



City of Butler, Indiana

215 South Broadway
Butler, IN 46721

Phone: 260-868-5200
cityofbutler.in.gov

Plan Commission
Thursday, September 24, 2026
6:00 PM

1. Call to Order
2. Roll Call
3. Minutes of Previous Meeting: August 27, 2026
4. Public Hearings:
 - Kiracofe Homes, LLC – Zone Map Amendment for approximately 5.5 acres from Multi-Family Residential (MFR) to Single-Family Residential (SFR)
 - Kiracofe Homes, LLC – Preliminary Plat: 38-lot subdivision for single-family residences
 - City of Butler – Zoning Ordinance Text Amendment to include Electronic Information Processing Facility, Limited as permitted & Special Exception uses as well as Development Standards
5. Report from Planner, Attorney or Commission Members
 - Westside TIF district: Don Stuckey
6. Other Business/Audience Comments
7. Adjournment: Next Meeting Date: October 22, 2026

Plan Commission Members:

Darren Alloway, Council Appointee, term 1/15/24 to 12/31/27
Jim Davis, Mayoral Appointee, term 1/1/24 to 12/31/27
Kristian Hoff, Mayoral Appointee, term 1/23/25 to 12/31/28
Stuart Mutzfeld, Council Appointee, term 1/23/25 to 12/31/28
Greg Reed, Mayor Appointee, term 1/1/24 to 12/31/27
Stephanie Rohm, Mayoral Appointee, term 1/3/23 to 12/31/26
Gale Ryan, Mayoral Appointee, term 1/3/23 to 12/31/26
Adam Staley, ETJ 1, County Council Appointee, term 1/2/25 to 12/31/28
Vacancy, ETJ 2
Sandy Harrison, DeKalb County Plan Commission Appointee, non-voting

City of Butler Plan Commission

August 27, 2026: 6:00 PM

Call to Order: Greg Reed calling the Plan Commission meeting to order and led the Pledge of Allegiance.

Roll Call/Attendance: Those in attendance: Greg Reed, Gale Ryan, Darren Alloway, Jim Davis, Adam Staly, Stuart Mutzfeld, Stephanie Rohn, Sandy Harrison (DeKalb Co. PC) Mayor Mike Hartman, Chris Gaumer, Andrew Provines. Members not in attendance: Kristian Hoff

Discussion topics:

Mobile/Tiny Home Community: Chris Gaumer discussed the Tiny Home amendment to be brought up in the future. There was discussion on the maximum size but was decided that the lots for this district would be too small for there to be a maximum needed. Also brought up was the minimum lot area. Chris Gaumer discussed that these areas should be larger lots as to not “spot zone” the city with Mobile/Tiny Home Communities.

Electronic Information Processing Facility: Andrew Provine discussed a new ordinance for Electric Information Processing (Small Data Centers) to be located in the city limits and be permitted use in General Business and a Special Exception (approval by the Board of Zoning Appeals) in Neighborhood Business. Andrew reviewed the performance and development standards with the Plan Commission and discussion followed.

Public Hearing (6:30 PM):

Dairy Queen Development Plan:

Wayne Richardson with Bertsch Frank & Associates and representing Dairy Queen, gave a brief discussion at the Jake St. location in Butler. He went through the project location and site plan. There was discussion about locations, hours and type of DQ Facility.

Stephanie Rohn motion to approve Development Plan, seconded by Darren Alloway. All voted in favor, none opposed.

Gale Ryan made a motion to adopt findings, seconded by Stephanie Rohn. All voted in favor, none opposed.

Greg Reed closed public hearing.

Stephanie Rohn made a motion to adjourn, Jim Davis seconded. Meeting adjourned.

Greg Reed, President

Kristian Hoff, Vice President

Chris Gaumer, City Planner

City of Butler
City Planner
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
E: planner@cityofbutler.in.gov

FOR OFFICE USE ONLY:
File Number: R26-03
Date Application Filed: 8/26/20
Fee Paid: \$50. PA
ck

Application for Amendment to Zone Map (Rezone)
(Section 9.06)

This application must be completed and filed with the City of Butler, City Planner, in accordance with the meeting schedule.

APPLICANT INFORMATION

Applicant's Name: Kiracofe Homes, LLC
Address: 10311 Dawson's Creek Boulevard, Fort Wayne, IN 46825
Telephone Number: (260) 705-6700 E-Mail: dylan@kiracofehomes.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: W&L Clifford Family Heritage LLC & Richard Squier Jr.
Address: 2312 County Road 34, Auburn IN 46706
Telephone Number: (260) 925-3562 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Sauer Land Surveying, Inc., c/o Joseph R. Herendeen
Address: 7203 Engle Road, Fort Wayne, IN 46804
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

Legal Ad Payment & Public Hearing Notifications: Applicant ☐ Owner ☐ Representative ☒

Existing Zoning Classification of Property: MFR

Proposed Zoning Classification of Property: SFR

Address or Legal description of property:
Part of the SW 1/4 of Sec. 2-34-14

Percentage of Property Owners Included: 100%

Statement or reason for the request for a Zone Map Amendment:

To rezone a portion of this parcel to SFR for the proposed plat of Chapman Trails, Phase III

When making recommendations on rezone requests, the Plan Commission shall pay reasonable regard to the following items. Please describe how this petition satisfies the following:

1. Is the change in zoning in harmony with the Comprehensive Plan?
Yes. This is compatible with adjacent Chapman Trail subdivision.

2. Do the current conditions and the character of current structures and uses in each district adapt to the proposed zoning?

Yes, this is an outlying location of Butler that is already zone for residential use

3. Is the change in zoning consistent with the most desirable use for which the land in each zoning district is adapted?

Yes. This land is planned to be residential.

4. Will the change in zoning help with the conservation of property values throughout the jurisdiction?

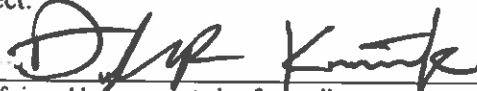
Will conserve or even potentially raise adjacent property values.

5. Does the change in zoning promote responsible development and growth?

Yes. This area was planned for residential growth.

