CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-258 – Rezoning

MEETING DATE:
February 3, 2025

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:

Not applicable for this item.

SUMMARY REQUEST:

Case 002-25: 8125 E 26th St – Rezoning – A request to rezone from R-1 (Single-Family Residential) to M-2 (Heavy Industrial) – Aesir Technologies, Inc.

BACKGROUND:

Aesir Technologies is a legally non-conforming, existing use. The present use is manufacturing. The property was annexed into the City in 2015 and was never rezoned. Property is designated as R-1 when it is incorporated into City Limits. The building is being expanded, which will trigger rezoning. The existing use is manufacturing, and the surrounding area is zoned M-2.

PLANNING & ZONING COMMISSION TESTIMONY:

Patty Johns presented the case on behalf of Aesir Technologies. Ms. Johns stated the request to rezone the property was due to Aesir Technologies obtaining a large contract with the government, which gave them the funding to expand the building they are currently in. Ms. Johns explained that during the permit process, it was found that the zoning of the property was incorrect and needed to be updated.

PUBLIC COMMENT;

There was none.

RECOMMENDATIONS:
Staff recommends approving Council Bill 2025-258
Planning & Zoning Commission recommends approving Case 002-25 (6 in Favor, 0 Opposed, 1 Absent)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Z&P Meeting: January 13, 2025
City Council Meeting: February 3, 2025

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 002-25 A request to rezone from District R-1 (Single-Family Residential) to District M-2 (Heavy Industrial)

LOCATION 8125 E 26th St

APPLICANT Aesir Technologies

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Manufacturing	Approximately 4 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	M-2	M-2	M-2	Unincorporated
Land Use	Manufacturing	Manufacturing	Manufacturing	Utility/Water Tower

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as future Industrial.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
E 26th St	Local	75′

UTILITIES

Utilities in place.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. Existing uses are all heavy industrial, and the future land use map designates this area Future Industrial.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

R-1 is not a suitable zoning district for the subject property. The existing use has been legally non-conforming since it was annexed in 2015. M-2 is the highest and best use of property.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change of zoning will not be detrimental to nearby property. The rest of the area is zoned industrial, and the property is located within the Joplin Industrial Park.

DISCUSSION

Aesir Technologies is a legally non-conforming, existing use. The present use is manufacturing. The property was annexed into the City in 2015 and was never rezoned. Property is designated as R-1 when it is incorporated into City Limits. The building is being expanded, which will trigger rezoning. The existing use is manufacturing, and the surrounding area is zoned M-2.

City Staff recommends approval of Case 002-25.

ENCLOSURES

- Map of property
- Application

CASE 002-25: REZONING

8125 E 26th St- Rezoning- A request to rezone from R-1 (Single- Family Residential) to M-2 (Heavy Industrial)- Aesir Technologies, Inc

Mr. Kimble asked if the applicant would step forward and state their name and address for the record.

Patty Johns of 8125 E 26th Street, Joplin, Missouri, presented the case on behalf of Aesir Technologies.

Ms. Johns stated the request to rezone the property was due to Aesir Technologies obtaining a large contract with the government, which gave them the funding to expand the building they are currently in. Ms. Johns explained that during the permit process, it was found that the zoning of the property was incorrect and needed to be updated.

Mr. Kimble asked if the commissioners had any questions for the representative.

Mr. Kimble asked if there was anyone in the audience that would like to speak in favor of this case.

Mr. Kimble asked if there was anyone in the audience that would like to speak in opposition to this case.

DR. ROSENBERG MADE A MOTION TO APPROVE CASE 002-25. THIS MOTION WAS SECONDED BY MR. LANDIS. MOTION CARRIED. (6 IN FAVOR, 0 OPPOSED, 1 ABSENT)

Rezoning Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only
Case No.: 002-25
Filing Fee: $600.00
Received: 11/21/24
Date Advertised:
Proj. No.: 25-005
Public Hearing Date: 1/13/25

Applicant: AESIR TECHNOLOGIES INC Phone No.: 417-553-0237
Address: 8125 E. 26TH ST. JOPLIN MO 64804 Email: patti.johns@aesirtec.com
Owner: AESIR TECHNOLOGIES / CB PROPERTY MGMT Phone No.: 417-553-0237
Address: 8125 E. 26TH ST. JOPLIN MO 64804 Email: patti.johns@aesirtec.com
Location of Property: 8125 E 26th St
Present Use of Property: Manufacturing (legally non-conforming)
Proposed Use of Property: Manufacturing
Current Zoning: R-1 (Single-family) Requested Zoning: M-2 (Heavy Industrial)

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Manufacturing	M-2
South	Manufacturing	M-2
East	Manufacturing	M-2
West	Manufacturing	M-2-PD

