

PIN: 08-30-400-002

PROPERTY ADDRESS:
1301 CLYDE DR.
NAPERVILLE, IL 60565

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #24-1-124

ORDINANCE NO. 25- ____

**AN ORDINANCE APPROVING A CONDITIONAL USE FOR
A TELECOMMUNICATIONS TOWER AND VARIANCES FROM
SECTION 6-13-10:5.3.1 (SETBACKS) OF THE NAPERVILLE MUNICIPAL CODE
FOR THE PROPERTY LOCATED AT 1301 CLYDE DRIVE**

RECITALS

1. **WHEREAS**, T-Mobile Central, LLC., 1400 Opus Drive, Downers Grove, IL 60515 (“**Petitioner**”), has petitioned the City of Naperville for approval of a conditional use for a telecommunications tower and setback variances for the property located at 1301 Clyde Dr., Naperville, Illinois, 60565, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).
2. **WHEREAS**, the owner of the Subject Property is the City of Naperville, 400 S. Eagle Street, Naperville, Illinois, 60540 (“**Owner**”).
3. **WHEREAS**, the Subject Property is currently zoned R1A (Low Density Single-Family Residence District) and is improved with a 160-foot-tall water tower featuring mounted antennas, a pump house and buried reservoir that provides

the City of Naperville water service, an equipment shelter and records storage building.

4. **WHEREAS**, on April 4, 2018, Ordinance 18-031 was approved to amend Chapter 13 (Regulations for Telecommunication Facilities) of the Municipal Code and included provisions prohibiting the attachment of non-City-owned communications facilities to City-owned water towers in all zoning districts.
5. **WHEREAS**, T-Mobile has existing equipment on the Subject Property (on top of the City of Naperville's water tower) that will need to be removed upon lease expiration in August of 2025, and the Petitioner indicates that installing new equipment in an alternative location is not viable as significant coverage gaps would occur.
6. **WHEREAS**, to continue to provide a quality level of service in the City of Naperville, T-Mobile proposes constructing a new, freestanding telecommunications tower on the Subject Property/the same site as T-mobile's existing equipment.
7. **WHEREAS**, the proposed telecommunications tower has been designed to have the capacity for additional carriers to collocate, expanding the use beyond a single carrier and serving a larger population.
8. **WHEREAS**, Section 6-13-5 (Regulations for Telecommunication Facilities; Conditional Uses) of the Naperville Municipal Code requires conditional uses for new, replacement or modified towers in all residential districts.
9. **WHEREAS**, Section 6-13-10:5.3.1 (Regulations for Telecommunication Facilities; General Requirements) of the Naperville Municipal Code requires a setback equal

to the greater of the required building setback in the applicable zoning district or at least two hundred (200) percent of the height of the facility from a lot line abutting or across from a public right-of-way from a residential use or district.

10. **WHEREAS**, with authorization from the Owner, the Petitioner requests approval of a conditional use for a new, 191.5 foot telecommunications tower and associated setback variances as depicted on **Exhibit C** ("**Site Plan**") in order to locate a new, freestanding tower on property in a residential district.

11. **WHEREAS**, the requested conditional use meets the standards for conditional uses as provided in **Exhibit D** attached hereto.

12. **WHEREAS**, the requested variance meets the standards for variances as provided in **Exhibit D** attached hereto.

13. **WHEREAS**, on March 19, 2025, the Planning and Zoning Commission conducted a public hearing to consider the Petitioner's requested conditional use and variances and recommended approval of the Petitioner's request.

14. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A conditional use to allow for a telecommunications tower on the Subject Property pursuant to Section 6-13-5:1.1 (Regulations for Telecommunication Facilities; Conditional Uses) of the Municipal Code is hereby granted.

SECTION 3: Variances from Section 6-13-10:5.3.1 (General Requirements: Setbacks) to reduce the minimum required setbacks from the required 383 feet to 45 feet from the north property line, 228 feet from the south property line, 65 feet from the east property line and 135 feet from the west property line, as depicted on **Exhibit C**, are hereby approved.

SECTION 4: The Site Plan, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 5: The Landscape Plan attached to this Ordinance as **Exhibit E**, and the Elevations attached to this Ordinance as **Exhibit F**, are hereby approved.

SECTION 6: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 7: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 8: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 9: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2025.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk