

# HISTORIC PRESERVATION PLAN

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## City of Lee's Summit, Missouri



Prepared for  
**The City of Lee's Summit**

September 1, 2002

By  
**Historic Preservation Services, LLC**



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**PREPARED FOR THE CITY OF LEE'S SUMMIT, MISSOURI**

**BY**

**HISTORIC PRESERVATION SERVICES, LLC**

**SALLY F. SCHWENK, PROJECT LEAD**

**September 1, 2002**

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# INTRODUCTION

The Lee's Summit Historic Preservation Plan provides the City with a dynamic, multi-dimensional, and comprehensive preservation model adapted to the particular needs and conditions found in the City. It is designed to be a component of the City's comprehensive plan, integrating historic preservation fully into the City's mainstream planning and land use activities. It provides direction for creating opportunities to develop – through preservation activities – vibrant, sustainable neighborhoods and commercial centers. To accomplish this, the plan broadly focuses on the City's "historic resources," including not only its buildings, but also its cultural landscapes, rural farmsteads, and prehistoric and historic archaeological sites. These are the assets that define Lee's Summit — providing its unique physical and cultural character.

## **WHY A PRESERVATION PLAN? CAPITALIZING ON LEE'S SUMMIT'S HISTORIC ASSETS**

The historic development of Lee's Summit is a unique and important story. It defines the culture of the community and provides tangible reminders of this past, creating a unique "sense of place." The story of Lee's Summit is intrinsically entwined with the story of the development of United States — an evolution over two hundred years of ethnic and cultural amalgamation. It is an experience of diversity, both in natural environment and in cultural heritage. The inhabitants of Jackson County witnessed and participated in events that significantly contributed to that national experience. Few communities or counties can boast of intimate associations with the era of European exploration, the journey of Lewis and Clark, the westering movement, the Santa Fe commercial route, the California and Oregon overland emigrant trails, the Border and Civil wars, and the James and Younger gangs. Even fewer can claim a role in the development of cultural, economic, and political forces that launched a presidential figure. Thus, Lee's Summit is important not only for its own unique history, it is also significant for its representation of a cultural system that reflects the trans-Mississippi West and, in particular, the Little Dixie area of Missouri.

The physical impact of a rapidly developing post-World War II suburban community already obscures much of that past. As new housing developments and commercial enclaves spring up on previously unexcavated prairie pasture, the physical destruction of former farmland reduces an understanding of the historical role of Lee's Summit as a small agricultural community. Less obvious is the random destruction of buildings, structures, and sites that have associations to the railroad

market center that developed in the late nineteenth and early twentieth century and the post-World War II suburban community. The loss of these elements that historically defined the core of the community, significantly impact the community's identity — its unique attributes that distinguish it from other suburban communities in the metropolitan area.

Lee's Summit will continue to grow and evolve, and this change provides the opportunity to strengthen and enrich the City's visual character and to enhance the quality-of-life already appreciated by many residents and visitors. The goal of this preservation plan is to move toward change in a positive manner and to serve as a catalyst for capitalizing on the synergy of the old and new. To achieve this goal, it is necessary first to recognize and understand the assets that contribute to the City's unique physical and cultural character; to forge a consensus in the community regarding their preservation; and to develop goals, policies, and initiatives to assist the City in the future identification, interpretation, evaluation, and protection of its remaining cultural resources.

#### **BENEFITS OF PRESERVATION**

Preservation has its own intrinsic value in celebrating a community's history. As noted by John W. Lawrence, it enables the citizens of today and tomorrow “. . . to understand the present as a product of the past and a modifier of the future.” It allows a greater awareness of the relationships of the past, the present, and the future — a deeper understanding of the continuity and contrasts of life. However, one of the most compelling arguments for protecting historic resources is that people like them! People seek out historic settings because they offer quality craftsmanship and materials, create variety, and encourage human interaction in a familiar context. Moreover, preservation has proven utilitarian value as a tool for economic development and environmental stewardship.

#### **Economic Benefits**

As noted by Donovan D. Rypkema, nationally known real estate professional, in his book *The Economics of Historic Preservation*, commitment to preservation may be one of the most effective acts of fiscal responsibility governmental entities can undertake. Older neighborhoods and commercial centers represent a considerable taxpayer investment in infrastructure and building stock. Conservation of buildings, neighborhoods and sites of historic and aesthetic value is one of the best tools for recovering the worth of past investments while fueling new economic activity.

The most successful revitalization efforts in the country utilize historic rehabilitation as the core of their revitalization strategies. These efforts document

that the most successful approach to the creation of sustainable cities is one that merges the old and the new. The creative combination of preservation, adaptive reuse, and new construction capitalizes on the aesthetics and craftsmanship of other eras, provides opportunities for architectural innovation, and promotes problem solving, thereby enhancing the community's character and fabric.

#### **EXAMPLE OF THE BENEFITS OF HISTORIC PRESERVATION**

- ✓ The physical appearance of its buildings and streetscapes reflects the community's overall vitality and economic health.
- ✓ Maintaining the vitality of the city's older commercial and residential areas, including rehabilitating older buildings and designing quality new buildings, can attract larger commercial ventures to the community, even if these ventures do not locate in the historic core of the city.
- ✓ Rehabilitation of individual buildings is more attainable and stabilizing to a local economy than a single, large, economic development project.
- ✓ Cultural resources most clearly reflect a community and region's evolution, history, diversity, and differentiation from other areas. Rehabilitating older buildings and sites distinguishes one community from another by preserving the unique character of each.
- ✓ The value of a property is determined by the buildings, public improvements, and activities around it. Rehabilitation of a historic property directly benefits adjacent property owners and nearby businesses.
- ✓ The value of rehabilitated properties in a city's historic core increases more rapidly than the real estate market in the larger community.
- ✓ Older buildings with easy access to professional and support services are ideal for many smaller and start-up businesses, which typically generate a majority of new permanent jobs.

#### **Environmental Stewardship**

Using preservation as a tool for conservation of resources provides a rational and effective economic and environmental strategy for the future. There is growing consensus among the citizens of Lee's Summit in support of environmental conservation efforts. After years of exploitation of resources, people are now beginning to consider how their surroundings fit into the larger environment. This includes the recognition of the important embodied energy contained in built resources and efforts to encourage better stewardship of older buildings and structures. Buildings contain energy that has already been expended, materials that have been mined or harvested, manufactured, shipped, and assembled. Material from demolished buildings account for up to 40 percent of landfill materials

— the cost of which is indirectly borne by taxpayers. At the same time, new construction consumes new energy and resources.

To aid the City’s development and transformation in the future, Lee’s Summit must communicate and execute the goals of the preservation plan. Clear public policy that promotes historic preservation, particularly when integrated in the planning process and targeted at identifiable districts, provides a level of certainty and stability that is necessary to attract investment. Preserved neighborhoods create stability of population, a greater tax base, job retention, and less drain on city services.

Five Goals compose the key elements to achieving this vision. They are prioritized action goals and form the cornerstones for integrating preservation into the City’s planning programs for years to come.

- Priority Goal # 1: Integrate Preservation into the City’s Planning, Land Use, and Property Management Codes and Policies.
- Priority Goal # 2: Increase Awareness of Historic Preservation.
- Priority Goal # 3: Develop and Expand Appropriate Mechanisms for the Identification, Evaluation, and Protection of Historic and Cultural Resources.
- Priority Goal # 4: Develop and Complete a Coordinated Effort to Update and Replace Obsolete and Decaying Infrastructure.
- Priority Goal # 5: Encourage the Utilization of Existing and the Development of Traditional and Nontraditional Economic Incentives.

## **METHODOLOGY**

The City of Lee's Summit, Missouri contracted the firm of Historic Preservation Services (HPS) to complete a comprehensive historic preservation plan for the City. The City of Lee's Summit's Community Development Block Grant (CDBG) Entitlement Program funded this plan. The goal of the preservation plan is the identification and development of specific goals, policies, and implementation strategies that will guide historic preservation efforts in the community. Historic Preservation Services staff conducted research, consultation with City staff, and public workshops between August 2001 and June 2002. Historic Preservation Services' partner, Sally Schwenk served as project lead. Workshop facilitation included the services of HPS partner Elizabeth Rosin and associate staff member Kerry Davis.

Historic Preservation Services worked with City staff and the Historic Preservation Commission members to prepare the Preservation Plan, the first for the City of Lee's Summit. The process involved the following Methodology.

### **PRELIMINARY RESEARCH AND INVESTIGATION**

Historic Preservation Services initiated and participated in pre-planning organizational meetings between the consultant team, City staff, and chair of the Historic Preservation Commission to design a public participation process, identify participants, establish a schedule, and to identify various planning studies and policies affecting the plan.

In preparation for developing visual aids and agendas for the public participation process and information to be included in the preservation plan, HPS performed the following tasks:

- Developed a summary overview of past and current preservation activities. Information gathered not only guided the development of the preservation plan, it put the results of the public participation in appropriate contexts. This activity included an overview of survey results and management recommendations.
- Reviewed local land use ordinances including the identification of potential legal issues to be addressed in the preservation plan.
- Determined the existing relationship between preservation, zoning, building and fire codes, and other related land use and property management ordinances and

incorporated the information into the public participation process and the final preservation plan document.

- Developed a list of incentives to be considered during the public participation process and incorporated into the preservation plan.
- Developed examples of educational and communications programs to incorporate into the final preservation plan.

## **PUBLIC PARTICIPATION<sup>1</sup>**

The public participation process included a series of three workshop sessions to gather information, explore goals and strategies, and reach a consensus on what should be preserved and identify action steps.

The first workshop session for the Historic Preservation Commission and the general public: 1) identified important natural and man-made physical assets the participants believe define Lee's Summit's physical character; and 2) defined issues and practices that protect or threaten these assets. Survey work products and maps were used as resources to guide and focus discussion. Historic Preservation Services developed a questionnaire that gathered information about the participants, providing contextual information relating to their comments.

Historic Preservation Services synthesized the information from the first workshop session and charted issues, possible goals, and action steps to be presented at the second workshop. Incorporated into this effort were the findings of the "Downtown Lee' Summit Branding and Futuring Charrette," conducted November 20, 2001 by RDG Crose Gardner and Shukert.

The second workshop session utilized informational charts and maps that merged the information from the first workshop and the Downtown charrette. Discussion focused on a more in-depth discussion of issues identified in Workshops #1 and #2 and included visual and physical distractions and threats, and preservation goals and strategies that address these concerns. Participants were asked to map areas of concern and to prioritize goals and action strategies.

The third workshop, held on June 26, 2002, focused on a review of the existing preservation ordinances, discussion of conservation districts, and final review of

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<sup>1</sup> All materials distributed at workshops are included in the Appendices.

goals and strategies. Prior to addressing these issues, Elizabeth Rosin presented the Final Survey findings and recommendations, which included:

- updating the cultural resource surveys conducted from 1991-1994 that included a total of 465 commercial and residential properties and 45 rural properties;
- survey of twentieth century residential subdivisions, which included 234 properties in six subdivisions developed immediately following World War II in neighborhoods surrounding Downtown Lee's Summit; and
- survey of Southeast Third Street, which included 23 properties built between 1900 and 1965.

Survey results included the evaluation and identification of properties and districts that appear to be potentially eligible for listing in the National Register of Historic Places and the Lee's Summit Register of Historic Places, recommendations for future preservation of identified cultural resources, and database information and maps summarizing the findings.

#### **PREPARATION OF THE PRESERVATION PLAN**

Based on information yielded from the research and literature search phase, public workshops, discussions with Historic Preservation Commission members and City staff, and survey results, HPS prepared a draft preservation plan for review and comments by City planning staff, the Historic Preservation Commission, and other designated entities. A public meeting was held on July 22, 2002 to review the Draft Preservation Plan.

# **HISTORIC PRESERVATION — A FEDERAL, STATE, AND LOCAL PARTNERSHIP**

## **DEVELOPMENT OF THE PRESERVATION MOVEMENT**

For at least one hundred years, individuals in the metropolitan area have recognized the importance of buildings and sites that represent important links to the community's past. During the late nineteenth century, increasing numbers of local historical groups formed in Jackson County. The activities of organizations such as the Daughters of the American Revolution, Missouri Valley Historical Society, and Kansas City Historical Society focused on patriotic programs, lectures, research publications, and archival and artifact collections.

These groups and the general public also shared an interest in community heritage and preservation of local landmarks. In the late 1890s, citizens in Kansas City identified homesteads and business houses in Westport as visual symbols of the past. Newspaper articles of the time noted that older properties were threatened by both demolition and deterioration.

National interest in preservation focused initially on archaeology. The federal Antiquities Act of 1906 was the nation's first legislation to protect prehistoric archaeological sites. It was not until 1935 that legislation focused on historic properties. The Historic Sites Act of 1935 included many of the concepts and methods in the earlier act. The Historic Sites Act authorized the Department of the Interior to survey and acquire historic properties of national significance and to establish education programs for their interpretation.

In 1916, the federal government established the National Park Service as a component of the Department of the Interior. In addition to conservation and management of a new federal parks system, the Park Service was mandated to manage the historic sites acquired by the federal government.

During the 1920s, the reconstruction of Colonial Williamsburg by the Rockefeller family focused national attention on preservation activities. The project focused on preservation for educational purposes, i.e. restoration and reconstruction of a historic site and interpretive activities to provide insight into the daily activities of residents of a particular time period. Effects of the Williamsburg effort and other similar programs, such as Sturbridge Village, were seen across the country in the changes in popularity of house styles and even paint colors based on the work at restored sites.

Following the Williamsburg model, the restoration and reconstruction of historic landmarks for the education of the public, usually as museums, became an accepted preservation methodology. In Jackson County, the Harris-Kearney house in Westport was one of the area's earliest preservation projects. Threatened with demolition in 1922, members of the Westport Historical Society moved the mid-nineteenth century structure from its original site in old Westport, to its present site at 40<sup>th</sup> and Baltimore. Similarly, a patriotic group in Independence moved the 1826 log Jackson County Courthouse from its original site in 1916 and completed restoration in the 1920s. The building served as headquarters for the Community Welfare League and also housed artifacts relating to the county's early history. At this time, state and local governmental entities began playing a role in preserving landmarks. The acquisition by the State of Kansas of the Shawnee Methodist Indian Mission in Fairway, Kansas is an example of early involvement by state government in the protection of landmarks.

During the 1930s, depression-era federal programs promoted historic preservation. In 1933, the National Park Service directed the work of the Civilian Conservation Corps (CCC) and used historians for preservation, restoration, and reconstruction work. That same year, the establishment of the Historic American Buildings Survey (HABS), inaugurated a national jobs program for architects to identify and document historic buildings. The work of these two programs resulted in the development of a preservation methodology and base technology that served as the basis for developing a comprehensive preservation program for historic sites within the National Park System, and later for the administration of public preservation programs through state and local governments.

During the post-World War II period, the effort to address the problem of decaying inner cities and to build a national highway system resulted in the urban renewal land clearance approach to urban planning. Wholesale demolition became public policy. The loss of significant cultural resources served as the impetus of the national preservation movement. In the Kansas City metropolitan area, among the first major post-war preservation projects were the reconstruction of Fort Osage by the Native Sons of Kansas City and the Jackson County Public Works Department, the preservation of the R. A. Long residence as a city museum, and the restoration of the 1859 County Marshall's House and Jail in Independence by the Jackson County Historical Society in 1959.

The Fort Osage National Historic Site is a unique example in the combination of reinterpretation of the fort and its importance as a site for both prehistoric and historic archaeological remains.

In 1962, using Colonial Williamsburg and Sturbridge Village as models, the Jackson County Historical Society participated with Jackson County Parks and Recreation in the establishment of Missouri Town, an imaginary inland village composed of reconstructed ante-bellum buildings relocated to a rural site. The Society acquired the John Wornall House in Kansas City in 1964 and established a restoration and house museum program.

During the 1960s, the preservation movement came into its own, due in large part to the ravages of land clearance programs. In 1966, the federal government passed the National Historic Preservation Act which expanded the National Register of Historic Places to encompass sites of local significance, emphasized preservation as a responsibility of local governments, established the Advisory Council on Historic Preservation, and created state programs to administer grant and regulatory programs of the federal government. In 1980, the federal government amended the National Historic Preservation Act and created the Certified Local Government Program.

#### **PRESERVATION PARTNERSHIPS — THE FEDERAL, STATE, AND CITY PRESERVATION NETWORK**

Nationwide, many historic properties are protected through a variety of federal and state laws and incentive programs. In general, local preservation laws provide the most substantive protection for historic properties.

#### **Federal Framework**

A large number of federal laws affect historic preservation in various ways:

- by establishing preservation programs for federal, state, and local government agencies;
- by establishing procedures for different kinds of preservation activities; and
- by creating opportunities for preservation of different kinds of resources.

The National Historic Preservation Act of 1966, as amended, is the centerpiece of the national historic preservation program. The following are the Act's primary mandates.

- Authorizes the Department of the Interior, National Park Service to expand and maintain the National Register of Historic Places.

- Provides for the establishment of State Historic Preservation Officers to administer federal preservation programs.
- Specifies how local governments can be certified for participation in federal programs.
- Authorizes preservation grants-in-aid to states and local governments.
- Provides a process for federal agencies to consider and mitigate adverse impacts on historic properties that are within their control.
- Establishes a rehabilitation tax credit program for private property owners that is also part of the Internal Revenue Code. The tax codes also allow charitable contributions through façade and scenic easements.

### **State Framework**

Each state has a State Historic Preservation Officer (SHPO) appointed by the governor to administer federal preservation programs. In Missouri, the SHPO is the Director of the Department of Natural Resources. Responsibilities include:

- conducting ongoing surveys to identify and evaluate cultural resources;
- preparing comprehensive statewide preservation plans;
- nominating properties to the National Register of Historic Places;
- reviewing federal projects for effects on cultural resources;
- administration of the rehabilitation state and federal tax credit program;
- administration of a range of assistance programs;
- providing public information, education, and training programs; and
- furnishing technical assistance to counties and local governments in developing local preservation programs.

In addition to federal duties, the SHPO administers the state's historic preservation revolving loan fund and unmarked human burial sites. Additionally, the SHPO cooperates with the Department of Economic Development in administering the Main Street Missouri Act and the state rehabilitation tax credit program.

Missouri also has constitutional and legislative provisions that allow state and local governments to enact preservation legislation. The State and national supreme courts have upheld these powers.

One relatively new state program directly relates to preservation. In 1997, the Missouri Legislature created a 25 percent rehabilitation tax credit for commercial and residential buildings eligible for or listed in the National Register of Historic Places. The criteria and administration are the same as for the federal rehabilitation tax credit (the federal tax credit applies to income-producing properties only).

### **Local Framework**

The City of Lee's Summit, Missouri is a Certified Local Government (CLG). As such, its historic preservation program meets federal guidelines. The designation also allows the City to compete for a pool of grant funds available each year to CLGs in the state.

In accordance with City ordinances, Lee's Summit's preservation program is administered by the Department of Planning and Development in conjunction with the Historic Preservation Commission. One of the strongest protections the City's preservation ordinance offers for historic buildings and archaeological remains is the power to designate and regulate changes to historic properties. In doing so, the City joins more than 1,700 local jurisdictions nationwide that have adopted historic preservation ordinances.

### **Historic Preservation Commission**

The City established the Historic Preservation Commission in response to rising public concern for the irreplaceable loss to the community of significant historic structures and sites. The Commission is a nine-member body appointed by the mayor that is responsible for identifying historic properties in the City and recommending designation to the local register of historic places and to the National Register of Historic Places. The criteria for listing properties locally are the same as those for listing properties in the National Register of Historic Places.

Properties must have retained their appearance from the time period of their significance and must be significant on a local, state, and/or national level in the following areas:

- History
- Architecture
- Archaeology
- Engineering
- Culture

Properties must be significant under at least one of the following criteria:

- Properties associated with events that have made a significant contribution to the broad patterns of local, state or national history;
- Properties associated with the lives of persons significant in the past;
- Properties that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Properties that have yielded or may be likely to yield information important in prehistory or history.

Properties listed in the Register include:

- Buildings
- Structures
- Sites
- Districts
- Objects

<b>PRESERVATION NETWORK</b>	<b>PUBLIC</b>	<b>PRIVATE</b>
<i>FEDERAL / NATIONAL</i>	NATIONAL PARK SERVICE  ADVISORY COUNCIL ON HISTORIC PRESERVATION	NATIONAL TRUST FOR HISTORIC PRESERVATION  PRESERVATION ACTION  NATIONAL ALLIANCE OF STATEWIDE ORGANIZATIONS  AMERICAN ASSOCIATION OF STATE AND LOCAL HISTORY  ASSOCIATION FOR PRESERVATION TECHNOLOGY  SOCIETY FOR AMERICAN ARCHAEOLOGY
<i>STATE</i>	STATE HISTORIC PRESERVATION OFFICE (SHPO)  REGIONAL OFFICES FOR THE NATIONAL PARK SERVICE	MISSOURI ALLIANCE FOR HISTORIC PRESERVATION  REGIONAL OFFICES FOR THE NATIONAL TRUST FOR HISTORIC PRESERVATION
<i>LOCAL GOVERNMENT</i>	CERTIFIED LOCAL GOVERNMENT / LEE'S SUMMIT HISTORIC PRESERVATION COMMISSION	LOCAL PRESERVATION AND HISTORY ORGANIZATIONS

## **Preservation Efforts in Lee's Summit**

Currently, only four historic resources in Lee's Summit have been listed in the Lee's Summit Register of Historic Places or the National Register of Historic Places. St. Paul's Episcopal Church (401-405 Southeast Douglas Street) and Longview Farm are listed in the National Register. The Lee's Summit Depot (220 Southeast Main Street) and Howard Cemetery are listed in the Lee's Summit Register of Historic Places.

In the late 1980s and early 1990s, the City initiated development of a survey plan and began an inventory of cultural resources. The work was conducted by Deon Wolfenbarger and includes survey forms and reports for the following projects:

- "Survey Plan: Lee's Summit." 1989.
- "Historic Resources Survey: Phase I, Lee's Summit, Missouri." 1991.
- "Lee's Summit, Missouri, Historic Resources Survey: Phases II & III." 1994.
- "Lee's Summit, Missouri Final Report: Historic Resources Survey." 1994.

Almost a decade later, the City initiated additional survey efforts. A survey in 2001-2002 by Elizabeth Rosin, Cathy Ambler, and Kerry Davis of Historic Preservation Services included three distinct components:

- Twentieth Century Subdivisions — survey of 234 residential properties in six subdivisions developed immediately following World War II. These neighborhoods are immediately south of downtown Lee's Summit on both the east and west sides of town.
- 1991-1994 Resurvey — resurvey of a total of 465 commercial and residential properties in the Strother/Howard, Butterfield, and Hearn's subdivisions and 45 rural properties located within the Lee's Summit city limits. The scope of work was limited to verifying the integrity of the previously surveyed properties in order to evaluate register eligibility.
- Southeast 3<sup>rd</sup> Street Survey — survey of 23 properties built between 1900 and circa 1965 that were previously omitted from the Strother/Howard survey area. Because several of these properties were threatened with demolition over the past year, the City asked HPS to include them in this project so that their eligibility for register listing (national or local) could be properly assessed.

The latest survey effort yielded the following information:

- Preliminary identification of all historically and/or architecturally significant sites, objects, buildings, structures, or districts within the Twentieth Century Subdivisions and Southeast 3<sup>rd</sup> Street survey areas.
- Preliminary identification of each resource's history and significance, architectural style or design, period, architect, builder, construction types, etc., if known, for resources within the Twentieth Century Subdivisions and Southeast 3<sup>rd</sup> Street survey areas.
- Verification of integrity for all previously surveyed properties.
- Evaluation and identification of properties and districts that appear to be potentially eligible for listing in the *National Register of Historic Places* and the *Lee's Summit Register of Historic Places*.
- Recommendations for future preservation of identified cultural resources in Lee's Summit.
- Field inspection and photo documentation of all previously surveyed properties and all properties in the new survey areas.
- Compilation of data in a database and preparation of a report and maps that summarize the findings.

The survey also documented the rate of loss of cultural resources. Since the completion of previous survey work in Lee's Summit, 31 properties (7 percent) of the previously surveyed resources in Lee's Summit were demolished. Thirteen of these properties (42 percent) were rural resources. In addition to the rural properties that were completely demolished, another 12 rural resources experienced significant demolition and loss of integrity, rendering them no longer eligible for register listing. Lee's Summit has lost 56 percent of its rural historic resources since 1991.

Based upon the analysis of data described above, HPS assigned the remaining surveyed properties to one of four categories:

- Individually eligible for listing in the local or National Register (34 properties, or 5 percent)<sup>2</sup>
- Contributing to a local or National Register historic district (356 properties, or 56 percent)

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<sup>2</sup> Includes rural properties.

- Non-contributing or not eligible for listing in the local or National Register or less than fifty years of age (248 properties, or 39 percent)
- Individual rural buildings or building complexes eligible for listing in the local or National Register (10 properties, or 1.5 percent)

When mapped, these results identify sixteen potential historic districts in Old Town Lee's Summit. The districts include the historic core of Lee's Summit's commercial district, late nineteenth to early twentieth century neighborhoods, and post-war subdivisions. Some of these districts include properties identified as individually eligible. If a district is designated, any individually eligible property within its boundaries would be considered a contributing resource to the district.

In addition to this survey effort, the City received funding to initiate the preparation of a historic preservation plan to be incorporated into the City's Comprehensive Plan.

## HISTORICAL CONTEXTS

Important to the implementation of preservation strategies and initiatives is an understanding of the community's history in the context of local, regional, national, and international historical trends. The historic overview provided in the Appendix contains a brief history of the community and its historical development patterns. This overview identifies a number of historical contexts — broad patterns of historic development in a community, or its region, that may be represented by historic resources. For example, this overview includes patterns in development trends that occurred regionally and nationally in land use, building patterns, and financing methods. It also illustrates the community's transformation from an agrarian railroad community to a suburban subunit of the metropolitan Kansas City area. An understanding of these contexts serves as the basis for identifying and evaluating the significance of Lee's Summit's extant cultural resources.

The summary of the development of Lee's Summit prior to 1945 is based, in part, on Deon Wolfenbarger's 1994 "Lee's Summit, Missouri Final Report: Historic Resources Survey." Her work included the development of the Lee's Summit Survey Plan in 1989, which established three contexts for the City: <sup>3</sup>

- Early Agrarian Settlement in Southeastern Jackson County: 1840-1865
- The Railroad and Development of Lee's Summit: 1865-1900 (extended to 1945)
- Agricultural Goods and Processing in Lee's Summit: 1865-1900 (extended to 1945)

These contexts review the chronology of early developmental patterns for the community and historical themes that preceded World War II. Additional information documented by Historic Preservation Services augments and clarifies these original contexts and includes:

- A Native Landscape: Pre-1820-1840
- Residential Development: 1860-1960
- Architectural Styles: 1860-1960

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<sup>3</sup> Deon Wolfenbarger, "Lee's Summit, Missouri Final Report: Historic Resources Survey," unpublished report for the City of Lee's Summit (1994), 2. Wolfenbarger later modified dates so that both the railroad and agricultural contexts extended to just after World War II. She found the initial time periods too restrictive, although the historic contexts and geographic boundaries remained the same.

