CASE 004-26: REZONE R-1 (RESIDENTIAL) TO M-2 (HEAVY INDUSTRIAL)

Mr. Kimble asked the applicant to step forward and state their name for the record.

Mr. James Pinjuv, 1032 Antelope Rd, spoke in favor of the case. The reason to bring in a high-tech business, we don't know exactly what it will be, there are variables to this that haven't been answered. They will be answered through studies with Liberty and the southwest power pool. It is a large power user and a large water user but any expenses that are required to upgrade the facility to manage this deal will be paid for by the end user. The local power system will be greatly improved as will portions of the grid. Any of those upgrades will be born by the end user. I think most people here are familiar with senate bill four that passed last year or the year before which is all about data centers and how its wanting to entice data center developers to come to town, that bill specifically excludes any utility provider from being able to go out and do any speculative expense to grow a system that could wind up falling back and being born by existing rate pay. That can't happen. The way this works is that the studies will be done to determine how much power is actually available right now within the southwest power pool, which include a large swath of the United States and two Canadian Provinces. Those guys do the study to determine what if any excess power is available within that grid and can be transmitted to our location for use in this project. That is a time consumptive process, again the developer won't put up the money which is a $200,000 fee for each of the two studies they have two do, one for the SEC the other with Liberty. Liberty, of course, looks at it from their perspective and existing service territory and most of the impact will be on Liberty unless there is power that comes from Saskatchewan or Alabama, that a potential. Anybody who has any excess power would be interested in selling to this project. Then it is a matter of if it can be transmitted here and if can be how much and what upgrades will need to be made to the grid. All of those upgrades will be paid for by the end-user. Once the power studies determine, we know we won't have all of the power that we'd like to have, it's a large amount of power, roughly the size of Liberty right now, it'll come in tranches over the next two to four years. Each of those will come through the exact same studies and again the end user will bear the expense of the upgrade and will never fall back on the rate payer. A common misperception is that all of this power is going to drive up energy rate. This is not a all the case. Here, Liberty doesn't have any excess power, the power is going to come from new generation from some other place in the grid. The end user is not only paying for the water and power to get here but also for the generation itself. So, if in the long run if it goes the way we hope, there will be additional generation on the liberty grid and that will be primarily funded by the end user who will give it to Liberty and Liberty will operate it. They

will continue to consume the power. The costs are just staggering. The developer is not going to put in the money for even the study becomes that is non-refundable money which is out the door unless they know they have zoning in place and have community support.

Mr. Kimble asked if there were any questions from the commission.

Ms. Harrington asked what percentage of the property to be annexed in would the user actually purchase, will there be excess property?

Mr. Pinjuv responded that they will purchase the entire site that is to be annexed and rezoned, but that is another great thing about this development that it is a very minor coverage, there won't be a lot of buildings. The maximum, if they were able to get the amount of power that they'd like to get, again we don't know if they will able to get that, the first part will likely be 25% and hope to get a build out, but if they are able to get the maximum amount of power the build-out will be about four million square feet, which on 600 acres is less that 20%. These are not big employers, even if they maxed out at 4 million square feet will likely have 200 jobs. They are high paying jobs, so they don't create new traffic, they create less noise, 25% less noise than the Liberty power plant does right now, they don't create pollution, and they don't create problems that the police department will have to worry about at all. The entire thing will be fenced and secure because nobody can get into a data center other than an employee who works there. Guys that I know who have developed these already who have turned them over to the likes of Meta and Microsoft, once they get a C of O, they never get back in the building. They have really high security.

Ms. Harrington asked if they require the 600 acres for what they're building.

Mr. Pinjuv responded that they really don't but they want to keep competition out, they don't want any other users coming, and they also want to be good neighbors. They're going to provide huge buffering on this. Their minimum setback will be 250 ft. They are laying out the site plans now. They plan to build buffers around residential uses building dirt berms with evergreen trees. They are incredible community partners and citizens because they're in a different world financially that most other businesses and expect people to complain.

Ms. Harrington stated that will alleviate police coverage there. They are going to have very high security.

Ms. Phillips had a question asking if all of the build out would be in Jasper County or would some of it be in Newton County.

