



## Urban Planning and Land Use

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701 North 7<sup>th</sup> Street, Suite 423  
Kansas City, Kansas 66101  
Email: [planninginfo@wycokck.org](mailto:planninginfo@wycokck.org)

Phone: (913) 573-5750  
Fax: (913) 573-5796  
[www.wycokck.org/planning.aspx](http://www.wycokck.org/planning.aspx)

May 21, 2018

Environmental Works, Inc.  
Attn: Ms. Mandy Flageolle  
1731 Locust Street  
Kansas City, MO 64108

Re: Zoning Verification Letter for 1675 Argentine Boulevard, Kansas City, KS 66102

This letter is in response to your request for zoning verification on the following property:

**Address**  
1675 Argentine Boulevard

**Parcel #**  
908002

The property listed above is zoned **M-3 Heavy Industrial District**.

The property was not granted any variances or zoning relief of any kind. (Special exceptions and conditional use permits do not exist in our zoning ordinance.)

The permitted uses and basic requirements can be found in Chapter 27 of the Kansas City, Kansas, City Code and are set out in the attached information.

Please call the Code Enforcement Department at (913) 573-8600 to see if there are active enforcement cases. Please call the Building Inspection Department at (913) 573-8620 to see if all conditions have been satisfied and an occupancy permit issued.

Sincerely,

Byron Toy, AICP  
Principal Planner  
Unified Government of Wyandotte County/Kansas City, Kansas  
(913) 573-5757  
[btoy@wycokck.org](mailto:btoy@wycokck.org)

**Sec. 27-470. M-3 heavy industrial district.**

(a) *Generally.* The purpose of the M-3 heavy industrial district is to accommodate those uses permitted in the M-1 and M-2 districts plus the remainder of the industries that are not included in those districts. Visual qualities and external effects of occupants in this district are likely to be adverse, in some cases affecting a sizeable land area. Location of sites would logically be limited to five or fewer sections of the community and relatively large land areas zoned. A substantial amount of heavy vehicular traffic and rail activity will occur with some occupants, and activity may be continuous through night time and weekend hours. This section applies to the M-3 heavy industrial district.

(b) *Permitted uses.* Occupancies of buildings and uses of land in this district are regulated both by performance standards and by enumerated uses that are permitted. The following list is not all-inclusive but rather establishes a descriptive and typical range of activities that are appropriate in this district. All uses must be operated in conformance with the performance standards that follow:

- (1) Any use permitted in the M-2 general industrial district.
- (2) Bulletin outdoor advertising signs adjacent to freeways and expressways.
- (3) Uses such as manufacturing or assembly of such large bulk products as railroad equipment, heavy contractor's equipment, aircraft, motor vehicles, bridge and bridge components, industrial production equipment concrete products, and watercraft. (Permitted in the more restrictive industrial districts if the standards and requirements of those districts can be met.)
- (4) Telecommunication towers no more than 250 feet tall.
- (5) Crematories, if the property is at least 500 feet from any residentially zoned land.
- (6) Dead animals or offal reduction or processing.
- (7) Extended or dead storage of motor vehicles, tow lots, and salvage yards for which a salvage special use permit is approved, as set out in division 6 of this article.
- (8) Grain elevators, railroad yards.
- (9) Hazardous waste disposal, storage (longer than 90 days) or treatment only if a special use permit is approved, as set out in division 6 of this article.
- (10) Manufacturing of industrial chemicals, pesticides and agricultural chemicals, paints and related products, plastics, synthetic resins, cement, fireworks or explosives and other manufacturing operations with similar environmental effects.
- (11) Metal smelting, refining of petroleum products, concrete and asphalt mixing plants.
- (12) Warehousing, wholesaling, or retailing of fireworks or explosives and other operations with similar potential environmental effects.

(c) *Plan review.* No permit for construction, reconstruction or expansion of a building, structure, outdoor service or activity area shall be issued, for uses listed under subsections (b)(5)--(b)(11) of this section, until and unless a development plan is first prepared by the applicant and approved by the planning commission after public hearing. The decision of

the planning commission may be brought before the unified government board of commissioners for final determination. Plans submitted shall include at least the following:

- (1) Site plan showing buildings, drives, parking, outdoor storage or other activity.
- (2) Area surrounding the site sufficient to indicate character, topography, current uses and street patterns.
- (3) Elevation sketches of any buildings or structures with approximate dimensions.
- (4) Indication of how wastewater, surface water, screening, and landscaping will be handled.
- (5) Brief description of the operation and how conformance with performance standards will be maintained.

(d) *Performance standards.* No use of land or buildings in this district shall be allowed to exceed or violate the following standards:

- (1) No use shall be permitted or so operated as to produce or emit:
  - a. Smoke, dust, fly ash, gas, or odorous emission not in compliance with chapter 3.
  - b. Vibration or concussion perceptible without instruments at the property line.
  - c. Noise greater than 85 dB(A) at repeated intervals for a sustained length of time at any point on the property line or noise which causes day-night noise level average to exceed 65 dB(A) for any residence for a sustained period.
  - d. Industrial waste which may overburden the public sewage facilities or produce odor or unsanitary effects beyond the property line.
- (2) No equipment, material or vehicles, other than motor passenger cars, may be kept, parked, stored or displayed closer than 25 feet to a street line unless such area is screened from the street by a solid fence or other obstruction, set back not less than six feet from the street line and not less than three feet in height.
- (3) All accessory materials and products such as lumber, steel and other metals and concrete products that have been previously used shall be totally screened from view from off the premises.
- (4) All uses involving storage, handling, use of sale of hazardous and highly flammable or explosive materials (group H occupancies as defined by the International Building Code as adopted and amended by the unified government) shall notify the building official prior to any such occupancy or any securing of unified government approval be it an occupational license, zoning approval, building permit, etc. The building official shall determine that all applicable requirements are met and may submit the use to the development review committee for review.
- (5) No adult motion picture theaters, adult bookstores or adult video stores shall be established within 500 feet of any church, school (those permitted in residential districts), or any residentially zoned area.

(6) Telecommunication towers shall comply with and be subject to the following:

- a. All towers shall be set back from any existing off-site residence a distance no less than the height of the tower.
- b. Removal of abandoned antennas and towers. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of a receipt of notice from the governing authority notifying the owner of such abandonment. The landowner shall be responsible for the removal in the event the lessee fails to remove it upon abandonment. If such antenna or tower is not removed within said 90 days, the governing authority may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.
- c. Every telecommunication tower shall be subject to administrative review after three years regardless of the approved term of the special use permit or the date such tower was installed in an M-2 or M-3 industrial zone. Reviews will subsequently be required every three years thereafter. At the time of this review the applicant shall demonstrate to the satisfaction of the unified government that:
  1. The general appearance of the facility has been adequately maintained. This shall include landscaping, fencing, surfacing, tower appearance, etc.
  2. The structural integrity of the tower is uncompromised. A report from a licensed professional engineer shall be submitted by the applicant assuring this.
  3. A good faith effort has been made to cooperate with other providers to establish collocation at the tower site. Good faith effort shall include, but is not limited to, timely response to collocation inquiries from other providers and sharing of technical information to evaluation the feasibility of establishing collocation.
  4. The unified government may request that the applicant hire a qualified third party to prepare a report providing measurements of radio frequency radio emissions and certifying compliance with all applicable regulations.

Failure to adequately demonstrate compliance on any one of these items shall result in the initiation of an enforcement action in municipal court or at district court of the county.

d. In areas where surrounding buildings and facilities are served by underground utilities, all utility lines shall be underground.

e. All towers over 100 feet shall be designed to accommodate at least three communication carriers.

(e) *Height and area standards.* All buildings and other uses of land shall conform to the following minimum standards:

- (1) There shall be no minimum or maximum height requirements except as may be established by airport approach zones.
- (2) No minimum setback is set out herein, however such setbacks as are deemed in the public interest and reasonably protective of nearby property will be established in the plan review process prior to construction. Along side and rear property lines adjacent to residentially zoned property a 15-foot setback is required for all buildings, structures, parking, loading, display and storage areas.

For additional standards and information, see division 8 of this article.

(f) *Parking standards.* Uses in this district require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. The ratio will vary among occupants and will be determined by the director of planning after receipt of a summary of parking needs and characteristics prepared by the owner or initial occupant. In no case, however, shall less than one space for each 500 square feet of building area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the director of planning. Where questions arise concerning increments over 50,000 square feet, the unified government board of commissioners shall make the final determination upon recommendation of the planning commission. Commercial uses shall provide parking as would be required in the C-3 district. For additional standards and information, see division 9 of this article.

(g) *Signs.* A broad range of signs is permitted in this district, including wall signs, detached signs and outdoor advertising. One wall sign is permitted on each of three facades of the building and one detached sign is allowed in lieu of one wall sign. For additional standards and information, see division 11 of this article.

(h) *Landscaping and screening.* All land area that is not covered by buildings or otherwise surfaced shall be brought to a finished grade and landscaped. Six-foot high architectural screening in combination with a buffer area is to be provided along all side and rear property lines common to or across an alley from residentially zoned property. For additional standards and information, see division 10 of this article.

(i) *Planned zoning.* All rezoning cases are reviewed relative to likely impacts of the proposed use on neighboring property and on the community in general. It is recognized that the manner in which a building is designed and located on a site, the visual perception of the project by nearby property owners, and the way that vehicular traffic and surface water are handled are important to the public welfare, yet may vary widely within the framework of these regulations and standards. Many such critical issues can be resolved in the public interest at the time of rezoning by use of the planned zoning process. This process involves submittal and approval of development plans at the time of zoning, a practice that may enhance neighborhood relationships and minimize traffic

and other impacts on the public in general. The planned zoning equivalent to this district is MP-3 and the procedures are set out in section 27-212.

(j) *Building conversion.* No building that was designed and constructed as a residential building shall be converted to a nonresidential use in this district.

(Ord. No. 64690, § 1(27-53), 8-30-1984; Ord. No. 64884, § 8, 10-3-1985; Ord. No. 65079, § 6, 11-6-1986; Ord. No. 65417, § 18, 4-6-1989; Ord. No. 66177, § 3, 12-5-1996; Ord. No. 66255, § 1, 8-7-1997)