# **HISTORIC PRESERVATION GOALS, POLICIES, AND IMPLEMENTATION STRATEGIES**

The following statements summarize the goals and objectives of the City's overall approach for the protection, development, and utilization of historic resources:

- Facilitate the identification, evaluation, designation, and preservation of historic and archeological resources by developing and implementing a Comprehensive Historic Preservation Plan for Lee's Summit.
- Integrate the identification, evaluation, and designation of Lee's Summit's significant historical and archeological resources into the planning process, including the funding of a comprehensive resources inventory program.
- Develop the appropriate mechanisms for the identification, evaluation, designation, and preservation of historic and archeological resources at all levels of municipal government. Efforts to maintain and strengthen preservation efforts among municipal, county, state, and federal entities are strongly encouraged.
- Develop appropriate zoning, fire code, and building code regulations to facilitate the preservation, renovation, and rehabilitation of historic resources.
- Establish traditional and non-traditional economic incentives and adaptive reuse alternatives for historic resources.
- Increase awareness of historic preservation through the development of public education programs, technical assistance programs, and heritage tourism. Information regarding historic preservation and historic resources should be readily accessible in a variety of locations and mediums.

The goals, policies, and implementation strategies are organized in a hierarchy that identifies the broad overall goals, establishes specific policy statements relating to each goal, and includes action steps (implementation strategies) for the City to implement.

Mechanisms are needed to integrate historic preservation efforts in all City planning processes. In addition, new policies and processes need to be developed to protect the visual character of areas that include historic resources and to inaugurate particular preservation and conservation initiatives that:

- discourage inappropriate new infill construction in older neighborhoods and commercial centers; and
- create transition areas and buffer zones between commercial and residential land use around the historic Downtown commercial center that assist in creating a distinct “sense of entry” and gateways to commercial and residential enclaves in the Old Town Area.

**PRIORITY GOAL # 1: INTEGRATE PRESERVATION INTO THE CITY’S PLANNING, LAND USE, AND PROPERTY MANAGEMENT CODES AND POLICIES**

The planning mechanisms of City government should protect historic resources with the minimum restrictions necessary to produce effective results. In addition, the protection process, like all government programs, should be administered in an efficient, convenient, clear, reliable, and predictable manner with meeting the citizens’ needs as the primary focus.

To accomplish this, whenever possible, protective strategies must be integrated into land-use, design, property management, and planning early in the decision-making process. In addition, updating current preservation ordinances needs to coincide within the context and revision of other land-use regulatory mechanisms.

**POLICY 1.1: DEVELOP AND IMPLEMENT FORMALIZED PROCEDURES TO COORDINATE EFFORTS AMONG CITY DEPARTMENTS AND AGENCIES.**

When preservation issues are addressed early in the planning process, they can become an asset rather than a deterrent to development efforts.

**IMPLEMENTATION STRATEGIES:**

- **Include preservation planning staff in land use, public improvement, and planning decision processes, including:**
  - Infrastructure improvements and alterations
  - Dangerous building cases
  - Requests for demolition permits
  - Plat reviews

- City Planning Commission review
  - Chapter 353 Redevelopment review
  - Tax Increment Finance review
  - Board of Zoning Adjustment
- **When possible, the community’s historic preservation constituency should be represented in appointed positions. Members of appointed boards and agencies that receive City funding and that address land use, property maintenance, planning, and economic development issues should be considered for appointment to the Historic Preservation Commission.<sup>4</sup>**
    - Board of Zoning Adjustment
    - Parks and Recreation Board

**Policy 1.2: Develop and Administer Fire Code Regulations to Facilitate the Preservation, Renovation, and Rehabilitation of Historic Resources.**

Currently, the City operates under the International Building Code of 2000, which includes sections addressing older buildings. However, the current fire code presents concerns about how it effects the rehabilitation of older buildings. Other states and cities use fire codes that delineate base performance standards rather than mandated prescribed applications for improving life safety in older buildings.

Maintenance of buildings in good repair is the cornerstone of preservation. Like all cities with budgetary constraints, maintenance code enforcement in Lee’s Summit is often based on a complaint response basis. In older neighborhoods, this has proven to be an unsuccessful approach to maintaining minimal maintenance standards. Such an approach enables conscious “demolition by neglect” of significant properties.

**IMPLEMENTATION STRATEGIES:**

- **Develop standardized “conservation” building and fire codes for older buildings.**
- **Develop a proactive, ongoing, and consistent maintenance code enforcement program specifically for the Old Town Area.**

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<sup>4</sup> City ordinances already require that a representative of the Planning Commission serve on the Historic Preservation Commission.

**POLICY 1.3: DEVELOP OR MODIFY APPROPRIATE ZONING REGULATIONS TO FACILITATE THE PRESERVATION, RENOVATION, AND REHABILITATION OF HISTORIC RESOURCES.**

Zoning regulations are a key preservation tool as they contribute to patterns of neighborhood change and investment, as well as disinvestment. Neighborhood preservation and revitalization efforts, particularly in the Old Town Area, would benefit from revising current land use regulations, including the existing zoning ordinance/zoning classifications.

Preservation Plan workshop participants and participants in the *Downtown Lee's Summit Branding and Futuring Charrette*, conducted by the firm of RDG Crose Gardner Shukert in 2001, both identified incompatible zoning in the Old Town Area as a primary concern and developed strategies to address the issues associated with zoning in the Downtown and surrounding areas. In both planning processes, actions to address zoning issues received the highest priority.

Wholesale rezoning changes occurred in the Old Town Area as a result of a popular urban renewal approach to planning in the 1960s and 1970s. While implemented to encourage and guide commercial growth outward from the commercial core and along planned collector and arterial streets, over time this approach was a causative factor in the deterioration of older residential neighborhoods near the Downtown area and resulted in non-uniform, spotty, commercial retail and office development in residential neighborhoods along major arterial streets. In some older neighborhoods, commercial buildings and multi-family housing that replaced residential structures are in conflict with the scale and architectural character of the area. Other neighborhoods suffer from inadequate separation of residence from new commercial uses. Addressing preservation issues in zoning ordinances, at times in conjunction with Historic or Conservation District overlay zoning, can alleviate the following disincentives to preservation and long-term economic stability.

- Lack of consistency between H-overlay zoning and base land use zoning among contiguous properties.
- Lack of flexible provisions for developing compatible new “infill” construction on vacant lots.
- Lack of appropriate design guidelines and site development controls to encourage quality rehabilitation and comparable new construction worthy of preservation in the future.
- Lack of effective procedures to discourage demolition of significant buildings and structures.

## IMPLEMENTATION STRATEGIES:

- **Assure consistency of land use zoning and historic overlay zoning.** For example, in an area designated as historically significant for its single-family architecture, the base zoning land use should be single-family residential.<sup>5</sup> Because of the importance of land use to preserving significant resources, there is a need to more clearly and concisely delineate the relationship of overlay zoning and base zoning. City ordinances indicate that the base zoning shall remain the same when historic overlay zoning designation is implemented “. . . unless the zoning standards conflict with the provisions of the ordinance designating the Historic District, and in the event of a conflict, the provisions of the Historic District ordinance shall prevail.” While this appears to be straight forward, the public workshops proved that interpretation varies, even among Historic Preservation Commission members and staff. Some interpret the base zoning designation as land use and the historic overlay zoning as regulating only architectural features, minimum maintenance standards, landscaping, and signage. This is due to the fact that the ordinance defining H historic overlay zoning specifically stipulates only these areas and vaguely references “. . . any other criteria or guidelines necessary to accomplish and preserve the particular criteria for designating such property as a Landmark or Historic District.”
- **Develop Conservation District zoning overlay as an alternative protection mechanism.** A Conservation District is an area designated as a "Conservation District" by ordinance of the City Council that possesses special historic, architectural, or cultural significance as part of the heritage of the City, but is of lesser historic or architectural significance than a Historic District. A Conservation District has retained a sufficient amount of its historic and architectural character for interpretation as part of the development of the City, although some alterations have been made. Or, it may be an area where all the resources are intact, but are not yet fifty years in age.

Conservation Districts are a successful tool to create buffer zones for historic districts and to address new construction and design issues in areas that have a “sense of place,” but do not meet the criteria for local or National Register designation. Conservation Districts can also be implemented to protect potentially significant resources that are not yet fifty years of age and are, therefore, ineligible for local or national designation. They can also be used to protect and stabilize areas that, with the use of incentive programs, may be upgraded to meet National Register and local historic district designation criteria.

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<sup>5</sup> One of the Secretary of the Interior’s standards specifically mandate that the adaptive reuse of a building should be compatible with its original use to avoid changes that would adversely affect character defining elements.

Design guidelines for Conservation Districts can be specifically tailored to promote the desired visual character and allowable special land uses of specific geographical areas. For example, in a Conservation District created to serve as a buffer to a historic district or as a transition zone between an older residential streetscape and a commercial area, limited design review of major changes, such as new construction and demolition, limits adverse changes to the character of the district while encouraging property owners to make positive changes to their buildings or to erect new buildings that are compatible to the streetscape. Usually, the scope of the review helps to maintain the appropriate size, scale, massing, materials, and building setbacks within the designated area. In a Conservation District, for properties that might in the future be eligible for local or National Register designation, guidelines might address avoiding irreversible loss of specific character-defining architectural elements, as well as retention of the appropriate zoning.

A Conservation District can be a group of structures, landscape elements, or any integrated combination thereof that meet one or more of the following criteria:

- Was developed at least fifty years ago and retains distinctive architectural and historical characteristics that are worthy of conservation, but which has less historical, architectural, or cultural significance than a Historic District;
  - Has a recognized neighborhood identity and character by virtue that it possess unifying distinctive elements of either exterior features or by environmental characteristics that create an identifiable setting, character, or association;
  - Has a relationship to an identifiable urban or neighborhood center or historic area where preservation of this relationship is determined to be critical to the protection of such center or historic area;
  - Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community, or city; and/or
  - Resources in a definable district that meet National Register Criteria but are less than fifty years in age.
- **Review and update existing zoning to be compatible with existing or desired land use that promotes preservation of intact residential neighborhoods and commercial centers that have historical, architectural, and physical integrity.** Appropriate zoning classifications are an important base element of preservation. Because of the blanket rezoning over twenty years ago as part of a planning process that anticipated change that has not occurred, there are intact residential

subdivisions or enclaves in the Old Town Area that have inappropriate zoning. There are other areas that retain minimal residential character that may in the future provide more economic stability in the area in a different land use. At a time when the City is initiating a master Downtown development plan, an effort should be made to address planning and zoning issues in the surrounding neighborhoods in the Old Town Area.<sup>6</sup>

**POLICY 1.4: INCORPORATE HISTORIC PRESERVATION IN LAND USE PLANS**

**IMPLEMENTATION STRATEGY:**

- **Require historic preservation elements as part of neighborhood and area plans.**

**POLICY 1.5: REVIEW THE IMPACT OF CITY UNDERTAKINGS ON IDENTIFIED SIGNIFICANT HISTORIC RESOURCES**

Currently the Historic Preservation Commission is empowered to make recommendations for any comprehensive or master plan, zoning requirements, projected public improvements, and existing and proposed renewal and development plans applicable to designated Landmarks and Districts. (It is unclear if the ordinance means National Register designated and/or local designated properties.) However, there is no formal mechanism or process for such review to be conducted in a timely manner early in the planning and decision-making process that addresses the impact of planning and development decisions on significant historic properties that are not currently locally or nationally designated. There is no process that requires staff to consult the cultural resource survey database to see if historic resources are located in a project area. Nor does the Commission and preservation staff have the power to make recommendations regarding non-designated resources identified as significant in cultural resource surveys.

**IMPLEMENTATION STRATEGY:**

- **Establish formalized procedures for the Historic Preservation Commission to review and comment on:**
  - the impact on historic resources of all new ordinances;
  - the impact on historic resources of all programs receiving public incentives;
  - the impact on historic resources of public improvements;

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<sup>6</sup> *Downtown Lee's Summit Branding and Futuring Charrette* recommended development "... in conjunction with a Downtown Development Plan a "Vision for Adjacent Residential Neighborhoods."

- the impact on historic preservation efforts and resources of master plans; and
- ordinance change

**POLICY 1.6: IMPROVE AND UPDATE THE HISTORIC PRESERVATION ORDINANCE**

The City has adopted historic preservation ordinances — Article 6, Division III and Article 17, Division III of the Unified Development Ordinance of the City of Lee’s Summit Code. The ordinances are similar to those of many other jurisdictions in the state and nationwide and were adopted following an effort that involved consultation with the State Historic Preservation Office, other communities, and public participation. As with all ordinances, the City’s preservation ordinance should fully reflect current preservation law and practices. Processes should be clearly defined and in compliance with the standards of the National Historic Preservation Act’s Certified Local Government Program.

From time to time, City Ordinances should be reviewed to determine if they meet the needs and goals of the community; to assure that they clearly and concisely define policies; and to ensure there are clear, reliable, and predictable procedures that can be administered in an efficient and convenient manner for the benefit of the public.

Because Lee’s Summit has so few locally designated properties and is embarking on an effort to significantly expand its administrative duties, it is important to view the ordinances in the context of future needs.

Currently, designation in the local and/or National Register provides limited protection and is the primary means of preserving significant resources. For example, there are no written regulatory or policy guidelines regarding historically significant properties owned by the City, and there are no ordinances regarding archaeological resources.

**IMPLEMENTATION STRATEGIES:**

- **By ordinance, the City should employ or retain the full-time services of a preservation professional to assist the Historic Preservation Commission and Planning and Development Department staff.** The expanded activities outlined in this Preservation Plan require considerable staff time and expertise to fully implement the goals and strategies. The current staffing level is not adequate to meet the needs of a proactive preservation program. Moreover, it should be a matter of public policy that staff experience and training meet certain criteria to assure that staff support will meet the expanding needs of the Historic Preservation Commission as it implements new initiatives. The

individual should meet federal qualifications as a “preservation professional” as set forth under the guidelines established in the *Federal Register*, Part V, Department of Interior, National Park Service, 36 CFT Part 671, “Procedures for Approving State and Local Government Historic Preservation Programs; Final Rule.” Additionally, the individual should have academic training and/or experience in the following areas: preservation law; comprehensive preservation planning; historic resource inventories and surveys; registration of historic properties and districts; preparation and administration of design guidelines for historic districts; local preservation ordinances; and principles of land use and zoning.

- **Develop any additional ordinances to promote the identification, evaluation, and protection of significant archaeological resources.**
- **Amend the preservation ordinance to include review of alterations to City-owned properties of historical or archaeological significance.**
- **Amend the ordinance to require the support of at least 51 percent of the property owners and owners of at least 50 percent of the properties in a proposed district before designation of a Historic District can be considered by the City Council.** The support of a majority of the property owners is crucial to the successful administration of design review in a historic district. The creation of historic districts should be viewed not as a municipal policing exercise, but as a collaboration to assure the future viability of cultural resources, older neighborhoods, and commercial centers.
- **Clarify and amend the current ordinance relating to Review of Certificate of No Effect to streamline the review process and provide full and substantive design review by the Historic Preservation Commission in compliance with Certified Local Government and American Planning Association Guidelines.** Currently the ordinances allow staff, in concert with the Chair of the Historic Preservation Commission, to issue a Certificate of No Effect for proposed work on a local Landmark or building in a local historic district. The process is intended to avoid the unnecessary delay that Commission review may entail for routine alterations/new construction. This effort to avoid unnecessary delay needs to be redefined more narrowly. The current scope of the review for a Certificate of No Effect includes determination of compliance with the City-imposed design guidelines and the Secretary of the Interiors Standards. This is the same review criteria and level of review for issuing a Certificate of Appropriateness, a review responsibility mandated to the Historic Preservation Commission. Moreover, it allows the Chair of the Historic Preservation Commission, a position that has no professional qualifications, to approve, modify, or disapprove the application in whole or in part, or to suspend action for a

sixty-day time period, without a provision for appeal to the full Commission or even the knowledge of the Commission or general public.

The Certified Local Government program requires a design review process for designated properties by an appointed board representing specific professions, disciplines, and avocations. This is to ensure that as many issues (e.g. economic, historic, architectural, legal, etc.) are considered in applying the design guidelines. Moreover, it assures that the review is conducted in a public forum. To streamline the review process, many Certified Local Governments do provide for limited review by qualified staff to conduct an initial evaluation of proposed alterations/new construction to determine whether the proposed work does have or has the potential to have an “effect” on the historic character of the property. Proposed work that does not change the visual character of the property or impact significant character-defining elements (e.g. replacement with matching materials, replacement of certain types of elements, painting, minor demolition and construction, etc.) can be allocated to staff review and determination of no effect.

The City should make an effort to clearly distinguish and differentiate the scope and criteria of review by staff/Commission Chair for a determination of “No Effect” and the Commission’s mandated scope and criteria for review. Under such a scenario, provision should also be made for the full Commission to receive information on all determinations of “No Effect.”

- **Review and amend the definition of “ordinary maintenance.”** As the Secretary of the Interior’s Standards and Guidelines and the proposed design guidelines of the City are written, design review includes work that does not require a building permit and, thus is excluded as ordinary maintenance under the Exclusion clause of the current preservation ordinance. This conflict should be resolved.

Public awareness of Historic Resources is needed to develop public/private partnerships in promoting and implementing Historic Preservation

**PRIORITY GOAL # 2: INCREASE AWARENESS OF HISTORIC PRESERVATION**

**POLICY 2.1: PROMOTE PUBLIC EDUCATION**

**IMPLEMENTATION STRATEGIES:**

- **Target private and public agencies to develop specific public education and technical assistance programs. Agencies could include:**
  - Public libraries
  - Community college
  - School district
  - Neighborhood associations
  - Historical groups
  - Properties owners in historic districts

Grants are available for public outreach programs. The City administration alone cannot undertake a comprehensive preservation awareness program, but it can undertake an initial effort to identify programs that would be valuable to the City's Historic Preservation programs and enlist the assistance of other entities to initiate a program. For example, the Historic Preservation Commission could seek the assistance of the local library to establish a preservation/rehabilitation reference section and donate copies of surveys and other reports and materials. Historic Groups could be enlisted to assist in the tasks necessary for the ongoing cultural resource survey and to conduct more detailed research on significant properties or neighborhoods.

**POLICY 2.2: INCREASE INFORMATION ACCESS**

**IMPLEMENTATION STRATEGIES:**

- **Provide information regarding historic preservation and historic resources in a variety of locations and venues including the City's Web site.** Include links to other agencies and providers of technical assistance on topics such as rehabilitation, tax credits, etc.
- **Develop a central listing of significant historic properties available for lease or sale that includes information about available incentive programs.**

- **Provide technical assistance brochures published by the National Park Service to property owners in Historic Districts.**
- **Notify by mail, each February, the property owners of Landmarks and/or properties in historic districts about the design review process and availability of technical assistance.**

**Policy 2.3 Create Products and Activities to Educate Elected Officials, City Staff, and Commissions about the Advantages of Historic Preservation and the Processes for Protection of Cultural Resources**

**IMPLEMENTATION STRATEGIES:**

- **Develop an education component in the Historic Preservation Commission Monthly Agenda.** Because the scope of the City's preservation program will broaden as a result of an updated survey and a preservation plan, the need for a comprehensive, structured education program for the Historic Preservation Commission that addresses federal, state, and local processes is crucial. Historic Preservation Fund grants have, in the past, partially underwritten a series of educational sessions conducted by a preservation professional to provide an overview of preservation law and methodology. This is particularly important as the City is to move forward with the Preservation Plan Implementation Strategies.
- **Develop a preservation handbook that outlines preservation policies, processes, criteria, and incentives, which is for use by City staff during staff orientation and for staff reference.**
- **Develop a system for the Historic Preservation Commission to distribute information to elected and appointed officials and City agencies about ongoing preservation activities in the City.**

Historic resources in Lee's Summit enhance the quality of life within the community and are integral in defining the character of the community. Specific preservation programs and processes are needed to assist in providing considerations of these resources in land use decisions.

**PRIORITY GOAL # 3: DEVELOP AND EXPAND APPROPRIATE MECHANISMS FOR THE IDENTIFICATION, EVALUATION, AND PROTECTION OF HISTORIC AND CULTURAL RESOURCES**

**POLICY 3.1: ACCELERATE THE IDENTIFICATION AND EVALUATION OF HISTORIC RESOURCES**

The basis of an integrated, community-based preservation plan is an inventory of the City's historic assets. Effective preservation planning takes place when there is sufficient knowledge of the number, location, and significance of both aboveground and buried resources. Historic resource survey identifies what resources exist, records their condition, and evaluates their level of significance. This knowledge can be used in a variety of ways, including:

- to develop programs and policies to protect significant resources from destruction or unsympathetic alteration;
- to determine the location and distribution of resources to aid in planning, development, and incentive programs; and
- to establish funding priorities for further evaluation and protection efforts.

As noted previously, The City of Lee's Summit officially recognized the importance of identification and analysis of historic properties in 1989 upon the completion of a Survey Plan to guide future survey of architectural/historic buildings, structures, and sites. The City initiated subsequent surveys that were completed in 1991 and 1994. In 2001-2002, the City initiated a survey to update the prior surveys and to survey additional commercial, institutional, residential, and rural properties.

The extent of potentially significant archaeological sites in Lee's Summit is not fully known. Currently, archaeological survey occurs only when triggered by federal law. However, investigations during the past thirty years indicate the potential for the presence of such sites in the city limits.

In addition to the more obvious benefits of preserving information about past cultures, knowledge about the location of archaeological sites is crucial to facilitating both public and private development projects. Knowledge of the location or even the ability to predict the possible occurrence of archaeological sites provides developers and city agencies with the ability to investigate during project planning and avoids expensive last minute delays in project development.

Section 106 of the National Historic Preservation Act requires any public or private entity utilizing Federal funds, loans, or permits to identify, evaluate, and mitigate damage to archaeological resources affected by the project. This affects agencies such as the General Services Administration, which is the largest Federal landowner in the area; the Army Corps of Engineers, which has jurisdiction over local waterways; the Missouri Highway and Transportation Department; and the City's programs receiving federal funding.

Previous survey efforts neglected to record baseline information about all properties within each survey area. This omission hinders the ability to make firm recommendations, in particular for potential historic district boundaries. High priority should be given to a survey of the omitted properties. This information, coupled with the results of the 2001-2002 survey, will enhance the ability of the City to define historic district boundaries that can be legally justified, as well as to more accurately address preservation issues within the scope of ongoing planning efforts.

#### **IMPLEMENTATION STRATEGIES:**

- **Assure that the City or a partner agency applies annually for preservation grants for the survey of above- and belowground resources.**
- **Target survey of neighborhoods to complete survey of properties and subdivisions in areas that will meet the fifty years of age criterion in the future.<sup>7</sup>**
- **Seek funding for an archaeological survey to first develop an archaeological predictive model for Lee's Summit to identify areas of high, medium, and low probability.**
- **Prioritize the archaeological survey to focus on areas in which development is ongoing and in which resources would most likely be expected.**

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<sup>7</sup> The National Register Criteria excludes properties that are less than fifty years in age unless they are of exceptional importance. Fifty years is a general estimate of the time needed to develop historical perspective and to evaluate significance.

- **Continue to develop the Cultural Resource Database and merge it with other City planning database and mapping programs.**

**POLICY 3.2: DEVELOP AND EXPAND APPROPRIATE MECHANISMS FOR THE PROTECTION OF HISTORIC AND CULTURAL RESOURCES**

Currently, the City has ordinances that provide for the protection of significant historic resources by designating individual properties as landmarks and groups of properties as historic districts.

**IMPLEMENTATION STRATEGIES:**

- **Develop a program to be initiated and administered by the Historic Preservation Commission to work with eligible neighborhood groups to list properties in the Lee's Summit Register of Historic Places.** The cultural resource survey identified sixteen groupings of residential and commercial buildings that retain their historical/architectural integrity and that meet at least one of the four National Register criteria. All are worthy of the protection that local designation affords and the resulting stabilization and increase in property values that traditionally follow local designation. Each of these clusters qualifies for listing as a historic district. These buildings contribute to the significance of the Old Town Area of Lee's Summit in the areas of Architecture, Community Planning and Development, and Commerce. The potential districts contain buildings that served a variety of historic functions and that represent a one-hundred-year continuum of architectural styles and vernacular building forms that convey the history and evolution of Lee's Summit. As groupings of buildings, their setting, design, materials, and workmanship convey feelings and provide associations with the City's residential and commercial past as it evolved from railroad town to suburban enclave. Research suggests two thematic districts exist that retain significance for the work of specific builders active in Lee's Summit during the post-war years.
- **Adopt Design Guidelines specific to locally designed landmarks and districts.** City staff and members of the Historic Preservation Commission have begun the development of design guidelines based on applicable standards and guidelines established by the Secretary of the Interior that would be applicable to all of the City's historic aboveground resources. Because of the number and variations of these types of cultural resources in the City, as well as the different time periods, styles, and property types they represent, these draft design guidelines are quite detailed and extensive. As a matter of policy, these guidelines should serve as a base document to develop specific guidelines for each designated property or district. Ideally, the property owners of a proposed district should participate with City planners and the Historic

Preservation Commission in the development of a set of design guidelines specific to the character of the proposed district. The district-specific guidelines should be included in the designating ordinance. These guidelines should identify character-defining elements of the designated properties and address alterations and new construction, allowable special uses,<sup>8</sup> and protection of any significant cultural landscape features.

The use of specific guidelines, tailored to a particular type of resource or group of resources, provides a user-friendly approach to design review rather than requiring property owners, Historic Preservation Commission members, and staff to interpret the character-defining elements of a given property and determine which guidelines apply to the property based on a complex and extensive set of master guidelines that apply to the resources in the City in general.

- **Explore strengthening the City’s demolition ordinance.** Currently, City ordinances provide protection from demolition for significant resources — properties individually designated and properties in a designated local historic district. By Council action, delay and review can occur for specific time periods. Demolition review for Conservation Districts is one viable option to consider. Some cities, due to the large amount of properties that have not been inventoried or locally designated as significant, have amended their ordinances to provide for demolition review for all properties over fifty years in age. In these models, City staff conducts a preliminary review to determine the date of construction, if the property has historical integrity, and significance. If not, the demolition permit process proceeds. For properties that are significant or have the potential to be significant, the Historic Preservation Commission conducts a review. The review includes consideration of whether the property is economically viable, what will replace the demolished building/structure, and includes consideration of economic hardship based on a model developed by the American Planning Association.
- **Explore successful protection mechanisms used in other communities that may apply to selected significant rural agricultural resources.** Lee’s Summit is one of the fastest growing cities in the State. At the same time, the City has a comparatively low population. There remains a considerable amount of undeveloped farmland that is considered ripe for residential development — development that will ultimately eliminate historic farmsteads and open space. Because of the loss of at least 50 percent of its rural resources in the last decade and its continued rapid development, Lee’s Summit should develop strategies that evaluate and prioritize rural resources that deserve protection and implement programs to provide for their preservation. Many communities in the eastern part of the United States

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<sup>8</sup> For example, a district significant for its residential character near a commercial area might allow certain commercial/office special uses that do not negatively impact the historic resources.

have, by virtue of rapid development, identified and implemented successful programs for evaluation, prioritization, and preservation of selected significant rural resources.

