



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

July 2, 2025

Project Name
Orchard Estates

Docket #C5

Request
CLD-FnPlat-2025-00014
Final Plat

Applicant
Robert Parks
Weiskirch and Parks Engineers, Inc

Owner
Phil LeVota

Location 7100 Lee's Summit Rd
Area About 41 acres
Zoning R-80
Council District 5th
County Jackson
School District Lee's Summit

Surrounding Land Uses

North: Residential, Zoned R-80
South: Undeveloped, Zoned R-7.5
East: Residential, Zoned R-80
West: Residential, Zoned R-80

Land Use Plan

The Little Blue Valley Area Plan recommends Residential Low Density for this location. The proposed Final Plat aligns with this designation. See Plat Review for more information.

Major Street Plan

Lee's Summit Road is identified on City's Major Street Plan as a Local Link with two lanes at this location.

APPROVAL PROCESS



SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a Final Plat in District R-80 (Residential) on about 41 acres generally located on the west side of Lee's Summit Road approximately 590 feet south of Ess Road, to allow for the creation of 4 residential lots.

PROJECT TIMELINE

The application for the subject request was filed on May 20, 2025. No scheduling deviations from 2025 Cycle 7.1 have occurred.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Final Plats therefore notice is not sent.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

EXISTING CONDITIONS

The subject site is currently undeveloped. It is the former site of an orchard, which has closed. There is no associated regulated stream with the subject site.

CONTROLLING CASE

Case No. CD-CPC-2024-00163– On December 20, 2024, the Development Review Committee approved a preliminary plat in District R-7.5 on about 41 acres generally located at 16001 Ess Road, creating 4 residential lots.

PROFESSIONAL STAFF RECOMMENDATION

Docket #C5 Recommendation: **Approval Subject to Conditions**

VICINITY MAP**RELEVANT CASES**

Case No. CD-CPC-2025-00010 – Ordinance 250300, approved by City Council on June 5, 2025, approved a rezoning of an area on about 75 acres generally located at the southwest corner of Ess Road and Lee's Summit Road from District R-7.5 to R-80

PLAT REVIEW

The request is to consider approval of a Final Plat in District R-80 on about 41 acres generally located on the west side of Lee's Summit Road approximately 590 feet south of Ess Road, to allow for the creation of 4 residential lots. The lots were approved in Case No. CD-CPC-2024-00163 which served as the Preliminary Plat. The Preliminary Plat proposed to develop 4 estate size lots, between 6.82 acres and 18.98 acres. This Final Plat is in conformance with the Preliminary Plat as well as the lot and building standards of Section 88-110 of the Zoning and Development Code.

PLAT ANALYSIS

Standards	Applies	Meets	More Information
Lot and Building Standards (88-110)	Yes	Yes	
Accessory or Use- Specific Standards (88-305 – 385)	No		
Boulevard and Parkway Standards (88-323)	No		
Parkland Dedication (88-408)	Yes	Yes, Subject to Conditions	

APPROVAL CRITERIA

No final plat may be approved unless the decision-making body finds that the proposed subdivision conforms with the approved preliminary plat with all applicable regulations and standards of this zoning and development code.

The requested Final Plat is in conformance with the controlling plan and all standards as required by 88-555-04 of the Zoning and Development Code.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,



Matthew Barnes, AICP
Lead Planner



Plan Conditions

Report Date: June 26, 2025

Case Number: CLD-FnPlat-2025-00014

Project: Orchard Estates

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

1. That prior to submitting documents for the final approval of conditions the applicant ensure that the Title Report is current within 90 days or submit an updated Title Report.
2. That prior to submitting documents for the final approval of conditions the applicant update the plat to reflect the correct City Plan Commission Date, Ordinance Number, and Council Approval Date by utilizing the Official City Signature Block found under Table 8 in the 2025 Director's Minimal Submittal Requirements and insert Case No. CLD-FnPlat-2025-00014.
3. That prior to submitting documents for final approval the applicant shall upload Paid Tax Receipts for the most recent applicable year.
4. That prior to recording the Final Plat the developer shall upload and secure approval of a Street Tree Planting Plan from the City Forester.
5. That prior to issuance of the Certificate of Occupancy for each lot within the plat the developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved Street Tree Planting Plan and are healthy. This condition may be satisfied by an assigned City Planning and Development Building Inspector.

Condition(s) by Parks & Recreation. Contact Richard Sanchez at (816) 513-7678 / richard.sanchez@kcmo.org with questions.

6. Please provide amount due. For 3 Detached Residential Dwelling Units, the fee equates to \$4,277.06. An invoice has been assessed under CLD-FnPlat-2025-00014 and is available to pay via CompassKC. Fee shall be paid prior to release of the plat.

Condition(s) by Parks & Recreation. Contact Virginia Tharpe at / virginia.tharpe@kcmo.org with questions.

7. The developer shall be responsible for tree preservation in an easement or platted tract, mitigation planting, or payment of cash-in-lieu of preservation or mitigation planting, or any combination thereof in accordance with 88-424. Should the developer choose to pay cash-in-lieu of preservation or mitigation of all or a portion of the required area, the amount due shall be based upon the rate specified in 88-424. This requirement shall be satisfied prior to issuance of certificate of occupancy, or prior to the recording of the final plat, whichever occurs first.
8. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

9. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to issuance of any construction permits within said right-of-way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
10. The developer shall dedicate additional right of way [and provide easements] for Lee's Summit Rd. as required by the adopted [Major Street Plan and/or Chapter 88] so as to provide a minimum of 40 feet of right of way as measured from the centerline, along those areas being platted.
11. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
12. The developer shall pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

13. The developer shall submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right of way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
14. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

15. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
16. The developer must submit a Macro storm drainage study with the first Plat or Phase, from a Missouri-licensed civil engineer to KC Water showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to KC Water for review and acceptance for the disturbed area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by KC Water.
17. The owner/developer must submit plans for grading, siltation, and erosion control to KC Water for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
18. That the public sanitary sewer system need not be extended, provided that the developer demonstrates that the proposed private sewage disposal system complies with Chapter 18, Kansas City Building Code, in the City's Code of Ordinances, MDNR requirements, and Health Department requirements prior to recording the Final Plat.
19. The developer must grant BMP and/or Surface Drainage Easements to the City as required by KC Water, prior to recording the plat or issuance of any building permits.

Sec. 12, Twp 48, Rge 32 &
Sec. 7, Twp 48, Rge 31
Kansas City, Jackson County, Missouri

SECTION LOCATION
Section 12, Twp. 48, Rng. 32
Section 7, Twp. 48, Rng. 31
(Not to Scale)

LEGEND

B.L. = Building Line
U.E. = Utility Easement

▲ Denotes Permanent Monument to be Set after Construction
○ Denotes Found Existing Bar
● Denotes 1/2" Bar to be Set with Plastic Cap

NOTE:
The bearings and coordinates shown hereon are based on the MISSOURI STATE PLANE COORDINATE SYSTEM (1983 and as Amended), WEST ZONE and are tied to Station JA-130 of the Kansas City Metro Control Project using a combined grid factor of 0.9999044. The coordinates are listed in meters.

STATE PLANE COORDINATES		
Point	Northing	Easting
1	313,378.375	858,941.706
2	313,488.037	858,945.186
3	313,640.589	859,258.770
4	313,686.257	859,260.855
5	313,677.806	859,446.046
6	313,671.737	859,571.884
7	313,347.311	859,588.480

PLAT DEDICATION: The undersigned proprietors of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be hereafter known as ORCHARD ESTATES.

UTILITY EASEMENT: An easement it is hereby granted to Kansas City, Missouri, for the purpose of locating, constructing, operating, and maintaining facilities for water, gas, electricity, sewage, telephone, cable TV, surface drainage, and grading, including, but not limited to, underground pipes and conduits, pad mounted transformers, services pedestals, any or all of them upon, over, under and along the strips of land designated Utility Easements (U/E), provided that the easement granted herein is subject to any and all existing easements. Any utilities located within the designated Utility Easements, by virtue of their existence, do hereby covenant, consent, and agree that they shall be subordinate to said public right of way in the event that additional public right of way is dedicated over the location of the Utility Easement. Where other easements are designated for a particular purpose, the use thereof shall be limited to that purpose only. All of the above easements shall be kept free from any and all obstructions which would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses and specifically there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) nor shall there be any obstruction to or interference with the use and employees of Kansas City, Missouri, and its franchise utilities, from going upon said easement and as much of the adjoining lands as may be reasonably necessary in exercising the rights granted to the easement. No excavation or fill shall be made or operation of any kind or nature shall be performed which will reduce or increase the earth coverage over the utilities above stated or the appurtenances thereto without a valid permit from the Department of Public Works as to Utility Easements, and/or written approval of the Director of Water Services as to Water Main Easements.

STREET DEDICATION: Streets shown hereon and not heretofore dedicated for public use as street right-of-way are hereby dedicated.

RIGHT OF ENTRANCE: The right of entrance and egress in travel along any street or drive within the boundaries of the property is hereby granted to Kansas City, Missouri, for the purpose of fire and police protection, maintenance of water mains, sanitary and storm sewer lines, collection of garbage and refuse and to the United States Postal Services for the delivery of mail; provided, however, such right of ingress and egress does not include any obligation to contribute for any damage to any private street or drive by virtue of the exercise of the rights stated herein and specifically, neither Kansas City, Missouri nor the U.S. Postal Service shall incur any liability by virtue of the exercise of such rights.

FLOODPLAIN: The subject property is located in "Zone X" (areas of minimal flooding) according to the Jackson County, Missouri Flood Insurance Rate Map (FIRM) map number 29095C0407G, map revised January 20, 2017.

PAYMENT IN LIEU OF LAND DEDICATION: The Developer elects to pay the City of Kansas City, Missouri, a sum of \$4,277.06 in lieu of required parkland dedication for 3 new residential lots pursuant to Section 88-408-C of the Zoning and Development Code.

NOTE:
Document No. 45511 (Book 254, Page 161) and Document No. 526271 (Book 793, Page 136) are Easements for Pipeline and have a history of being assigned and modified. This location is still a "Blanket Easement".

<u>LAND DATA</u>	<u>AREA</u>
Total Land Area	40.74 acres
Land Area for Proposed and Existing Right of Way	0.73 acres
Net Land Area	40.01 acres
<u>PLAT DATA</u>	<u>COUNT</u>
Number of Lots	4
Number of Tracts	0

COUNTY RECORDING INFORMATION

<u>PLAT DEDICATION:</u> ORCHARD ESTATES	Reserved for County Recording Stamp
<u>PRIVATE OPEN SPACE DEDICATION:</u> 0 acres Parkland	
<u>RECORD AS:</u> Plat	

DESCRIPTION:

A tract of land in the Northeast Quarter and the Southeast Quarter of Section 12, Township 48, Range 32, and in the Northwest Quarter and the Southwest Quarter of Section 7, Township 48, Range 31, all in Kansas City, Jackson County, Missouri described as follows: Commencing at the Center of said Section 12; Thence South 1°57'34" West, along the West Line of the Southeast Quarter of said Section 12, a distance of 298.17 feet; Thence South 87°15'01" East, a distance of 558.17 feet to the Point of Beginning; Thence North 1°49'04" East, a distance of 360.00 feet; Thence North 64°03'29" East, a distance of 1144.21 feet; Thence North 2°36'47" East, a distance of 150.00 feet; Thence South 87°23'13" East, a distance of 608.27 feet; Thence South 87°42'12" East, a distance of 413.37 feet to a point on the Westerly right-of-way of Lee's Summit Road; Thence South 2°55'42" East, along said right-of-way, a distance of 1065.88 feet; Thence North 87°15'01" West, a distance of 2124.61 feet to the Point of Beginning. Also known as Lot 4, Minor Subdivision recorded as Instrument Number 2023CE0033192.

Contains 40.74 acres, more or less.

IN TESTIMONY WHEREOF: LAW OFFICES OF PHIL LEVOTA,
L.L.C., A MISSOURI LIMITED LIABILITY COMPANY, has caused
these presents to be executed this _____ day
of _____, 20____.

LAW OFFICES OF PHIL LEVOTA, L.L.C., A MISSOURI
LIMITED LIABILITY COMPANY

By: Phil LeVota, Manager

STATE OF _____ }
COUNTY OF _____ } S.S.

BE IT REMEMBERED, that on this _____ day of _____, 20____, before me, the undersigned notary public in and for the county and state aforesaid, came Phil LeVota, to me personally known, who being by me duly sworn did say that he is the Manager of LAW OFFICES OF PHIL LEVOTA, L.L.C., and that said instrument was signed on behalf of said Company by authority of its Members and acknowledged said instrument to be the free act and deed of said Company.

IN WITNESS THEREOF: I have hereunto set my hand and
affixed my Notarial Seal at my office in _____,
_____, the day and year last above written.

My Commission Expires: _____

Notary Public

CITY PLAN COMMISSION PUBLIC WORKS

Approved: _____
Michael J. Shaw, Director

CITY COUNCIL

This is to certify that the within plat was submitted to
and approved by the Council of Kansas City, Missouri, by
Ordinance No. _____ duly authenticated as passed this
day of _____, 202_____.

Mayor
Quinton Lucas

City Clerk
Marilyn Sanders

Jackson County GIS Department

**Owner: LAW OFFICES OF PHIL LEVOTA, L.L.C.
P.O. Box 3314
Independence, MO 64055
Ph: (816) 889-9200**

SURVEYOR'S CERTIFICATION:
I hereby certify that the plat of ORCHARD ESTATES subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current standards as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to the best of my professional knowledge and belief.

DO NOT
RECORD

ROBERT C. PARKS, MO LS NO. 2362

WEISKIRCH & PARKS ENGINEERS, INC.

**FINAL PLAT
ORCHARD ESTATES
SECTION 12, TOWNSHIP 48, RANGE 32
KANSAS CITY, JACKSON COUNTY, MISSOURI**

REV. NO.		DATE	DESCRIPTION	REVISION
1		6/12/23	Standard Plot Language	
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