amending the District's boundaries as set forth in City Code Sec. 30-930.5(41) to conform to the surveyed metes and bounds of the Historic Premises only. A draft ordinance is enclosed for ease of reference.

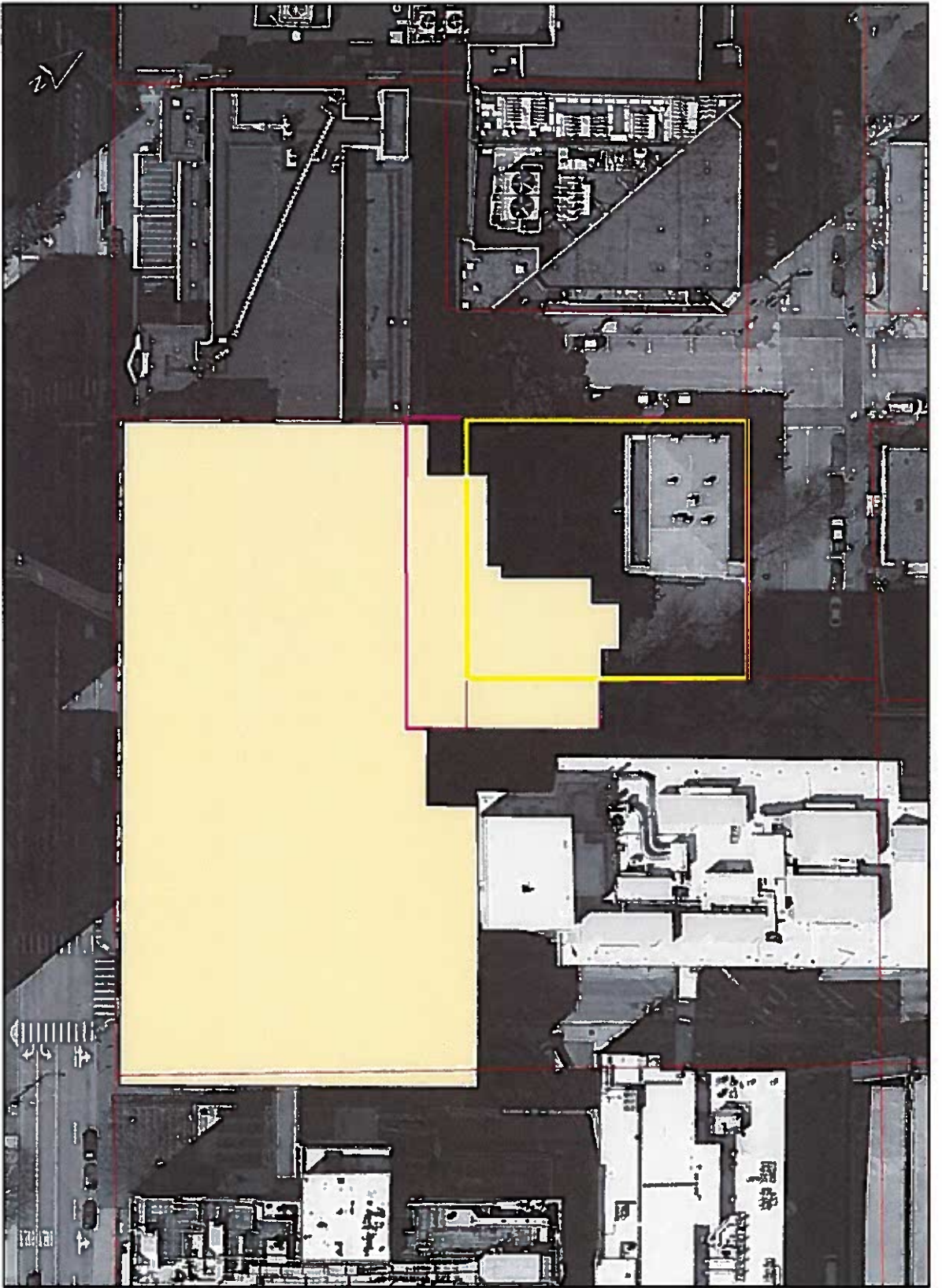
Please let me know if you have any questions or need any additional information. It is our understanding that the CAR will be able to consider this request at its October meeting and forward on to City Council for introduction of an ordinance in November.

Sincerely,



R. Robert Benaicha

/vej
Enclosures



Legend





-  Parcels
-  White House of the Confederacy Old and Historic District (Same as 1894 tract)
-  Museum Building (includes hospital buildings)
-  Pre Lot-Split tax parcel boundary (includes parcel acquired after 1894 tract)

Exhibit 1