- **Explore additional protective mechanisms successfully used in other communities that may relate to Lee's Summit's historic central city.**

There is a need for a comprehensive, systematic, and targeted approach to addressing the problem presented by deteriorating and obsolete infrastructure in the Old Town Area.

**PRIORITY GOAL # 4: DEVELOP AND COMPLETE A COORDINATED EFFORT TO UPDATE AND REPLACE OBSOLETE AND DECAYING INFRASTRUCTURE, INCLUDING:**

- Deteriorated sidewalks and curbs
- Lack of sanitary sewers/storm water drainage
- Overhead power lines
- Improved streetscapes

**POLICY 4.1: TARGET DISTRICTS WITH H HISTORIC OR C CONSERVATION DISTRICT OVERLAY ZONING FOR INFRASTRUCTURE IMPROVEMENTS.**

**IMPLEMENTATION STRATEGIES:**

- Utilize Neighborhood Improvement Districts and other applicable incentives as well as public-private partnerships to share costs.
- Cost share enhancement between the City and the assessment District to make improvements beyond basic concrete sidewalks.
- Implement a streetscape program for Downtown that retains the original grid and orientation of the Downtown, retains and utilizes alleys, and includes an assessment that identifies historic cultural landscape elements.

Economic incentives are needed to help facilitate historic preservation.

**PRIORITY GOAL # 5: ENCOURAGE THE UTILIZATION OF EXISTING AND THE DEVELOPMENT OF TRADITIONAL AND NONTRADITIONAL ECONOMIC INCENTIVES**

**POLICY 5.1: INITIATE EFFORTS TO CAPITALIZE ON EXISTING INCENTIVE PROGRAMS**

To fully utilize and promote the economic advantages of historic preservation, Lee’s Summit must reprioritize how it uses existing incentive programs. These programs encourage a range of activities targeted for certain types of results. Some, such as publicly supported transportation and parking incentives, seek to spur development on a broad level; others, such as tax abatement or tax credits, are tailored, by both legal constraints and/or habit, to specific types of projects and activities. A variety of development incentives is applicable in Lee’s Summit.

As noted earlier in this report, in Missouri, owners of properties listed individually in the National Register or listed as contributing properties to a National Register district are eligible for rehabilitation tax credits. Income-producing properties are eligible for the 20 percent federal tax credit and the 25 percent state tax credit for substantial rehabilitations. Owners of residential properties are eligible for the 25 percent state tax credit.

Many available incentive programs have “blight” or related conditions as criteria for participation. None are specifically directed toward the reuse of older buildings; they are usually targeted to new construction. The following public incentive programs, are among available programs that, when targeted individually or in combinations, have a demonstrated track record in stimulating stabilization and revitalization of blighted or declining neighborhoods.<sup>9</sup>

- Missouri Neighborhood Preservation Act
- Neighborhood Assistance Tax Credit Program
- Missouri New Generation Cooperative Tax Credit Program
- Tax Increment Financing
- Missouri Small Business Tax Credit for Americans with Disabilities Act
- Missouri Low-Income Housing Tax Credit Program
- Affordable Housing Assistance Program Tax Credit

<sup>9</sup> A more detailed explanation of these incentives is provided in the Appendices.

- Parking Benefit District
- Missouri Main Street Program
- Missouri Historic Preservation Program Revolving Loan Fund
- Commercial Façade Rebate Programs
- Land Clearance Redevelopment Law (LCRA)
- Missouri Chapter 353 Development Law
- Neighborhood Improvement District Act
- Federal Charitable Deduction Easements
- Preservation Grant-in-Aid Program

Public incentives should reward and utilize preservation as a tool for economic revitalization. Priority should be given to areas with significant historic resources, capitalizing on existing assets and previous public investment.

#### **IMPLEMENTATION STRATEGIES:**

- **Provide owners of properties identified in cultural resource surveys that are eligible for the federal and state rehabilitation tax credits with information about the programs and the steps necessary to take advantage of the incentives.**
- **Identify and provide information to owners of historically significant properties about other federal, state, and local programs that would assist them in maintaining their properties.**
- **Through grants and public support, initiate a strategy for listing as many properties as possible in the National Register of Historic Places to expedite property owners taking advantage of the federal and state rehabilitation tax credits. Strategies for nomination are included in the survey reports.** Properties listed in the National Register of Historic Places are eligible for significant tax credits. The 20 percent Federal Rehabilitation Tax Credit applies to owners and some renters of income-producing National Register properties. The law also permits depreciation of such improvements over 27½ years for a rental residential property and over 31½ years for a nonresidential property. The rehabilitated building must be subject to depreciation.

All of the state's National Register properties (commercial and residential) are eligible for a 25 percent Missouri Rehabilitation Tax Credit. When used together, the federal and state tax credits can recapture up to 38 percent of eligible rehabilitation costs in tax credits.

The state tax credits can be sold and, while federal tax credits cannot be sold directly, a project can involve an equity partner, such as a bank, that participates in the project by contributing funds toward the rehabilitation in exchange for some or all of the tax credits.

- **Develop Tool Kits – different combinations of incentives targeted for specific areas and tailored to certain needs – to provide flexible and lasting strategies to address stabilization and revitalization of older residential and commercial centers.**
- **Target the public incentives to projects in areas with existing public infrastructure and significant historic resources.**

**POLICY 5.2: DEVELOP INCENTIVES TO ENCOURAGE THE RENOVATION AND OCCUPANCY OF HISTORIC BUILDINGS**

There are few incentives in the Old Town Area to attract middle-class property owners. Incentives that focus on rehabilitation in targeted neighborhoods, particularly when “piggy-backed” onto existing incentive programs, not only promote owner-occupied residences and businesses, but also encourage investment from different income levels. While there are a number of incentives for rehabilitation of older buildings through speculative development, the City also needs to reward businesses that choose to occupy significant historic buildings. Providing incentives to merchants – renters or owners – encourages businesses to locate in older commercial centers, which in turn encourages private investment in the larger surrounding area.

**IMPLEMENTATION STRATEGIES:**

- **Retain a City Grant Coordinator to secure outside funding for rehabilitation of older residential and commercial buildings.**
- **Attach appropriate design guidelines to incentive programs.**
- **Develop additional local economic incentives such as façade improvement grants and economic incentives to owners who occupy or businesses that lease space in historic buildings.**
- **Utilize or create incentive programs for abatement of environmental hazards in significant historic buildings.**
- **Abolish or develop a lower fee schedule for building permits for rehabilitation than for new construction.**
- **Develop and implement policies and programs that eliminate parking issues as a disincentive to the rehabilitation of buildings, including implementation of public/private shared use of parking structures.**
- **Develop incentives to encourage new housing in Downtown, such as use of second-floor commercial space, lofts, and infill housing.**

- **Provide, through funding of architectural services, schematic architectural design assistance for the renovation/ restoration of residences and businesses in return for compliance to design guidelines in specific areas (designated districts or certain neighborhoods/commercial centers.)**
- **Provide incentives to reduce the number of multi-family units in houses originally designed as single-family residences that are located in historic and conservation districts.**

# APPENDICES

# HISTORIC OVERVIEW

## A NATIVE LANDSCAPE: PRE-1820–1840<sup>10</sup>

### INDIGENOUS PEOPLES: 12,000 B.C. TO 1825

Prehistoric and historic peoples occupied the lands that include modern-day Lee's Summit, long before Europeans arrived in the area. While little is known of prehistoric settlements, archaeological evidence suggests that native peoples continuously occupied the region beginning in the Paleo-Indian period (12,000 to 8000 B.C.). Further evidence of occupation during the Dalton period (8000 to 7000 B.C.) occurs in the uplands overlooking the Little Blue River and west of Blue Springs, Missouri. Occupation of the Little Blue Valley continued throughout the early, middle, and late Archaic periods (7000 to 850 B.C.).

The early Woodland period (1000 B.C. to 1 A.D.) encompasses a time of increasingly restricted hunting territories and increased dependence on cultivated plants. The manufacture of ceramics, development of horticulture, and the emergence of burial mounds in the region occurred during this period, as it did in the late Archaic period. During the middle Woodland period (A.D. 1 to 500), interaction with the Hopewell culture occurred with the indigenous Middle Woodland culture. The Kansas City Hopewell regional center is known primarily from sites in southern Platte and Jackson counties in Missouri and Wyandotte County, Kansas. The Late Woodland period (A.D. 500 to 1000) in northwestern Missouri encompasses the demise of interaction with the Hopewell and dispersal of native populations.

The Mississippian period (A.D. 1000 to 1700) has three sub-periods: early (A.D. 1000-1200); middle (A.D. 1200-1450); and late (A.D. 1450-1700). Only marginal cultural development occurred in the Kansas City area during this period. The majority of Mississippian period sites in the Kansas City area are in Platte and Clay counties.

The historic Aboriginal period began with the establishment of Euro-American settlement of the Mississippi Valley. In 1672, Robert Cavelier Sieur de LaSalle claimed for France all of the land drained by the Mississippi River, including what became the metropolitan Kansas City area. At this time, the area was part of an indistinct boundary occupied by the Osage nation and the Missouri nation to the

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<sup>10</sup> Sarah F. Schwenk, John M. Parisi, and Donald E. Weston, "The Cultural Resources of Blue Springs, Missouri," unpublished report for the City of Blue Springs, Missouri (August, 1986), 23-39, 48-66.

east and the Kansa (also referred to as the Kansas and the Kanza) tribe's lands to the west.

When subsequent European explorers arrived in the area in the eighteenth and early nineteenth centuries, they encountered several native tribes including the Osage, the Kansa, the Missouri, and the Oto (Otoe) nations. The Osage, who lived in Missouri from the 1500s to 1825, were the most powerful and dominant tribe of what is now the Kansas City region. The Osage's traditional lands – those on which they trapped, traded, and planted – ranged over much of what are present-day western Missouri, eastern Kansas, northern Arkansas, and northeastern Oklahoma. Their traditional hunting grounds included what is present-day Lee's Summit.

Following the Louisiana Purchase of 1803, the Osage ceded their lands south of the Missouri River and east of a line running south from Fort Osage to the United States Government in the Osage-American treaty of 1808. By 1825, the Osage relinquished all the remaining claims in Missouri.

In the early 1800s, the Mississippi and Missouri rivers served as natural trade arteries that were preferable to the existing overland routes and dominated movement through and around Missouri. Beginning in 1813, the Astorians extended their fur trading empire into the far West, establishing the Missouri River – because of its geographical connection with Nebraska's Platte Valley – as the most natural route to the West. Because of the proximity of the area that encompasses Jackson County to the Missouri River, both Europeans and Americans were early explorers in the region. However, although trappers, explorers, traders, and a few settlers penetrated the interior from navigable streams, they did not record the characteristics of the land.

In 1818, territorial representatives petitioned Congress for permission to draft a constitution prior to its admission of Missouri as a state. This routine request caused a national crisis. The issue of the introduction of slavery into the territory resulted in the famous "Missouri Compromise," which allowed slavery in Missouri but prohibited the practice in the Louisiana Territory north of Missouri's southern boundary. Missouri joined the union on August 10, 1821.

### **THE BEGINNING OF THE OVERLAND TRADE: 1821-1830**

In the early 1820s, the scarcity of currency reduced the local economy in Western Missouri to little more than a barter system. Therefore, William Becknell's return to Franklin, Missouri from Santa Fe, New Mexico with ten thousand silver dollars,

ushered in a new era as entrepreneurs assembled caravans to go west. The onset of the lucrative Santa Fe trade and the introduction of the steamboat traffic on the Missouri River pushed the western terminus of the nation upstream from Franklin, Missouri to Jackson County. At the same time, the St. Louis fur companies expanded their domain further west and north on the Missouri River. Thus, the Santa Fe and Rocky Mountain traders simultaneously began to blaze the trails of the coming westward expansion into the Southwest and the Northwest.

### **EARLY SETTLEMENT PERIOD: 1820-1840**

Additionally, during the early 1820s, thousands of immigrants poured into St. Louis and many pushed westward to the community of Franklin on the Missouri River. A few followed the Osage trace further west to Fort Osage, the military fur-trading post established in 1808. Vacated during the War of 1812, the fort had a skeleton military crew until it was abandoned in 1821. Although Fort Osage was beyond the settlement line, the Scotch-Irish southern families “squatted” on abandoned land near the fort. Avoiding the prairie areas, the settlers chose the heavily timbered creek beds that were similar to the terrain they had known in the Middle South.

By the mid-1820s, the number of settlers that lived in the area prompted the Missouri Legislature to authorize, on December 15, 1826, the organization of Jackson County. The following year, Independence became the seat of government for the newly established county. The area was ideal for settlement. The large number of springs furnished ample sources of pure water and nearby prairie provided grazing for livestock. The fertile soil and timbered stands provided ideal conditions for farming. The tough virgin prairie initially presented a problem for the settlers. As late as 1836, the state census indicated that no more than 150 settlers occupied the wooded areas of the Little Blue River and Sni-a-bar creek and that no settlements were in the prairie area at that time.

#### **Scotch-Irish Settlers**

It is important to understand the historical and cultural background that shaped the settlers who populated the county in the decades between 1820 and 1840. The fact that they emigrated from southern border states does not fully reflect their cultural history or the traits and institutions they brought to western Missouri. Coming from the states of Virginia, North Carolina, Kentucky, and Tennessee, these first families comprised the “pragmatic avaricious and pugnacious” Scotch-Irish cultural group.<sup>11</sup> Their ancestors were “lowland Scots.” Neither Scottish nor Irish, they were a group of Danes, Angles, and Saxons that occupied the northern neck of the British

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<sup>11</sup> Bil Gilbert, *Westering Man: The Life of Joseph Walker* (New York: Athenaeum Press, 1983), 21.

Island. In this location, they endured the ceaseless warring between the highland Celts and the English. The primitive generational battle discouraged the development of any literature, art, science, technology, crafts, or agricultural skills. Instead, it produced a race of formidable guerrilla fighters and a feudal governmental structure based upon loyalty and obedience to strong partisan leaders.<sup>12</sup> The Protestant Reformation, however, did give the lowland Scots their first sense of cultural identity, through its system of church schools established by John Knox and his followers. As a result, the lowland Scots became one of the most literate people in Northern Europe.<sup>13</sup>

The lowland Scots' high degree of literacy and Protestant religion prompted the English government to move and establish them on large farms in Northern Ireland, where they were to control the growing problem presented by the Roman Catholic native Irish. The Ulster Irish, as the lowland Scots became known, displaced the native Irish in a period of guerrilla wars quite similar to that which their descendents waged on the Missouri-Kansas border almost two hundred years later.

As the Ulster Irish grew in military and economic power in Ireland, they began to pose a threat to the English government. By the early decades of the eighteenth century, religious persecution of the Presbyterian Church and a series of punitive taxes reduced the Ulster Irish to a status no better than the Irish they had displaced.<sup>14</sup> At the same time, colonial leaders in North America viewed the Ulster Irish as an ideal disposable people and encouraged their emigration to and settlement of wilderness areas. There they quelled native tribes, cleared lands, built roads, and established settlements paving the way for larger landowners and investors. By 1720, thousands of Ulster Irish migrated through the ports of Philadelphia and Charleston. After centuries of exploitation and persecution, the Scotch-Irish, as they later became known in America, arrived hostile to political, military, economic, and religious institutions. They immediately departed for the wilderness where they quickly established communities that protected their own interests. Bringing few traditions from Europe and having little exposure to the culture of the American Colonies, the Scotch-Irish became, in essence, the first "Americans."<sup>15</sup>

Loyal only to their clan and preferring frontier life to the organized society of more settled areas, the group developed authoritarian patriarchal social units that proved

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid., 17-18 and Kenneth Scott LaTourette, *The History of Christianity, Volume 2* (New York: Harper & Row, 1939), 771, 985.

<sup>14</sup> Gilbert, 18.

<sup>15</sup> Ibid.

to be an advantage in the wilderness. For a century and a half, the Scotch-Irish pushed first into Appalachia and then on into the Kentucky grasslands and the Tennessee Valley. Adapting known skills and tools to the wilderness environment, they subdued native peoples, cleared forests for homesteads, erected villages, and then pushed westward as the Euro-American settlement line advanced. During extended settlement periods, they married and produced large families, established interwoven familial ties, acquired new skills and trades, bred livestock, farmed, and developed, by virtue of various Indian wars, political and military ties. By the time the Scotch-Irish settlers of Jackson County formed a government, they were already related by intermarriage, shared strong cultural traditions, and enjoyed military and political alliances developed during their stay in Appalachia and migration into Kentucky and Tennessee.<sup>16</sup>

The nature of the permanent settlers remained unaltered during the ensuing settlement period in Jackson County. The Scotch-Irish, who were the largest and most politically powerful group, continued to immigrate from the Southern Border States. After the establishment of the county as the governmental institution,

*. . . the district was organized by the Scotch-Irish clans from the Southern Appalachians according to the principles of cronyism. That system was certainly not invented in Jackson County but was to flourish splendidly there and become something of a political art form by the twentieth century.*<sup>17</sup>

### **EARLY AGRARIAN SETTLEMENT IN SOUTHEASTERN JACKSON COUNTY: 1840-1865**

Lee's Summit, centrally located in Prairie Township fourteen miles south of Independence, Missouri, was watered by Big Creek flowing south into Cass County and by Clear Creek east of the Little Blue River and Sni-a-bar creek flowing north. The surrounding countryside was noted for its generally level topography — at least more so than any other township in Jackson County.

Euro-American settlers arrived in the vicinity of modern day Lee's Summit beginning in the 1830s, although most came in the 1840s and 1850s. With its rolling prairie, fertile soil, numerous streams, and stands of timber along watercourses, they found the area ideal for farming and livestock breeding.

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<sup>16</sup> Ibid.

<sup>17</sup> Ibid., 18, 39.

While many of the farmers and merchants who first settled in Jackson County were not slave owners, slavery became an integral part of the economy and culture of the county. Second in number to the Scotch-Irish settlers in Jackson County were African American slaves. The slave population of the county grew from 7 percent in 1830 to 18 percent in 1840. During the same period, the number of slave owners increased from 13 percent to 32 percent. The largest number of slaveholders owned from one to five slaves. The typical slave owner was a small farmer who worked in the fields beside the two or three slaves he owned.<sup>18</sup>

Southeastern Jackson County did not have sufficient numbers of settlers to establish any formal town prior to the Civil War. In 1850, there were less than one hundred inhabitants in the area that included Prairie Township. However, soon thereafter, the number grew so that by 1853, every acre was owned by a farmer.<sup>19</sup> Prairie Township was organized in June of 1860 and was known as part of the “lost” townships. An early survey of the county was not completed for various reasons and the area that eventually constituted Prairie Township was unavailable for government land transactions for fifteen to twenty years after the rest of the county.<sup>20</sup>

Predominately Protestant, agrarian slaveholders, the rural population of the county remained “southern” in its orientation. By the 1850s, Kansas City was a rapidly growing economic center with a diverse population. By the mid-1850s, the question of the extension of slavery into the Kansas territory accentuated the growing division between an established rural lifestyle and new “northern” economic influences in rapidly growing trade centers along the rivers of western Missouri. These differences embroiled the region in armed conflict for a decade and established political and economic divisions that affect eastern Jackson County to this day.

The onset of the Border and Civil wars, which began with the opening of the Kansas Territory to settlement in 1856, discouraged further growth in the region. Missouri’s western counties witnessed one of the bitterest conflicts in American history. The intermittent warfare, resulting from the passage of the Kansas-Nebraska Act of 1854, raged for the next decade.

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<sup>18</sup> Schwenk, Parisi, and Weston, 70-71.

<sup>19</sup> Birdsall, Williams & Company, *The History of Jackson County, Missouri* (Kansas City: Union Historical Company, 1881), 341.

<sup>20</sup> Wolfenbarger, 2 and *1877 Illustrated Historical Atlas of Jackson Co. Missouri* (Philadelphia: Brink, McDonough & Co., 1877), 14, 18.

Ignoring the terms of the Missouri Compromise, Congress voted to allow Kansans to decide for themselves whether they would live in a free or slave territory. Those who lived in the western part of Missouri saw in the new law an opportunity to extend slavery into the new territory. Missouri at this time contained approximately 100,000 slaves worth about \$35 million, with the western half of the state containing one half of Missouri's slave population. Even as Congress debated the legislation, border residents moved onto the land still legally owned by Native American groups, staked their claims, organized into groups to guard their new lands, and returned to their homesteads in Missouri.

Soon immigrant aid societies from the Northeast, many sponsored by abolitionist groups, sent sufficient numbers of settlers into the newly opened territory to pose the threat of electing a free-state territorial government. Moreover, the mass migration to Kansas Territory of antislavery settlers created alarm among Missourians for the safety and security of their "property" in Kansas. Southern partisans organized into groups and promoted the establishment of proslavery settlements.

In the first territory election, bands of Missouri residents crossed into the new territory and cast fraudulent votes. A series of hotly contested territorial elections and legislative assemblies erupted. Antagonism soon flared into open battle. Guerrilla bands formed on both sides of the Missouri-Kansas border, engaging in intimidation and destruction and attacking proslavery and "free-soil" settlements.

The Little Blue River Valley was an important base of operation for the Missouri guerrilla bands. The "Sni Hill Rangers," in particular, found refuge from federal and civil authorities among their relatives and friends in eastern and southeastern Jackson County.

By the time of Lincoln's election in 1860, atrocities perpetuated by the Kansas "Jayhawkers" and Missouri "Bushwhackers" captured the attention of the nation. Newspapers coined the term "bleeding Kansas" and the strife along the border of Kansas and Missouri became a contributing factor to civil war. With the firing on Fort Sumter in April 1861, the federal government focused its attention not only on the warfare between partisan settlers on the western frontier but also on retaining control of Missouri.

The state's strategic location on the Missouri and Mississippi rivers was essential to maintaining communication with the West and use of the rivers for transporting men and supplies in the western theater of the war. For the most part, the battles in Missouri centered on control of the river, the recruiting operations on the part of

the Confederate army, and the response to hit-and-run tactics of the pro-Southern guerrillas.

Whether attached to regular southern army units or to irregular troops, the men in the Lee's Summit area engaged in skirmishes by either defending home territory or riding out into the area along the Missouri River and along the state line to join organized battles.

Almost all of the early settlers in rural Jackson County left their farms after Brigadier General Thomas C. Ewing issued "Military Order Number 11" in 1863, which forced all residents in Jackson, Cass, Bates, and part of Vernon counties to leave their property and to relocate to camps within one mile of a federal military station. After the evacuation of the citizens, Kansas troops looted and burned the countryside, creating what became known as the "Burnt District."<sup>21</sup>

#### **ESTABLISHMENT OF LEE'S SUMMIT**

Among the early Jackson County residents who returned to their land after the war was William Howard, one of the oldest and most influential citizens of the area. Howard, a native of Kentucky, first came to the area in 1842 and purchased 220 acres of land. In 1844, he married Maria D. Strother. By 1850, they lived in a log house on 833 acres about five miles to the north of Lee's Summit, at what is today the west corner of Highway 291 and Woods Chapel Road. They remained on the farm until October of 1862, when Howard was arrested as a Confederate sympathizer and taken to federal headquarters in Independence. Paroled, he took his family to Kentucky for the duration of the war.<sup>22</sup>

After the war, Howard returned and took advantage of the coming of the Missouri Pacific Railroad line into Jackson County and platted the town that became Lee's Summit. Howard's original plat contained 70 acres. The first sale of lots was on October 29, 1865. Howard and the railroad company agreed that the railroad received every alternate lot in four blocks, two on each side of the track, near the center of the town.<sup>23</sup> Its access to the Missouri Pacific Railroad line gave the town direct links to national railroad freight and passenger hubs in St. Louis to the east and Kansas City to the west.

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<sup>21</sup> Edward E. Leslie, *The Devil Knows How to Ride* (New York: Random House, 1996), 258-62.

<sup>22</sup> Pearl Wilcox, *Jackson County Pioneers* (Independence: 1975), 107-8.

<sup>23</sup> Birdsall, Williams & Company, 342.

The exact date and naming of the community is uncertain. Traditional accounts hold that for its first three years the town was named Strother after Howard's wife's family.<sup>24</sup> By 1868, the town bore the name of Lee's Summit in memory of Dr. Pleasant Lea. The account notes that the hilltop farm of Dr. Pleasant Lea,<sup>25</sup> north of the town site, was the location for much of the surveying for the railroad. To honor Lea, the railroad engineers involved in the survey named the railroad station after him. They erred in the spelling and punctuation, formally noting the station as "Lees Summit." The station's name became popular and the citizens of Strother petitioned the Jackson County Court on November 4, 1868 to change the name to "Lee's Summit" with an apostrophe, but with the same misspelling.<sup>26</sup> Another variation is that when the railroad donated a boxcar to serve as the first railroad station in the new town, "Lee's Summit" was painted on it. This view holds that the railroad chose the name to honor a local doctor, Dr. Pleasant Lea, who had been shot near the tracks during the Civil War. The spelling of his name was not corrected and, therefore, became "Lee." The "summit" came from its topographical location as the highest summit on the line between St. Louis and Kansas City. While originally platted as "Strother," the town name was officially changed to "Lee's Summit" in 1868.<sup>27</sup>

This version of the town's naming has recently been questioned by information found on a poster notice advertising the first sale of the town lots on October 30, 1865. Local historian, Donald R. Hale purchased a trunk in 1993 that once belonged to William B. Howard, the town founder. The sale bill was among its contents. Howard's notice advertised the town land sale to be held at "Strother, formerly called Lee's Summit on the Pacific Rail Road in Jackson County, Missouri." Hale believes that it is possible that the town had been known as "Lee's Summit" for some time prior to becoming Strother. Frank Graves, another local historian, agrees. Evidence supporting their argument can be found in a December 1865 *St. Louis Democrat* newspaper article that refers to a railroad stop in "Lee's Summit."<sup>28</sup>

Jackson County railroad historian, Henry Marnett noted that railroads generally named division points along the line where engineers fueled their steam engines

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<sup>24</sup> Wilcox, 108.

<sup>25</sup> Lea was killed during the Civil War.

<sup>26</sup> Wilcox, 108.

<sup>27</sup> Community Studies, Inc. "*The Preliminary Guide Plan for Lee's Summit, 1958*" unpublished document prepared for the City of Lee's Summit, Missouri, 1.

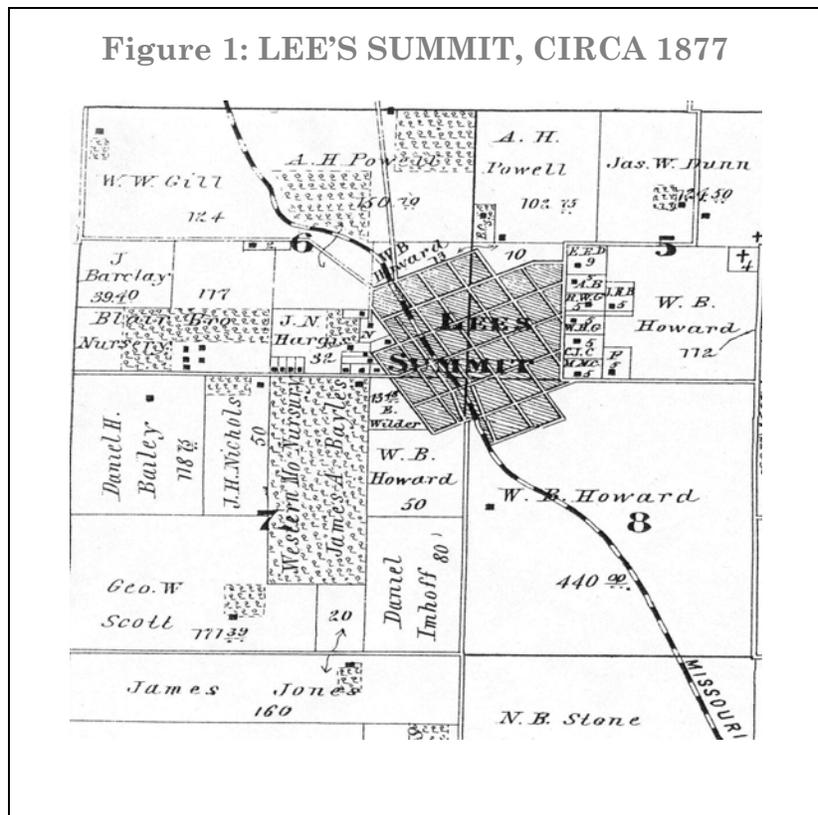
<sup>28</sup> Cathy Ambler, Interview with Donald R. Hale, 10 September 2001; Cathy Ambler, Interview with Frank Graves, 10 September 2001 and 7 December 2001. The sale notice is in the archives of the Lee's Summit Historical Society. Some speculate that the "Lee" comes from General Robert E. Lee. The *Louisville Journal* (Kentucky), January 3, 1866 quoted the *St. Louis Democrat*.

with coal or wood and water.<sup>29</sup> He noted that Lee's Summit could very well have been a railroad stop before a town was officially formed. Once the railroad chose a division point and named it, commercial buildings usually sprang up hastily as well. If the railroad pulled a railroad car into town to be used for a railroad station after the town was officially founded and it already had "Lee's Summit" written on it, the railroad may have been using the name for some time. The track from Warrensburg to Kansas City (through Lee's Summit) was finished between 1864 and 1865.<sup>30</sup>

Taking all this into consideration, it appears that the station was designated as Lees Summit by the railroad prior to the filing of the official plat name of Strother. The 1868 petition to the county court officially changed the name to Lee's Summit.

## THE RAILROAD AND DEVELOPMENT OF LEE'S SUMMIT: 1865-1945

The role of the railroad in Lee's Summit's development is apparent in the 1877 *Illustrated Historical Atlas of Jackson Co. Missouri*, which shows the meager road network that existed twelve years after the town was founded.<sup>31</sup> A few section line roads are visible, but the dominant means of transportation in the area was the railroad. Because poor roads and ferries provided difficult and limited access to market centers where farmers and livestock breeders



<sup>29</sup> Cathy Ambler, Interview with Henry Marnett, 9 January 2002.

<sup>30</sup> *Lee's Summit Centennial, 1865-1965*. (Lee's Summit: Chamber of Commerce, 1965), 61.

<sup>31</sup> *1877 Illustrated Historical Atlas of Jackson Co. Missouri*

could sell their agricultural products, the railroad assured Lee's Summit's survival as an inland market center.<sup>32</sup>

The town had the appearance of the railroad town it was. About twenty acres of the original town site were town lots that straddled the railroad line and Howard bound the town's interests to that of the railroad's by giving the railroad every other lot on both sides of the track.<sup>33</sup> Figure 2, the 1877 town plat, shows the main streets paralleling the tracks from the northwest to the southeast.

Normally town streets, like the land survey, were laid out by compass points oriented by Section, Township, and Range. The plat's orientation to the railroad's northwest-southeast direction further emphasizes the significance of the railroad to the town. With the tracks on a high rise between the two main streets, it dominated commerce, movement through town, communications with the surrounding area, and transportation.

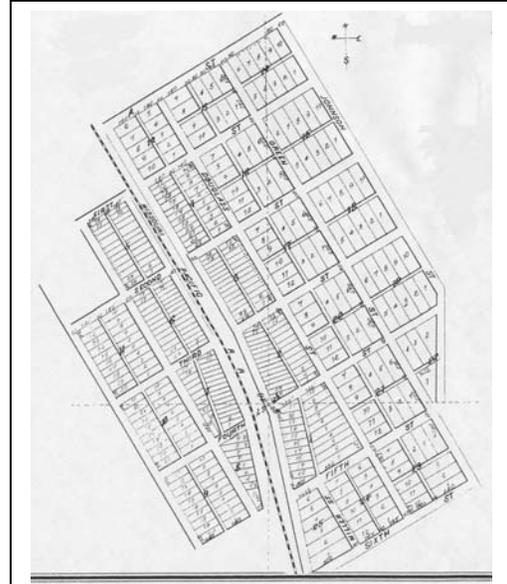


Figure 2: TOWN PLAT

By 1869, the town had a settled appearance. One visitor reported,

*We had the pleasure . . . of spending a few hours in the beautiful and growing young town of Lee's Summit . . . our impressions of the town and surrounding country were of the most favorable character. . . The signs of improvement are everywhere visible. New and substantial buildings are being constantly erected and speedily filled with the enterprising and industrious seekers of fortune in the west. The people are an energetic, moral and industrious class and it requires no prophetic vision to foretell for Lee's Summit a bright and splendid future.*<sup>34</sup>

In 1877, the Missouri legislature approved the town's incorporation as a fourth-class city. The city fathers then divided the city into two wards. The 1877 county atlas noted that the city was "of importance as a trading point."<sup>35</sup>

<sup>32</sup> John Reps, *The Making of Urban America: A History of City Planning in the United States*. (Princeton: Princeton University Press, 1992), 392. Reps points out that some railroads drew their own town plans with rails running through the center part of towns.

<sup>33</sup> A copy of this map is at the Lee's Summit Historical Society.

<sup>34</sup> Birdsall, Williams & Co, 343.

<sup>35</sup> *1877 Illustrated Historical Atlas of Jackson Co. Missouri*, 18.

By 1880, there were 390 farms under cultivation in the Prairie Township, averaging 160 acres each. A major focus of the livestock operations concentrated on the raising of blooded stock. In addition to general farming, fruit growing was an important agricultural pursuit. In Prairie Township there were two towns that functioned as supply points to the farmers of the township and surrounding country — Lee's Summit, which was the larger, and Greenwood, a village located within three quarters of a mile of the Cass County line. Both were situated on the main line of the Missouri Pacific Railroad.<sup>36</sup>

At this time, Lee's Summit was the second largest grain shipping point in Jackson County after Kansas City.<sup>37</sup> It also served as an important shipping point for cattle and hogs. Census figures from the same year show Lee's Summit as a town with approximately nine hundred residents.<sup>38</sup> The town contained five churches, a large school building, a railroad depot, a hotel, a bank, a post office, and two restaurants. About twenty-five business houses representing all kinds of merchandise lined the main streets – Market and Main – that ran parallel to the tracks. The town also had five physicians, two ministers, and four lawyers.<sup>39</sup>

Merchants, lawyers, and doctors held positions of status in towns as well as the countryside. In trade towns like Westport and Independence, leadership went to major traders or men who combined several occupations or professions. In matters of religion, the Scotch-Irish settlers either retained their generational affiliation to the Presbyterian Church or embraced the more mainline frontier protestant religions such as Baptists, Methodists, and Cambellites (Disciples of Christ Church).

The Methodists erected the first house of worship in Lee's Summit, followed by the Baptists. After the Civil War, The Methodist Episcopal Church South erected a building, followed by the Cumberland Presbyterians and Christians. The Episcopalians held services in the Cumberland Presbyterian Church and the Old School Presbyterians held services in the M. E. Church South building. The town laid out a cemetery soon after the war, a portion of which was on land donated by W. B. Howard.

To accommodate its growing population, Lee's Summit added several new residential areas. In 1867, when most of the town's original lots were sold, William B. Howard platted the first new residential addition, Howard's First Addition, to the east and northeast of downtown. Other new residential development occurred

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<sup>36</sup> Birdsall, Williams & Co., 342.

<sup>37</sup> Wolfenbarger, 4.

<sup>38</sup> Birdsall, Williams & Co., 342.

<sup>39</sup> Ibid.

further north of the central business district. Of the eight additions (or subdivisions) platted between 1877 and 1889, six were north of downtown. These new building lots accommodated the community's demand for many years, as housing filled in around the edges of the area and the remaining vacant lots at the heart of the city. The town's older residences lined South Market Street and Douglas Street, both of which ran north to Independence.<sup>40</sup>

Economic activity in Lee's Summit, like other rural railroad market centers in the region, did not change much beyond the initial gains made after the rail lines came through. By the advent of World War I, Lee's Summit continued to function as a typical country market center. As it had in the prosperous times in 1877, growth in the area prompted the city to extend its boundaries in 1905.

**Figure 3: LEE'S SUMMIT POPULATION 1880-1940**

<u>1880</u>	<u>1890</u>	<u>1900</u>	<u>1920</u>	<u>1930</u>	<u>1940</u>
693	1,369	1,453	1,467	2,035	2,263

The popular acceptance of the automobile and improved roads did change the appearance of these towns. Farmers from the region made more frequent trips to the local bank, the drug store, and other business services that soon became necessities of modern lifestyles.

Gradually, the location of Lee's Summit's main commercial area began to shift from its orientation to the railroad tracks. As more vehicles became affordable, 3rd Street became increasingly important as an east-west transportation corridor. Businesses began to move to 3rd Street, away from the lots directly connected to the railroad. By the early 1930s, the influence of the automobile and Jackson County's epic rural road paving efforts under County Court Presiding Judge Harry S Truman was clear. New types of buildings, such as garages and service stations, appeared in town. Roads and their condition became increasingly important. Additionally, as the vehicular traffic passing through Lee's Summit from the surrounding areas increased, the railroad's dominating presence in the community waned.

While the railroad provided market transportation early in Lee's Summit's history, by about 1910, roads, especially paved ones, had become an important priority for local and county governments. The public's demand for better roads increased and

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<sup>40</sup> Wolfenbarger, 7. These were W. B. Howard's Second Addition, Myrtle Park Addition, Hearne's Addition, Hearne's 2<sup>nd</sup> Addition, and Hearne's 3<sup>rd</sup> Addition. Douglas was known as "Bankers' Street" by locals and many large homes were built there around 1900. Cathy Ambler, Interview with Frank Graves, 7 December 2001.



automobiles. Chain stores cut away more of the small proprietor's trade whenever they opened in rural towns.<sup>44</sup>

The era of railroad significance for the town lasted until just after World War II. The paving of most of the county's roads that led to various market centers in the 1930s under Judge Truman's administration and the tremendous development of the area's road system in the Post-World War II era, lessened the importance of rail freight connections. In 1958, Lee's Summit's first planning document recommended that the Missouri Pacific Railroad reroute its through trains south of town using the Rock Island Railroad tracks. Thus, trains would no longer run through the middle of the community.<sup>45</sup> Although this was not done, for a town whose existence once depended on the railroad, this recommendation signaled the demise of Lee's Summit as a railroad town. By the 1970s, a freight line continued operation and Amtrak passenger service stops at the depot.

## **AGRICULTURAL GOODS AND PROCESSING IN LEE'S SUMMIT: 1865-1945**

The foundation for early economic prosperity in Lee's Summit, as in the rest of Jackson County, was agriculture. After the initial period of settlement, farming in Jackson County quickly progressed beyond the simple self-sufficient enterprise. As cleared and fenced "improved" land grew, a commercial market evolved. This evolution did not occur everywhere at the same rate; different stages existed within the same region. While many of the families from the southern border states brought, as early as 1830, a sophisticated knowledge of farming into the area; newcomers, as late as the 1850s, set up primitive subsistence-level farming operations. However, by this time, the small general farm, as a rule, served as the basis for a stable farming economy.<sup>46</sup>

The natural resources of the area supported diversified farming industries. By the middle of the nineteenth century, a varied system of agricultural production existed for both family consumption and commercial trade. As the early settlement period ended in mid-nineteenth century, the era when the first settlers planted wheat, corn, rye, barley, and buckwheat for family and livestock and harvested hemp and

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<sup>44</sup> Sherry Lamb Shimmer and Richard D. McKinzie, *At the River's Bend: An Illustrated History of Kansas City, Independence, and Jackson County* (Woodland Hill, CA: Windsor Publications, Inc., in association with the Jackson County Historical Society, 1982), 258.

<sup>45</sup> Community Studies, Inc., 61-63.

<sup>46</sup> Sarah F. Schwenk, "A Social, Political and Economic Overview of Western Missouri 1830-1855" unpublished manuscript prepared for Jackson County Parks and Recreation, Division of Heritage Programs and Museums, 1989, 26.

tobacco for cash expanded to include orchards, vineyards, and livestock breeding. In Jackson County, there were few farming industries that were not carried on to some extent. Truck farming lands, cattle pastures, grain and cornfields, piggeries, dairy farms, bee farms, orchards, and poultry farms produced a golden harvest. While the first settlers relied heavily on the market for hemp and tobacco for cash income, the farmer of the late nineteenth century quickly sought to establish farms large enough to produce sufficient crops to have a surplus for a rapidly expanding and diversifying market.<sup>47</sup>

Jackson County, located on the borderland of the great Ozark Highlands within the Missouri River valley, had the soil, climate, and access to marketing centers that promoted this diversification. The county had a complete and rapid system of natural drainage and an abundant supply of pure, fresh water. The loess soil along the bluffs of the Missouri River was second only to Germany and China for the cultivation of orchards. Along the silt-covered banks of the Missouri River, truck farmers produced tons of vegetables each year. Further back from the river, berries and grapes grew. Wheat not only provided flour for the farm family but cash as well. Corn fed the hogs and, after milling, was a bread staple in the family diet. Pork became the common meat of the region and merchants sold large quantities of surplus bacon and lard.<sup>48</sup>

Soils that produced corn, wheat, clover, and timothy, as well as the abundant supply of native grasses stimulated a fledgling dairy industry. Fertile valleys and plains supported a quickly expanding livestock industry. Thoroughbred stock imported in the 1830s and 1840s included Alderney, Jersey, Shorthorn, and Aberdeen Angus cattle. Fine saddle horses and thoroughbred racehorses were a visible sign of economic and social status. However, it was the breeding of good workhorses and mules that preoccupied most farmers in the region. County fair prize lists show awards for the best draft stallions, brood mares, draft mares, colts, saddle mules, jacks, jennets, and saddle ponies. By the mid-nineteenth century, the Morgan, Tennessee Walker, American Saddle, the large draft Percheron, and the medium weight draft Hackney became the principle sources of transportation and harness power in western Missouri. The importation of Mexican mules, jackasses, and jennets to the area from Mexico led local farmers to breed a strain of sure-footed, strong, and disease-resistant work animals.<sup>49</sup>

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<sup>47</sup> Ibid.

<sup>48</sup> Ibid., 28-30.

<sup>49</sup> Ibid., 30-31.

Farmers coming into the area introduced scientific farming, including horticulture, during the early settlement period. By the mid-century, agricultural and mechanic's fairs reflected the new methods and machines of the period. However, despite the availability of the latest equipment, farming techniques varied from the crude to the sophisticated.<sup>50</sup> The agricultural practices begun in the settlement period before the Civil War, continued after the war ended.

The following farmers and stockmen reflect a typical cross-section of agricultural enterprises found near Lee's Summit in the 1880s. H. E. Barns returned to the area after the war and engaged in stock-raising on 225 acres. R. F. Campbell's 80-acre farm was located about a mile northeast of Lee's Summit; A. B. Castle, M.D. owned 40 acres of improved and stocked land and maintained one of the finest orchards in the county. Lucas Corlew cultivated 48 acres near town. J. H. Davenport, a farmer and stock dealer, maintained 240 acres of land. James A. Dripps came to Prairie Township in 1880 and established a farm and sizable orchard on 80 acres. James W. Dunn established a farm in 1869 almost a mile northeast of Lee's Summit. By 1881, he had 560 acres of improved farmland that included an orchard. William Dupuy returned from the war to find that he had lost all his stock and grain. However, by 1881 he had a cultivated farm of 122 acres that included an orchard.

The area around Lee's Summit was known as the center of the state's apple belt. While much of the Lee's Summit area lay abandoned for nearly four years after Order 11 was issued, the war years enabled the fruit trees planted by early settlers to mature. When the settlers eventually returned to their farms, it was easy to slip back into horticulture. While the main farm products at the time remained corn and hogs, it is clear that the orchards and nurseries were also large producers by 1877.<sup>51</sup>

Farmers who grew other crops or raised livestock also planted apples or other fruit as an additional source of income. With abundant crops of pears, plums, peaches, berries, and grapes, the area was well suited to meet the produce demands of Kansas City and other communities around the Missouri River. The short distance from Lee's Summit to these markets and easy accessibility by rail was significant for growers of perishable products.

James A. Bayles, for whom the Bayles Addition would be named, was one farmer who took advantage of the growing conditions and market demand for horticultural products. Bayles arrived in the area in the 1870s and established the Western

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<sup>50</sup> Ibid., 27.

<sup>51</sup> The agricultural census of 1876 did not take into consideration the production of horticulture products.

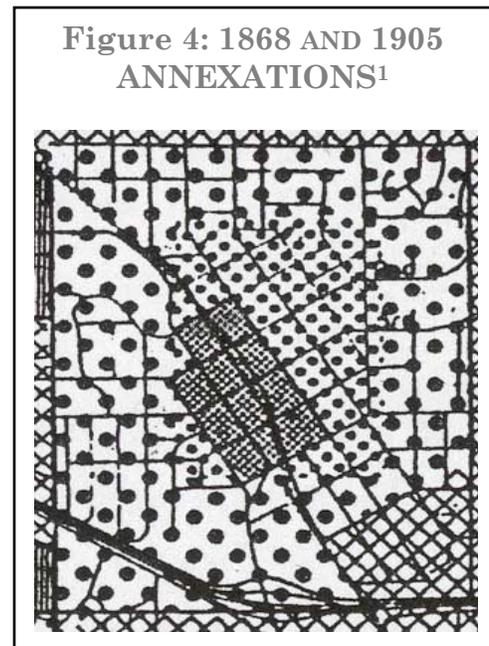
Missouri Nursery. He grew several varieties of peaches, apples, and pears, but eventually concentrated on the commercial production of apples.

Longview Farm, for example, was known for both its horse and milk cattle breeding programs. Highland Farm was a nationally recognized Hereford breeding farm. Chapman Dairies was one of several dairies processing milk. It collected and distributed milk for Longview Farm and about four hundred other farmers.<sup>52</sup>

During the farm recession of the early 1920s, many farmers sold their agricultural land. At the same time, with the advance of new technologies, farm machinery became more complicated and expensive and most farmers wanted a truck or car to transport their products to market, especially in nearby Kansas City. During the 1920s, millions of acres were taken out of farm use nationally while production continued to climb.

## RESIDENTIAL DEVELOPMENT 1860-1960

Some of this land quickly became new residential neighborhoods that encircled the older central portions of country towns. Lee's Summit made only two annexations — one when the city incorporated in 1868, which included Howard's First Addition (1867); and one in 1905, which incorporated several residential areas that were then outside the city limits.<sup>53</sup> Figure 4 shows the additions around the commercial core. The small dots indicate the 1868 addition and the larger dots the 1905 addition. These annexations increased the size of the city from about 70 acres (the original town plat) to one square mile (640 acres). However, the annexations did not significantly affect population statistics. While these areas may have included existing residential enclaves, it is possible they were scarcely populated at the time of the census. Between 1900 and 1920, Lee's Summit easily managed its growth and the population's requirements for new housing.



<sup>52</sup> Wolfenbarger, 10.

<sup>53</sup> Several other additions were platted between 1877 and 1905, but almost all were outside the city limits. It is possible, as Wolfenbarger points out, that Lee's Summit had a larger population in the 1880s than the statistics show.

## EARLY TWENTIETH CENTURY RESIDENTIAL DEVELOPMENT

The Butterfield Addition is a good example of a residential development prior to World War I that exhibits some of the nation's emerging sense of suburban planning. The land had once been part of the Lee's Summit Star Nurseries and its products contributed to the town's agricultural base until at least 1906.<sup>54</sup> The Jesse Butterfield family was engaged in the nursery business and was responsible for the division of the property and filing the plat. At the time, the Butterfield Addition was located at the western boundary of Lee's Summit.<sup>55</sup>

This addition's characteristics reflect early twentieth century residential patterns. The concept of building a proper home for the ideal family was a well-developed cultural value long before the platting of Lee's Summit's subdivisions. From about 1870 to 1900, national values about the consummate home and lifestyle crystallized: single-family houses should be located away from the city core and freestanding on some amount of land.<sup>56</sup> With this prescribed environment and a house full of the latest technological achievements such as central heating, modern kitchens and baths with proper ventilation, and sewage removal, the family would flourish. Modernized with science, these homes became laboratories that promoted better health and families and more satisfied homemakers.<sup>57</sup> Although it would take some time for such additions to become standard in Lee's Summit, Butterfield did express national trends.

The addition was composed of single-family houses each set on a green space. These houses were constructed over a relatively short period of time during a home building boom in the 1920s. They were positioned regularly on the lots and were consistent in their size and preference for bungalow forms. In this, the houses focused daily life around family activities in a semi-retreat from the rest of the world.

While most of the town's pre-World War II additions continued to follow the traditional grid pattern, Butterfield had one curved street, Lakeside, a "boulevard" that conformed more to the topography of the land than traditional rigid grid lines.<sup>58</sup>

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<sup>54</sup> Wolfenbarger, 9.

<sup>55</sup> Summit Start Nurseries took over the Blair Brothers Nursery, which is shown in Figure 1.

<sup>56</sup> Mary Corbin Sies, "Toward a Performance Theory of the Suburban Ideal, 1877-1917," *Perspectives in Vernacular Architecture*, Vol. IV (Columbia: University of Missouri Press, 1991), 199.

<sup>57</sup> Gwendolyn Wright, *Building the Dream: A Social History of Housing in America* (Cambridge: MIT Press, 1981), 159.

<sup>58</sup> The original town grid lay with the direction of the railroad – southeast to northwest – not the compass points. Early in the town's history, the streets are "corrected" and only the heart of the downtown and an early housing area east of downtown remained oriented to the railroad.



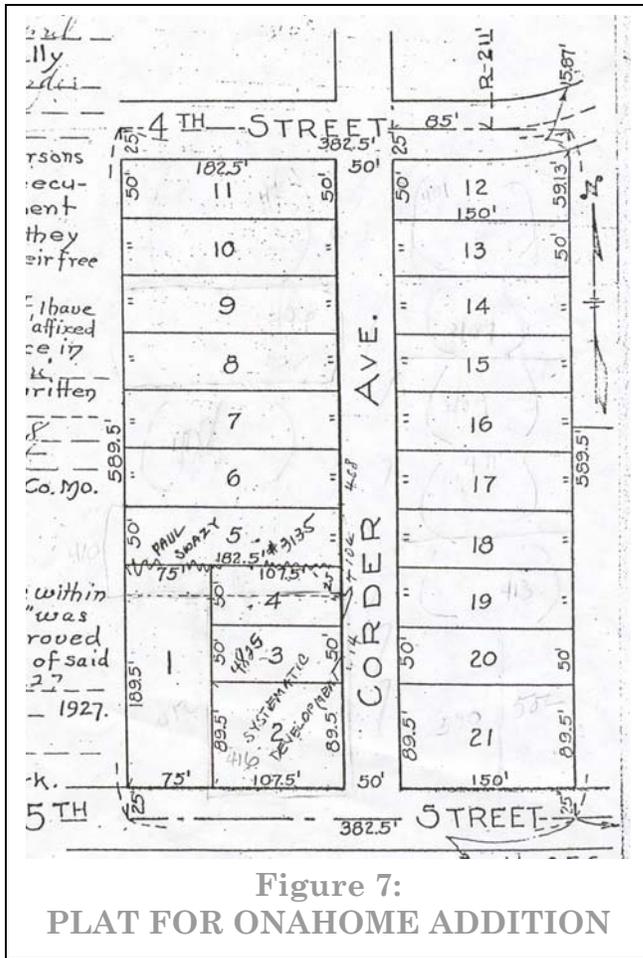


Figure 7: PLAT FOR ONAHOME ADDITION

by Corder Avenue. These small lots are 50 feet wide and range from 150 feet to approximately 182 feet deep. Since the lots were so narrow, many owners purchased single lots and portions of additional lots so their homes would have a more spacious setting. While smaller lots were acceptable before the war, housing preferences changed after the war and homeowners wanted larger lots. The Onahome Addition is a rectilinear subdivision that is representative of small subdivisions at the time.

A third addition platted in the 1920s was Morningside Acres, a large parcel of land on the east side of Lee's Summit bounded by 3<sup>rd</sup> Street on the north and 5<sup>th</sup> Street on the south. The eastern boundary is highway M291 and the western edge, in part, abuts the Onahome Addition. Platted by Fred R. and Gertrude M. Hoover in May of 1929, this subdivision covers approximately sixty acres. Most of the nineteen lots were large – over three acres – and invited further subdividing. Additional divisions through the sale of whole or partial lots generally took place after World War II, as did home construction. Until then, this area remained somewhat undeveloped. In

changes in the original lot boundaries occurred over time as parcels were divided and combined with other lots to create larger lots.

The second of the 1920s additions that concerns this survey is the Onahome Addition registered in April 1927 by Nathan and Rosa Corder. In 1927, the Corders platted this area in the southwest section of downtown Lee's Summit and advertised the property of twenty lots. The addition remained largely undeveloped until after World War II. Corder Avenue did not open to through traffic until 1953.<sup>61</sup>

The twenty-one-lot addition is bounded by 4<sup>th</sup> and 5<sup>th</sup> streets on the north and south and bisected

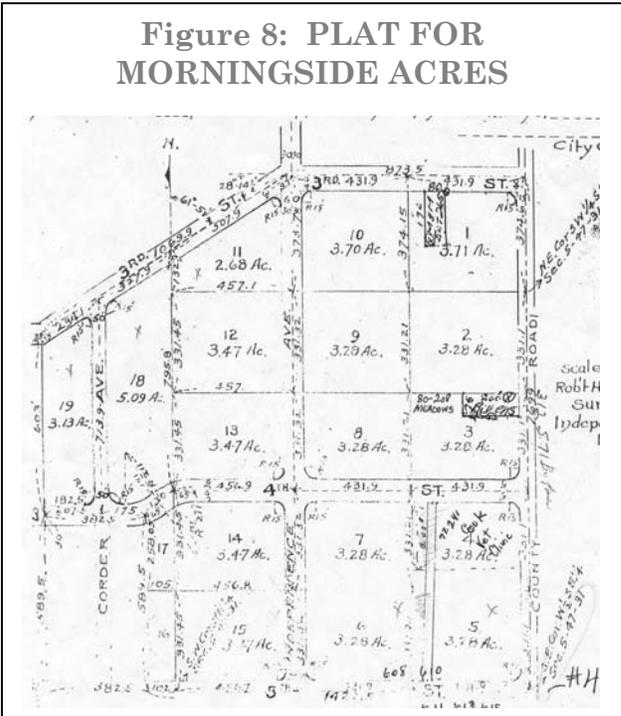
<sup>61</sup> *Lee's Summit Journal*, February 5, 1953. At a city council meeting, Dr. Philip Saper, the subdivision owner since 1945, requested to open the street to provide access to several lots.

the 1950s and early 1960s, five replats of these large lots changed the more spacious nature of the 1929 plat and placed houses more densely within the area. Morningside Acres was essentially rectilinear in pattern.