Character of the Neighborhood: Industrial Park

Relationship to Existing Zoning Pattern:

Yes	No	
☐	☒	Would proposed change create a small, isolated district unrelated to surrounding districts?
☒	☐	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: Use is legally non-conforming - addition triggers rezoning - currently zoned single family

Conformance with Comprehensive Plan:

Yes	No	
☒	☐	Consistent with Development Policies?
☒	☐	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
☐	☒	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: E 26th St

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☒

Right-of-Way Width: ~80'

Subdivision Platting:

Yes	No	
☐	☒	Is platting required?
☒	☐	Are lots appropriately sized?
☒	☐	Is street right-of-way appropriately sized?

☒ ☒ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: _____

Unique Characteristic of Property and/or Additional Comment:

Legally Non-Conforming Use

Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
☒	☐	Completed and signed application.
☐	☐	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
☒	☐	One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
NA	☐	☐ Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Applications that are incomplete or missing required documents will not be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: Patti Johns **Date:** 11/20/2024

Recorded in Jasper County, Missouri
Recording Date/Time: 01/05/2021 at 02:08:52 PM
Book: 2572 Page: 402
Instr #: 2021000159
Type: WD
Pages: 3
Fee: $30.00 S

Electronically Recorded

Charlotte Pickering
Recorder of Deeds

WARRANTY DEED BY LIMITED LIABILITY COMPANY

THIS DEED, Made and entered into this 4th of January, 2021, by and between Grantor COLD HARBOR, LLC, an Oklahoma limited liability company, of the State of Oklahoma, party or parties of the first part, and Grantee, CB PROPERTY MANAGEMENT, INC, a Massachusetts corporation, a 87.356% interest and AESIR TECHNOLOGIES, INC. a Delaware corporation a 12.644% Interest, as tenants in common, party or parties of the second part, Grantee's mailing address: 8125 E 26TH STREET, JOPLIN MO 64804

WITNESSETH, that the said party or parties of the first part, for and in consideration of the sum of One Dollar and other valuable consideration paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of **JASPER** and State of Missouri, to wit:

SEE EXHIBIT A FOR LEGAL DESCRIPTION

TO HAVE AND TO HOLD THE SAME, Together with all rights and appurtenances to the same, belonging unto the said party or parties forever. The said party of the first part covenanting that said party and the heirs, executors, administrators and assigns of such party, shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all person whomsoever, excepting however, the general taxes for the current calendar year, and thereafter, and special taxes becoming a lien after the date of this deed, and restrictions, easements and building set back lines of record if any, and zoning laws.

MEMO # 3167

WARRANTY DEED BY LIMITED LIABILITY COMPANY

THIS DEED, Made and entered into this 4th of January, 2021, by and between Grantor COLD HARBOR, LLC, an Oklahoma limited liability company, of the State of Oklahoma, party or parties of the first part, and Grantee, CB PROPERTY MANAGEMENT, INC, a Massachusetts corporation, a 87.356% interest and AESIR TECHNOLOGIES, INC. a Delaware corporation a 12.644% Interest, as tenants in common, party or parties of the second part, Grantee's mailing address: 8125 E 26TH STREET, JOPLIN MO 64804

WITNESSETH, that the said party or parties of the first part, for and in consideration of the sum of One Dollar and other valuable consideration paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of **JASPER** and State of Missouri, to wit:

SEE EXHIBIT A FOR LEGAL DESCRIPTION

TO HAVE AND TO HOLD THE SAME, Together with all rights and appurtenances to the same, belonging unto the said party or parties forever. The said party of the first part covenanting that said party and the heirs, executors, administrators and assigns of such party, shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all person whomsoever, excepting however, the general taxes for the current calendar year, and thereafter, and special taxes becoming a lien after the date of this deed, and restrictions, easements and building set back lines of record if any, and zoning laws.

MEMO # 3167

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its authorized

Manager(s) or Member(s) the day and year first above written.

COLD HARBOR, LLC, an Oklahoma limited liability company

BY: Thomas R. Crook

THOMAS R CROOK, MANAGER

State of MISSOURI)
)
County of GREENE)

On this 4th of JANUARY, 2021, before me personally appeared **THOMAS R CROOK**, to me personally known who being by me duly sworn, did say that he is the **MANAGER** of **COLD HARBOR, LLC**, and said **THOMAS R CROOK** acknowledged said instrument to be the free act and deed of said **COLD HARBOR, LLC.**

In testimony whereof, I have hereunto set my hand and affixed my official seal in my office in the state and county, on the day and year last above written.

J. Watkins
Notary Public

J. WATKINS
Notary Public – Notary Seal
STATE OF MISSOURI
Christian County
My Commission Expires Apr. 4, 2022
Commission #14522237

Research & Development
960 Technology Blvd. Suite 1
Bozeman, MT 59718
Phone: (406) 624-0951

Æsir Technologies, Inc.

ZAF Energy Systems

Production Facility
8125 East 26th Street
Joplin, MO 64804
Phone: (417) 553-0237

November 20, 2024

City of Joplin
Zoning-Planning

We are requesting rezoning of the property at 8125 E. 26th Street, Joplin, MO 64804 because the building is housing a Manufacturing Company. The impact would bring the Company up to zoning requirements per the City. No impact to traffic conditions or danger of fire hazards. The proposed change will not affect the character of the surrounding properties since the building has been here for 14 years. This will benefit the City because the Company is planning an expansion to manufacture batteries for the U.S. Navy.

Patti Johns
VP of Administration

Patti Johns

EXHIBIT A

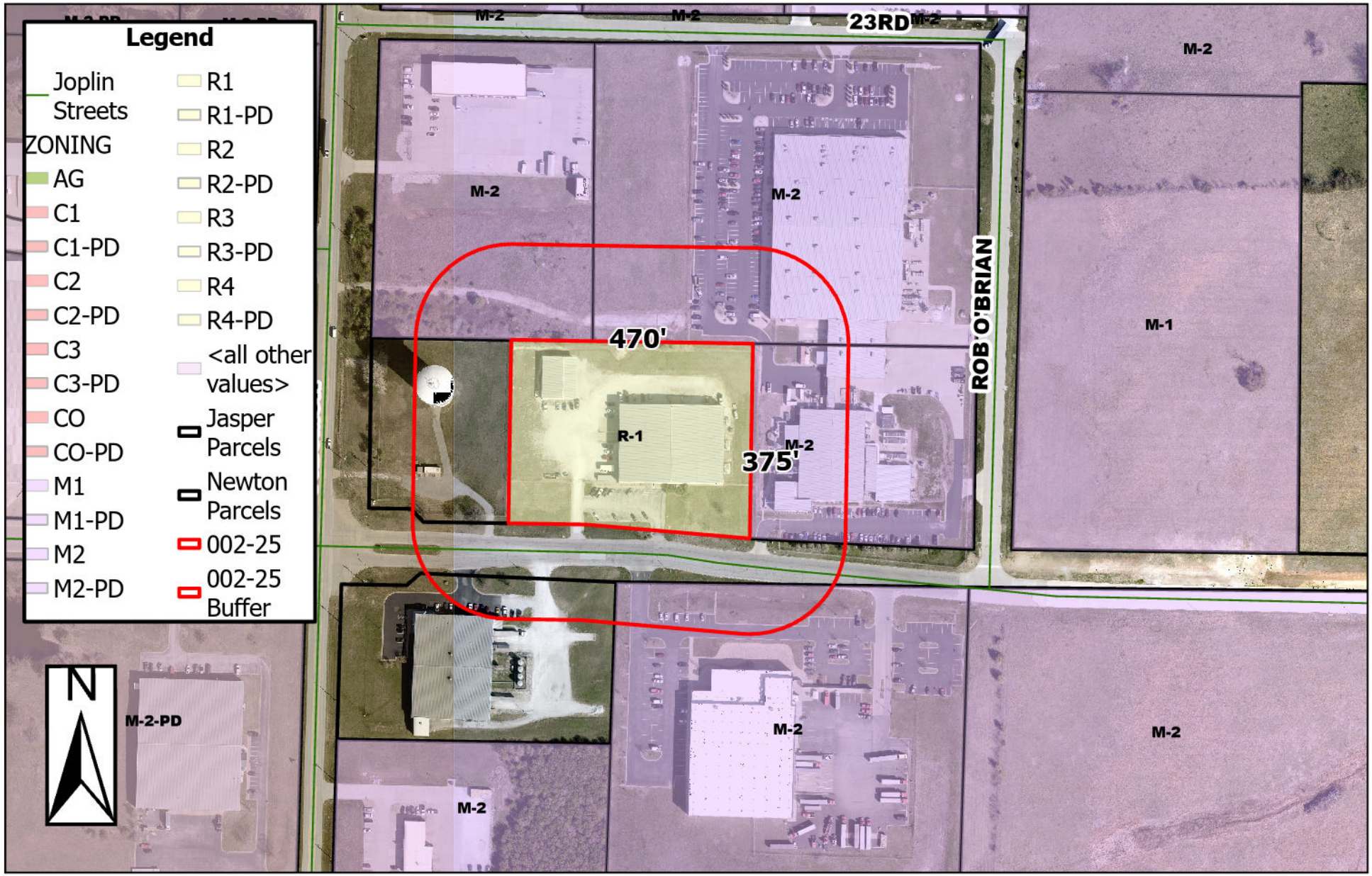
TRACT 1:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW¼) OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST, IN JASPER COUNTY, MISSOURI, BEING DESCRIBED MORE FULLY AS FOLLOWS: COMMENCING AT THE WEST QUARTER (W¼) CORNER OF SAID SECTION 14, A FOUND 5/8 INCH IRON PIN, THENCE N00°54'45"E ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 424.25 FEET, THENCE S89°05'15"E A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING, THENCE S 89°05'15"E A DISTANCE OF 467.07 FEET, THENCE S00°54'45"W A DISTANCE OF 376.96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST ALLIANCE PARKWAY, THENCE N85°07'34"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 317.84 FEET, THENCE N89°05'15"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 149.98 FEET, THENCE N00°54'45"E, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 355.00 FEET TO THE POINT OF BEGINNING.