Mr. Pinjuv responded that he expects to have a site plan on this prior to City Council meeting in two weeks so he'll have a better idea if the county line runs in there and they may cover the County line.

Franchise takes are enormous property taxes are enormous, there is a lot of benefit to the municipality. At the end they don't create crime, they create exceptionally high paying jobs, from what I'm told, there are six and a half to seven outside jobs created in the community.

Mr. Kimble asked if there were other questions.

Mr. Kimble asked if there was anyone else who would like to speak in favor.

Mr. Morris Glaze, 3321 Delaware Ave, I've been on the JIDA board for 18 years and they just renewed me for another 6 years and I've been involved in economic development through the Chamber, and my business and when I was in sales for Standard Transportation for over 35 years. I've known Jimmer (Mr. Pinjuv) for 25 years. He's the soul developer for Wildwood Ranch. He's not asked for any financial help from the city, he's done all of the promotional work himself, I know he's worked on several projects in the past, some happened and some didn't but the IDA authority actually looked at buying his property about three years ago, but we couldn't afford it. We didn't have that kind of cash on hand even if we borrowed funds from the city. That is why we stayed out at the Crossroads center on East 32nd Street. And we just bought 330 acres on the north side of Exit 13 that you all just annexed into the City of Joplin in November. We didn't have any problems with fire or police protection and that's 13 miles east of the state line from where the city limits of Joplin start. Did you know that the convenient store at Downstream is in the City of Joplin? And they used the I-44 roadbed as a continuity to bring them into the city. We did look at this property. The county commissioners have paid for the improvements to 20th Street to get traffic to the west side of Joplin. And eventually the 249 bypass will be on that roadbed for Central City, MoDOT tells us.

Mr. Kimble asked if there was anyone who would like to speak in opposition.

Ms. Tammy Britton, 1386 Augusta Ln, stated that she is not for or against this, but she does have questions that should be answered before we rezone; one, Jimmer (Mr. Pinjuv) did mention about the infrastructure for the utilities. I think there needs to be more in-depth answers on that. I've done my own research from Warrenton, MO to Jefferson County, MO to Jefferson City. All of them have the same infrastructure problem with your utilities. Those costs do get sent down to the consumer. Also, the water, I don't know if you guys are aware how much water one of these data centers takes, but they take thousands and thousands of gallons a day to cool down. I think that needs to be addressed. Air pollution,

you're looking at putting a new building that's going to add more lighting, so that is going to take away from the people that built their houses out there in the country and we're going to have a lot of lighting issues. Now, how are they going to address that? The air pollution. These data centers also use large generators. How are they going to maintain the noise level out there when those generators have to be ran? Also, back to the utilities, when we do have power outages, does the data center come first to get resolved? Who comes first? A resident or a company?

Mr. Kimble asked Jimmer (Mr. James Pinjuv) if there is anything that she's asked or raised that you feel like you'd be able to answer?

Mr. Pinjuv stated that if there were an outage and the system were to go down, there would be on-site generators that would back up the site. There would be new infrastructure to bring gas to generate new power. That is all done with a cross country power line with Southern Star. Those engineering and budget plans are being put together now. They're reached out to Missouri American Water and the water is already available now from the pumpstation on 20th, they would have to build new lines to our property. It is relatively expensive, but in the grand scheme of things, and what it costs to build, off site improvements are pretty much rounding error, unless we needed excess power in Canada and had to build new lines down here, that would be a billion dollars but that's not going to be where we get it from. You heard that the local payers would get the bill but if you read Senate Bill 4 that can't happen, it is against the law. If it were to happen, I am not sure who will get sued but I don't see it happening. Again the five or six companies who do this are now worth more that all of the Fortune 500 companies put together.

Ms. Klue-Michael asked if the new water lines that are coming in are going to be paid by the purchaser as well.

Mr. Pinjuv responded that yes, the infrastructure costs will be paid by the end user. The end user will sign an agreement with the city and/or with Liberty. The developer is the builder/contractor and will not pay it. The amount of power that they plan to consume, let just use a wild number, lets say that they are going to get 200 megawatts of power in the first year, the end user will have to bond the first payment of that for, I believe, its like ten years. So it is about a million dollars per megawatt they have to bond for it and/or put up a cash equivalent. The middle guy can't do that; I can't do that.