For the most part, individuals hired builders to construct their homes on lots they had purchased. A few small-time speculators in the construction market also hired contractors to build houses. One such person, active in Lee's Summit in the 1920s and 1930s, was Harrison Metheny. Although Metheny was not a builder, he financed the construction or remodeling of both residential and commercial buildings. He built several downtown buildings, including a movie theater, and remodeled a structure for a bowling alley. In the late 1930s, he was known for renovating houses, moving them, and building several new ones.

Knowing how construction was financed prior to the Great Depression helps explain housing patterns near downtown Lee's Summit and in its early subdivisions. Around 1900, most people paid for their homes outright instead of financing them. Mortgages for those with less cash were available only for a short term and holders had to renew them every three, five, or sometimes ten years. If mortgages were renewed often, the holder could be subject to changes in the money market, which is what happened during the Great Depression. When banks or savings and loans had no money available for lending, property owners with mortgages found themselves unable to renew their mortgages or to make the large final payments that would have allowed them to keep their homes. It was not uncommon for people who had almost paid for their homes in full to lose them in foreclosure under these circumstances.

If one could get a first mortgage, it was still for less than 50 percent of the value of the property, so the amount of up-front cash required remained substantial. This made it difficult for a developer to finance the development of a complete subdivision



unless he owned the property to begin with. If developers had to buy land to subdivide, they would do so with cash or a short-term mortgage, but they could not

afford to hold the property and invest in housing too.<sup>62</sup> The installation of sewer and water lines, roads, and streetlights generally fell to the developer as well, further increasing their investment before any houses were constructed. In Lee's Summit, many early subdivisions were platted by people who already owned the property or were ready to sell family agricultural land. Sometimes property was sold at a public auction, which helped buyers determine market value. Landowners sold lots to prospective owner-residents who then contacted a builder or they sold lots to speculators/builders who bought a few parcels and built a few houses at a time.

Regardless, it took cash or the creative use of mortgages for homebuyers to find adequate financing. Sometimes individuals would put a down payment on a lot and, after paying off the mortgage over several years, they would use the lot for collateral for a mortgage to construct a house. But, this slow pace meant that subdivisions were not built out for many years.<sup>63</sup> For developers holding property they owned, this process was easier; those borrowing money to purchase land needed buyers quickly.

The Federal Housing Act (FHA), passed in 1934 during the Great Depression, changed the way in which homes were purchased and financed. Designed to stimulate employment in the building industry, the provisions of the FHA made long-term amortized mortgages with low down payments available to both homeowners and builders. It also allowed income tax deductions for mortgage payments. With insured deposits in savings and loans (FSLIC), financial institutions were less reluctant to lend money for mortgages lest they jeopardize their depositors' money.<sup>64</sup> This encouraged the development of large-scale projects, such as neighborhood subdivisions. Down payments decreased from more than 30 percent of the project to about 10 percent. At the same time, mortgage interest rates also dropped. The FHA provided builders who constructed over one hundred houses a year with credit so they could offer loans to prospective buyers.<sup>65</sup> All combined, by the time World War II began, these conditions encouraged more and more Americans to consider buying homes since it had become, in many cases, cheaper to buy than rent in a big city.

During the same period, what began as farm-to-market roads eventually led families looking for new homes to Lee's Summit. Like a wheel, a city grows mainly by

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<sup>62</sup> Ames and McClelland, 52.

<sup>63</sup> Ibid., and Kenneth T. Jackson, *Crabgrass Frontier* (New York: Oxford University Press, 1985), 196-97.

<sup>64</sup> J. Paul Mitchell, "The Historical Context for Housing Policy," *Federal Housing Policy and Programs, Past and Present* (New Brunswick, NJ: Rutgers – The State University of New Jersey, 1985), 8.

<sup>65</sup> David R. Goldfield and Blaine A. Brownell, *Urban America: A History*, (Boston: Houghton Mifflin, 1990), 343.

spinning outward from its commercial core. Crucial to this growth were the roads and streets that enabled people to come and go in and around the city's core. Early in its history, desirable residential patterns around Lee's Summit's downtown area allowed homeowners to walk to work and partake easily of commercial and community activities. In the Automobile Age, this proximity was no longer necessary. With the automobile, moderately reasonable roads, such as 3<sup>rd</sup> Street, allowed people to travel from their homes on the city fringes to work or anywhere in Lee's Summit or Kansas City.

By the late 1920s, locals commuted to jobs outside Lee's Summit. A 1932 newspaper article observed that people were driving to work in Kansas City and did not have to have a home in the densely populated city center.<sup>66</sup> The article did not mention the number of commuters, but the number commuting by car during the Great Depression was probably still relatively small, though some may have worked at local farms that had the potential to offer seasonal employment. Unity Farm was founded north of Lee's Summit in 1920 on the Thurston farm and construction and day workers could reach it via the old Kansas City–Lee's Summit Road or the railroad.<sup>67</sup> Longview Farm, just west of town, also employed locals.

The county road map from the early 1930s shows improvements on Highway 50, 10E, and 10S (Longview Road) that made it reasonably easy to move throughout the region. Highway 50 was a major thoroughfare not only for Lee's Summit residents traveling north, but also for Kansas City residents heading southeast. Lee's Summit was nestled amid roads that would eventually encircle the city.

The ability to travel by car helped wealthy Kansas City residents find the Lee's Summit area. Searching for weekend cottages and summer homes, they purchased land and moved to residential lakes. The privately developed Lake Lotawana was one of several such lakes in the area. Milton Thompson, owner of Highland Farms, platted Lake Lotawana in 1928. Thompson previously was part of the development of a similar residential enclave near Blue Springs, Missouri called Lake Tapawingo. Lots at Lake Tapawingo sold quickly to influential Kansas City businessmen who, in those pre-air conditioning days, wanted to have their own country place near the water within an hour's drive of the city.<sup>68</sup>

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<sup>66</sup> Donald R. Hale, *History of Lee's Summit, Volume One, 1830-1945* (Independence: Blue and Grey Bookshop, 1999), 35.

<sup>67</sup> *Pictorial History of Lee's Summit and Southeastern Jackson County*, (Lee's Summit: Lee's Summit Journal, 1999), 34.

<sup>68</sup> Francis Genevieve Stalling, *Lake Lotawana, "The Promised Land,"* (Blue Springs, Blue Springs Examiner, 1986), 1. Lake Lotawana was not the only one of these residential lakes: Prairie Lee Lake was another. Cathy Ambler Interview with Frank Graves, 7 December 2001, Graves stated that Lake Tarsney

While such outlying developments did not directly affect Lee's Summit at the time, the trend helped shift the community's traditional agricultural way of life to a more diverse and complex economic base that was interwoven with that of Kansas City and other neighboring communities. Such developments were also a prelude to Lee's Summit's growing popularity as a suburb of Kansas City in the late 1950s.

Prior to World War II, new housing began appearing around the City's fringe. Rather than just adding infill to old residential areas, as had occurred previously, developers platted additions and subdivisions as new neighborhoods. Individuals were still responsible for building most homes on single lots. Builders worked for homeowners and for small-time speculators in the construction market. Sometimes builders were speculators. Harrison Metheny, who platted Metheny's Addition, a subdivision of the larger Morningside Acres, was a typical small developer and his approach to doing business in the housing market prior to World War II reflected national trends.<sup>69</sup> He sold most lots to prospective owner-residents who contracted a builder, or to speculators like himself who might buy lots and build one or two houses at a time. The system of financing precluded doing otherwise until after 1934.

#### **SUBURBANIZATION AND CITY GROWTH: 1945-1965**

When World War II began, the community's interests focused on the war effort. In addition to serving on ration boards and helping the Red Cross, residents went to work in Kansas City at the Pratt-Whitney engine plant at 95<sup>th</sup> Street and Troost; at the Kansas City Chevrolet plant in the Leeds District near 39<sup>th</sup> Street, which made shells; and at the Lake City ammunition depot, which was east of Independence. Some Lee's Summit residents also worked in Fairfax, Kansas north of Kansas City where airplane engines were manufactured.<sup>70</sup>

Throughout the war, private housing construction stopped as the government diverted building materials into the war effort. By the end of the war, there was substantial demand for housing. Moreover, with limited consumer goods during the war, many individuals saved funds, creating a considerable supply of money for housing after the war. These conditions, along with the return of over ten million war veterans anxious to reclaim a normal life and start families, created a tremendous demand for single-family housing.

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was also a private hunting and fishing lake for some of the wealthy residents of Lee's Summit. Eventually, many of the houses serving as weekend retreats at residential lakes became year-round family residences.

<sup>69</sup> Harrison Metheny also ran a car agency in town. Hale, 177, 181, 203, 242, 290, 310, 330, 431.

<sup>70</sup> Cathy Ambler, Interview with Donald Hale, 20 September 2001.

During the immediate post-war period, the FHA encouraged large-scale planning for new residential neighborhoods and promoted wider use of mass-produced building materials and construction techniques. FHA loans established minimum construction standards that became accepted in the building industry's planning standards, which they published in "how-to" bulletins. Publications such as "Planning Profitable Neighborhoods," illustrated for developers and builders the benefits of platting residential areas following the FHA's newly established ideals.<sup>71</sup> As a reward to returning servicemen and an economic stimulus to what was feared would be a declining post-war economy, Congress easily passed the Veterans Administration home loan program in 1944. The Servicemen's Readjustment Act was similar to the FHA mortgage guarantee, which was financed by an insurance premium; the VA loan program was different in that it was an actual government subsidy because veterans did not have to make a down payment.<sup>72</sup>

In January 1946, the Lee's Summit Chamber of Commerce discussed the housing shortage and proposed the formation of a development company to build houses for returning servicemen. The group proposed to raise money by selling stock in \$500 units.<sup>73</sup> In March of the same year, O. A. Palmer and associates bought the Kenton homestead farm adjoining 3<sup>rd</sup> Street. Their stated intent was a subdivision of modern five-room houses for "GI boys."<sup>74</sup> Mr. Palmer, like Harrison Metheny, had been a small-scale speculator in the housing market before the war.

The 1949 Housing Act guaranteed developers and bankers a higher profit on large housing developments targeted to the middle class. The FHA guidelines encouraged large-scale housing projects developed by a single entity that purchased the land, designed the subdivision, and constructed the houses. The FHA was quite successful at changing how entrepreneurs developed new subdivisions and how they looked. At the same time, the agency encouraged restrictive covenants designed to maintain homogenous populations within new subdivisions. These covenants became a norm even though, in 1948, the United States Supreme Court determined restrictions based on race were unenforceable. Discrimination in housing effectively continued until after passage of the Civil Rights Act of 1968, which forbade discrimination in the sale or rental of practically all U.S. housing.<sup>75</sup>

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<sup>71</sup> "Planning Profitable Neighborhoods" (Federal Housing Administration, Technical Bulletin, No. 7, 1938).

<sup>72</sup> Jackson, 204, 233.

<sup>73</sup> Local historians do not remember if the company ever actually formed.

<sup>74</sup> "History of Lee's Summit, Missouri," (January 1946), 44, 46 from the files of the Lee's Summit Journal and Ledger, 1865-1990 and Donald Hale, *History of Lee's Volume Two, 1945-1965* (Independence: Blue and Grey Bookshop, 2000), 5.

<sup>75</sup> Joseph B. Mason, *History of Housing in the U.S., 1930-1980* (Houston: Gulf Publishing Co., 1982), 135.

The success of the FHA and other post-war government housing and urban renewal programs drove people out of the cities into the suburban fringes. With FHA loans unavailable in some of Kansas City's older and more crowded areas, residents had little choice but to buy homes in suburban areas. Lee's Summit became increasingly attractive to outsiders willing to commute to their jobs. The FHA sought quality in residential areas and Lee's Summit met its criteria of relative economic stability; protection from adverse influences (hazards, smoke, floods, etc.); adequate civic, social, and commercial centers; adequate transportation; adequate utilities and conveniences; and general appeal. The FHA used the same criteria to judge the quality of residential neighborhoods in the urban core and many areas fell short of the agency's goals. Aided by the 1949 Housing Act, which initiated Urban Renewal, white flight continued to the suburbs.<sup>76</sup> With such conditions in the housing market, the construction and sale of single-family detached houses outside Kansas City became big business.

The new technologies and skills builders learned during the war enabled them to build faster and more cost effectively. They learned to use prefabricated products, heavier and more efficient power tools, prepackaged windows and doors, and factory-built cabinets. They recognized the value of building products, such as asphalt shingles, so that when the war was over they were ready to build more standardized houses with mass-produced and prefabricated components.<sup>77</sup>

Among the first to take advantage of both new war-developed technologies was the family of war veteran Frank Glasscock. According to the *Lee's Summit Journal*, the Glasscocks purchased a lot in Mr. Palmer's addition and were the first in Lee's Summit to build a prefabricated house. Construction of the five-room efficiency house began on August 6, 1946. The home was purchased from the local lumber company run by W. R. McKee. It fell within the GI priority program created by President Truman's Veterans' Emergency Housing Program. The program ultimately was not successful, but it did serve a purpose prior to the lifting of restrictions on building materials.<sup>78</sup>

The 1951-1953 Korean Conflict once again affected the availability of housing materials.<sup>79</sup> Nearly 80 percent of Lee's Summit's growth in the 1950s came after

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<sup>76</sup> Jackson, 204-28 and Goldfield and Brownell, 330-31. The practice of refusing to grant loans in areas that lacked the qualifications the FHA wanted is called "red-lining."

<sup>77</sup> Joseph B. Mason, *History of Housing in the U.S. 1930-1980* (Houston: Gulf Publishing Co., 1982) 46-47.

<sup>78</sup> *Lee's Summit Journal*, August 8, 1946; Mason, 45-46; and Cathy Ambler Interview with Frank Graves, 7 December 2001.

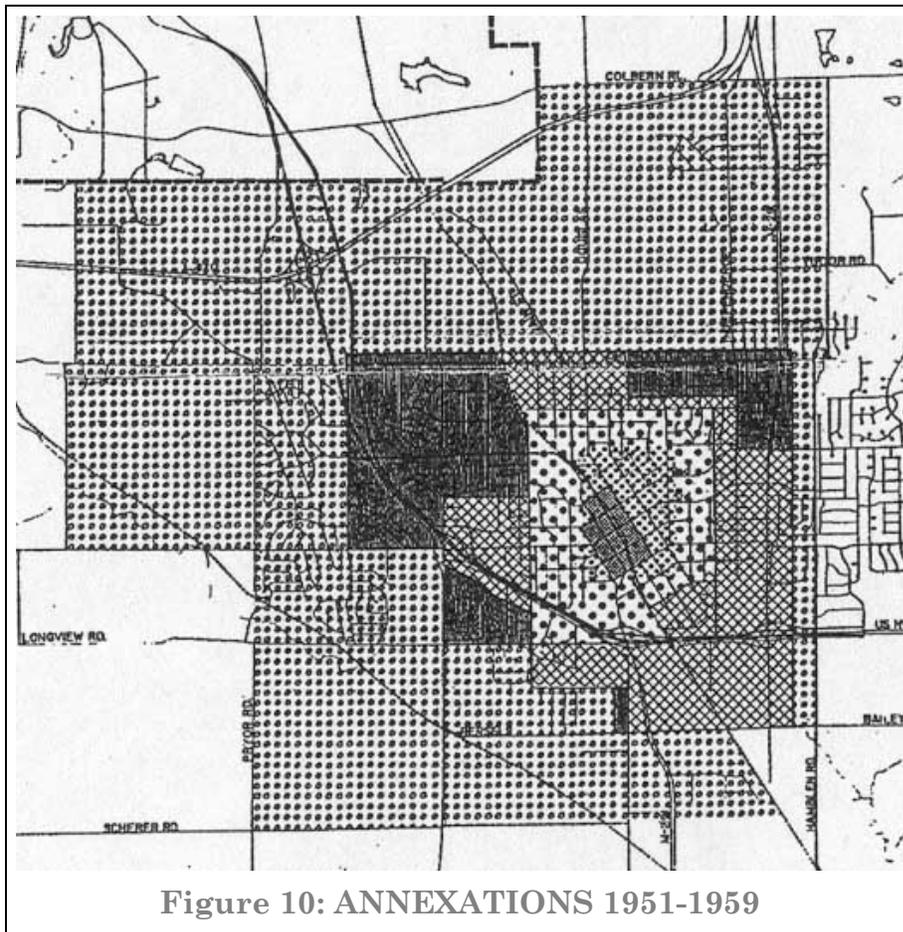
<sup>79</sup> Mason, 61-62.

1953. Lee's Summit's population steadily increased as commute times decreased and as its small-town atmosphere and proximity to Kansas City made it an increasingly appealing place to live. As many Kansas City residents sought new homes, they looked for clean air, green lawns, open space, better schools, and the amenities they found in Lee's Summit's suburban neighborhoods.<sup>80</sup>

**Figure 9: LEE'S SUMMIT POPULATION 1948-1990**

<u>1948</u> <sup>81</sup>	<u>1950</u>	<u>1954</u>	<u>1957</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>
2,400	2,554	3,529	5,100	8,267	16,230	28,742	46,486

In the previous ninety some years, the city extended its city limits only twice, in 1877 and 1905. In the 1950s alone, annexations extended the city limit three times. During



**Figure 10: ANNEXATIONS 1951-1959**

the 1950s, the city's population grew by almost 50 percent. Assessed valuation of property leaped from \$1.2 million in 1940 to \$20.6 million in 1963.<sup>82</sup> Figure 10 shows the impact of three annexations in 1951, 1956, and 1959 that added land that was either developed, in the process of being developed, or planned for development. When compared to Figure 4, the dark, filled-in areas

surrounding the light-dotted, rectangular commercial core are obvious.

<sup>80</sup> Ibid., 63.

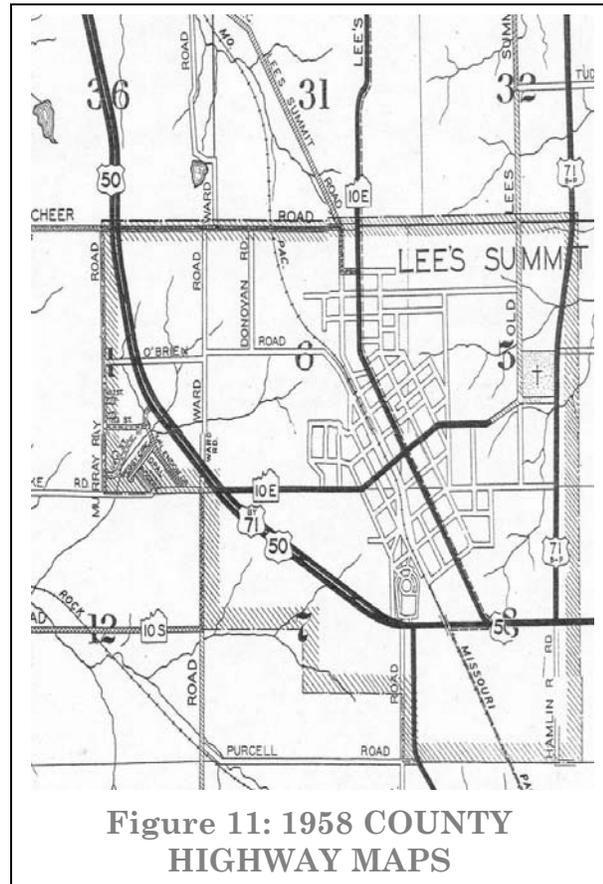
<sup>81</sup> *Lee's Summit Centennial, 1865-1965*, 6 and Community Studies, Inc., 20.

<sup>82</sup> Schirmer and McKinzie, 267.

The 1951 annexation included land wanted for a new high school, a proposed new 71-bypass, and an area for an industrial site.<sup>83</sup> The 1956 annexation brought into the city limits land south of Highway 50 near the Highway 71 Bypass and the city extended sewer and water facilities to a new manufacturing plant there called Communications Accessories Corporation.<sup>84</sup>

Some land was added directly north and some along Highway 50 on the west side of Lee's Summit. In 1959, Lee's Summit, spurred by the anticipated construction of the Western Electric plant, annexed additional acreage.<sup>85</sup>

Residents of Lee's Summit began to notice the community's growth in 1954. When the community increased by nearly a thousand residents in about four years and a new proposal surfaced to build 1,500 homes – all of which required connections to the city water and sewer facilities<sup>86</sup> – the school board, Chamber of Commerce, Lions Club, and PTA met to discuss the effects of this growth on the city and outlying areas. There was reason for concern. Water was in short



supply during the summer. Even with moderate upgrades in the waterline in 1947 and a new sewer disposal plant completed in 1954, the demand for new services appeared to be stretching the limits of what the city could provide.

Population statistics reflect the degree of change in Lee's Summit. Between 1940 and 1950, the population increased only about 13 percent. Between 1950 and 1960, the population increased about 223 percent.<sup>87</sup> This was a period of prosperity in Lee's Summit and in the United States. Full employment, rising incomes, and

<sup>83</sup> *Lee's Summit Journal*, September 20, 1951.

<sup>84</sup> *Lee's Summit Journal*, Oct. 4, 1956 and *Community Studies, Inc.*, 2.

<sup>85</sup> The buildings are now the Summit Technology Campus.

<sup>86</sup> Hale, Volume Two, 154. The date of the meeting was September 27, 1954.

<sup>87</sup> *2001 Comprehensive Plan*, 5

population growth all helped to spark consumer spending and boom conditions in housing. American's view of the good life became woven into the entire concept of suburban development and their city leaders encouraged the expansion of boundaries outward.

In 1958, Lee's Summit was strikingly different than before the war. In the late 1950s, area residents identified the community with the internationally known Unity School of Christianity, several area residential and recreational lakes, the James A. Reed Conservation area. The proximity of major highways allowed nearly 60 percent of the City's population to work outside of Lee's Summit.<sup>88</sup> By 1959, the City had thirteen new streets (with many more planned) and seven new subdivisions (with seven more in the late-planning stages or under construction) in the last three years.<sup>89</sup>

New development weakened the city's traditional ties to agriculture. The economic base of the community that once processed hogs at local businesses such as Rice Sausage Company or Oldham's Farm Sausage and that once shipped produce and livestock over the rails into other markets now relied on income from jobs outside the community. Of those who lived and worked in Lee's Summit in 1958, about one-third worked in manufacturing; 20 percent worked in retail or wholesale businesses; and about 15 percent worked in governmental positions. By 1958, less than two percent of local residents engaged in agriculture. A symbol of the shift was the demolition of the local stockyards near the railroad in 1959.<sup>90</sup>

By 1958, US Highway 50 was a four-lane road and 10E (Douglas), 3<sup>rd</sup> Street, and US Highway 71 bypass were carrying much of Lee's Summit's daily traffic. Figure 11 shows the road system, which encircled Lee's Summit creating more egress and access points.

Other transportation systems included a commuter bus service to Kansas City (Greyhound and Continental) and the passenger railroad, which had five trains stopping daily in Lee's Summit.<sup>91</sup> Nationally, the interstate highway system reached outlying areas in the late 1950s and early 1960s. Access to roads such as Interstate 70, some distance north of town, provided residents with quick access to the metropolitan areas and the region.

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<sup>88</sup> Mason, 3-5, 16.

<sup>89</sup> *Lee's Summit Journal*, June 11, 1959. Listed were Village Fair, Francis Addition, White House Addition, Metheny Addition, a triangle near Wilson, Grand and Eastridge, and Lakeview; already planned were Gray Addition, Redwing Addition, Peterson Addition, and South Lea Development.

<sup>90</sup> Community Studies, Inc., 13, 15.

<sup>91</sup> Community Studies, Inc., 54.

The influx of new residents in Lee's Summit during the 1950s changed the community. Fewer worked in Lee's Summit. They had higher median incomes, fewer working wives, and fewer were retired. They tended to purchase certain goods outside of Lee's Summit. They had larger families and were somewhat younger than the residents of the city prior to 1950. Most lived in new subdivisions and had no allegiance to the older community.<sup>92</sup>

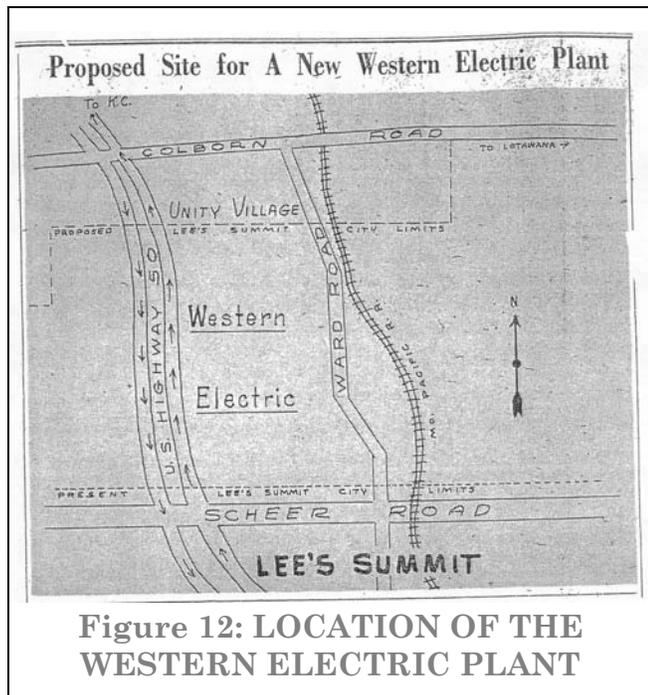


Figure 12: LOCATION OF THE WESTERN ELECTRIC PLANT

The arrival of Western Electric in Lee's Summit was the turning point in the town's history. The company manufactured telephone equipment for the Bell System and, in 1957, announced plans to erect a plant, hire three thousand workers, and be in operation by late 1960 or early 1961.<sup>93</sup> The company chose a location near Lee's Summit, along Route 50 and Scheer Road (present-day Chipman Road). The location was contingent upon the city's annexation of the property and rezoning to permit light manufacturing.<sup>94</sup>

Western Electric also asked the city to provide adequate sewage removal and water service and to provide training space while the plant was under construction. The city began to address the company's needs by arranging new contracts for water with the Missouri Water Company and by hiring a contractor to evaluate their current capabilities for both water and sewer services. Lee's Summit had its share of water problems in the past since it did not have its own water supply. Kansas City was the sole supplier of water for the Lee's Summit area and daily capacity was limited. Western Electric's needs were for most of the city's daily quota. Therefore, Lee's Summit negotiated a contract with the Missouri Water Company that included building new supply lines to assure both Western Electric's and the city's needs were met.

<sup>92</sup> Ibid., 27, 31.

<sup>93</sup> Hence the annexation of 1959. *Lee's Summit Journal*, August 20 and 27, 1957.

<sup>94</sup> *Lee's Summit Journal*, November 6, 1958.

Although the company purchased the property, the city council grew concerned during 1958 when Western Electric announced a temporary deferment in its plans to build a plant.<sup>95</sup> In 1959, company officials again announced that they would go ahead, but the facility would be smaller than first planned.<sup>96</sup> Early in 1960, the Lee's Summit's city council sent a letter of intent to provide the utilities needed by Western Electric. That year, Western Electric began construction on the larger plant as originally planned.<sup>97</sup> The same year, voters approved bonds to add to and improve water and sewer services. By 1961, the company had approximately seven hundred employees; a year later, the number reached approximately three thousand employees.<sup>98</sup> Eventually, four thousand employees generated an annual payroll of \$25 million.<sup>99</sup>

In 1958, the local newspaper analyzed the effect of the planned Western Electric Plant upon Lee's Summit. It claimed that developers and investors proposed 158 major buildings; and that developers erected 150 new homes after the August 1957 announcement. In addition, new churches, a bank, 5 service stations, and a plant for Communication Accessories also reflected a response to the announcement.<sup>100</sup>

As plans for Western Electric progressed, the city continued to review an increasing number of new residential plats. Many were by Kansas City developers and were considerably larger than those platted before the war. During the early post-World War II years, the trend of outsiders buying Lee's Summit area properties grew obvious as farm properties bordering the city sold and resold. For example, in 1946, Mr. and Mrs. Luke O'Brien sold their farm west of town to Howard A. Yost, a furniture dealer from Kansas City.<sup>101</sup> In 1948, Ralph Smith of Kansas City sold his farms on Highway 50 east of Lee's Summit to Dudley M. Kratz of Kansas City and Delmar Davis of Preyon, Texas.<sup>102</sup> In 1950, Mr. and Mrs. O. A. Palmer sold a 36-acre farm, which was once the George Lawrence dairy farm, to a building contractor in Kansas City.<sup>103</sup> In 1957, the Logan Moore Lumber Company, also a Kansas City firm, purchased the Highway Lane Farm. In the 1960s, large developers such as J. C. Nichols purchased farms further outside Lee's Summit and planned developments on large tracts of its 2,400 acres.<sup>104</sup>

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<sup>95</sup> Ibid., February 27, 1958

<sup>96</sup> Ibid., August 20, 1959.

<sup>97</sup> Ibid., April 21, 1960.

<sup>98</sup> Ibid., August 17, 1961 and February 15, 1962.

<sup>99</sup> Schirmer and McKinzie, 268.

<sup>100</sup> Hale, Volume Two, 226.

<sup>101</sup> *Lee's Summit Journal*, October 3, 1946

<sup>102</sup> *Lee's Summit Journal*, December 2, 1948.

<sup>103</sup> Hale, Volume Two, 82.

<sup>104</sup> *Lee's Summit Journal*, February 14, 1957 and February 18, 1957. Hale, Volume Two, 318.



**Figure 13: LEE'S SUMMIT CITY LIMITS, 1964**

Western Electric assured growth north of Lee's Summit and residential and commercial development beyond the city boundaries. In December 1964, city residents voted to increase the land area of the town from 14 square miles to more than 67 square miles in the area surrounding the community. Figure 13 shows the boundaries, which remain nearly the same today. Lee's Summit natives remember the annexation as a means of keeping Kansas City from completely "swallowing up" or surrounding the town.<sup>105</sup> The outward suburbanization of both cities, however, assured that the boundaries of the metropolitan area communities would eventually meet.

By the mid-1960s, Lee's Summit residents were doing well. Their average income was somewhat higher than the national average and they were also somewhat younger with young families. Consequently, the city faced the challenge of providing services that would meet the increase in demand for housing, schools, recreation areas, and services of all types.<sup>106</sup> By 1965, Lee's Summit had transitioned from a moderately independent, small agricultural community into a significant sub-unit of the Kansas City metropolitan area dependent on a large regional area for its economic base. The city's future employment and growth would continue to be largely dependent upon continued growth of the Kansas City region.<sup>107</sup> Lee's Summit's post-World War II subdivisions that were surveyed for this project contributed to this transition, as a majority of the workforce opted to live in the community and work outside of it.

### **Post-World War II Subdivision Development**

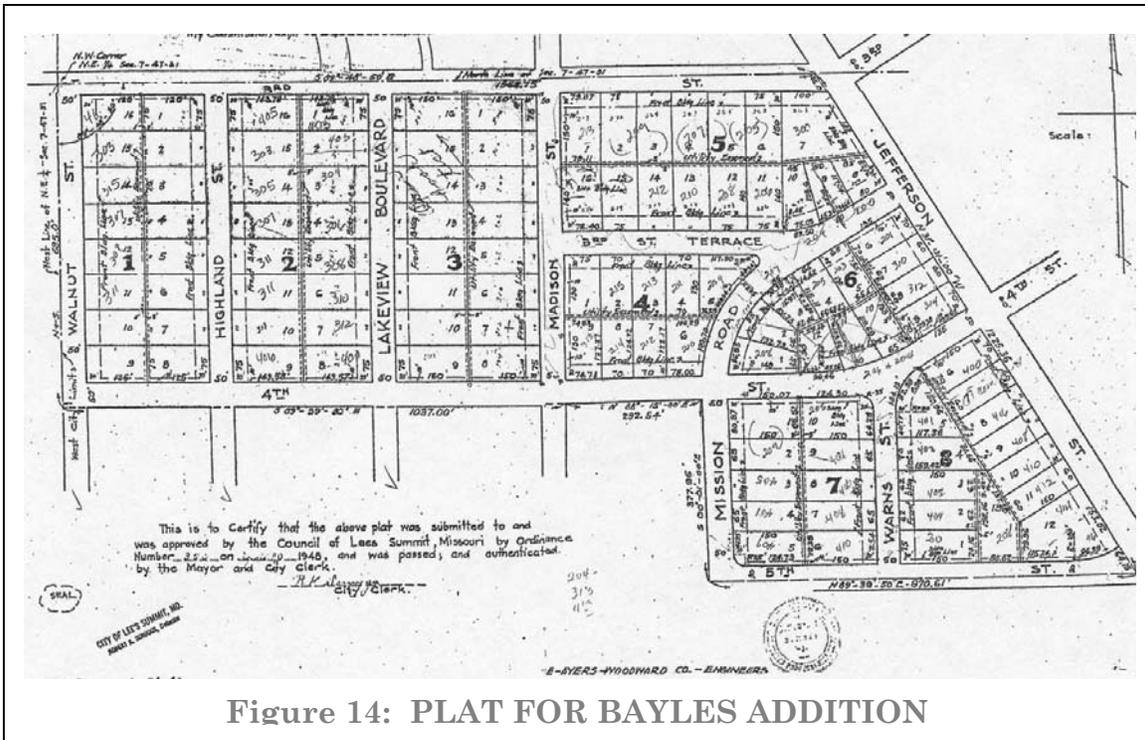
The first addition after World War II was the Bayles Addition, platted in 1948. It is bounded by 3<sup>rd</sup> and 4<sup>th</sup> streets with a small part on 5<sup>th</sup> Street, to the north and south, respectively; and by Jefferson and Walnut streets to the east and west, respectively. This property was once one of the well-known farms in Lee's Summit, with its stately antebellum home along 3<sup>rd</sup> Street. Originally known as the Hargis place, James A. Bayles purchased the property in 1869. The Bayles family owned the Western Missouri Nursery.<sup>108</sup> Bayles Addition Development, Inc. purchased 66

<sup>105</sup> *A History of Lee's Summit, MO*, 59.

<sup>106</sup> *Lee's Summit, Missouri Comprehensive Plan*, 28.

<sup>107</sup> *Ibid.*

<sup>108</sup> *Lee's Summit Journal*, March 3, 1949.



**Figure 14: PLAT FOR BAYLES ADDITION**

acres of the original 120-acre nursery. Shareholders in Bayles Addition Development, Inc. were a group of local men: George Walberg, owner of a feed and seed store and a grocery store; C. R. Acuff, owner of Acuff Chevrolet and a director of the Bank of Lee's Summit; George E. Rhodes, insurance agent; W. C. Nichols, real estate developer and farmer; and W. F. Stafford, a Lone Jack, Missouri resident. The subdivision had lots measuring approximately 70 feet by 150 feet.<sup>109</sup>

To prepare the property for homes, the development company sold the nursery outbuildings that included chicken and hog houses, a horse barn, and a cooper's building.<sup>110</sup> Although the developer's original plan was to keep the Hargis home within the addition, the developer demolished it to create more home sites. In 1949, there were six new homes either completed or under construction.<sup>111</sup>

William Merle Siler, a builder working in Bayles Addition, had a reputation as a quality local builder who had erected houses in other additions as well.<sup>112</sup> Siler also owned several lots in the addition. Melvin Ziegler, another builder working in the Bayles Addition, also owned land and built houses there from about 1951-1952.

<sup>109</sup> Ibid., November 6, 1947.

<sup>110</sup> Ibid., November 27, 1947.

<sup>111</sup> Ibid., March 3, 1949.

<sup>112</sup> Cathy Ambler Interview with Frank Graves, 7 December 2001.

Compared to many of the smaller pre-World War II subdivisions with 20 or so parcels, Bayles Addition incorporated 107 lots. This addition has the appearance of a large neighborhood development and is a transitional subdivision type due to its modified grid that includes some curving streets. Mission Road sweeps through the addition to connect with the original angled town plat. Both Mission Road and part of 4<sup>th</sup> Street vary from a standard street grid, much like Lakeview Boulevard did in the Butterfield Addition. While the creation of Lakeview Boulevard in 1909 was probably just a nod to evolving subdivision planning ideals and topography, after the FHA issued its standards for subdivision development in 1936, those seeking the agency's funding incorporated such variations from the grid system.

The FHA guidelines included the careful adaptation of subdivision layout to topography and natural features (hence curving streets); adjustment of the street plan and street widths and grades to best meet anticipated traffic needs; elimination of sharp corners and dangerous intersections; long blocks that eliminated unnecessary streets; carefully studied lot plans with generous and well-shaped house sites, parks and playgrounds; establishment of community organizations of property owners; and incorporation of features that add to the privacy and attractiveness of the community. Bayles Addition met most of these criteria. Its two curving streets were new to Lee's Summit's traditional grid pattern. It signals the changes that Lee's Summit would see in post-World War II subdivisions, especially in size.

While the Bayles Addition represents a move toward design ideals of the FHA, some locals platted new housing areas in just the same way they had before the war. Two examples are Swain's Addition (Figure 15) and Willey Addition (Figure 16). Mr. and Mrs. George A. Swain platted six lots in a small addition located between the Collins Heights (1923) and Onahome (1929) additions; between 4<sup>th</sup> and 5<sup>th</sup> streets to the north and south, and Howard Street to the west. All six lots faced Howard Street with the exception of lot number one, which faced 5<sup>th</sup> Street.

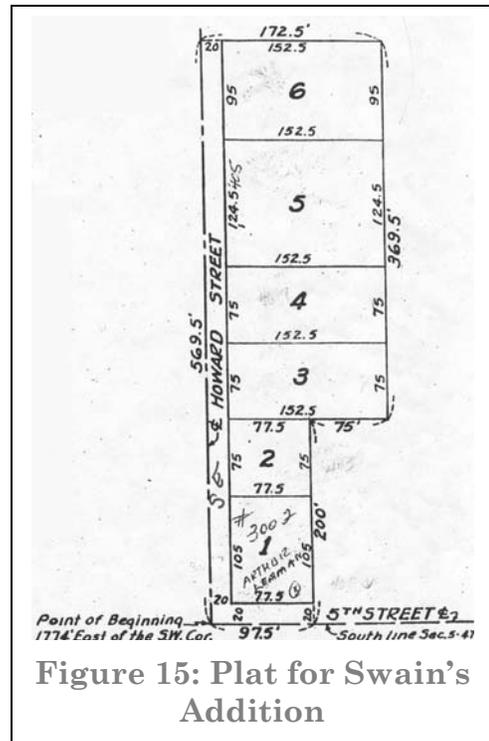


Figure 15: Plat for Swain's Addition

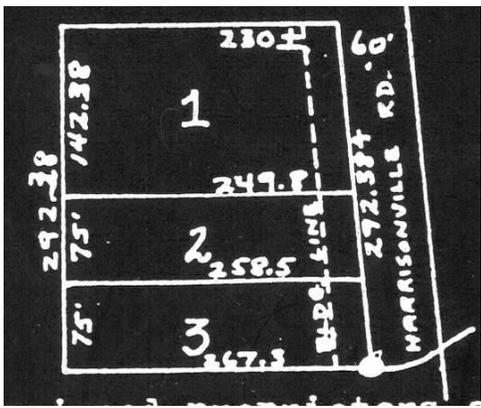


Figure 16: Plat for Willey Addition

Marion C. and Leona Willey divided three lots from their property that they purchased in 1943.<sup>113</sup> The Willey Addition was comprised of one large and two small lots facing Jefferson Street. These lots were south of town on an already important local road that was then known as Harrisonville–Lee’s Summit Road and is now Jefferson Street. These rectilinear subdivisions were fairly close to downtown in older open areas of the community and reflect the city’s traditional grid patterns.

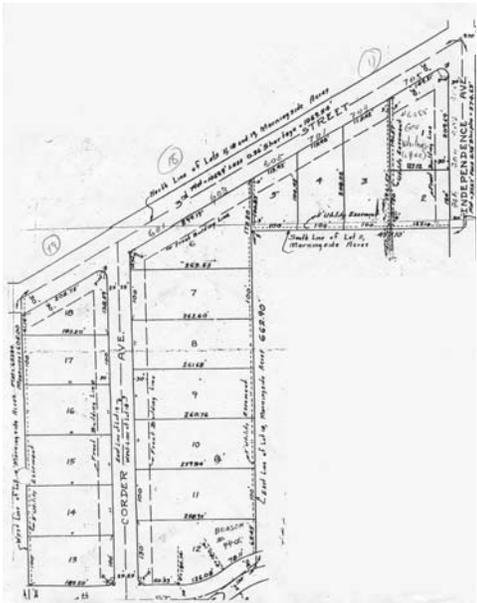
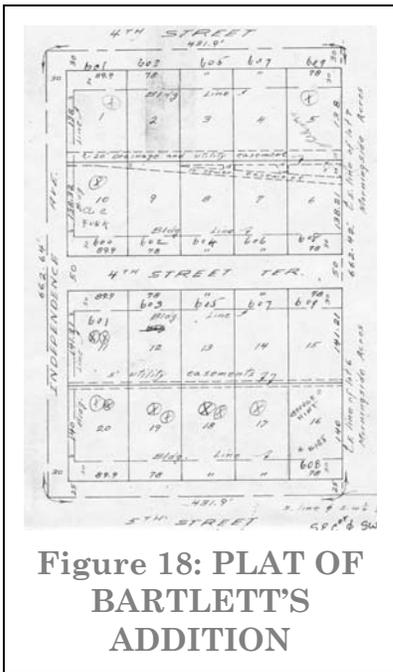


Figure 17: REPLAT OF MORNINGSIDE ACRES LOTS 11, 18, AND 19

As demand for housing increased in the 1950s, owners replatted many early subdivisions that had remained vacant. Morningside Acres, which was first platted in 1929, had very large lots of about three acres. Those who subsequently bought large lots in Morningside Acres, replatted them into several new subdivisions. Ernest L. and Kathleen Shepard purchased lots 11, 18, and 19 in 1953 and replatted them into eighteen smaller lots. Clyde Perdue, a local builder, constructed many of the homes in this area and either worked with the owners or purchased the properties to build houses on speculation. This addition is at the northwestern corner of Morningside Acres along 3<sup>rd</sup> Street and 5<sup>th</sup> Street, intersecting with Independence and Corder avenues. These parcels are a type of rectilinear subdivision.

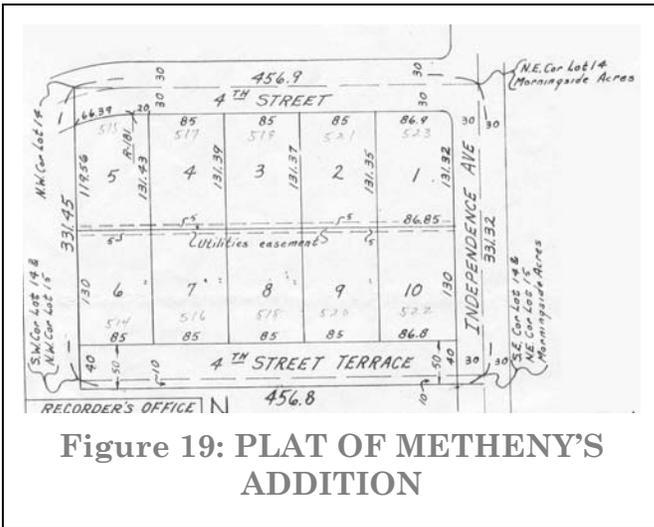
<sup>113</sup> Hale, Volume Two, 377.



**Figure 18: PLAT OF BARTLETT'S ADDITION**

Bartlett's Addition was a 1955 replat of Morningside Acres Lot 14 into ten residential lots. It is bounded by 4<sup>th</sup> Street to the north, 4<sup>th</sup> Street Terrace to the south, and Independence Avenue to the east. This subdivision also has a rectilinear layout. Metheny's Addition was an 1855 replat of Morningside Acres Lots 8 and 9 into twenty residential lots.

Metheny was a real estate speculator during the 1930s. He purchased the large lots 8 and 9 in 1953 and by February 1956 sold his subdivision to F. E. Bartlett, who then sold all the new lots by 1960. Metheny's Addition is located between 3<sup>rd</sup> Street Terrace to the north and 4<sup>th</sup> Street to the south; it is east of Morningside Acres, south of Scott's Addition, and north of Gamble's Addition. Independence Avenue borders Metheny's Addition to the west. This is a rectilinear subdivision.

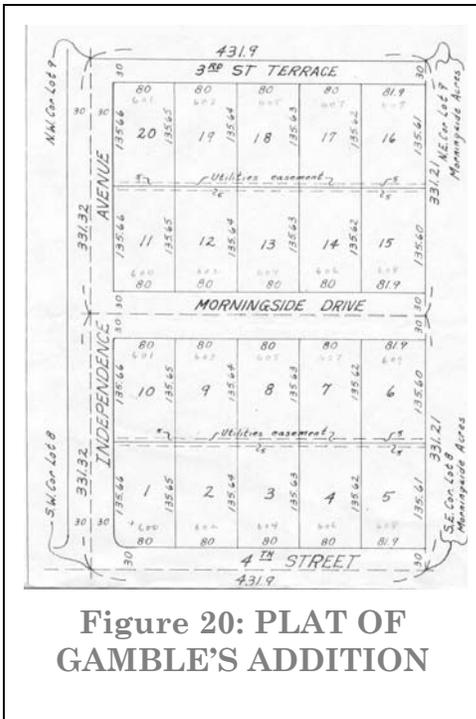


**Figure 19: PLAT OF METHENY'S ADDITION**

Gamble's Addition was a 1958 replat of most of Morningside Acres lots 6 and 7. Roy S. and Avanel Gamble, of Independence, filed the plat in 1958 with twenty new lots. In September of 1958, Gamble asked the city council for approval to build duplexes on several sites. At the time, Mr. and Mrs. George Hirt were already in the process of building duplexes on several of their lots in the Gamble's Addition.<sup>114</sup> The addition is at the southeastern corner of Morningside Acres between 4<sup>th</sup> and 5<sup>th</sup> streets. It is bordered on the west by Independence Avenue. This subdivision has a rectilinear layout.

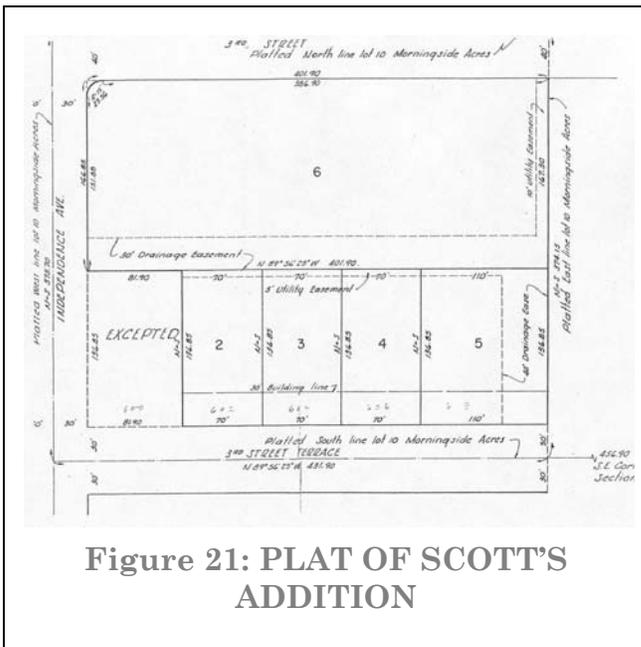
Scott's Addition was a 1961 replat of most of Morningside Acres Lot 10. The location of these lots was along 3<sup>rd</sup> Street to the northwestern corner of Morningside Acres and bounded by Independence Avenue to the west, 3<sup>rd</sup> Street Terrace to the south, and M291. This subdivision has a rectilinear layout.

<sup>114</sup> Lee's Summit Journal, September 4, 1958.



**Figure 20: PLAT OF GAMBLE'S ADDITION**

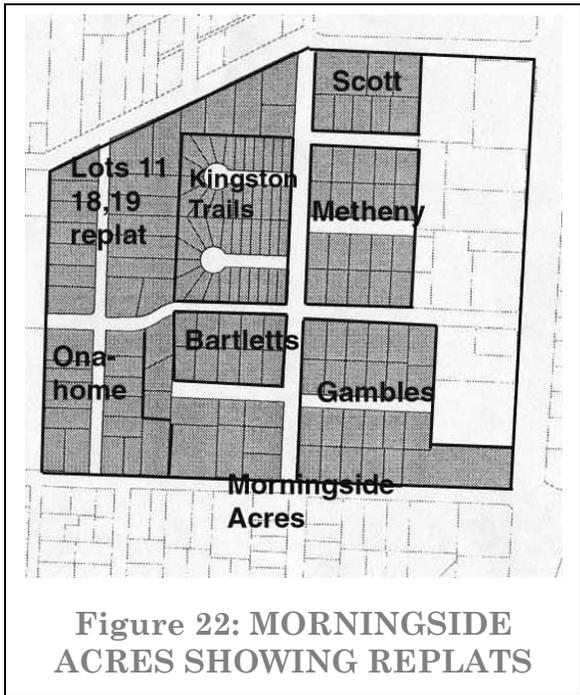
Eventually, two other original Morningside Acres lots would be subdivided. Lot 13 became the Kingston Trails Addition in 1984. With so much city fringe available for residential development, these lots remained less attractive for a small number of single-family homes. The city issued building permits for the duplexes mostly during 1984. This addition is quite different from the others within Morningside Acres. The lots face cul-de-sacs and are very small compared to those in the subdivisions surrounding Kingston Trails. This high-density addition – filled entirely with duplex houses set on small, closely spaced lots – is the antithesis of the typical low-density development of single-family houses surrounded by open expanses found in Lee's Summit.



**Figure 21: PLAT OF SCOTT'S ADDITION**

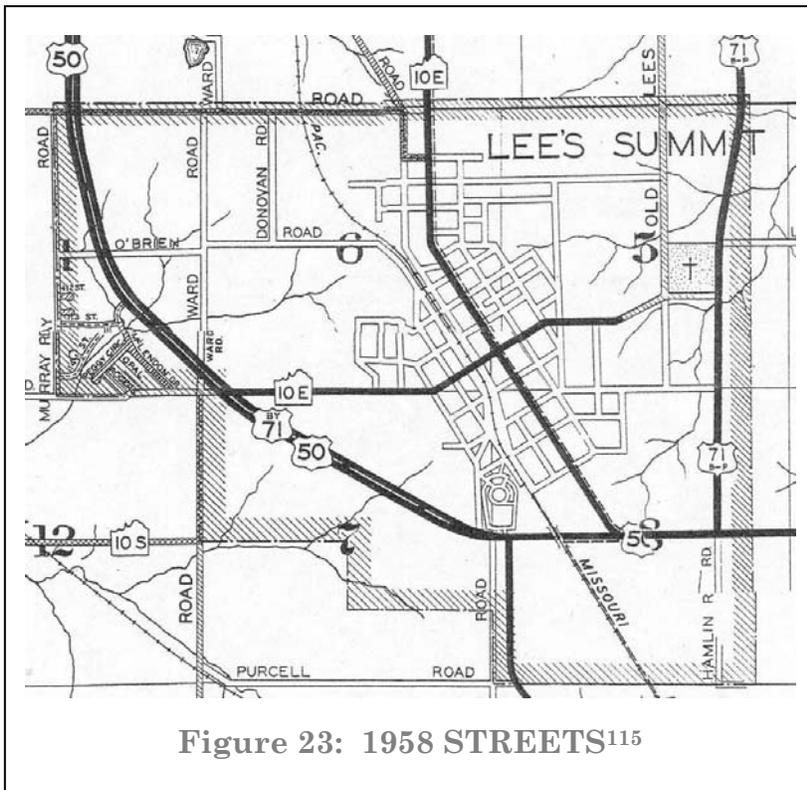
Lee's Summit suburban history reflects national patterns both before and after World War II. The pre-war additions of Collins Heights and Onahome represent a traditional grid approach to building new residential areas. They were small in the number of lots and small in size. Local individuals platted and established them as residential areas. Morningside Acres was a larger area but it remained undeveloped until well after World War II. All were somewhat close to downtown and provided easy access to the commercial district.

The post-World War II subdivision plats demonstrate a transition between the older grid pattern and early suburban designs. As a group, moreover, these newer suburbs generally involved a larger number of developers and builders.



**Figure 22: MORNINGSIDE ACRES SHOWING REPLATS**

These post-war subdivisions also exhibit five characteristics typical of American city development between 1946 and the mid-1970s. Most filled open land at the edges of built-up sections. In Lee's Summit, the 1950s development surrounded the town's core and ran in a more north and south direction. By 1968, the development spread to the east and west, filling most of the town's once vacant area between Highway 71 Bypass, Highway 50, and Chipman Road and development began to spill outside the ring of roads surrounding the community.



**Figure 23: 1958 STREETS<sup>115</sup>**

Post-World War II suburbs had low density with detached houses on streets designed for automobile use. Architecturally, the housing was similar in design and size, connoting middle-class values and economic status. Where previously town residential patterns reflected construction on a lot-by-lot basis, revealing a variety of styles and economic levels within an addition, new houses that reflected homogeneous status now appealed to homebuyers.

