

Data center moratorium moves forward

BY GRANT GERSTNER
EDITOR

PLANNING COMMISSION

The Oldham County Planning and Zoning Commission unanimously voted in favor of a moratorium on data centers, effectively returning the “pause” on new data center development to the Oldham County Fiscal Court and La Grange City Council for full approval.

“The purpose of the moratorium in both jurisdictions is to allow time for staff the ability to create regulations around data centers ... [and] consider infrastructure and utility capacity, environmental and land use impacts, economic benefits for the community and best practices,” said Planning and Development Director Ryan Fischer.

Both moratoriums have exemptions, and both share the exemption that the moratorium “shall not apply to applications that have been filed prior to the effective date of adoption” due to the fact that no legislative body has the power to force an applicant to withdraw their application.

As previously reported, that exemption means that the moratorium will not affect the “OC Data Center” proposed north of La Grange on Highway 53.

The only other notable exemption was one not previously discussed by the Fiscal Court or the La Grange City Council, involving “the installation, construction, expansion and maintenance of broadband and telecommunications provider networks already serving Oldham County residents and businesses under agreements with Oldham County Fiscal Court and/or with Kentucky State Government.

“Furthermore, it shall not apply to buildings, huts, terminals, pedestals or other structures used by broadband or other telecommunications providers in the course of serving their Oldham County customers.”

The committee allowed 10 minutes for public comments, where some citizens voiced

EDITOR’S NOTE

Oldham Reserve is a roughly 1,000-acre development spanning both La Grange City Council and Oldham County Fiscal Court jurisdictions. Initially planned as an office park under the “live, work, play” model, the project has evolved to encourage broader development, including increased utility funding and loosened residential zoning. The Oldham-La Grange Development Authority (OLDA), created in 2005 through an interlocal agreement, oversees financing, marketing, and development. It includes six members — three appointed by each governing body.



Photos by Grant Gerstner

Oldham-La Grange Development Authority attorney Jeff W. Adamson, left, and Oldham County Chamber and Economic Development President David Bizianes are pictured addressing the La Grange City Council and attendees at the May 29 special called council meeting.

their concerns over the proposed “OC Data Center” project and other data center-related projects that could come to the county in the future.

Randy Strobo, an attorney representing Nana Lampton, said, “I object to this hearing right now because apparently there’s some new text to the proposed ordinance that I’m not aware of and I don’t think the public is aware of ... so I would ask you all to postpone this to your next hearing so everyone can consider the new text ...”

Oldham County Chamber and Economic Development President David Bizianes, alongside Oldham-La Grange Development Authority (OLDA) attorney Jeff W. Adamson, requested the commission to “exempt Oldham Reserve for fear of potential violations of ... contractual agreements with master developers in the private sector: The Hawker Group and Hollenbach-Oakley.”

La Grange Mayor John Black

also addressed the commission: “I just want everyone here to know that the City of La Grange, myself, city council — we’re all in support of the 150-day moratorium, there’s no question about that.

“I have no idea how these OLDA board attorneys are going to play into this issue, but in my opinion as a mayor, regardless whether a data center goes into Oldham Reserve or it doesn’t ... we want to make sure that there are solid rules and regulations ...”

LA GRANGE CITY COUNCIL’S FIRST READING

The La Grange City Council had its first reading of the data center moratorium during a special-called meeting on May 29, where intense discussion ensued before the council planned to remove an exemption and refused to exempt Oldham Reserve.

Despite first readings typically not including discussion,

Black allowed for 45-minutes of public comment, which soon became an over two-hour discussion including Bizianes, Adamson and attendees.

A large chunk of that time was taken up by Adamson, who warned the council of the legal risk the moratorium may cause due to the city’s agreement with OLDA, who has their own agreements with private developers that could press charges for being hindered to develop within Oldham Reserve.

Ultimately, Adamson requested that a separate moratorium be brought before OLDA to avoid any legal risk. Councilor Trey Kamer, one of the city’s appointed members of OLDA, said he would be in favor of a moratorium specifically for Oldham Reserve.

Bizianes also spoke, mainly addressing the public: “My role is to act as a liaison between the business community and our elected officials, our nonprofits, with the intent purpose of trying to grow our tax base ...