Mr. Kimble asked Ms. Britton if Jimmer answered her questions.

Ms. Britton asked are we sure that they are willing to put that in writing and guarantee that the rate increases are not going to go down to the customers. For water, for power, for any of it. We're not benefiting from that.

Mr. Kimble asked Jimmer if he is willing to address that.

Mr. Pinjuv said that the senate bill addresses power but does not know if it addresses water. But it is the end user who will pay for the upgrades. The entire community will in fact benefit from this in a huge way. Primarily because of the type of jobs that will come to town and the wage base is dramatically higher. About two times the county average. Maybe some employers may not like it for competition on employees. The lowest wages they have are above $70,000. The average wage is closer to $100,000, mid 90's. I'm a growth guy, I believe that if a community is not growing, it's dying. That's why I bought this piece in the first place 20 years ago. It took 17-18 years of hanging on by the skin of my teeth to get it to the point where we had an opportunity like this and this is not something that existed 20 years ago. Like Tyler (Mr. Bellairs) said this thing is planned and mapped in our original design that we brought to the city back in, I think 2008, all of it was planned to be industrial and I can't imagine that we wouldn't get industrial zoning, and if we did get that and we didn't get what we're hoping to build right now the cat is out of the bag, I wasn't planning on talking about that. We've got a rail line running through that, you're talking about intense use of M2. This could be manufacturing and dirty stuff, noisy stuff, pollutant causing, which I also heard pollution causing (as one of the concerns raised for this use). I've not heard that data centers pollute. They draw a lot of power and use a lot of air conditioning but there is no smoke stacks. They could create pollution during a power shutdown where they had to start up their generators but that's not even in their plan. They want to have three sources of power to go to their sight, so if one goes down they still have two to back up. Because like I said, they can't go down because of the data. Obviously they are all wired in, if all three of those sources were to go down then they would kick in the generator. That is a very short-term use. There is a massive benefit to the community. This will be the biggest thing to hit Joplin, Missouri since the mining.

Mr. Kimble thanked Jimmer.

Ms. Britton stated that the only objection that she has with his comment about resources coming into the community, I guarantee that those jobs will only be 50k a year and I bet it will only employ 50 people. I work in IT. People really need to do their research on these data centers to see how many people actually work for these. Thank you.

Mr. Kimble asked if there is anyone else who would like to speak in opposition to this case. Please set forward and speak your name and address for the record.

Ms. Jennifer Jones, 2006 E 34th Place, I'd like to know precisely who's benefiting from having an AI data center in Joplin, aside from the developer who is going to sell his land. What benefits do those data centers bring to communities? Specifically, not future promises of this job and future prospects of other companies coming in. What actual benefits do they bring to a community when they're built. I'd also like to ask what company is planning on coming and I'd like to see some proof that in other places that they've built their facilities that they paid for the infrastructure improvements in those communities. Because again, we have been promised many thing by many companies that have come to Joplin through TIF incentives and different things with full-time employment and benefits and those things have not happened in every instance. I'd also like to know if they are going to produce their own private power to help with the electrical infrastructure, what type of power will that be? Will that be more fossil fuel production? That does cause more pollution and you can't say that it doesn't if you are using more fossil fuel to generate more power that does produce more pollution than is currently being produced. As far a not being aware, the developer not being aware of any pollution in any other areas, it is a really quick Google search to find people who live in communities next to these data centers that have to fill buckets with water to fill in their toilet tanks so that they can flush their toilet, that have brown sludge coming out of their faucets because they don't have water. I'd just like to know do we think that having the benefits of having one of these AI data centers in our community outweighs the costs to our natural resources, to our people to the people that live around as far as noise pollution, light pollution, everything that has already been said, there is proof, there has to be, this is not the first AI data center that's ever been built so there has to be proof for or against so if there is proof for improvements to communities and people are happy and everything is wonderful, I think we need to see that before we vote on rezoning this property. Thank you.

Mr. Kimble said that one thing that I'd like to address with you real quick, I don't know that many or any of those necessarily impact a zoning vote, they're excellent questions that you have, I'm not diminishing those by any means. I feel like those would be excellent questions to bring to the City Council in couple of weeks whenever this goes to them. And I understand the desire to have answers for this, I don't know if this is something that Jimmer can speak to or not.

Ms. Jones said just as a rebuttal to what he just said. They are going to be paying for everything, their won't be extra pollution, I'd like to see proof of that.

I'd like to see data. I'm sure he's a fine wonderful honest man but I'm not going to take his word for it. I want to see some data.

Ms. Phillips said that I think Tyler (Mr. Bellairs) maybe you can sum this up, we're here to rezone we're not to approve a data center. I'm not trying to cop out at all, believe me.

Mr. Bellairs said that what Mr. Kimble is saying and what Ms. Mary Ann Phillips is saying is that the scope of the decision for Planning and Zoning Commission it's whether or not this M-2 Heavy Industrial is a suitable zoning district for this area not regarding the specific use whether or it's a data center, whether it's a manufacturing or a something similar to Owens Corning or utilities uses anything that permitted in the M-2 district. The scope of the decision is based solely on whether or not we think that heavy industrial district is a good fit for this area. So what the Commission has to take into consideration is future land use plans existing infrastructure surrounding characters of development in order to make their decision but they're not here to discuss the particular use or any development plan that may or may not take place after the rezoning.

Ms. Jones stated that okay if this property is not rezoned are you still going to sell it to whatever. Is this deal going to fall through for him if this property is not rezoned, that's my question.

Mr. Bellairs indicated that yes they can't sell to an industrial developer if the rezoning does not pass.

Ms. Jones said that answers it, thank you.

Ms. Phillips said that I know we keep talking about power and water but don't forget about our friends at the wastewater treatment plant and the sewer because the city is going to have to bring in sewer too. Because we are not going to be on a septic system. So that's another huge, huge amount of money to do the infrastructure.

Dr. Rosenberg stated that is says there that all of the utilities are in place. Is that true.

Mr. Bellairs said that city sewer is in place, that says *city* utilities are in place other utilities will need to be extended.

Mr. Kimble ask if there is anyone else who would like to speak in opposition to the case to please step forward and state your name and address for the record.

Ms. Susan Mitchell, 5128 W. 20th, I'm asking that you don't pass it because if you do your research you'll find out that the data centers take up a lot of electricity it goes back to the consumers it is not going to hurt just Joplin but will hurt the

whole state of Missouri it's going to hurt Kansas and everything just because it is a data center. It's only going to employee two hundred people. Most of them, do your research, doesn't employee hardly any person. They don't have parking lots. It's just nothing but computers running in there constant. It take up electricity and it takes up a lot of water and then it's going to bring down my property and a lot of other property out there and a lot of property values because it's going to be a data center and again if you do your research, and I ask that you just put this off a little bit, you'll find out that they're noisy, there is a constant hum in the air. It's been pretty peaceful out our way but it's not now with the road coming in and stuff but it's going to be a hinderance for people and it's going to cost us knock our property values down, and you know, it's going to raise everybody's utilities they even had a thing on TV I just happen to catch it a couple of weeks ago that I didn't even hear about it and it was people in Texas and I think North or South Carolina that are complaining that their power bills meaning heir electric bills was more than their house payment. And they were complaining like $1,100 electric bills. And I know now people have you know electric bills that are out of sight anyways because Liberty getting all of these. But it is going to be the consumers that is going to pay for it. AI is not going to pay for it, you know. You guys should all know that. It's just a fairytale it's not going to happen. I think it still needs to stay out there residential. The original plans were to put a school out there and you know, maybe a convenience store or something like that in a little area and probably put a school out there I said. I think it needs to stay residential and maybe M-3 to add maybe a commercial store or something because there is a lot of people in that area and a lot more people to come. He may have to wait on his money, you know, to get it from residential but I don't think it should be zoned for industrial. It's going to cost all of the taxpayers. Anybody that works or anyone that has a utility bill with you know Empire electric or water it's going to cost them. You can Google it right now and you can ask, and I didn't look it up, you can ask what an AI data center will do and one of them will say 20% of your value of your home higher utility bills its all going to be there, you know, so, I just ask that you don't rezone it to be heavy industrial or don't allow a data center out there because you know like I said we just live right down the road we're not six blocks from there, It won't be going outside to listen to nothing. There is hardly any traffic out there. There never has been on that road. But once they get that done then there is going to be a lot of traffic, we might as well live downtown or we'd have to live by the mall or something, because it's going to get pretty noisy. And you're going to ruin our neighborhood and you're going to raise everyone's utility bill. And not just Joplin's going to raise everyone's, Liberty bills are going to go up a lot. I just ask that you do your research take a little bit of time before you pass this, it's not going to hurt the council to wait a little longer, it's just not good. Not a good thing

for anybody. Whether you live out there or, we all have utility bills. And I think and I don't know for sure but I'm sure the water is going to cool those turbines there gonna knock down. They just put in a bench pipe a few years ago, you know for the Empire plant. So I don't know how big this pipe is going to be but it is going to take our water table down, it's gonna hurt our yards it's gonna hurt the water pressure. It's just not going to be good. Nothing good is going to come out of it. That's all I ask is that you wait, you know or don't pass it. Thank you.

Mr. Kimble asked if there is anyone else who would like to speak in opposition to this case. Please set forward and state your name and address for the record.

Ms. Susan Cook 5729 W 20th Street, we received a letter that said that we were within 185 feet of this development, this change. We've lived at our residence for 35 years; we raised our children out there our grandchildren come and visit us. We have young grandchildren. What impact will this have on the traffic patterns? Has anyone done a study of that. There is already because of the Owens Corning plant and even when the dog food plant prior to Owens Corning. There'd be large semi trucks going back and forth and we had a concern when our children stated driving. What will this rezoning do to the traffic patterns. We have quail out there large population of wildlife, we've seen the owl population diminish since the residential development of Wildwood Rand south of the railroad tracks. What's it going to do for our quail population, has anyone studied that? There is a lot of water runoff that crosses our pasture, beautiful wildflowers in the summer and wild asparagus because of the runoff water. What is that going to do to the quality of water if this is rezoned to commercial? Has anyone looked at this other than the dollar impact this will have? Those are questions that we would love to see answered and what will this do to our property value. Our 10 acre property is a legacy that we have built for our family. They can come out and look at the stars they can look for comets and we've seen the northern lights. What kinds of pollution will take place out there? Not just air pollution, light pollution, noise pollution, these are things that should be considered before you make the vote to change that and affect our lives. Thank you.

Mr. Kimble asked Tyler (Mr. Bellairs) if he has speak to any traffic or environmental impact studies that have been done or will be done in this are.

Mr. Bellairs mentioned that they are working on a western bypass with MoDOT, the 20th Street improvements are currently underway to handle traffic for expected industrial developments, such as semi truck traffic. 32nd street has already been completed out to Central City Rd. A specific traffic study for the scope of this site has not been conducted, but we have made improvements for heavy industrial traffic, and that dates back to 2018 when this was designated as a heavy industrial opportunity area.

Mr. Kimble asked what about environmental impact.

Mr. Bellairs stated he does not have environmental studies with him now, I would have to refer back to the 2018 report. There may have been environmental studies included in the 2018 Wildwood Ranch Industrial Complex Master Plan.

Mr. Kimble asked what it would take to conduct a traffic study.

Mr. Bellairs responded that we have to confer with our engineering teams. Perhaps we could do that in house. He'd have to defer to public works and talk to our traffic engineer.

Mr. Kimball asked about how long it would take to do a environmental study.

Mr. Bellairs responded that we would probably have to hire a consultant for that.

Mr. Kimble asked what the timeline on that would be.

Mr. Bellairs stated he would not have that present at this time. It would not be a quick turnaround because we would have to put that out to bid, or if the developer did that, they would have to confer with their firms to perform that study in house, but that he would have to get back with Mr. Kimble on that, as he does not have that answer now.

Mr. Kimble ask if there is anyone else who would like to speak in opposition to this case. Seeing that there is none, Mr. Kimble asked to open the floor to the Commission.

DR. ROSENBERG MADE A MOTION TO APPROVE CASE 0 04-26. THIS MOTION WAS SECONDED BY MS HARRINGTON MOTION CARRIED. (6 IN FAVOR, 1 IN OPPOSITION, 0 ABSENT) .