<sup>115</sup> Jackson County Missouri Highway Department, 1958.

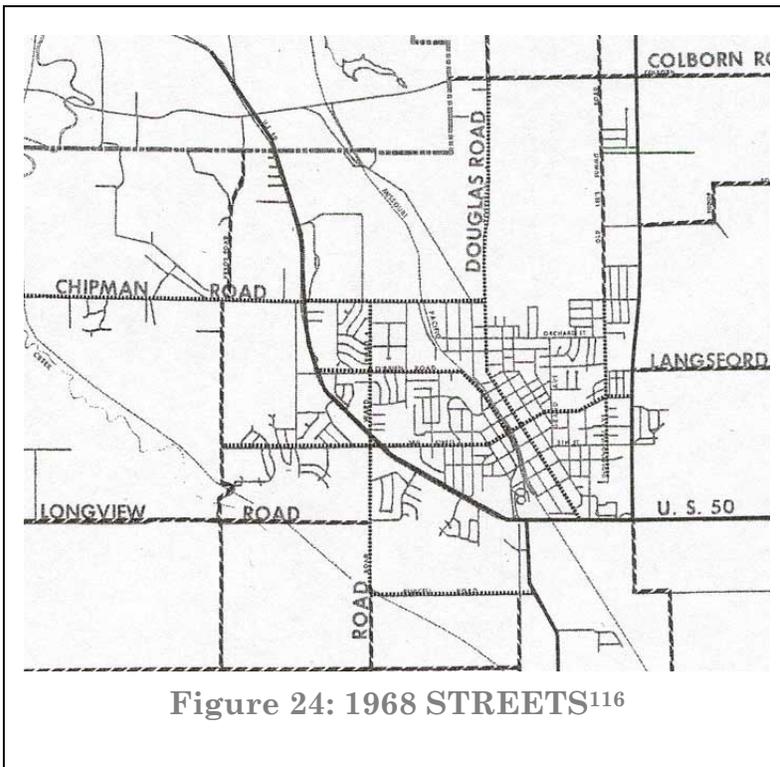


Figure 24: 1968 STREETS<sup>116</sup>

Government guidelines for government homebuilding financing agencies encouraged this homogeneity. The most significant factor that helped spawn post-World War II suburban development in the United States and in communities such as Lee's Summit was the intervention, beginning in the Great Depression, of the federal government the Federal Housing Act (FHA).

The FHA changed how people bought and built houses, setting standards for their design and construction. The government also funded highway construction, which increased people's ability to live increasingly farther away from the urban core and commute to jobs in other commercial areas. The improvement of local roads by county and municipal governments also encouraged the outward spiral of suburb formation.

Single-family home ownership remained a strong cultural value and public policy. Along with the FHA and the 1949 Housing Act, the middle class found it easier to own homes than it ever had in American history. Where once the planners of many small additions in Lee's Summit sold their own land or amassed vacant ground to plat and sell to individuals, after World War II packaged subdivisions formed on the fringes of growing towns, carving large swaths from agricultural land as close to transportation networks as possible.

Although the growth of suburbs has been generally associated with large cities as a reaction to urban pollution, stress, and industrialization, it is more reflective of a

<sup>116</sup> *Comprehensive Plan*, 125.

complex set of happenings. Among other things, the growth of the suburbs reflects the longstanding preference to own a freestanding, single-family home; the rise of a middle class with funds to purchase homes; and government guidelines for design, construction, and siting of homes.

Like larger communities, Lee's Summit began its own disbursed pattern of settlement through subdivisions that continued to move outward from the commercial area and eventually occupied an extensive amount of territory far greater than the town's original boundaries. Moreover, as growth continued to occur at the edges of Lee's Summit's boundaries, by the mid-1960s, Lee's Summit was a significant suburban component of the Kansas City metropolitan area, dependent on a large regional area for its economic base.

## **ARCHITECTURAL STYLES: 1860-1960**

### **LATE NINETEENTH AND EARLY TWENTIETH CENTURY ARCHITECTURAL STYLES**

With a slowly growing population, lots in Lee's Summit's early additions remained available for new houses over decades, not just a few years. Today these areas exhibit a mixture of architectural styles, from simple vernacular hall-and-parlor and I-house folk house forms, to large, architecturally significant Victorian homes, Craftsman bungalows, and Prairie Style houses.

The nature of American folk housing changed dramatically as the nation's railroad network expanded in the decades from 1850 to 1890. Builders of modest dwellings no longer had to rely on local materials. Instead, railcars rapidly and cheaply moved bulky construction materials, particularly lumber, from distant sawmills in heavily forested areas. Consequently, large lumberyards quickly became standard fixtures in almost every town. Soon, folk houses of light balloon or braced framing covered by wood sheathing replaced hewn log houses. Despite the change in building technique and materials, the older folk house shapes persisted. The resulting houses were simple dwellings defined by their form and massing but lacking identifiable stylistic attributes. Even after communities became established, these folk house designs remained popular as an affordable alternative to more ornate and complex architectural styles.<sup>117</sup>

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<sup>117</sup> Virginia and Lee McAlester, *A Field Guide to American Houses* (New York: Alfred A Knopf, 1991), 89-90.

Earlier, during the Colonial era, one or two styles tended to dominate each colony for an extended period of time. The Greek Revival style, with its references to Greek democracy, replaced the popular English architectural styles and dominated housing design in the new nation during the first decades of the nineteenth century. By the 1840s, the cottage designs in the Italianate, Gothic Revival, and Exotic Revival styles, first published by Andrew Jackson Downing in his popular pattern book, supplemented the Greek Revival style as a design choice for American homeowners. The simultaneous popularity of several architectural styles from this point forward persisted as a dominant theme in American housing. All of the Romantic styles originated and grew to popularity in the decades before 1860 and appear both as highly detailed and less elaborate interpretations as late as the 1880s.<sup>118</sup>

During the Victorian Period, which lasted from approximately 1860-1900, increasingly accessible builder's pattern books spread the latest trends in house designs and styles to the growing communities throughout the country. The expansion of the railroad system after the Civil War made building materials, including milled lumber and mass-produced nails, accessible to anyone living in relative proximity to a rail line. Milled lumber included decorative turned and cut pieces that conveyed ornate Victorian motifs.<sup>119</sup>

The Eclectic Period, from 1880-1940, can be divided into three subcategories: Anglo-American, English and French Period Houses; Mediterranean Period Houses; and Modern Houses. The Eclectic Movement drew inspiration from American Colonial-era architecture as well as the architecture of Europe. Designs emphasized strict adherence to stylistic traditions and minimal variation and innovation.<sup>120</sup>

At the same time, and in contrast to the European and Colonial American-influenced designs, the "Modern House" styles appeared. Dwellings in this subcategory represent the burgeoning efforts of the Arts and Crafts Movement, Frank Lloyd Wright's Prairie School, and European Modernism in the early twentieth century.<sup>121</sup>

These new house forms also captured the spirit of urban reformers as well as developers, and realtors who sought to preserve the nuclear family, bolster the economy, and provide affordable housing.<sup>122</sup> Prairie School and Craftsman style residences dominated the first two decades of the twentieth century both nationally

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<sup>118</sup> Ibid., 177.

<sup>119</sup> Ibid., 239.

<sup>120</sup> Ibid., 119.

<sup>121</sup> Ibid.

<sup>122</sup> Wright, 194.

and in Lee's Summit. By the 1920s, a return to revival style houses reflected classical European and Colonial designs such as Spanish Revival, Colonial Revival, and Neo-Classical styles.

### **AMERICAN HOUSES SINCE 1940**

Following World War II there was a distinct shift in American residential architecture. Modern styling and simplicity replaced period architecture popular in the pre-war era. By the 1960s and 1970s, house designs again incorporated historical references but now, rather than strictly replicating them, home designers adapted historic stylistic references to modern forms and plans.<sup>123</sup>

The "Modern" classification for houses in *A Field Guide to American Houses* includes Minimal Traditional, Ranch House, Split-Level, Modern Movement, Contemporary, and Contemporary Folk House styles. These were the most common styles built after 1940. Many variations of modern designs appeared throughout this period. Some designs reflected regional preferences; others resulted from new technologies and/or energy conservation parameters.<sup>124</sup>

Probably the most significant Modern style house type built in Lee's Summit's new post-war subdivisions was the Ranch House. Inspired by casual California lifestyles, the design of these horizontal, one-story houses with rambling floor plans were drawn from the Prairie style houses designed by Frank Lloyd Wright and others. They represented American's desire for a more informal lifestyle and flexible interior space. Americans were shifting from living in the fronts of their homes, to the back or side where there was more privacy and a backyard "living room." Split-level versions were extremely popular as well because they created even more living space, were contemporary in appearance, and could be constructed on any terrain.<sup>125</sup>

By the late 1960s, references to historic architectural styles returned to domestic architecture. Builders and architects adapted and incorporated restrained elements of Colonial, Tudor, French, and Mediterranean architecture into modern house forms.

### **COMMERCIAL BUILDING ARCHITECTURAL PROPERTY TYPES**

Commercial buildings and the streetscapes they create in downtown Lee's Summit define both the functional and visual character of the city's central business district.

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<sup>123</sup> McAlester and McAlester, 475-477.

<sup>124</sup> Ibid, 476-477.

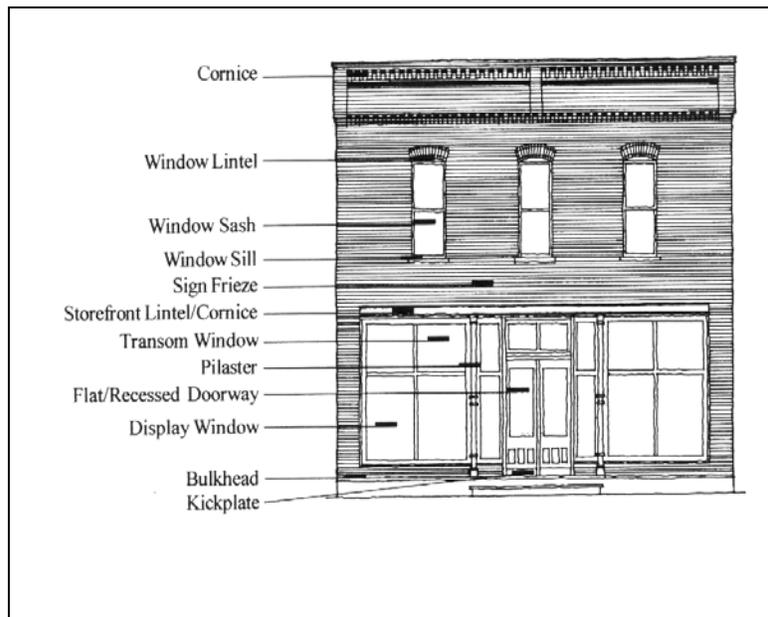
<sup>125</sup> Mason, 62-63.

Their appearance and physical condition play a significant role in defining the community. Most of Lee's Summit's commercial buildings are simple structures of one or two stories. The traditional building material is red brick. Dating from the late nineteenth century, they include examples from almost every decade up to the present. Many of the façades have been altered or have inappropriate siding. The majority of changes are due to the modernization of the first-story display windows and entrances. In particular, the replacement of display windows, the installation of inappropriate canopies/awnings, and the covering of transom windows are the most conspicuous alterations. Many of these alterations leave the original openings and spatial relationships of the storefront intact. Other changes, such as the addition of awnings and applications of wood or metal sheathing over original openings, are reversible. The second stories often retain their original integrity and are the principal means to identify the original appearance and style.

During the post-World War II development period, as people moved further and further from the downtown core; strip malls, office complexes, and roadside commercial developments appeared near new subdivisions and as commercial infill on blocks radiating out from the downtown area.

Commercial architecture is distinguished first by building form and, secondly, by its architectural style. Due to their functional nature, many commercial buildings exhibit restrained architectural details.

The first-story storefront is the most prominent and distinctive feature of a commercial building and is an important merchandising element. The rest of the commercial building's key design elements visually relate to it. Important character-defining elements are display windows, signs, doors, transoms, kick plates, corner posts, and entablature.



Victorian Functional commercial buildings date from the late nineteenth century through the first half of the twentieth century. They are one- to two-story buildings built in rectangular plans with flat, gable, or hipped roofs. Their storefronts have central or offset entrances, display windows and transoms on the first story, and simple detailing on the upper façade. Upper stories generally have simple cornices, rectangular windows, and detailing. These buildings are distinguished by their arrangement of architectural features rather than architectural style.

Many of the vernacular commercial buildings found in small towns include a category of designs noted for their eclectic combination of different styles applied to traditional commercial forms. They may reflect Italianate influences in ornate cornice of brickwork and cast iron and masonry piers on the storefront level. Or, the lintels and sills of both single and paired windows on a brick wall might recall Queen Anne and Romanesque Revival styles. Often these hybrids are specialty buildings such as confectionery shops, movie theaters, fraternal lodges, etc.

High Style commercial buildings have sufficient stylistic features and ornamentation to be classified by architectural styles and period of construction. As such, they reflect conscious design intent and the widespread use of popular architectural styles in commercial architecture.

# MAPS

# FEDERAL AND STATE PRESERVATION PROGRAMS

## FEDERAL FRAMEWORK

### NATIONAL PARK SERVICE

The National Park Service (NPS), Department of the Interior administers all federal preservation programs. The NPS not only is steward to some of the nation's most important natural and cultural resources, it also administers the national historic preservation program. Part of the NPS' duties include the development of programs and standards to direct not only federal efforts, which include other federal agencies, but also to assist state and local governments in developing preservation programs.

### SECRETARY OF THE INTERIOR'S STANDARDS

The centerpiece of federal efforts is the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation*. These standards provide all federal agencies, state historic preservation programs, and other organizations with methodologies and guidelines for the preservation of cultural resources. They address issues relating to preservation planning. They serve as the standard for all projects undertaken with federal funding, incentives, loans, or actions that impact significant cultural resources. Both the federal and Missouri courts have upheld the standards as criteria for evaluating and treating historic resources. The Standards serve as the basis for design guidelines in the majority of designated districts and sites throughout the United States.

The National Register of Historic Places is the nation's official list of properties important in the history, architectural history, archaeology, engineering, and culture of the United States. In Missouri, the National Register program is administered by the Historic Preservation Program of the Missouri Department of Natural Resources. Resources listed in the National Register include districts, sites, buildings, structures, and objects. Listing in the National Register has a number of advantages, including:

- recognition of the property's value to the community, state, and nation;
- eligibility for grants and loan programs that encourage preservation;
- availability of federal and state tax incentives for the rehabilitation of certain properties; and
- consideration in planning for federal or federally assisted projects.

While listing in the National Register provides recognition and certain financial advantages, protection of cultural resources from demolition or inappropriate alteration is limited to projects involved in federal undertakings such as loans, grants, and/or permits.

### **SECTION 106**

Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consider the effect of federally assisted projects on properties listed in or eligible for listing in the National Register of Historic Places. If an undertaking threatens to harm such properties, the federal Advisory Council on Historic Preservation and the State Historic Preservation Office must be consulted in a process designed to promote consideration of ways to avoid or minimize such harm. While this process does not prevent negative impacts on historic properties per se, it does establish a public process by which such actions must be justified and mitigated.

### **FEDERAL LAW**

Other statutes affecting cultural resources include:

- National Environmental Policy Act of 1969
- Housing and Community Development Act of 1974
- Surplus Real Property Act of 1972
- Public Buildings Cooperative Use Act of 1976
- AMTRAK Improvement Act of 1974
- Emergency Home Purchase Assistance Act of 1974
- The Department of Transportation Act of 1966
- Archaeological and Historic Preservation Act of 1974
- Archaeological Resources Protection Act of 1979
- Antiquities Act of 1906
- Historic Sites Act of 1935
- Executive Order 11593 Protection and Enhancement of the Cultural Environment

### **CERTIFIED LOCAL GOVERNMENT PROGRAM**

The Certified Local Government (CLG) program is designed to promote the preservation of prehistoric and historic resources and allow local communities to participate in the national historic preservation program. Through the CLG program, Congress extended the Federal/State partnership to the local government level to allow local participation in the preservation planning process. Communities that meet the qualifications to become Local Certified Governments have a formal role in the National Register nomination process, participate in the establishment of state historic preservation objectives, and are eligible to apply annually to the Missouri Historic Preservation Program from a designated Certified Local Government fund.

In order to become certified in Missouri, local governmental entities must develop preservation programs that meet criteria established by the federal government. CLGs must:

- Establish by law an adequate and qualified historic preservation review commission composed of professional and lay members.
- Maintain a system for survey and inventory of historic properties.
- Provide for adequate public participation in the local historic preservation programs, including the process of recommending properties for nomination to the National Register of Historic Places.
- Satisfactorily perform the responsibilities delegated to it by the State Historic Preservation Officer.

## **INCENTIVE PROGRAMS**

### **Federal Grant-in-Aid Programs**

The National Park Service provides grants-in-aid to states to promote preservation activities on the state and local level. In Missouri, grants are awarded for identification, evaluation, and protection of historic and archaeological resources according to federal and state guidelines. Grants include:

- Preservation planning
- Cultural Resource Survey
- Nomination to the National Register of Historic Places
- Educational outreach
- Feasibility studies
- “Bricks and Mortar” restoration and rehabilitation projects

**The Federal Rehabilitation Tax Credit** provides for a 20 percent credit for rehabilitation of a “certified historic structure” and a 10 percent credit for the rehabilitation of a non-historic structure built before 1936. The credit applies to owners and some lessees of income-producing properties. The law also permits depreciation of such improvements over 27½ years for a rental residential property and over 31½ years for a nonresidential property. The rehabilitated building must be a certified historic structure that is subject to depreciation, and the rehabilitation must be certified as meeting the Secretary of the Interior’s Standards for Rehabilitation as established by the National Park Service. The property must be listed in the National Register of Historic Places before the credit can be taken.

**The Low-Income Housing Credit** allows a 70 percent credit for projects not receiving any federal subsidies and a 30 percent credit for projects receiving federal funding. The rehabilitation credit and the low-income credit may be combined where a historic structure is rehabilitated for use in a low-income housing project. When the credits are combined, the greater total tax benefits generate more equity.

**The Charitable Contribution Deduction**, allowed under the Tax Treatment Extension Act of 1980, enables the owner of a significant historical property to donate to a charitable organization or government body a preservation easement and receive a federal income tax charitable contribution deduction in an amount equal to the value of the donated easement. The terms of the easement usually create protective covenants prohibiting the owner from making alterations to the property without prior review, consultation, and approval by the donee. There are several types of preservation/conservation easements: scenic and open space easements, exterior and façade easements, and interior easements.

## **STATE FRAMEWORK**

**Each state has a State Historic Preservation Officer (SHPO) appointed by the governor to carry out the National Historic Preservation Act for the Secretary of the Interior.** SHPO responsibilities include:

- Conducting cultural resource surveys
- Preparing statewide preservation plans
- Nominating properties to the National Register of Historic Places
- Reviewing federal projects for effects on cultural resources
- Administering assistance and grant programs
- Providing public information and training programs
- Furnishing technical assistance to governments developing local preservation programs
- State preservation incentives

## **LEGAL: STATUTORY AND CASE LAW**

Missouri also has constitutional provisions, enabling legislation and zoning laws that proved the legal basis for state and local government's power to enact preservation legislation. Missouri legislation assigns responsibility to the SHPO to administer the state unmarked human burial sites, the historic preservation loan fund, the Main Street Missouri Act, the Missouri Rehabilitation Tax Credit, and the Historic Shipwrecks, Salvage or Excavation Regulations. There are also a number of state ordinances that provide general development incentives on the local level that can be used in older neighborhoods and commercial centers to promote preservation.

## **INCENTIVES**

### **Missouri Historic Tax Credit**

All of the State's National Register properties (commercial and residential) are eligible for a 25 percent Missouri Historic Tax Credit. It can be used with the federal rehabilitation tax credit to capture up to 38 percent of eligible rehabilitation

costs in tax credits. The state tax credits can be sold. To qualify for the tax credits, the rehabilitation work must comply with the Secretary of the Interior's Standards for Rehabilitation. The Standards are designed to accommodate changes that will allow older buildings to function in the twenty-first century without sacrificing their historic character. The common sense guidelines address new construction (such as additions), as well as rehabilitation.

### **Main Street Programs**

The Missouri Main Street Program assists communities with a population of less than 50,000 to economically and physically revitalize their downtown. The National Trust for Historic Preservation, a not-for-profit organization, also administers a Main Street Program. Both programs focus on the downtown districts utilizing a four-point program — Economic Restructuring, Design, Promotion, and Organization.

### **Neighborhood Preservation Act**

The Neighborhood Preservation Act provides tax credits to help offset the costs of rehabilitation of or the construction of new owner-occupied homes in certain areas of the state. The Missouri Department of Economic Development issues state income tax credits to a taxpayer that either rehabilitates a home or constructs a new home that will be or is owner-occupied. Eligible areas included distressed communities as defined in 135.530, RSMo; U.S. census blocks that have a median household income of less than 70 percent of the median household income for the MSA or non-MSA in which it is located; and areas within a U.S. Census block that has a median household income between 70 and 89 percent of the median household income for the MSA or non-MSA in which it is located. The tax credits may be used to offset Missouri income tax liability and are transferable.

### **Neighborhood Assistance Tax Credit Program**

This program provides assistance to community-based organizations that enable them to implement community or neighborhood projects in the areas of community activities, education, crime prevention, job training, and physical revitalization. The Missouri Department of Economic Development will issue state income tax credits to an eligible taxpayer that donates money to an approved Neighborhood Assistance Program (NAP) project. Eligible applicants are nonprofit corporations under the provisions of Chapter 355 RSMo, organizations holding a 501(c)(3) ruling from the IRS and Missouri businesses. The tax credits may be used to offset Missouri income tax liability. The credits are not transferable. The NAP seeks projects located in distressed communities and in community development target communities.

### **New Generation Cooperative Tax Credit Program**

This program benefits Missouri's agricultural producers. The Missouri Department of Economic Development will issue state tax credits to an eligible taxpayer that donates money to an approved New Generation Cooperative Tax Credit project. Eligible applicants are not-for-profit corporations located in Missouri and organized for the principle purpose of adding value to or selling State agricultural food projects produced by family farms or family farm corporations. The tax credits may be used to offset Missouri income tax liability. They are not transferable or sellable.

### **Small Business Tax Credit for ADA Renovations**

This tax credit program is offered to small businesses that renovate their businesses to meet requirements of the Americans with Disabilities Act. A small business is defined as any business or person that had gross receipts for the preceding tax years that did not exceed \$1 million or had no more than thirty full-time employees during the proceeding tax year and elects by filing the Federal IRS Form 8826 to claim the disability access credit for the tax year. The credit is not transferable and can be used against income tax but not against withholding tax.

### **Low Income Housing Tax Credit Program**

This program provides a federal tax credit to investors in affordable housing. The credit can be used each year for ten years and is allocated to developers who may sell it to raise equity to construct or acquire and rehabilitate affordable rental housing. Missouri also has a state low-income housing credit and may allocate an amount equal to 100 percent of the federal credit. Congress has delegated the administration of the Low Income Housing Tax Credit to the Missouri Housing Development Commission. For-profit and not-for-profit developers are eligible for the programs.

### **Affordable Housing Assistance Program Tax Credit**

This program is an incentive for Missouri businesses and individuals to participate in affordable housing production. The State offers an income tax credit for any firm or individual that donates cash, equity, professional services, and real or personal property to a non-profit community-based organization. The donations must assist in the production of a specific affordable housing development or provide assistance for administrative costs of the organization. The non-profit organization may be involved directly as part of the development team or it may assist a specific development through a grant or loan. The credit is equal to 55 percent of the value of the contribution. The credit may be sold or transferred.

## GLOSSARY

**Adaptive Use** — The process of converting a building to a use other than that for which it was designed.

**Alteration** — Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities; and clearing, grading or other modification of an area, site, or landscape that changes its current condition.

**Amenity** — A building, object, area, or landscape feature that makes an aesthetic contribution to the environment, rather than one that is purely utilitarian.

**Americans with Disabilities Act (ADA)** — Federal Act that mandates reasonable access and accommodation of the needs of all individuals, regardless of the presence of a handicap or disability.

**Archaeology** — The study of the cultural remains of prehistoric and historic peoples and cultural groups, including excavated material as well as aboveground resources.

**Certificate of Appropriateness** — A document awarded by a local preservation commission or architectural review board allowing an applicant to proceed with a proposed alteration, demolition, or new construction in a designated area, following a determination of the proposal's suitability according to applicable criteria.

**Certified Historic Structure** — For the purposes of the federal preservation tax incentives, any structure subject to depreciation as defined by the Internal Revenue Code that is listed individually in the National Register of Historic Places or listed as a contributing property to a National Register Historic District.

**Certified Rehabilitation** — Any rehabilitation of a certified property that the Secretary of the Interior has determined is consistent with the historical character of the property or the district in which the property is located.

**Chapter 353** — Missouri State legislation establishing incentives to stimulate private investment and improvement of blighted areas in the city. Incentives include both tax abatement and granting the power of eminent domain to the developer to acquire and improve the approved development area.

**Code Enforcement** — Local regulation of building practices and enforcement of safety and housing code provisions, a principal tool to ensure neighborhood upkeep.

**Community Development Block Grant (CDBG)** — A federal funding program that provides annual funding to eligible local governments for housing and community revitalization and development programs and for social services, particularly in low- and moderate-income areas.

**Comprehensive Plan** — A document guiding the future growth and development of a specified geographic area and/or governmental entity. It provides a vision and direction for the City and a cohesive framework for decision-making.

**Conservation District** — An area designated by city ordinance which possesses lesser historic significance and/or historic architectural integrity than a historic district, but which retains sufficient amounts of its historical and architectural visual characteristics to interpret areas of special historic, architectural, and/or cultural significance that are part of a city's history.

**Construction** — The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

**Cultural Resource** — Districts, sites, structures, objects, and evidence of some importance to a culture, a subculture, or a community for scientific, engineering, art tradition, religious, or other reasons significant in providing resource and environmental data necessary for the study and interpretation of past lifeways and for interpreting human behavior.

**Database** — A collection of background information collected and organized for easy and quick retrieval. The Cultural Resource Database developed for the City of Lee's Summit is a Microsoft Access program that includes a template form that is compatible with the Missouri Department of Natural Resources, Historic Preservation Programs' cultural resource inventory form.

**Demolition** — Any act or process that removes or destroys in part or in whole a building, structure, or object of a site.

**Demolition by Neglect** — The destruction of a building through abandonment or lack of maintenance or through an act or process that threatens to destroy a building, structure, or object by failure to maintain it in a condition of good repair and maintenance.

**Design Guideline** — A standard of appropriate activity that guides rehabilitation and new construction efforts that preserve and enhance the historic, architectural, scenic, or aesthetic character of an area. It includes criteria developed by preservation commissions and architectural review boards to identify design concerns in a specific area and to assist property owners to ensure that rehabilitation and new construction respect the character of designated buildings and districts.

**Design Review** — The process of ascertaining whether modifications to historic and other structures, settings, and districts meet established legal standards of appropriateness.

