

## Legislation Text

---

**File #:** 2022-5212, **Version:** 1

---

Public Hearing: Application #PL2021-325 - Vacation of Right-of-Way - a segment of NW Lowenstein Drive located between I-470 and NW Clifford Road; Star Excavation, LLC, applicant.

Issue/Request:

The applicant requests to vacate an approximately 50' wide x 738' long segment of NW Lowenstein Dr located between NW Clifford Rd and I-470 on the north side of the interstate. The construction of the abutting I-470 in 1980 changed the formerly through-street to a dead end on either side of I-470. The subject segment of right-of-way is not the sole point of access to any abutting property. A portion of NW Lowenstein Dr right-of-way will be retained where NW Clifford Rd, NW Quarry Park Rd and NW Lowenstein Dr converge in order to maintain east-west circulation through the area and to maintain public street access to two parcels at the intersection of those three streets.

Christine Bushyhead, Applicant Representative  
Josh Johnson, AICP, Assistant Director of Plan Services

With the conditions of approval below and contained in the staff report, the application meets the requirements of the UDO and Design and Construction Manual (DCM).

1. An easement shall be retained to cover the existing public (water) and private (Evergy and AT&T) infrastructure located within the subject right-of-way. The vacation of right-of-way shall not go into effect until such time as the necessary easement(s) are dedicated and recorded with the Jackson County Recorder of Deeds.

Committee Recommendation: On a motion by Mr. Kitchens, seconded by Mr. Loveless, the Planning Commission unanimously voted on October 13, 2022, to recommend APPROVAL of Application #PL2021-325 - Vacation of Right-of-Way - a segment of NW Lowenstein Drive located between I-470 and NW Clifford Road; Star Excavation, LLC, applicant.