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature:



(If signed by representative for applicant, state capacity & attach ownership affidavit)

This staff report is prepared by the City Planner to provide information to the Plan Commission to assist them in making a decision on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS:

APPLICANT: Kiracofe Homes, LLC
SUBJECT SITE: Basket Factory Rd, Butler
REQUEST: Zone Map Amendment
EXISTING ZONING: MFR, Multi-Family Residential
PROPOSED ZONING: SFR, Single Family Residential
SURROUNDING LAND USES AND ZONING: North: Single Family Residential (SFR)
South: Single Family Residential (SFR)
East: Multi-Family Residential (MFR)
West: Storage Units & Auto Repair Shop (GB)

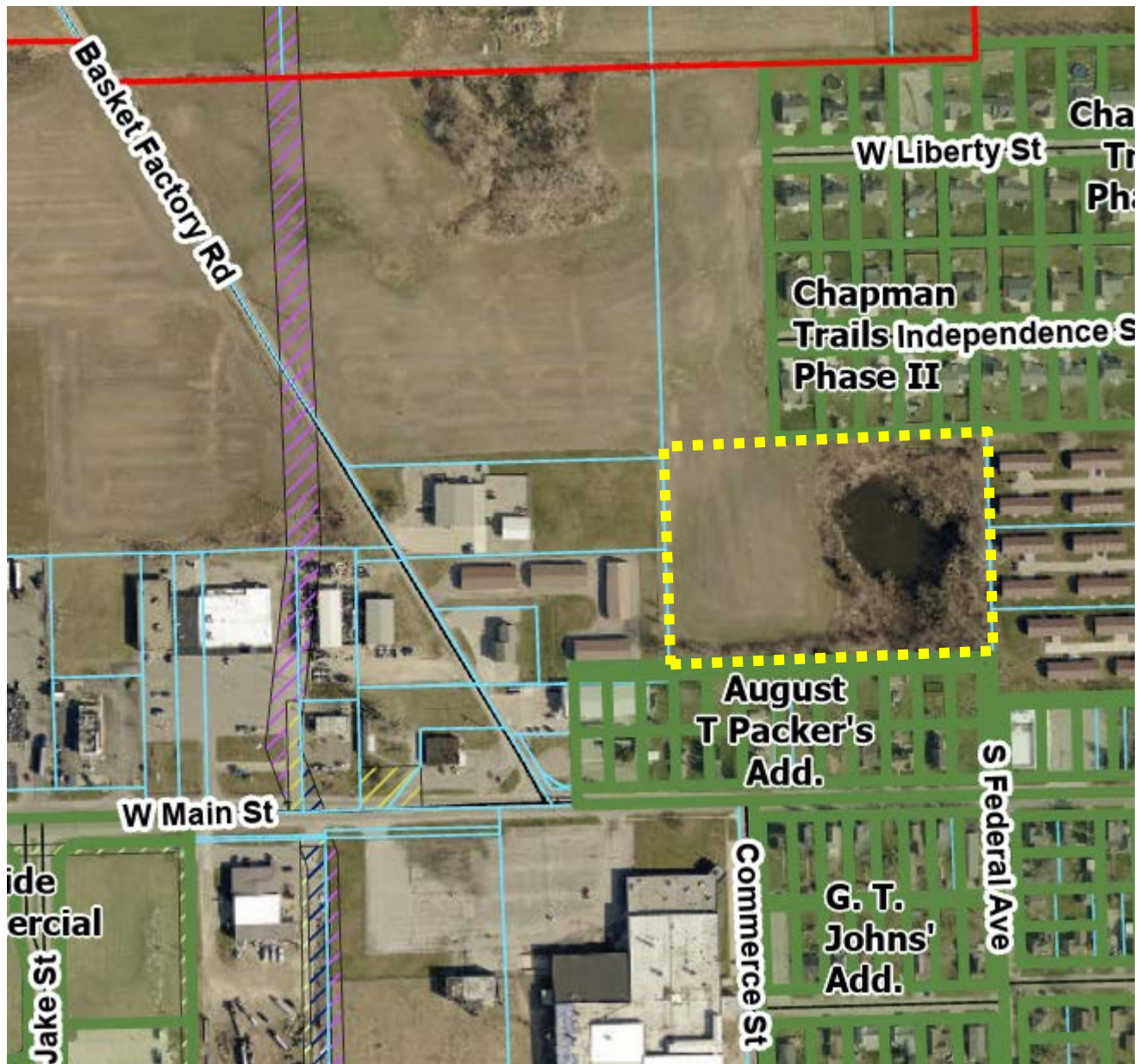
ANALYSIS:

The information provided in this staff report has been included for the purpose of reviewing the proposed zone map amendment (rezoning). Since the rezoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review, Development Plan and/or Subdivision process to address development regulations, if required.

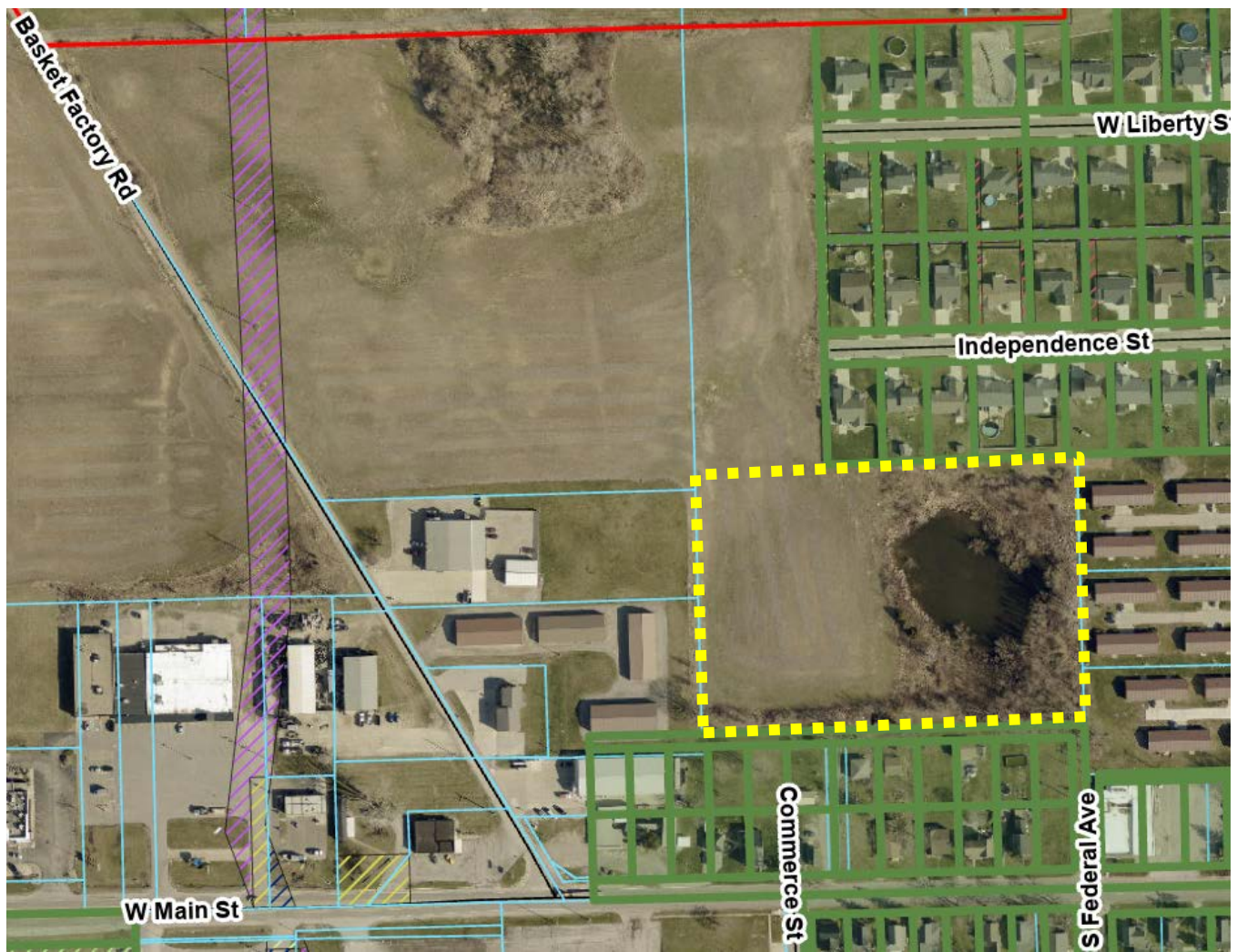
The request is to rezone approximately 5.5 acres from MFR, Multi-Family Residential to SFR, Single Family Residential. The property is located off Basket Factory Rd. See Location Map.

The purpose of the rezone is for this property and the adjacent parcel to be under the same zoning district to be able to develop the properties into a 38 lot, single family residential subdivision. See existing zoning map.

LOCATION MAP:

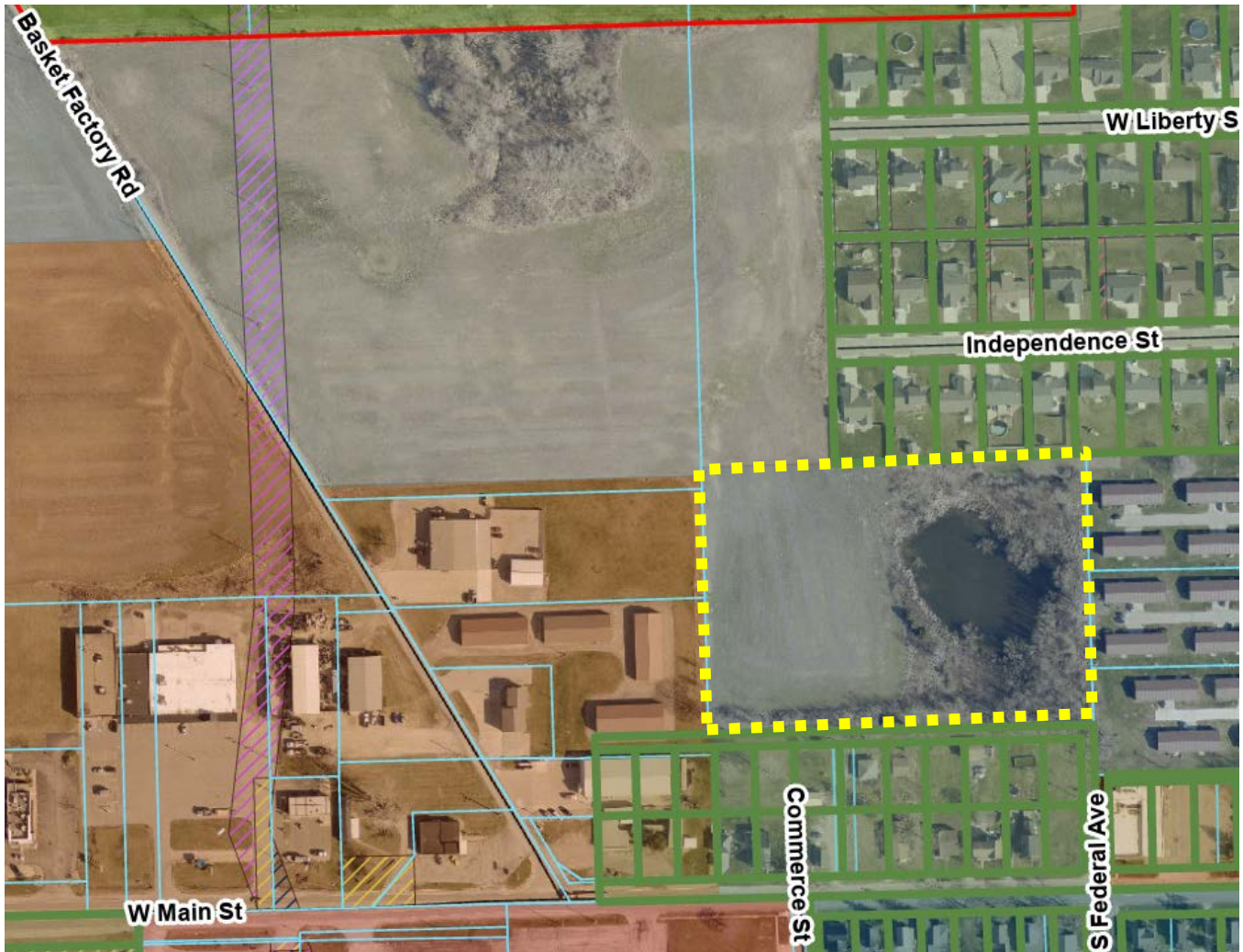


Yellow Outline: Subject Area



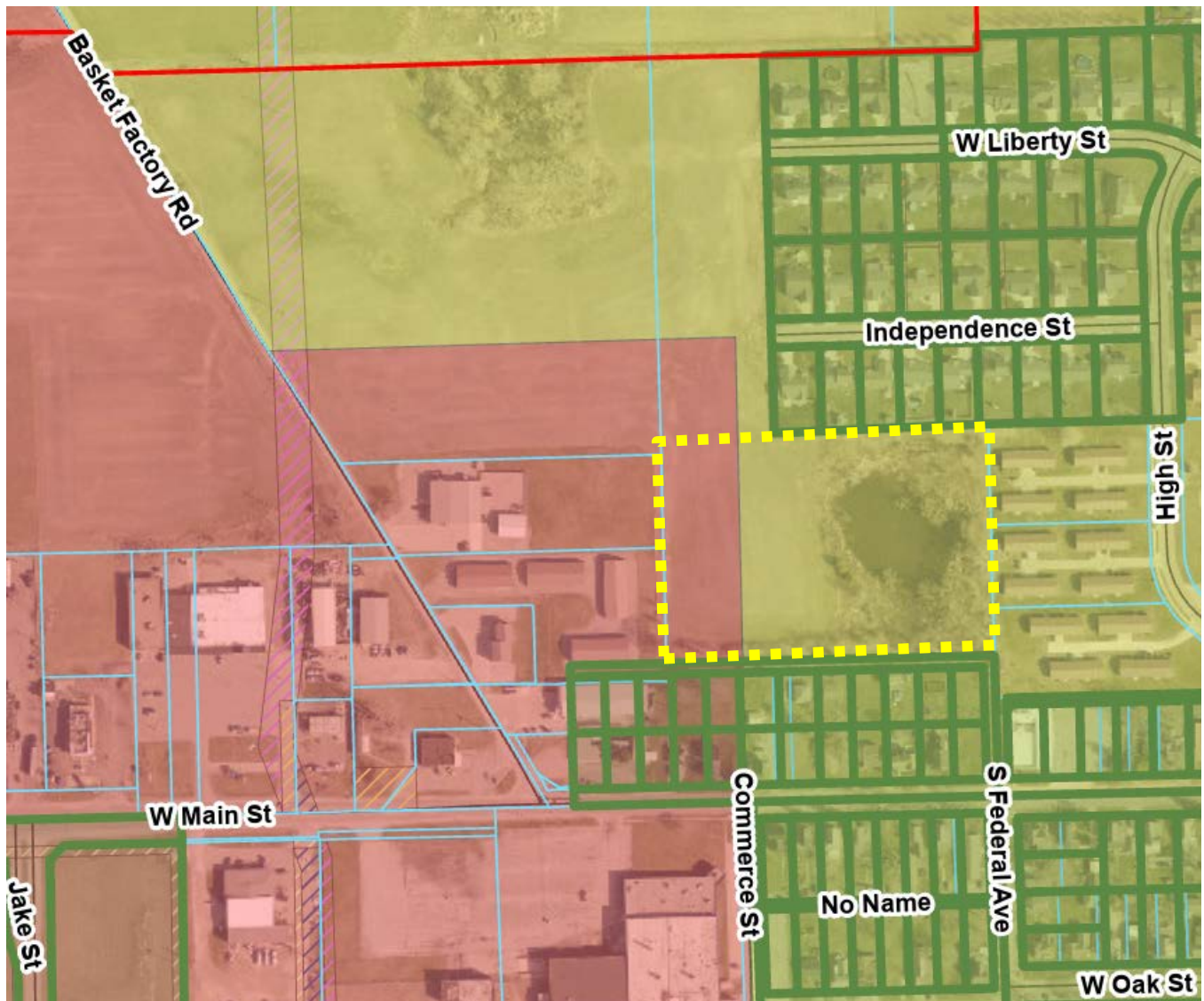
Yellow Outline: Subject Area

EXISTING ZONING MAP:



Orange: GB, General Business
Light Blue: MFR, Multi-Family Residential (existing zoning)
Light Gray: SFR, Single Family Residential (proposed zoning)
Dark Blue: OTR, Old Town Residential
Red: HI, Heavy Industrial
Yellow Outline: Subject Area

FUTURE LAND USE MAP:



Red: Commercial Use
Yellow: Residential Use
Yellow Outline: Subject Area

Differences between the MFR, Multi-Family Residential (Existing) and the SFR, Single Family Residential (Proposed) Zoning Districts:

MFR (Multi-family Residential) District: intended to provide areas for mixed density neighborhoods comprised of two-family and multifamily units. The provisions that regulate this district should protect, promote and maintain areas of Butler for existing and future housing growth.

Permitted uses within the MFR zoning district include the following (page 18 of the ZO).

Residential Permitted Uses

- Dwelling, manufactured home.
- Dwelling, multi-family.
- Dwelling, two-family
- Dwelling unit (upper floors)
- Group home
- Residential facility for developmentally disabled (small)
- Residential facility for the mentally ill
- Retirement community

Institutional Permitted Uses

- Community center Government Operation (non-Office)
- Park, public
- Pool, public

Institutional Permitted Uses

- Child care home
- Home Occupation

SFR (Single Family Residential) District: intended to provide areas for single-family homes and neighborhoods. The provisions that regulate this district should protect, promote and maintain areas in Butler for existing and future housing growth.

Permitted uses within the SFR zoning district include the following (page 16 of the ZO).

Residential Permitted Uses

- Dwelling, manufactured home.
- Group home
- Residential facility for developmentally disabled (small)
- Residential facility for the mentally ill

Institutional Permitted Uses

- Park, public
- Pool, public

Institutional Permitted Uses

- Child care home
- Home Occupation

Zoning Ordinance Requirements

When considering a zone map amendment, City of Butler Plan Commission and the City Council are obligated — under Section 8.12 (D) of the City of Butler Zoning Ordinance — to pay reasonable regard to the following:

- a. The Comprehensive Plan;
- b. Current conditions and the character of current structures and uses in each district;
- c. The most desirable use for which the land in each district is adapted;
- d. The conservation of property values throughout the jurisdiction; and
- e. Responsible development and growth

ZONING ORDINANCE & STATUTORY MATTERS TO CONSIDER:

1. Is the change in zoning paying reasonable regard to the Comprehensive Plan?
The subject area has a Future Land Use (FLU) designation of Residential & Commercial. The proposed zoning district is compatible with this FLU designation
2. Is the change in zoning paying reasonable regard to the current conditions and the character of current structures and uses in each district?
The existing development surrounding the properties are residential and commercial in use. This change in zoning will be consistent with the surrounding properties and the current conditions and character of current structures and land uses in the area.
3. Is the change in zoning paying reasonable regard to the most desirable use for which the land in each district is adapted?
The proposed zoning district is desirable for this property and the area.
4. Is the change in zoning paying reasonable regard to the conservation of property values throughout the jurisdiction?
The property values of the area should not be disturbed negatively.
5. Is the change in zoning paying reasonable regard to responsible development and growth?
In changing the zoning of the property to SFR, Single Family Residential, the Plan Commission will be promoting the desired use of the land while promoting responsible development and growth.

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

Staff is recommending a favorable recommendation to the City Council for the requested Zone Map Amendment. Should there be any conditions or commitments made by the Plan Commission and adopted by the City Council, they shall be written and recorded in the Office of the DeKalb County Recorder.

City of Butler
City Planner
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
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FOR OFFICE USE ONLY:

File Number: P-54-26-02
Date Application Filed: 8/24/26
Fee Paid: 560 pk ck

Application for SUBDIVISION
Preliminary Plat ☒ Final Plat ☐

This application must be completed and filed with the City of Butler Plan Commission in accordance with the meeting schedule.

APPLICANT INFORMATION

Applicant's Name: Kiracofe Homes, LLC
Mailing Address: 10311 Dawson's Creek Boulevard, Fort Wayne, IN 46825
Telephone Number: (260) 705-6700 E-Mail: dylan@kiracofehomes.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: W&L Clifford Family Heritage LLC & Richard Squier Jr.
Address: 2312 County Road 34, Auburn IN 46706
Telephone Number: (260) 925-3562 E-Mail:

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Sauer Land Surveying, Inc., c/o Joseph R. Herendeen
Address: 7203 Engle Road, Fort Wayne, IN 46804
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

Legal Ad Payment & Public Hearing Notifications: Applicant ☐ Owner ☐ Representative ☒

Name of Proposed Subdivision: Chapman Trails, Phase III

Number of Parcels & Total Area (square feet or acreage):
38 lots, 20.921 acres

Address or Parcel ID # of property:
17-07-02-376-001.000-027 & 17-07-02-376-004.000-027

Legal description of property affected:
Part of the SW 1/4 of Sec. 2-34-14

Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)
Single Family Residential

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: 
(If signed by representative for applicant, state capacity)

This Staff Report is prepared by the City Planner to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.

SUMMARY FACTS:

APPLICANT: Kiracofe Homes, LLC
SUBJECT SITE: Basket Factory Rd, Butler
REQUEST: 38 Lot Subdivision – Preliminary Plat – Chapman Trails Phase III
EXISTING ZONING: SFR, Single Family Residential
SURROUNDING LAND USES AND ZONING: North: Single Family Residential (SFR)
South: Single Family Residential (SFR)
East: Multi-Family Residential (MFR)
West: Storage Units & Auto Repair Shop (GB)

ANALYSIS:***Subdivision Standards:***

- The Petitioner is meeting the standards of the Zoning Ordinance as follows:
 - o *Minimum Lot Area: 8,000 sq. ft.*
 - Proposed Lots range from: 8,732 sq. ft. to 20,231 sq. ft.
 - o *Minimum Lot Width: 70 feet*
 - Proposed Lots range from: 70 feet to 146 feet
 - o *Right of Way Dedication:*
 - Basket Factory Road: 40 feet (from center of road)
 - All internal streets have a minimum right of way of 50 feet.

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

Staff is recommending approval to allow the Preliminary Plat which shall be governed by the following qualifications (conditions):

- A. The approval of a preliminary plat by the Commission is strictly tentative, involving merely the general acceptability of the layout as submitted.
- B. The Commission may introduce such changes or revisions as are deemed necessary to the interests and needs of the community.
- C. Tentative approval shall be effective for a maximum period of six months unless, on application of the subdivider, the Commission grants an extension. If the final plat has not been recorded within this time limit, the preliminary plat must again be submitted to the Commission for approval.
- D. Any person feeling himself aggrieved at any action of the Commission on any proposed plat or replat may apply in writing to the Commission, prior to its next regular meeting, for modification of the action complained of. Such application shall be considered by the Commission at such time and in such manner as it may determine, but within 40 days following the regular meeting.

Primary Plat of:

CHAPMAN TRAILS, PHASE III

A subdivision of part of the Southwest Quarter of Section 2,
Township 34 North, Range 14 East, DeKalb County, Indiana.

Developer:
Kiracofe Homes, LLC
10311 Dawson's Creek Boulevard
Fort Wayne, IN 46825
Tel: 260/705-6700

Surveyor:
Sauer Land Surveying, Inc.
7203 Engle Road
Fort Wayne, IN 46804
Tel: 260/469-3300

DESCRIPTION:

Part of the Southwest Quarter of Section 2, Township 34 North, Range 14 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:

Commencing at the South Quarter corner of said Section 2, being marked by a cast iron monument; thence North 01 degrees 35 minutes 23 seconds West (GHS grid bearing and basis of all bearings in this description), on and along the East line of said Southwest Quarter, a distance of 250.00 feet to a South corner of a base tract of real estate described in a deed to W&L Clifford Family Heritage, LLC, in Document Number 202303533 in the Office of the Recorder of DeKalb County, Indiana, this being the true point of beginning; thence North 01 degrees 35 minutes 23 seconds West, continuing on and along said East line, a distance of 411.69 feet to a #5 rebar at an East corner of said base tract, being a point on the South line of Chapman Trails Phase II, as recorded in Document Number 20604638 in the Office of said Recorder; thence South 87 degrees 27 minutes 08 seconds West, on and along said South line, a distance of 380.86 feet to a #5 rebar at the Southwest corner of said Chapman Trails Phase II; thence North 01 degrees 39 minutes 43 seconds East, on and along the West line of said Chapman Trails Phase II, a distance of 672.43 feet to a #5 rebar at the Northwest corner thereof; being a point on the North line of said base tract; thence South 88 degrees 28 minutes 15 seconds West, on and along said North line, a distance of 1182.77 feet to a survey nail at the Northwest corner of said base tract, being a point on the centerline of Basket Factory Road (County Road 61A); thence South 31 degrees 34 minutes 50 seconds East, on and along said centerline, a distance of 809.57 feet to a survey nail at a West corner of said base tract; thence North 85 degrees 58 minutes 28 seconds East, on and along a South line of said base tract, a distance of 577.38 feet to a #5 rebar; thence South 01 degrees 38 minutes 15 seconds East, on and along a West line of said base tract, a distance of 400.70 feet to a 1.75 inch diameter pipe; thence North 88 degrees 34 minutes 21 seconds East, on and along a South line of said base tract, a distance of 582.56 feet to the true point of beginning, containing 20.921 acres of land, subject to legal right-of-way for Basket Factory Road (County Road 61A), and subject to all easements of record.

LOT AREAS:

LOT	AREA
1	9805
2	9521
3	14542
4	15512
5	12670
6	12124
7	9480
8	9830
9	10321
10	9651
11	10196
12	10500
13	10500
14	10500
15	9800
16	10500
17	10500
18	10500
39	10864
40	9800
41	9800
42	9800
43	9315
44	15371
45	10780
46	10780
47	10780
48	10780
49	10780
50	14708
51	13933
72	8732
73	11412
74	20231
75	15822
76	19850
77	9796
78	9981
BLOCK A	2800
BLOCK B	222927
BLOCK C	5600
BLOCK D	7942
BLOCK E	114518
BLOCK F	4286
STREET	127158

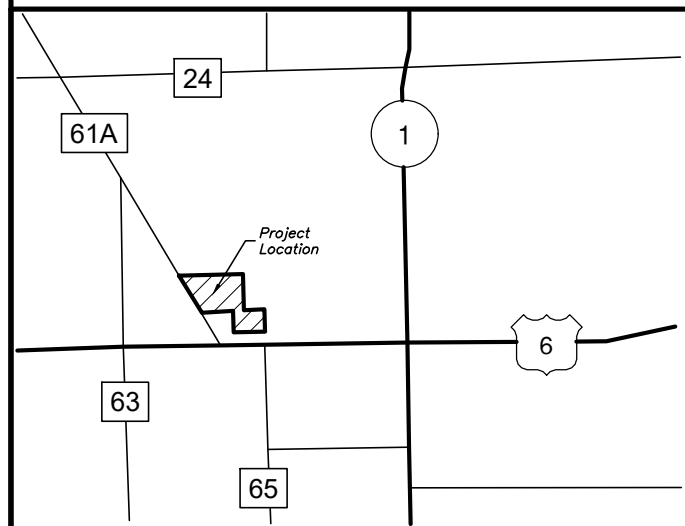


SCALE IN FEET:

0 60 120

Original Map Scale: 1"=60'
Date: August 20, 2026

Location Map

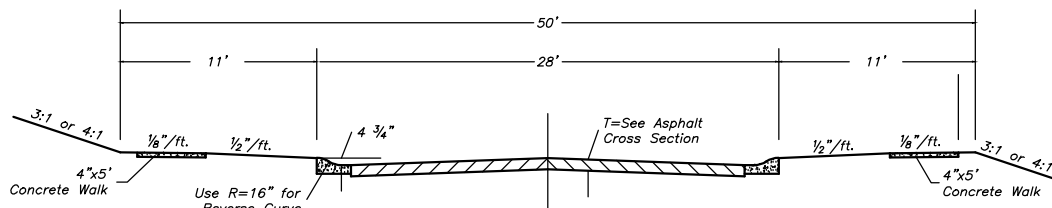


Symbol Legend

- Inlet
- Manhole
- Fire Hydrant
- Proposed Lake
- Proposed Street Light
- Proposed Sanitary Sewer
- Proposed Storm Sewer
- Proposed Water Lines
- Existing Sanitary Sewer
- Existing Storm Sewer
- Existing Water Lines

Notes:

- All proposed streets within subdivision to have 50 foot right-of-ways.
- All Front Building lines shown hereon are 30 feet, except Lots 3-6 are 35 feet.
- All Rear Building lines are 30 feet.
- All Side Building lines are 10 feet.
- All front yard easements are 20 foot Utility Easements unless noted otherwise.
- All rear and side yard easements are 10 foot Utility & Surface Drainage Easements unless noted otherwise.
- U.&S.D.E. denotes Utility & Surface Drainage Easement.
- All common areas or block areas to have a blanket Utility & Surface Drainage Easement.
- All wet/dry detention ponds, common areas, and block areas are to be privately maintained.
- No buildings shall be allowed within the supplemental easement shown on Lots 39 and 40.

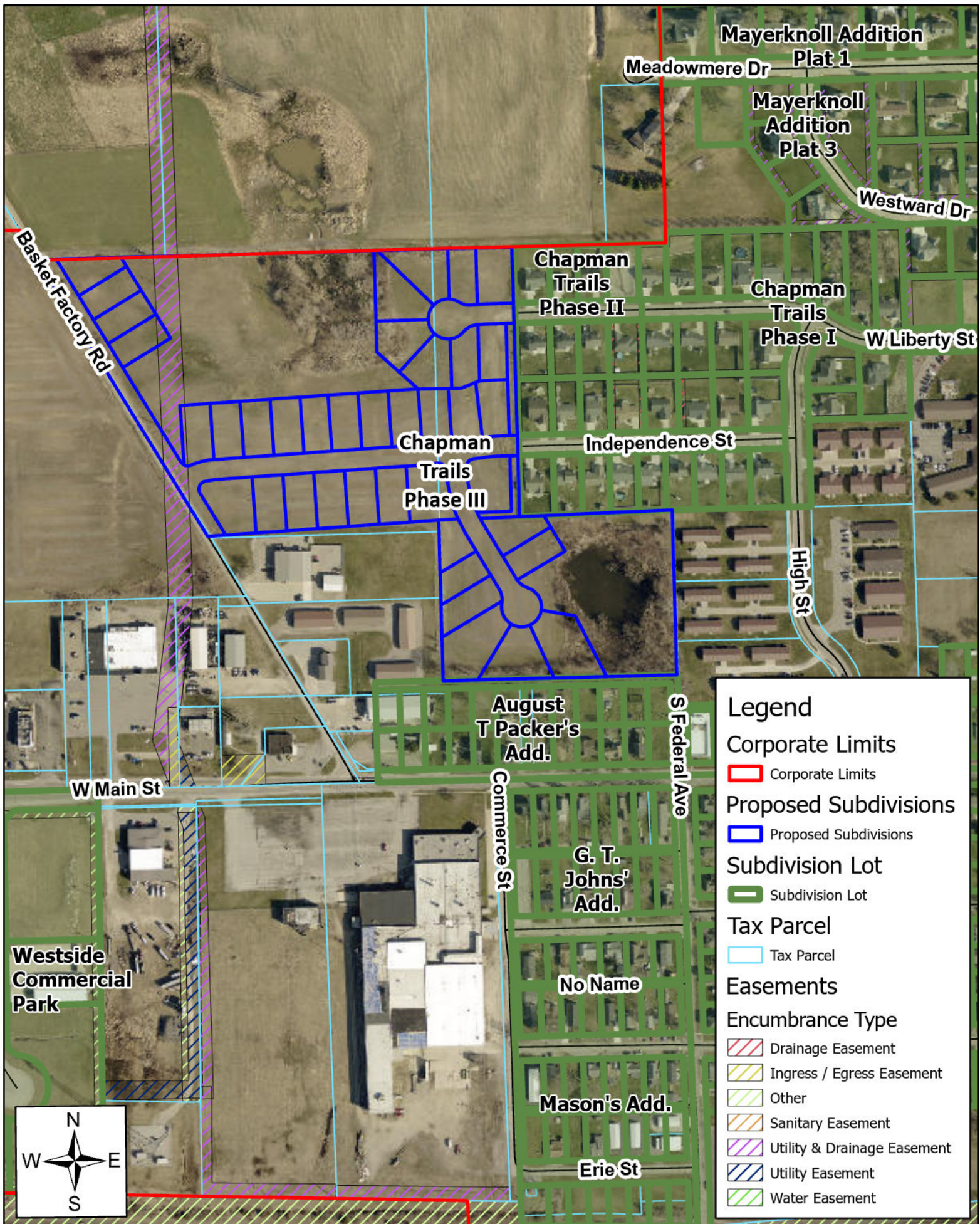


Typical Street Cross-Section

Not to Scale

CENTERLINE CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	200.00'	19.01'	19.00'	S 85°44'52" W	5°28'45"
C2	200.00'	10.30'	10.30'	N 84°29'59" E	2°56'59"
C3	150.00'	72.14'	71.45'	N 72°11'49" E	27°33'18"
C4	300.00'	141.58'	140.27'	S 17°32'45" E	27°02'28"
C5	300.00'	39.27'	39.24'	S 84°43'15" W	7°30'00"



This staff report is prepared by the City Planner to provide information to the Plan Commission to assist them in making a decision on this Amendment to Ordinance Text to the Unified Development Ordinance – Article 9.05. It may also be useful to members of the public interested in this Amendment to Ordinance Text proposal.

Proposed Use & Development Standards and Definitions for:

Electronic Information Processing Facility, Limited Text Amendment

6.52 Electronic Information Processing Facility Standards (EI-01)

TEXT TO REMAIN

~~TEXT TO BE REMOVED~~

TEXT TO BE ADDED

ARTICLE THREE - BUSINESS & INDUSTRIAL DISTRICTS

3.1 - NB Neighborhood Business District Intent, Permitted Uses, and Special Exception Uses

Special Exception Uses: Business: General Business (pg. 27)

- **Electronic Information Processing Facility, Limited, subject to Electronic Information Processing Facility Standards EI-01.**

3.3 - GB - General Business District Intent, Permitted Uses, and Special Exception Uses

Business: General Business Permitted Uses (pg. 30)

- Boat sales
- **Electronic Information Processing Facility, Limited**
- Funeral home or mortuary
- Hotel/motel
- Print shop/copy center
- Self-storage facility
- Three-Dimensional Printing (3-D Printing) (Amended by Ord. # 1618, adopted August 3, 2015)
- Tool/equipment rental
- Tool/equipment sales

ARTICLE SIX – DEVELOPMENT STANDARDS

6.33 - Number of Off-Street Parking Spaces Required by Land Use - PK-04 – pg 73

Business: General Business

- Boat sales, manufacturing housing sales: Two spaces plus 1 per employee
- Funeral Home or Mortuary: One space per 4 seats
- Hotel/Motel: One space per employee plus 1 space per rentable room
- Kennel: One space per 5 pet accommodation spaces
- Self-Storage Facility: One space per employee plus 1 visitor per 10 employees plus one space per 10 units
- Print Shop/Copy Center, Tool/Equipment Rental, Tool/Equipment Sales: One space per 300 sq ft
- **Electronic Information Processing Facility, Limited: One space per employee on the largest shift plus one visitor space (if needed); minimum two spaces.**

PROPOSED NEW SECTION TO ARTICLE 6: DEVELOPMENT STANDARDS -
ALL TEXT BELOW IS NEW.

6.52 - Electronic Information Processing Facility Standards - EI-01 – This section applies to Electronic Information Processing Facilities, Limited, located in the NB Neighborhood Business District and GB General Business District.

- A. Enclosed Operation. All servers, computers, storage equipment, networking equipment, and associated information-processing equipment shall be operated entirely within a fully enclosed principal building. Outdoor containers, trailers, modular server units, and similar exterior equipment shall not be used to house information-processing equipment.
- B. Facility Scale.
 - 1. In the NB District, the use shall:
 - a. Be located within a principal commercial building existing on the effective date of this section;
 - b. Not be developed as a new purpose-built facility or multi-building campus; and c. Have a total planned or installed non-emergency electrical capacity not exceeding two megawatts.
 - 2. In the GB District, the use shall:
 - a. Not be enveloped as a multi-building data-processing campus; and
 - b. Have a total planned or installed non-emergency electrical capacity not exceeding fifteen megawatts.
 - 3. Electrical capacity shall be determined from the utility service agreement, utility will-serve letter, approved electrical plans, transformer capacity, or other documentation acceptable to the Electric Provider for the City.
 - 4. Adjacent parcels, buildings, equipment, or services under common or affiliated ownership or control shall be considered together when determining compliance with the electrical-capacity limitation.
 - 5. Emergency standby generation shall not be used to increase or supplement the electrical capacity otherwise permitted by this section.
- C. Water and Cooling.
 - 1. Once-through cooling systems, cooling towers, and evaporative cooling systems that routinely consume municipal water or groundwater for heat rejection are prohibited.
 - 2. Process cooling shall use air-cooled, dry-cooled, sealed closed-loop, or other substantially non-consumptive cooling technology.
 - 3. Continuous or routine consumptive use of municipal water or groundwater for equipment cooling or heat rejection is prohibited.
 - 4. Water may be used for drinking water, restrooms, sanitation, fire suppression, initial filling of a sealed system, incidental cleaning, occasional maintenance, or an emergency condition.
 - 5. The applicant shall provide the Water Superintendent with the anticipated average-day and peak-day water demand and a description of the proposed cooling system before issuing an Improvement Location Permit.
- D. Emergency Standby Generation.
 - 1. A combustion-powered generator may be installed as emergency standby equipment or use during load curtailment.
 - 2. A generator shall not be operated for routine facility power.
 - 3. Except for required testing and maintenance, a generator may be operated only during an actual interruption, load curtailment, or failure of utility electrical service.
 - 4. Testing and maintenance shall:
 - a. Be limited to the minimum duration required by applicable law, fire code, manufacturer specifications, or insurance requirements; b. Occur only between 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays, except when otherwise required by the Fire Marshal; c. Be recorded in an operating log maintained for at least three years and made available to the City upon request.

E. Mechanical and Electrical Equipment.

1. Exterior transformers, switchgear, dry coolers, condensers, generators, fuel tanks, and similar equipment shall be located behind or beside the principal building and shall not be located between the principal building and a public street.
2. Exterior equipment shall be screened from adjoining streets and residential property by walls, fencing, landscaping, equipment enclosures, or a combination thereof.
3. Mechanical and electrical equipment shall comply with Performance Standards PF-01, including the standards addressing noise, vibration, electrical disturbance, heat, glare, air pollution, and obnoxious characteristics.
4. No equipment shall create a persistent tonal, pulsating, humming, or low-frequency sound that constitutes a nuisance at an adjoining residential property.

F. Batteries and Fire Protection.

1. Uninterruptible power-supply batteries and battery energy-storage equipment shall be accessory to the principal information-processing use.
2. A stand-alone or grid-scale battery energy-storage facility is not authorized by this section.
3. Battery rooms, battery cabinets, fuel systems, generators, and fire-suppression systems shall be reviewed and approved by the Fire Marshal and shall comply with applicable building and fire codes.
4. The operator shall provide emergency contact information and an emergency- response plan to the Fire Department before commencing operations.

G. Required Application Information. In addition to the information ordinarily required for an Improvement Location Permit or Special Exception, the applicant shall submit:

1. A description of the proposed operations and number of employees;
2. A utility will-serve letter or equivalent documentation of electrical capacity;
3. Sealed electrical plans identifying the maximum planned electrical capacity;
4. A cooling-system and water-use narrative;
5. The number, capacity, fuel type, location, and testing schedule of standby generators;
6. The type, capacity, and location of battery systems;
7. A plan for screening exterior equipment; and
8. Any additional information is reasonably necessary for the Water Superintendent, Community Development Office, or Fire Marshal to determine compliance with this section.

H. Expansion or Alteration.

1. An increase in electrical capacity, addition of generators, material alteration of the cooling system, expansion into another building, or expansion onto another parcel constitutes an expansion of use and requires a new or amended Improvement Location Permit.
2. A facility exceeding the applicable electrical-capacity limitation or otherwise failing to satisfy this section is not an Electronic Information Processing Facility, Limited, and is not permitted in the NB or GB District.

ARTICLE TEN - DEFINITIONS

10.2 - Defined Words - Relevant Amendments

Business, General Business - Boat sales, **electronic information processing facility, limited**, funeral home or mortuary, hotel/motel, kennel, manufactured housing sales, print shop/copy center, self storage facility, tool/equipment rental and tool/equipment sales.

Electronic Information Processing Facility, Limited - **An indoor commercial facility primarily used for the operation of servers, computers, storage systems, networking equipment, and associated power and cooling equipment for the storage, processing, transmission, hosting, backup, retrieval, or management of electronic or digital information. The term includes a use commonly known as a data center, server farm, colocation facility, cloud-computing facility, enterprise server facility, or similar operation. The term does not include a telecommunications tower, electric generation plant, or stand- alone battery energy-storage facility unless such use is separately and expressly permitted by this Ordinance.**

STAFF RECOMMENDATIONS:

Staff recommend that the proposed text amendment be certified by the Plan Commission with a favorable recommendation to the City of Butler Common Council.

UNIFIED DEVELOPMENT ORDINANCE REQUIREMENTS:

When considering a Textual Amendment, the Butler Plan Commission and the Common Council are obligated — under Section 8.12 (D) of the City of Butler Zoning Ordinance — to pay reasonable regard to the following:

- a. The Comprehensive Plan;
- b. Current conditions and the character of current structures and uses in each district;
- c. The most desirable use for which the land in each district is adapted;
- d. The conservation of property values throughout the jurisdiction; and
- e. Responsible development and growth.