**Dismantling** — Taking apart a building or structure piece by piece, often with the intention of reconstructing it elsewhere.

**Easement** — A less-than-fee interest in real property acquired through donation or purchase and carried as a deed restriction or covenant to protect important open spaces, building façades, and interiors.

**Eminent Domain** — The power of government to acquire private property for public benefit after payment of just compensation to the owners.

**Enabling Legislation** — Federal and state laws that authorize governing bodies within their jurisdictions to enact particular measures or delegate powers such as enactment of local landmarks historic and conservation district ordinances, zoning, and taxation.

**Exterior Architectural Appearance** — The architectural character and general composition of the exterior of a building, structure, object, or site including, but not limited to, the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

**Fabric** — The physical material of a building, structure, or city connoting an interweaving of component parts.

**Green Space** — Land not designated for construction and designated for conservation, preservation, recreation, or landscaping.

**Historic District** — A geographic area designated as a "historic district" by city ordinance which may include individual Landmarks, as well as other properties or structures which, while not of such historic and/or architectural significance individually, as a whole contribute to the overall visual characteristics and historical significance of the Historic District. Historic Districts contain a significant concentration of buildings, structures, sites, spaces, and/or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness, or related historical and aesthetic associations. The significance of a district may be recognized through listing in a local or national landmark register and may be protected legally through enactment of a local historic district ordinance administered by a historic district board or commission.

**Historic Significance** — Character, interest, or value as part of the development, heritage, or culture of the community, county, state, or country; as the location of an important local, county, state, or national event; or through identification with a person or persons who made an important contribution to the development of the community, county, state, or country.

**Incentives** — Inducements provided by government such as tax abatement, tax reduction, and loan and grant programs to encourage behavior that is in the public interest.

**Implementation Strategies** — Action steps developed during the Preservation Plan process that can be explored as possible ways to put the principles for policy and goals into effect.

**Incentives** — Inducements provided by government such as tax abatement, tax reduction, and tax incentives to encourage development in specific areas or for certain classifications of property.

**Infrastructure** — The system of public works of a city, county, state, or region.

**Landmark** — A property or structure designated by the city that is worthy of rehabilitation, restoration, interpretation, and preservation because of its historic, architectural, or archaeological significance.

**Landscape** — The totality of the built or human-influenced habitat experienced at any one place. Dominant features are topography, plant cover, buildings, or other structures and their patterns.

**Mixed Use** — A variety of authorized activities in an area or a building, as distinguished from the isolated uses and planned separatism prescribed by many zoning ordinances.

**Neighborhood Improvement District** — Voter authorized state enabling legislation in Missouri granting authority to establish and operate special taxing districts to raise and spend funds for public improvements in a specified geographic area.

**Ordinary Maintenance** — Any work, where the purpose and effect of such work is to correct any deterioration or decay of, or damage to, a structure or any part thereof and to restore the same, as nearly as may be practical, to its condition prior to the occurrence of such deterioration, decay or damage, and does not involve change of materials nor of form.

**Overlay Zoning** — The creation of a special zoning classification that is added to existing zoning in a specific geographic area. The new zoning adds new provisions to existing zoning while retaining the original zoning requirements.

**Planning Commission** — An appointed committee of ten members that includes the mayor that performs the function of a zoning commission as defined by Missouri Law.

**Preservation** — Generally saving from destruction or deterioration old and historic buildings, sites, structures, and objects and providing for their continued use by means of restoration, rehabilitation, or adaptive use. Specifically, the act or process of applying measures to sustain the existing form, integrity, and material of a building, site, structure, or object.

**Preservation Commission** — A generic term for an appointed municipal or county board that recommends the designation of and regulates changes to historic districts and landmarks.

**Property Maintenance Code** — Part of a city’s code of ordinances that sets standards for the maintenance and rehabilitation of properties to ensure public health safety and welfare and to upgrade neighborhoods.

**Public Improvement Project** — An action by a government entity and any of its departments or agencies involving major modification or replacement of streets, sidewalks, curbs, street lights, street or sidewalk furniture, landscaping, parking, or other portions of the public infrastructure servicing commercial, residential, recreational or industrial development; or any undertakings effecting city parks or city-owned structures.

**Reconstruction** — The act or process of reproducing by new construction the exact form and detail of a vanished building, structure or object or a part thereof, as it appeared at a specific period of time.

**Rehabilitation** — the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

**Rehabilitation Tax Incentive** — A tax incentive designed to encourage private investment in historic preservation and rehabilitation projects.

**Removal** — Any relocation of a structure, object, or artifact on its site or to another site.

**Renovation** — Modernization of an old or historic building that may or may not produce inappropriate alterations or eliminate important features and details.

**Repair** — Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance and upkeep.

**Restoration** — The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

**Revitalization** — To give new life or vigor to an area either by introducing new uses or upgrading the infrastructure and physical conditions of buildings.

**Revolving Fund** — A funding source that makes loans to accomplish some preservation purpose, e.g. purchase and rehabilitation of an endangered property. The loans are repaid to maintain the fund for other projects.

**Section 106** — The provision of the National Historic Preservation Act of 1966, as amended, that requires a federal agency financing or licensing a project to make a determination of the effect of the undertaking on property listed in or eligible for listing in the National Register of Historic Places.

**Sense of Place** — the sum of attributes of a locality, neighborhood, or property that give it a unique and distinctive character.

**Stabilization** — The act or process of applying measures designed to reestablish a weather-resistant enclosure and the structural stability of unsafe or deteriorated property while maintaining the essential form as it exists at present.

**Streetscape** — The distinguishing character of a particular street as created by its width, degree of curvature, paving materials, design of the street furniture, and forms of surrounding buildings.

**Structure** — Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae and towers, and swimming pools.

**Style** — A type of architecture distinguished by special characteristics of structure and ornament and often related in time; also, a general quality of distinctive character.

**Synergy** — An act of cooperation where different uses, property types and styles work collectively to contribute to a more vibrant and dynamic area.

# PRESERVATION ORDINANCE

## SUMMARY OF HISTORIC PRESERVATION ORDINANCES

### HISTORIC PRESERVATION COMMISSION

#### **Membership, Terms, Vacancies**

The Preservation Commission is to be composed of nine (9) members appointed by the Mayor, with the consent and approval of the majority of the members of the City Council has the power to appoint seven (7) members. The remaining two members shall be a member of the Planning Commission appointed by the Chairman of the Planning Commission and a member of the City

#### **Qualifications**

Seven (7) members shall be residents of the City, or business or property owners within the City, for at least one (1) year preceding their appointment and must continue to reside or be business or property owners in the City so long as they serve on the Preservation Commission.

All members should have demonstrated an interest and knowledge of local history, architecture, or preservation.

Every effort should be made to appoint members with the following additional qualifications:

- one member should be an architect who has professional experience in restoration or historic preservation;
- one member should be a real estate professional;
- one member should be a member of the Lee's Summit Historical Society;
- one member should be a homeowner in a historic district or proposed historic district; and
- one member should be a merchant in a historic district or proposed historic district.

#### **Historic Preservation Officer (HPO)**

The Commission shall elect its *chairperson or Historic Preservation Officer* from among its citizen members only.

#### **Power and Duties**

The Historic Preservation Commission may:

- Review amendments, modifications, or revisions of this ordinance, or other parts of the Code of Ordinances as they relate to Historic Preservation, and make recommendations for changes therein to the City Council.

- Act in an advisory capacity to the City Council and Planning Commission in carrying out activities required by City ordinances.
- Increase public awareness of the value of historic, architectural, and cultural preservation by developing and participating in public information programs and by recommending the update of the preservation program.
- Recommend property and/or properties for proposed designations as a Historic Landmark and/or Historic District and review and comment on proposed designations.
- Review applications for construction, alteration, or reconstruction for historic landmarks or within a historic district.
- Review proposed changes to buildings, structures, street furniture, city parks, civic areas, public facilities, or environmental features of an historic landmark or within an historic district.
- Review applications for demolition permits to demolish buildings or structures within a historic district.
- Review applications for special use permits, proposed zoning amendments, or applications for zoning variances for an historic landmark or within an historic district, and make recommendations concerning such requests to the Planning Commission or Board of Zoning Adjustments.
- Initiate, from time to time, a comprehensive review of the provisions of this Article or any part thereof.
- Disseminate to owners or occupants of historic landmarks or within historic districts, or to the general public information concerning the preservation of Historic Landmarks or Historic Districts.
- Support the nomination to the National Register of Historic Places of local historic landmarks and districts.
- Upon establishment of a not-for-profit organization or 501(c)(3), may acquire by purchase, gift, or bequest, fee title or lesser interest, including preservation restriction or easements, in designated properties and adjacent or associated lands that are important for the preservation and use of the designated properties.

## **Historic Preservation Overlay District**

### **Statement of Purpose and Intent**

It is hereby declared as a matter of public policy that the protection and enhancement of buildings, structure or land improvements of special historic, aesthetic, or architectural significance are required in the interest of promoting the educational, cultural, economic, and general welfare of the City. The purpose of this Division is to:

- protect, enhance, and perpetuate the buildings, structure, or land improvements and districts that represent or reflect elements of the City's cultural, social, economic, political, and architectural history;
- safeguard the City's historic, aesthetic and cultural heritage as reflected in these buildings, sites, structure or land improvements, and districts;
- foster civic pride in the beauty and accomplishments of the past;

- protect and enhance historic buildings, structures, and properties in order to create an attraction to visitors thereby strengthening the economy of the City;
- promote the use of historic districts and Landmarks as educational and cultural resources of the City;
- reconstruct, retain, stabilize, restore, and rehabilitate those properties which contribute to the character of the historic overlay district and to encourage their adaptation for current use or adaptive reuse;
- assure that alterations and/or additions of existing structures are compatible with the character of the historic overlay district;
- assure new construction and subdivision of lots in a historic preservation district are compatible with the character of this historic overlay district;
- promote interaction with persons, organizations, corporations, foundations, and public agencies in matters involving historic preservation, restoration, rehabilitation, and reuse;
- make provisions for review of any applications for Certificate of Appropriateness and presentations of appropriate plans, drawings, building elevations, and other information as may be necessary for decisions to be made;
- promote the exploration of and identification, evaluation, protection, and interpretation of the prehistoric and historic archaeological site resources within the corporate limits of the City; and
- promote the safety and general welfare of the residents of the City.

### **Definitions**

The following definitions shall apply to the historic presentation overlay district:

**Alteration** — Any architectural, mechanical, or structural change requiring the addition, removal, reconstruction, or change in the location or extension of any main building or accessory building or site configuration.

**Area** — A specific geographical division of the City.

**Certificate of Appropriateness** — A certificate issued by the Historic Preservation Commission stating that proposed work on historic property is compatible with the historic character of the property.

**Certificate of No Effect** — A certificate issued by the Department of Planning and Development stating that proposed work on historic property will have no detrimental effect on the historic character of the property.

**City Staff** — The person or his designee authorized and empowered by the Governing Body having jurisdiction to administer the requirements of these zoning regulations.

**Construction** — The act of adding an addition to an existing structure or the erection of a new main or accessory structure on a lot or property.

**Cultural Resources** — Districts, sites, structures, and objects and evidence of some importance to a culture, a subculture, or a community for scientific,

engineering, art, tradition, religious, or other reasons significant in providing resource and environmental data necessary for the study and interpretation of past lifeways and for interpreting human behavior.

**Demolition** — Any act or process that destroys in part or in whole a house, building, or other Landmark or structure within a historic overlay district other than solely interior elements or demolition that does not alter exterior features or demolition that is not visible from outside the house, building, or other structure.

**Demolition Approval** — Authorization for removal of all or part of a structure that is located within a historic overlay district or an area under application(s) for historic district designation.

**Design Guideline** — A standard by which an appropriate construction activity will preserve the historic and architectural character of a structure or area.

**Exterior Architectural Appearance** — The architectural character and general composition of the exterior of any building or structure including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and other like elements.

**Historic District** — An area designated as an "historic district" by ordinance of the Governing Body and that may contain, within definable geographical boundaries, one (1) or more Landmarks and which may have within its boundaries other properties or structures that while not of such historic and/or architectural significance to be designated as Landmarks, nevertheless contribute to the overall visual characteristics of the Landmark or Landmarks located within the historic district.

**Landmark** — A property, site, or structure so designated by ordinance of the Governing Body, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, stabilization, and/or preservation and interpretation because of its historic, architectural, or archaeological significance to the City.

**Owner of record** — The person, corporation, or other legal entity listed as owner on the records of the county recorder of deeds.

**Preservation** — The application of measures to sustain the existing form, integrity, and material of a building or structure and its setting essentially as it exists, without significant reconstruction or restoration. These measures may include stabilization and a regular maintenance program to arrest or retard deterioration.

**Preservation Commission** — The Lee's Summit Historic Preservation Commission, as established in Article 17.

**Reconstruction** — The re-creation of a deteriorated, beyond repair, or a non-surviving site, landscape, building, structure, or object with all new materials

replicating documented species and/or materials that existed on the no longer existing site, landscape, building, structure, or object.

**Rehabilitation** — The act or process of returning a property site, building, or structure to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

**Removal** — A relocation of a building or structure on its site or to another site.

**Repair** — Any change that is not construction, removal, or alteration.

**Restoration** — The process of accurately recovering the form and details of a building or structure and its setting as it appeared at a particular period of time by means of the removal of materials from other periods or by the replacement of missing original work.

**Site** — Any area or location occupied as a residence or utilized by humans for a sufficient length of time to construct features, or deposit a number of artifacts or any place with evidence of past human activity. Sites include, but are not limited to, occupation, location, work areas, evidence of farming or hunting and gathering, burial remains, artifacts, and structures of all types.

**Stabilization** — The act or process of applying measures designed to reestablish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists at present.

**Structure** — Anything constructed or erected that requires location on the ground or is attached to a foundation on the ground, including, but not limited to, advertising signs, billboards, and poster panels, but exclusive of customary fences or boundary or retaining walls.

## **Designation of Historic Districts and Landmarks**

### **Inventory of Resources**

The Preservation Commission shall establish and maintain a survey and inventory of historic properties in accordance with federal guidelines and compatible with Missouri's statewide Historic Preservation Comprehensive Planning Process. In establishing the foregoing information, the Preservation Commission shall place particular emphasis upon evaluating and incorporating the findings and studies and surveys already completed.

### **Recommendations for Ordinances, Zoning, Master Plan, Public Improvements, Development Plans**

The Preservation Commission shall recommend to the Governing Body the adoption of ordinances designating single structures or sites, portions of structures, groups of structures, landscape elements, works of art, or integrated combinations thereof having a special historical, archeological, or architectural interest or value as

Landmarks or Historic Districts. Recommendations should also consider any comprehensive or master plan, zoning requirements, projected public improvements and existing and proposed renewal and development plans applicable to the area to be affected by designation.

### **Designation**

The Commission may designate a structure or site, portion of a structure, group of structures, landscape element(s), works of art, or any integrated combination thereof. The criteria for designation shall include:

- a demonstrated quality of significance in local, regional, state, or national history, architecture, archaeology, engineering or culture, and integrity of location, design, setting materials, workmanship, and association; and/or
- retention of significant character, interest or value, as part of the development, heritage or cultural characteristics of the city, state, or nation; or is associated with the life of a person or persons significant in the past; and/or
- exemplifies the cultural, political, economic, social, or historical heritage of the community; and/or
- portrays the environment in an era of history characterized by a distinct architectural style; and/or
- by being part of or related to a park or other distinctive area, should be developed to preserve according to plan based on an historic, cultural or architectural motif; and/or
- owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community or city; and/or
- any prehistoric/historic site(s) containing information of archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric research interest as set forth in the state historic preservation program master plan for cultural resources; and/or
- embody the distinctive characteristics of a type, period, or method of construction; and/or that represent the work of a master or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction; and/or
- are at least fifty (50) years old or have achieved significance within the past fifty years if the property is of exceptional importance.

The Preservation Commission shall, when applying the evaluation criteria in paragraph, draw the boundaries of a historic district as carefully as possible to ensure that:

- the district contains documented historic, architectural, or archaeological resources; and
- the district boundaries coincide with documented historic boundaries such as early roadways, subdivision plats, or property lines; and
- other district boundaries coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and

- other non-historic resources or vacant land is included where necessary to create appropriate boundaries.

A recommendation to designate a specific property and/or properties as a Landmark or Historic District shall be considered an application for amendment of the zoning district map and a rezoning.

A copy of the notice of proposed designation shall be mailed to all owners of record, persons presently in possession of the property, and surrounding property owners.

At the request of the Governing Body and after notice as required by law, the Commission shall hold a public hearing on each proposed designation of a Landmark or Historic District to obtain the viewpoints of affected property owners, residents and other interested citizens. The recommendation of the Commission, together with a record of the hearing shall be forwarded to the Governing Body.

Upon receipt of the recommendations of the Commission, the Governing Body shall schedule a public hearing on the proposed designation. Following the public hearing, the Governing Body within thirty (30) days may adopt an ordinance approving all or a part of the recommendation or disapproving the recommendation of the proposed designation in its entirety.

If an owner of a proposed Landmark or the owners of thirty percent (30%) or more of the property proposed to be included in a Historic District, or by the owners of thirty percent (30%) or more of the total area, exclusive of streets and alleys, that is located within an area determined by lines drawn parallel to and 185 feet distance from the boundaries of the property proposed to be designated a historic district shall file a written protest, in affidavit form, with the City Clerk's office against the designation of the property as a Landmark or historic district, prior to consideration of an ordinance regarding the proposed designation, then the proposed designation shall not be approved by ordinance except by a two-thirds (2/3) vote of all the members of the Governing Body.

### **Designation Ordinance**

Upon favorable approval by ordinance of a proposed designation by the Governing Body, the Landmark or Historic District shall be classified and designated as an "H" historic overlay district and the designating ordinance shall prescribe the specific and significant exterior architectural features, in accordance with specific design guidelines adopted by the Preservation Commission, including minimum maintenance standards, and where appropriate, the proportions of windows and doors, relationship of building masses and spaces, roof shapes, landscaping, signage, guidelines and/or agreements for preservation of archaeological sites and any other criteria or guidelines necessary to accomplish and preserve the particular criteria for designating such property as a Landmark or Historic District.

Notification of approved designation forwarded within fifteen (15) days after approval by the Governing Body, the City Clerk to the owner of record of each property a copy of the ordinance.

While designation is pending, there will be a moratorium on application for reconstruction, rehabilitation, removal, restoration, stabilization, construction, alteration, or demolition

**“H” CORRESPONDING ZONING DISTRICT.** An “H” historic overlay zoning designation shall not change the existing base zoning designation of the Landmark and/or Historic District. The existing zoning standards for each district are set forth and shall be complied with unless the standards conflict with the provisions of the ordinance designating the Historic District and in the event of a conflict, the provisions of the Historic District ordinance shall prevail.

A Landmark or Historic District shall be designated with an “H” affixed to the current zoning district acronym and illustrated as such on the official zoning district map.

### **Certificate Applications**

A Certificate of Appropriateness or Certificate of No Effect is required before any person may take any of the following actions to a Landmark or to a building, structure, or feature of the land located within a Historic District:

- Demolition;
- Moving or relocation on site or to another site;
- Material change(s) in the exterior appearance caused by additions, alterations, reconstruction, rehabilitation, restoration, stabilization, or maintenance involving preparation for and application of exterior color(s); or
- New construction of a principal building or accessory building within a historic district or on the property of a Landmark; or
- Signs for a Landmark or for a building located in a historic district or for an identification sign(s) for a historic overlay district.

The City staff shall provide comments regarding the application to the Preservation Commission for review within thirty (30) days of receipt of the application. The Preservation Commission reviewed the affected area to determine the potential for the presence of historic, architectural, or archaeological sites and resources.

The Preservation Commission approves, modifies, or disapproves the application, in whole or in part, or suspends action for a period not to exceed sixty (60) days for the purpose of obtaining additional information or documentation.

The Secretary of the Interior's Standards and Guidelines for Rehabilitation of Historic Properties along with other guidelines as may be developed by the Commission and approved by the Governing Body shall be the commission's general guide concerning Landmarks and older buildings in historic districts.

The Preservation Commission shall consider the extent to which the (new construction) building or structures would be harmonious with or incongruous to the old and historic aspects of the surroundings. The review standards for judging the appropriateness of architectural features in new buildings should not discourage contemporary architectural designs. Nor should they encourage the emulation of existing buildings or structures of historic or architectural interest in specific detail. Harmony or incompatibility should be evaluated in terms of the appropriateness of:

- materials,
- scale,
- size,
- height,
- placement,
- use of a new building or structure in relationship to existing buildings and structures, and
- to the setting thereof.

An applicant requesting approval must submit, as part of the application, proposed plans and building elevations in sufficient detail for the City staff and Preservation Commission to have full knowledge of the requested alteration, particularly as to how the proposed action will affect the appearance, materials, and architectural design of Landmark, or the buildings, structure of land within a historic district.

The Preservation Commission shall hold a public hearing on all applications for Certificates of Appropriateness.

A written report of a recommendation on the application by the Commission shall be forwarded to the applicant not later than forty-five (45) days after receipt of the application by the Commission. The report must state reasons why a certain recommendation has been made.

The decision of the Preservation Commission to deny or limit the terms of an Application may be appealed to the Board of Adjustments. The Preservation Commission shall then act upon any change or modification by the Board to the decision of the Preservation Commission

All work performed pursuant to the issuance of a Certificate of Appropriateness shall conform to the requirements of the certificate.

### **Review of Certificate of No Effect Application**

City staff should review the affected area to determine the potential for the presence of historic, architectural, or archaeological sites and resources and prepare a written report to determine the following:

- proposed work is compatible with specific design review guidelines established for the historic district in which the property is located;

- changes are kept to a minimum when adapting a building or site to a compatible new use;
- alterations do not attempt to create an earlier appearance or style;
- retention of significant changes that show the development of the property over time;
- sensitive treatment of distinctive stylistic features or examples of skilled craftsmanship on a building, structure or site;
- repair of deteriorated features is the first priority but if replacement is necessary, the applicant must match the visual qualities of the old or original feature using substantiated evidence;
- the use of the gentlest method of cleaning is specified and is appropriate for each building material;
- proposed work will protect and preserve archaeological resources on the site or any adjoining site;
- alterations, additions and new construction compatible with the size, scale, color, material, and character of the historic building, structure, or site;
- the design of new additions and alterations preserve the essential form and integrity of the historic building/structures if the additions or alterations were removed at some future date;
- new secondary or accessory buildings within historic districts shall be visually compatible with the significant buildings, structures, and places to which they are visually related.

The Preservation Commission chairperson or authorized representative shall issue a Certificate of No Effect if:

- the proposed work is minor and clearly within adopted design guidelines;
- modifications to the proposed work included in the application are required by the commission chairperson; and
- in any case the proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or its affect on the district; and in any case the proposed work when at any time thereafter may be removed will not diminish, eliminate, or adversely affect the historic character of the subject property or its affect on the district

The Preservation Commission chairperson shall approve, modify, or disapprove the application, in whole or in part, or suspend action on it for a period not to exceed sixty (60) days for the purpose of obtaining additional information or documentation.

If a certificate of no effect is not issued, a Certificate of Appropriateness shall be required. The decision of the Commission chairperson to approve, deny, or limit the terms of an application may be appealed to the Board by either the applicant or a property owner located within 185 feet of the property in question and within the historic district or within 185 feet of the property under review.

The Preservation Commission chairperson shall then reflect any change or modification by the Board in his/her decision.

## **Demolition Permit Application**

In the case of the proposed demolition of an existing Landmark or building in a Historic District, the Commission shall review the application and consider the following factors:

- the City's interest in protecting the public's health, safety, and general welfare;
- the detrimental impact upon the historic architectural, cultural, or economic character of the district or community in general;
- the structural feasibility of rehabilitation considering both the technological feasibility and the economic feasibility;
- the cost of rehabilitation and the remaining economic use of the property if rehabilitated, and the economic impact and hardship upon the owner; and
- a determination of the potential for occurrence of archaeological sites and resources.

## **Sign Application**

All signs for a Landmark or buildings in a Historic District must receive a Certificate of Appropriateness from the Preservation Commission prior to issuance of any sign permit. The Preservation Commission shall review the proposed sign in accordance with the following general guidelines:

- general sign regulations are included in Article 12 of the City Ordinances;
- signs shall be designed and placed so as to appear an integral part of the building design and to respect neighboring properties and the district in general;
- signs shall be appropriate to the services of the establishment served;
- signs should be maintained if they are determined to be an original part of a building as it was originally constructed;
- some signs, though not original to a building, may have acquired significance by virtue of their age, design, materials, and craftsmanship and should be maintained and preserved; and
- some existing signs may not be appropriate, especially if they disguise, obstruct, or detract from significant façade elements.

Each ground floor occupant in a building shall have no more than one sign oriented to each street on which the premises have frontage. The design of wall signs shall be compatible with the design guidelines adopted for the historic district in which the primary building is located.

Each occupant in a building may have one or more secondary wall signs. These signs should identify occupants on upper floors or those not considered the primary occupants. The design of secondary wall signs shall be compatible with the design guidelines adopted for the respective historic district in which the primary building is located.

Any sign lighting shall not have an internal light source and shall be properly shielded or diffused to eliminate glare.

Other appropriate signage includes:

- names of buildings, dates of erection, monumental citations, and commemorative tablets that do not exceed twenty (20) square feet in area when made a permanent, integral part of a building;
- educational signs not exceeding ten (10) square feet providing bulletin or poster display space, identifying or explaining local history or other processes; and
- signs that have special aesthetic, artistic, or historical merit or appropriateness.

**PROJECTIONS BEYOND PROPERTY LINE.** There should be no projections beyond the property line other than as described below, or as allowed by other sections of this division.

- Sun protection/weather protection devices are permitted only in the form of awnings.
- Awnings should be of canvas or of a plainer surface of metal or similar smooth surface. Awnings should be of a color(s) and design that compliments the existing facade and should not cover or damage significant structural or decorative elements.
- Individual wall lighting fixtures that are consistent with the period or the design of the building façade.

The Preservation Commission may adopt a standardized sign that may project beyond property lines of a commercially zoned historic overlay district and which may be used by all property owners or businesses within that district.

### **Rezoning and Special Use Permit Applications**

Applications for a rezoning application and special use permits for a Landmark or buildings in a Historic District shall be referred to the Preservation Commission for review and comment by the City staff.

### **Development Plans**

The Preservation Commission may review development plans involving a Landmark or historic district and forward recommendations to the Planning Commission. Development plans adopted by the Governing Body concerning a Landmark or Historic District shall be amendments to the ordinance establishing individual Landmarks or historic districts.

### **Exclusions**

Ordinary maintenance or repair of any exterior element of any building or structure shall not require a Certificate of Appropriateness or Certificate of No Effect if such work that does not require a building permit. Ordinary maintenance shall be defined as work, for which a building permit is not required by law.

The construction, reconstruction, alteration, or demolition of any elements that the authorized municipal officers shall certify as required by public safety shall not require a Certificate of Appropriateness or Certificate of No Effect.

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# **WORKSHOP MATERIALS**