TRACT 2:

A UTILITY EASEMENT DESCRIBED AS: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST, IN JASPER COUNTY, MISSOURI, BEING DESCRIBED MORE FULLY AS FOLLOWS: COMMENCING AT THE WEST QUARTER (W¼) CORNER OF SAID SECTION 14, A FOUND 5/8 INCH IRON PIN, THENCE N00°54'45"E ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 424.25 FEET, THENCE S89°05'15"E A DISTANCE OF 350.00 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF TRACT 1 AND THE POINT OF BEGINNING, THENCE N00°54'45"E A DISTANCE OF 25.00 FEET , THENCE S89°05'15"E A DISTANCE OF 467.07 FEET, THENCE S00°54'45"W A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF TRACT 1, THENCE N89°05'15"W ALONG SAID NORTH LINE A DISTANCE OF 467.07 FEET TO THE POINT OF BEGINNING.

Case 002-25: Rezoning



8125 E 26th St - Rezoning - A request to rezone from R-1 (Single-Family Residential) to District M-2 (Heavy Industrial) - Aesir Technologies, Inc.

0 95 190 380 570 760 Feet

P & Z Case 002-25
Aesir Technologies, Inc.
(P & Z Recommended to Approve)

COUNCIL BILL NO. 2025-258 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2022-274, passed by the Council of the City of Joplin, Missouri, August 1, 2022, by removing from District R-1 (Single-Family Residential) and include in District M-2 (Heavy Industrial) property as described below and located at 8125 E 26th St, Jasper County, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2022-274 is hereby amended by removing from District R-1 (Single-Family Residential) the following described property and including in District M-2 (Heavy Industrial).

TRACT I:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW¼) OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST, IN JASPER COUNTY, MISSOURI, BEING DESCRIBED MORE FULLY AS FOLLOWS:

COMMENCING AT THE WEST QUARTER (W¼) CORNER OF SAID SECTION 14, A FOUND 5/8 INCH IRON PIN, THENCE N00° 54'45"E ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 424.25 FEET, THENCE S89° 05' 15"E A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING, THENCE S 89° 05' 15"E A DISTANCE OF 467.07 FEET, THENCE S00° 54'45"W A DISTANCE OF 376.96 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST ALLIANCE PARKWAY, THENCE N85° 07'34"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 317.84 FEET, THENCE N89°05' 15"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 149.98 FEET, THENCE N00°54'45"E, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 355.00 FEET TO THE POINT OF BEGINNING.

TRACT 2:

A UTILITY EASEMENT DESCRIBED AS:

A TRACT OF LAND LOCATED IN NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 27 NORTH, RANGE 32 WEST, IN JASPER COUNTY, MISSOURI, BEING DESCRIBED MORE FULLY AS FOLLOWS: COMMENCING AT THE WEST QUARTER (W¼) CORNER OF SAID SECTION 14, A FOUND 5/8 INCH IRON PIN, THENCEN00°54'45"E ALONG THE WEST LINE OF SAID QUARTER SECTION A DISTANCE OF 424.25 FEET, THENCE S89° 05' 15"E A DISTANCE OF 350.00 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF TRACT l AND THE POINT OF BEGINNING, THENCE N00° 54'45"E A DISTANCE OF 25.00 FEET ,THENCE S89° 05' 15"E A DISTANCE OF 467.07 FEET, THENCE

S00° 54'45"W A DISTANCE OF 25.00 FEET TO NORTHEAST CORNER OF TRACT 1, THENCE N89° 05' 15"W ALONG SAID NORTH LINE A DISTANCE OF 467.07 FEET TO THE POINT OF BEGINNING.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2025, by a vote of _____.

_____
Keenan T. Cortez, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney