



**New Albany Planning Commission**  
Monday, December 15, 2025 Meeting Minutes - Approved

**I. Call to order**

The New Albany Planning Commission held a regular meeting on Monday, December 15, 2025 in the New Albany Village Hall. Chair Kirby called the meeting to order at 7:02 p.m. and asked to hear the roll.

**II. Roll call**

Those answering the roll:

Mr. Schell	present
Mr. Kirby	present
Mr. Wallace	present
Ms. Briggs	present
Mr. Larsen	present
Council Member Wiltrot	present

With all voting members present, the commission had a quorum to transact business.

Staff members present: Law Director Albrecht, Planner I Henderson, Planner II Saumenig, Development Engineer Wood, Deputy Clerk Madriguera.

**III. Action on minutes:** December 1, 2025

Chair Kirby made the following correction to the minutes. On page three, condition seven for ZC-78-2025 should read as follows:

7. Parking should go no further east than the east face of the existing accessory structure.

Commissioner Wallace made the following additional corrections to the minutes:

On page four it was Commissioner Wallace who seconded the motion to approve ZC-78-2025.

On page four, Commissioner Wallace's explanation for his no vote should read as follows:

Commissioner Wallace explained that he voted no because he did not find that the request meets the *Duncan* requirements; and the request is not compatible with adjacent uses. He further found that although conditions of approval are not unusual, the seven conditions imposed on an application like this one demonstrate that the request is unsuitable at this time.

On page six, in the third paragraph attributed to Mr. Rubey, the word "eminent," should be "imminent."

On page six, in the second to last paragraph attributed to Mr. Rubey the time should be 9:30.

On pages five and seven regarding the modification to condition three on ZC-ZC-94-2025. Condition three should be modified as follows:

3. Modified to reflect the following, The riparian corridor and wetlands will be established subject to staff approval, and then staff will approve all trees proposed for removal based on those areas that are established.

#### **IV. Additions or corrections to the agenda**

Deputy Clerk Madriguera congratulated Commissioner Schell on his recent election to the Plain Township Board of Trustees. Plain Township is fortunate to have him, and their good fortune is New Albany's loss. Hans' service has been exemplary and he will be missed.

Council Member Wiltrot congratulated Commissioner Schell and stated that she has learned so much and feels that she has watched him shepherd the commission through many difficult decisions. The city council is grateful to Hans and has confidence that he will continue to provide great leadership for years to come. She wished him the very best with Plain Township.

Planner II Saumenig said that on behalf of the Planning Staff, Commissioner Schell was a pleasure to work with, his preparation and attendance was outstanding.

Chair Kirby asked whether there were any further additions or corrections to the agenda. Hearing none, he administered the oath and advised everyone that now was a good time to silence cell phones.

#### **V. Hearing of visitors for items not on tonight's agenda**

Chair Kirby asked whether there were any visitors present who wished to speak on an item not on the agenda. Hearing none, he introduced the first case and asked to hear from staff.

#### **VI. Cases:**

##### **FDP-96-2025 Stack Data Center Final Development Plan**

Final Development Plan for a new Stack Infrastructure data center on the east side of Souder Road (PID: 222-005106).

**Applicant: Nicholas Ovens, EMHT**

**Planner: Jay Henderson**

Planner I Henderson delivered the staff report.

Chair Kirby asked about the nature of the easement would - it be for overhead lines, noting that overhead lines meant that ingress is not threatened and no new curb cuts are needed.

Applicant and Attorney Aaron Underhill responded that the easement is for overhead lines. He further spoke in support of the application. He explained that this use and the design is consistent with existing uses and designs in the business park. He stated that the applicants agreed with the conditions.

Commissioner Schell asked if there had been comments from the neighbors.

Planner I Henderson responded that there have been no comments from the neighbors.

Commissioner Briggs confirmed that final development plans are a type of application that requires neighbor notification.

Chair Kirby confirmed that the first condition did not diminish the amount of required regular street trees.

Commissioner Larsen asked that the first condition be modified to require “a minimum of 27 street trees,” rather a total of 27 street trees.

Commissioner Briggs further discussed the site plan, the landscaping, the existing facility, the location of the proposed data center, and the adjacent properties.

Commissioner Schell asked whether the trees on the site plan were existing or proposed.

The applicant stated that it is a mixture.

Chair Kirby asked whether there was anyone from the public was present to comment on the application.

Hearing none, Chair Kirby moved to accept the staff reports and related documents into the record for FDP-96-2025. Commissioner Schell seconded the motion.

Chair Kirby asked whether there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Kirby yes, Mr. Schell yes, Mr. Wallace yes, Mr. Larsen yes, Ms. Briggs yes. Having five yes votes, the motion passed and the staff reports and related documents were admitted into the record for FDP-96-2025.

Commissioner Schell moved for approval of FDP-96-2025 based on the findings in the staff report with the conditions in the staff report and the fifth condition displayed on the screen (see below), and the first condition being modified to require a minimum of 27 street trees and noting that this does not apply to other areas of landscaping

5. The applicant works with staff during the permitting stages to determine proper landscaping on the north side of the property due to the potential AEP easement.

Chair Kirby seconded the motion. He then asked if there was any discussion on the motion. Hearing none, he asked to hear the roll.

Upon roll call: Mr. Schell yes, Mr. Kirby yes, Mr. Wallace yes, Mr. Larsen yes, Ms. Briggs yes. Having five yes votes the motion passed and FDP-96-2025 was approved.

The commission thanked the applicant and wished him good luck.

## **VII. Other business**

Noting that there was no other business scheduled, Chair Kirby polled the members for comment.

## **VIII. Poll members for comment**

Commissioner Briggs congratulated Commissioner Schell on his recent election. She noted that he has been her seat mate on the commission and she thanked him for welcoming her and for showing her the ropes. She stated that he will be missed.

Commissioner Schell thanked each of the members of the commission. He further thanked the staff members by name for their professionalism. He remarked that the growth that the commission has seen in New Albany has been exponential. He complimented the talent and the high level of professionalism on the board. He considers the board lifelong friends.

Commissioner Kirby echoed the sentiments shared. He thanked Hans for his tremendous service and stated that he will be missed.

Commissioner Wallace added his congratulations stated that it was an absolute pleasure to work with Hans. He further complimented Hans on all of his service beyond the commission, and stated that Hans will be missed

Commissioner Larsen thanked Hans for all of his work on the board and for his service to New Albany. It was an absolute pleasure to work with him. Hans was leaving behind big shoes to fill, and he congratulated him for moving on to bigger service opportunities.

#### **IX. Adjournment**

Having no further business and having completed their agenda, Chair Kirby wished happy holidays to everyone and adjourned the December 15, 2025 regular meeting of the New Albany Planning Commission without objection at 7:23 p.m.

Submitted by: Deputy Clerk Madriguera, Esq.

#### **Appendix FDP-96-2025**

#### **Staff Report Record of Action**



**Planning Commission Staff Report**  
**December 15, 2025 Meeting**

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**STACK DATA CENTER**  
**FINAL DEVELOPMENT PLAN**

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LOCATION: Generally located east on Souder Road and north of New Albany Road East (PID: 222-005106)  
APPLICANT: Nicholas Ovens, EMHT  
REQUEST: Final Development Plan  
ZONING: Infill Planned Unit Development (I-PUD): Souder East Research and Information District, subareas 2 & 3  
STRATEGIC PLAN: Employment Center  
APPLICATION: FDP-96-2025

Review based on: Application materials received November 17 and November 26, 2025

*Staff report prepared by Jay Henderson, Planner I*

**I. REQUEST AND BACKGROUND**

The application is for a final development plan for a proposed Stack Infrastructure data center generally located east on Souder Road and north of New Albany Road East on approximately 16.81 acres.

The Planning Commission reviewed and approved a variance to the development text to allow for an increase in building height from 45 feet to 55 feet on October 20, 2025 (VAR-72-2025).

This site is located within subarea 2 & 3 of the Souder East Research and Information I-PUD zoning district, which was reviewed and approved by the Planning Commission on July 7, 2008 (ZC-04-2008) and by City Council on July 15, 2008 (O-16-2008).

**II. SITE DESCRIPTION & USE**

The 16.81-acre property is currently undeveloped. The zoning text permits the uses included in the OCD (Office Campus District) zoning district found in the city code, including administrative, business, and professional offices, warehousing as an ancillary use, and data centers. The Nationwide data center is located east and south of the property, with vacant land to the north and Souder Road to the west. There are no residentially zoned properties immediately surrounding the site.

**III. EVALUATION**

Staff's review is based on New Albany plans and studies, zoning text, and zoning regulations. Primary concerns and issues have been indicated below, with needed action or recommended action in underlined text. Planning Commission's review authority is found under Chapter 1159.

The Commission should consider, at a minimum, the following (per Section 1159.08):

- a. *That the proposed development is consistent in all respects with the purpose, intent and applicable standards of the Zoning Code;*
- b. *That the proposed development is in general conformity with the Strategic Plan/Rocky Fork-Blacklick Accord or portion thereof as it may apply;*

- c. *That the proposed development advances the general welfare of the Municipality;*
- d. *That the benefits, improved arrangement and design of the proposed development justify the deviation from standard development requirements included in the Zoning Ordinance;*
- e. *Various types of land or building proposed in the project;*
- f. *Where applicable, the relationship of buildings and structures to each other and to such other facilities as are appropriate with regard to land area; proposed density may not violate any contractual agreement contained in any utility contract then in effect;*
- g. *Traffic and circulation systems within the proposed project as well as its appropriateness to existing facilities in the surrounding area;*
- h. *Building heights of all structures with regard to their visual impact on adjacent facilities;*
- i. *Front, side and rear yard definitions and uses where they occur at the development periphery;*
- j. *Gross commercial building area;*
- k. *Area ratios and designation of the land surfaces to which they apply;*
- l. *Spaces between buildings and open areas;*
- m. *Width of streets in the project;*
- n. *Setbacks from streets;*
- o. *Off-street parking and loading standards;*
- p. *The order in which development will likely proceed in complex, multi-use, multi- phase developments;*
- q. *The potential impact of the proposed plan on the student population of the local school district(s);*
- r. *The Ohio Environmental Protection Agency's 401 permit, and/or isolated wetland permit (if required);*
- s. *The U.S. Army Corps of Engineers 404 permit, or nationwide permit (if required).*

It is also important to evaluate the PUD portion based on the purpose and intent. Per Section 1159.02, PUD's are intended to:

- a. *Ensure that future growth and development occurs in general accordance with the Strategic Plan;*
- b. *Minimize adverse impacts of development on the environment by preserving native vegetation, wetlands and protected animal species to the greatest extent possible*
- c. *Increase and promote the use of pedestrian paths, bicycle routes and other non-vehicular modes of transportation;*
- d. *Result in a desirable environment with more amenities than would be possible through the strict application of the minimum commitment to standards of a standard zoning district;*
- e. *Provide for an efficient use of land, and public resources, resulting in co-location of harmonious uses to share facilities and services and a logical network of utilities and streets, thereby lowering public and private development costs;*
- f. *Foster the safe, efficient and economic use of land, transportation, public facilities and services;*
- g. *Encourage concentrated land use patterns which decrease the length of automobile travel, encourage public transportation, allow trip consolidation and encourage pedestrian circulation between land uses;*
- h. *Enhance the appearance of the land through preservation of natural features, the provision of underground utilities, where possible, and the provision of recreation areas and open space in excess of existing standards;*
- i. *Avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage;*
- j. *Ensure a more rational and compatible relationship between residential and non-residential uses for the mutual benefit of all;*
- k. *Provide an environment of stable character compatible with surrounding areas; and*
- l. *Provide for innovations in land development, especially for affordable housing and infill development.*

## Engage New Albany Strategic Plan Recommendations

The Engage New Albany Strategic Plan lists the following development standards for the Employment Center future land use category:

1. No freeway/pole signs are allowed.
2. Heavy landscaping is necessary to buffer these uses from adjacent residential areas.
3. Plan office buildings within the context of the areas, not just the site, including building heights within development parcels.
4. Sites with multiple buildings should be well organized and clustered if possible.
5. All office developments are encouraged to employ shared parking or be designed to accommodate it.
6. All office developments should plan for regional stormwater management.
7. All associated mechanical operations should be concealed from the public right-of-way and screened architecturally or with landscape in an appealing manner.
8. Any periphery security should integrate with the existing landscape and maintain and enhance the character of the road.
9. Combined curb cuts and cross-access easements are encouraged.
10. The use of materials, colors, and textures to break up large-scale facades is required.

### **A. Use, Site and Layout**

1. The applicant is proposing a two-story 330,000 +/- sq. ft. Stack Infrastructure data center on the 16.81 +/- acre site. The proposed use is appropriate for this location in the New Albany Business Park and is a permitted use in the zoning text.
2. The Nationwide data center is located east and south of the property, with undeveloped land to the north and Souder Road to the west. There are no residentially zoned properties immediately surrounding the property.
3. C.O. 1165.06(b)(1) and (2) require an 8-foot-wide leisure trail to be installed along Souder Road, and it is being met as there is an existing 8-foot-wide leisure trail along the site's frontage.
4. Zoning text section III(E)(7) and IV(E)(7) states that the maximum lot coverage is 70% which includes all proposed pavement and buildings. The applicant states that the current lot coverage will be 47%; therefore, this requirement is met.
5. The required setbacks for the property are listed below:

<b>Perimeter Boundary</b>	<b>Required Setback</b>	<b>Proposed Setback</b>
Souder Road	30-foot building and pavement	123' +/- building setback [meets code] 60' +/- pavement setback [meets code]
Eastern Boundary	20-foot pavement setback 40-foot building setback	80' +/- building setback [meets code] 24' +/- pavement setback [meets code]
Northern Boundary	15-foot building and pavement	395' +/- building setback [meets code] 47' +/- pavement setback [meets code]
Southern Boundary	15-foot building and pavement	143' +/- building setback [meets code] 20' +/- pavement setback [meets code]

6. The applicant indicates that the onsite stormwater will be conveyed to an onsite stormwater basin west of the site, adjacent to Souder Road, and an underground detention system located under the parking lot south of the building.

### **B. Access, Loading, Parking**

1. Zoning text section IV(G)(3) permits a maximum of one full-service curb cut on Souder Road within this subarea, and any additional curb cuts must be reviewed and approved by the Planning Commission as part of a final development plan application. The applicant proposes one curb cut along Souder Road, thereby meeting this requirement.
2. C.O. section 1167.05(d)(18) states that one off-street parking space is required for each employee on the main shift. The applicant is required to provide 45 parking spaces and

has proposed 49 spaces, exceeding the requirement. The proposed parking spaces will be located along the southern façade of the building.

3. C.O. 1167.06(a)(3) requires 1 off-street loading space. The applicant is providing an off-street loading space at the north end of the building.
4. Per C.O. 1167.03(a), the minimum parking space dimensions required are 9 feet wide and 19 feet long, and the applicant is meeting this requirement.
5. Per C.O. 1167.03(a), the minimum maneuvering lane width size is 22 feet for this development type. The applicant proposes installing a 30-foot-wide drive aisle, providing circulation around the entire building; therefore, this requirement is being met.
6. Zoning text section IV(G)(4) states that bicycle parking shall be provided within reasonable distances of all buildings as approved as part of a final development plan application. The applicant is proposing a bike rack at the southwest corner of the property.

**C. Architectural Standards**

1. The zoning text requires that all building elevations visible from public rights-of-way receive consistent treatment in style, materials, and design so that no side appears of lesser visual quality. It also requires that comparable materials be used on every elevation. The proposed building meets these standards, as all materials are applied uniformly on all sides. Its contemporary design is also consistent with other data centers in the surrounding area.
2. The zoning text permits the following exterior materials:
  - Traditional materials such as wood, stone, brick, and concrete. Contemporary materials such as metal, aluminum, glass, and hardiplank are also permitted. The text prohibits the use of mirrored or reflective glass and allows EIFS to be used for accent elements.
  - The applicant submitted proposed building elevations with materials identified. The plans show that metal will be the primary building material. ACM panels are used as accent elements on the south and west elevations.
3. Zoning text section IV(F)(1) states that the maximum building height is 45 feet and that architectural elements such as parapets and monitors may exceed this height limitation. The applicant/property owner has recently received approval for a variance (VAR-72-2025) to increase the maximum building height to 55 feet. The proposed building height is 54 feet 6 inches; thus, this requirement is being met.
4. C.O. 1144.04(m) requires that all external mechanical equipment—including rooftop units—be fully screened from public roads and adjacent properties with materials that provide 100% opacity at ground level. The applicant proposes to meet this requirement by using fiber-reinforced panels or metal louvers to screen the rooftop equipment. An equipment yard is planned on the north side of the building, and it will be fully enclosed with insulated metal panels to ensure complete opaque screening.
  - In more recent employment center zoning texts, the Planning Commission has included additional requirements that such screening shall be provided for sight and sound for mechanical equipment. The applicant has proposed fully enclosed ground-mounted and roof-mounted screening to provide full opacity.
5. DGR Section 6(I)(A)(6) states that all visible elevations of a building must receive similar treatments in style, materials, and design so that no visible side is of a lesser character than any other. The applicant is using the same materials on all building elevations.
6. Zoning text section IV(F)(3)(c) states that primary entrances to buildings shall be made sufficiently prominent so that they can be easily identified from a distance. The building is designed with an active and operable front door internal to the parking lot.
7. C.O. 1171.05(b) states that all trash and garbage container systems must be screened, not be located in front yards, and meet the minimum required pavement setbacks. The applicant proposes installing a compactor situated on the north side of the lot in the

loading dock area with full screening on three sides and vegetative screening from the adjacent property to the north.

**D. Parkland, Buffering, Landscaping, Open Space, Screening**

1. Per C.O. 1171.05(e), a minimum of one tree per 5,000 feet of ground coverage is required. The plans indicate a total ground coverage of 339,335 sq. ft.; therefore, 68 trees are required and 61.2" caliper. The applicant is proposing to provide 138 trees and a total of 359.5" caliper.
2. Per C.O. 1171.06(a)(3), a minimum of one deciduous tree is required to be planted for every 10 parking spaces. There are 49 parking spaces shown on the plan; therefore, 5 trees are required to be planted within the parking lot, and the applicant is proposing 6.
3. Per zoning text section IV(H)(2)(A), one street tree is required to be planted every 30 feet on center along Souder Road and have a minimum of 2.5 to 3 inches in caliper. The property has 800 feet of frontage along Souder Road; therefore, 27 street trees are required to be planted ( $800/30 = 26.6$ ). The applicant proposes to install 11 street trees in addition to the 10 existing trees. Staff recommends a condition of approval that a total of 27 street trees must be planted (condition #1).
4. Per C.O. 1171.06(a)(2), a minimum of 5% of the overall parking area must be landscaped. The applicant is exceeding this requirement by providing 9% (1,392 sq. ft.) of landscape area within the parking areas.
5. Per C.O. 1171.06(b), parking lots are required to be screened from primary streets, residential areas, and open space by a minimum 3.5-foot-tall evergreen hedge or masonry wall, and this requirement is met with 3.5-foot-tall evergreen hedges.
6. Per the conditions of approval in the Record of Action from the Planning Commission meeting on October 20, 2025 (VAR-72-2025), the applicant is to "Screen the view from Traditions Drive; explore putting trees off-site. If that fails, adding trees on-site to screen the view from Traditions Drive." As shown on the landscape plan, the applicant has placed additional trees surrounding the basin on the property to the south.
7. Per the design and landscape standards for Research & Information Campus, four-rail fencing shall be installed along Souder Road. Staff recommends a condition of approval that the four-rail fence be installed and shown on the plans (condition #2).
8. The City Landscape Architect reviewed the proposal and had no additional comments.

**E. Lighting & Signage**

1. The applicant did not include any proposed signage as part of the application. Staff recommends a condition of approval that any future signage be subject to staff approval and must comply with the city sign code requirements (condition #3).
2. The applicant has submitted a detailed photometric plan, and it appears that the candle foot intensity along the property lines is shown at zero to near zero.
3. The zoning text contains various requirements related to on-site lighting, including but not limited to the following:
  - Zoning text section IV(I)(1) requires all parking lot lights to be cut-off and downcast
  - Zoning text section IV(I)(3) requires all light poles to be no taller than 30 feet and be black or New Albany Green.
  - Per zoning text section IV(I)(4), requires shoebox-type light fixtures from a controlled source for all parking lot lighting.

Staff recommends a condition of approval that all other zoning text requirements related to light fixtures are met (condition #4).

**IV. ENGINEER'S COMMENTS**

The City Engineer has reviewed the application in accordance with the engineering-related requirements of Code Section 1159.07(b)(3) and has no comments.

## **V. SUMMARY**

The proposed use is appropriate based on its location in the New Albany Business Park and close proximity to similar uses. The proposed building design is simple and contemporary, matching the design of other data centers in the immediate vicinity. The applicant has provided additional screening per the conditions of approval through the variance request (VAR-72-2025), therefore adhering to the commission's request.

As the New Albany Business Park has grown, the Planning Commission has included additional requirements in more recent zoning texts to ensure that screening for rooftop and ground-mounted mechanical equipment is provided for both sight and sound, particularly in areas where adjacent residential properties exist or are in proximity, to be sensitive in transitioning areas. The applicant is committing to these principles, and in addition to providing screen walls, the site landscaping has been designed so that existing trees and new landscape along property lines can be used to provide additional buffering between properties.

## **VI. ACTION**

Should the Planning Commission find that the application has sufficient basis for approval, the following motions would be appropriate:

### **Move to approve final development plan application FDP-96-2025, subject to the following conditions:**

1. A total of 27 street trees must be planted.
2. The four-rail fence is required to be installed and shown on the plans.
3. Any future signage will be subject to staff approval and must comply with the city sign code requirements.
4. That all zoning text requirements related to light fixtures are met.

**Approximate Site Location**



Source: NearMap



## Community Development Department

RE: City of New Albany Board and Commission Record of Action

Dear EMH&T c/o Nicholas Ovens,

Attached is the Record of Action for your recent application that was heard by one of the City of New Albany Boards and Commissions. Please retain this document for your records.

This Record of Action does not constitute a permit or license to construct, demolish, occupy or make alterations to any land area or building. A building and/or zoning permit is required before any work can be performed. For more information on the permitting process, please contact the Community Development Department.

Additionally, if the Record of Action lists conditions of approval these conditions must be met prior to issuance of any zoning or building permits.

Please contact our office at (614) 939-2254 with any questions.

Thank you.



## Community Development Department

### Decision and Record of Action

Tuesday, December 16, 2025

The New Albany Planning Commission took the following action on 12/15/2025 .

#### Final Development Plan

**Location:** PID: 222-005106

**Applicant:** EMH&T c/o Nicholas Ovens,

**Application:** PLFDP20250096

**Request:** Final Development Plan for a new Stack Infrastructure data center on the east side of Souder Road (PID: 222-005106).

**Motion:** To approve

**Commission Vote:** Motion Approved with Conditions, 5-0

**Result:** Final Development Plan, PLFDP20250096 was Approved with Conditions, by a vote of 5-0.

Recorded in the Official Journal this

#### Condition(s) of Approval:

1. A minimum of 27 street trees must be planted. This number does not apply to other areas of landscaping.
2. The four-rail fence is required to be installed and shown on the plans.
3. Any future signage will be subject to staff approval and must comply with the city sign code requirements.
4. That all zoning text requirements related to light fixtures are met.
5. The applicant work with staff during the permitting stages to determine proper landscaping on the north side of the property due to the potential AEP easement.

Staff Certification:

A handwritten signature in black ink that reads "Javon Henderson".

Jay Henderson  
Planner