“I have never tried to recruit an industrial project and place it on an agricultural piece of land. I don’t care what you keep saying online — you’re lying ... While 3,700 of you on Facebook are dragging the reputations of folks that are trying to serve this community, there are 70,000 of us who are going to be impacted by the tax implications and the revenue ...

“When we say there has not been one time — not one time — anybody in this community offering tax incentives for this project or any other data center project, that is the truth. You can keep putting it on some blurbs on Facebook ... but those are bold-faced lies.”

Bizianes began to say: “I want to speak to top secret under the table deals and meetings and all of the shade that gets cast,” before he stopped himself as one attendee called out that it wasn’t regarding the moratorium and thus should

not be allowed.

When one attendee called out asking Bizianes if he had been asked to or if he is going to try to delay the appeal process, he responded “No, I am taking no part in that.”

Bizianes also said that he is willing to meet with anyone to explain his office’s process of managing projects.

Though no changes were officially made, the council seemed agreeable to the four amendments brought up by Councilor Jason Taylor, namely that the moratorium would be effective upon approval rather than following the county’s moratorium timeline and removing the exemption regarding “broadband and telecommunications provider networks.”

Earlier in the meeting, Black and City Attorney Beach Craigmyle explained that the telecommunications provider exemption was added upon AT&T’s request due to concerns of restricting their ability to adhere to a contract with the fiscal court to provide internet services to every household in the county.

Councilor Laura Taylor brought up the fact that the specific language of the moratorium applying to “all new applications,” which she took to mean would not apply to AT&T as their contract already exists.

Councilor Kenneth Powell also mentioned that the council could amend their moratorium after it is approved to extend the duration to match that of fiscal court, if desired.

The La Grange City Council will hold a second reading and public hearing for the moratorium on Monday, June 2, and the Oldham County Fiscal Court is expected to hold a first reading on Tuesday, June 3, which are after the press date.

Look for coverage on the council’s decision and the fiscal court meeting at oldham-era.com and in an upcoming edition.

DATA

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“We know that a data center of any kind and size will bring lasting benefits to the community, and we remain committed to bringing OC Data Center to Oldham County. By creating a new stream of tax revenue for the community, the OC Data Center will significantly enhance schools, the police force, the La Grange Fire and Rescue, and many other general community services.”

The press release further states that the project will “work closely with local utilities to finalize the necessary infrastructure upgrades to support the facility without creating increased pricing for community customers.”

The project plans to implement closed-loop air-cooling systems to prevent servers from

overheating, backup power systems to ensure continuous operation and state-of-the-art, on-site fire suppression systems to protect against fires, the release says.

More information is said to be shared regarding construction timelines as the project moves through the local reviews and is finalized.

“The OC Data Center will be home to servers that will store, analyze, and distribute data that will support everything from cloud computing and internet services to enterprise software applications and data analytics.”

In his own press release, Voegele shared that the new project will be “smaller than the project proposed for Highway 53,” and that the Sauerbeck Family Drive In is expected to relocate.

“Oldham County is very limited in possible locations for data centers. The Sauerbeck

property along Commerce Parkway appears to be an appropriate location. It was recommended as an alternative by many neighbors near the proposed Highway 53 project.

“The site is zoned industrial, is between a railroad track and Interstate 71 and next to the Dynergy power plant. The application filed by Western Hospitality Partners indicates the company is planning to build two buildings on the site.”

Voegele also said the developers are applying for a Conditional Use Permit, and will appear before the Technical Review Committee before being heard by the Board of Adjustments and Appeals as a private utility building.

“It is expected that regulations will be developed during a moratorium on new applications from data centers, which will be considered by Fiscal Court during June.”



Photo from Era archives

The Sauerbeck Family Drive In, which opened in 2018.



Anna Huber

South Oldham High School

Class of
2025

We are so proud of your hard work & dedication but even more proud of the young woman you have become! We know you will continue to shine at Centre!

Love, Mom and Dad



PET OF THE WEEK



Meet Shadow!

Shadow says hello! She is a great cat who loves people but only tolerates other cats so she would do well without dogs. She is a great girl, playful and will be happy to do her own thing. She likes attention but is not needy, which is the perfect mix! She is entertaining because she has such a cute personality and would make a great best friend to her owner. We suspect she'd be a great lap cat.

If you are interested in meeting Shadow, please go to our website, humanesocietyoldhamcounty.com to the "Adopt" page and fill out an application.



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