

LEGAL ADVERTISEMENT

Notice is given that the Town Council of the City of Aliquippa, located at 581 Franklin Avenue, Aliquippa, PA 15001, on the 5th day of March 2025, At 7:00PM, will consider for adoption a Resolution, No. 3 of 2025, adopting the opinion of the City Administrator, and the Code Enforcement Officer of the City of Aliquippa concerning the zoning of parcel no. 08-04-103.13, parcel S2A in the Bech Tech Plan of Subdivision No. 7 – PBV30, page 27. Said property being in the Industrial Zoning District, consisting of approximately 27.82 acres, and currently vacant land.

The Proposed use of the property will be the construction of a data center, information processing and computer facility. The facility will house significant computer hardware, technology infrastructure, and related operational and mechanical equipment. The facility will operate on a 24-7 basis and will generate its own energy for the facility.

The City intends to opine that pursuant to Section 1402(A)(G) of the Zoning Ordinance, the proposed use of the property is a permitted principal use. Specifically, it will be opined that the operations of the facility qualify as a laboratory devoted to research, design, experimentation, and/or processing. The Resolution and the opinion only apply to the described property and the proposed facility.

A copy of the Legal Opinion and proposed Resolution can be obtained by contacting the City, Samuel L. Gill, City Administrator or reviewing the Resolution on the City of Aliquippa Website at www.aliquippapa.gov

LEGAL NOTICE

PRELIMINARY OPINION OF THE ZONING OFFICER OF CITY OF ALIQUIPPA, BEAVER COUNTY, PENNSYLVANIA

CB TECH PARTNERS, LLC, a Pennsylvania limited liability company (the “Applicant”) has requested that I, as the City Administrator, Chief Code Enforcement Officer and Zoning Officer of City of Aliquippa, Beaver County, Pennsylvania (the “City”), provide this Preliminary Opinion pursuant to Section 916.2 of the Municipalities Planning Code (the “MPC”). This Preliminary Opinion is governed by such provisions of the MPC.

BACKGROUND:

The Applicant is the proposed purchaser of 71 Woodlawn Road, Aliquippa, PA 15001 (Tax Parcel No 08-04-103.13)(Parcel S-2A in the Bech Tech Plan of Subdivision No. 7 – PBV 30, Page 27) (the “Property”) which consists of approximately 27.82 acres.

The Property is located in the City’s Industrial “I” Zoning District and is currently vacant. The Applicant plans to construct a data center, information processing, and compute facility (the “Facility”) on the Property, which will house significant compute hardware, technology infrastructure, and related operational and mechanical equipment. At the time of requesting this Preliminary Opinion, the actual size of the facility is unknown. However, for the purpose of issuing the Preliminary Opinion, the size of the facility is not relevant. The Applicant has informed the City that it plans to operate the Facility on a 24 hour basis, 7 days a week. The Facility will be secure and will employ dozens of people. In order to meet the energy needs of the Facility, it will likely have its own energy generation facilities which will be primarily operated by on-site dedicated natural gas turbines and/or generation equipment.

DISCUSSION:

The Property and the proposed Facility will be located in the City’s Industrial “I” Zoning District. Article XIV of the City’s Zoning Ordinance (the “Code”) provides various provisions which govern the uses within the applicable Industrial Zoning District. Section 1402 of the Code provides that the following Uses constitute Principal Uses within the “I” Industrial District:

SECTION 1402 PRINCIPAL USES

A. Principal Permitted Uses:

- (a) Building material supplies, including processing such as stone crushing or concrete mixing.
- (b) Carpenter, electrical, plumbing, heating or sheet metal shop, furniture upholstering shop, laundry and clothes cleaning or dyeing establishment, printing shop or publishing plant.
- (c) Distributing plant, beverage bottling and/or distribution.
- (d) Essential services.
- (e) Forestry.
- (f) Highway freight, transportation and warehousing.
- (g) Laboratories devoted to research, design, experimentation, processing and fabrication incidental thereto.
- (h) The manufacture, compounding processing, packaging or treatment of products, excluding slaughter houses.
- (i) The manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials.
- (j) Utility operations (electric and gas company operations).
- (k) Vehicle storage facility.

At the request of the Applicant, the City has reviewed the City's applicable regulations and Code to determine, in this instance, whether the Facility qualifies as a Permitted Use within the Industrial "I" District. Based upon the City's review of the information provided and the proposed use of the Facility, it is my opinion that the proposed use of the Facility is a Permitted Principal Use under Section 1402(A)(G) of the Code. Specifically, it is my determination that the operations of the Facility qualify as a laboratory devoted to research, design, experimentation, and/or processing.

This Preliminary Opinion only applies to the Property and the proposed Facility and does not apply to any other property located within the City. Provided however, that the City expressly declares that the provisions of this Preliminary Opinion shall run with the Property and/or the Facility, and that both the Applicant and/or future owners of the Property and/or Facility shall be entitled to the benefits and the protections of the determinations made herein. This Preliminary Opinion does not eliminate the need for the Applicant and/or future owners of the Property and/or the Facility to submit any proposed Future Development plans to the City in accordance with the

Municipalities Planning Code and/or the City's Ordinances including, but not limited to the City's Subdivision and Land Development Ordinance.

This Preliminary Opinion is to be published in the City's Official Newspaper two times in accordance with Section 916.2 of the MPC, and shall have the full force and effect as set forth in the MPC. Any individuals wishing to challenge the determination made in this Preliminary Opinion must file an appeal of the same to the City's Zoning Hearing Board within thirty (30) days of the date of publication of this Preliminary Opinion.

This Preliminary Opinion, and other relevant plans related to the Property and/or the Facility, are on file with the City at the City's Offices located at 581 Franklin Avenue, Aliquippa, PA 15001, and may be examined during regular business hours at the City's Offices. Any questions can be directed to the undersigned at (724) 375-5188.

SAMUEL L. GILL,
CITY ADMINISTRATOR, CHIEF CODE
ENFORCEMENT OFFICER AND
ZONING OFFICER