

**PROPERTY ADDRESS:**

1936 LUCENT LANE,  
NAPERVILLE, IL 60563  
[FORMERLY PART OF PROPERTIES  
ADDRESSED AS 1940 LUCENT LANE,  
1960 LUCENT LANE,  
AND 1980 LUCENT LANE,  
NAPERVILLE, IL 60563]

**P.I.N.**

08-05-207-037 (part of)

**RETURN TO/PREPARED BY:**

CITY OF NAPERVILLE  
CITY CLERK'S OFFICE/  
COMMUNITY SERVICES DEPT.  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case #DEV-0057-2025

**ORDINANCE NO. 26- \_\_**

**AN ORDINANCE APPROVING A CONDITIONAL USE FOR A DATA CENTER,  
VARIANCES FOR PARKING AND EQUIPMENT SCREENING WALL HEIGHT  
AND AN OWNER AND DEVELOPER'S ACKNOWLEDGEMENT AND ACCEPTANCE  
AGREEMENT FOR THE PROPERTY LOCATED AT  
1936 LUCENT LANE**

**RECITALS**

1. **WHEREAS**, Karis Critical Member, LLC ("**Petitioner**"), a Delaware limited liability company, has petitioned the City of Naperville ("**City**") for approval of a conditional use for a data center ("**Data Center**") in the ORI (Office, Research, and Light Industrial) Zoning District, variances for parking and equipment screening wall height, and an Owner's Acknowledgement and Acceptance Agreement ("**OAA**") for approximately twenty (20) acres of real property located within the corporate

limits of the City of Naperville with a common address of 1936 Lucent Lane, Naperville, IL 60563 being part of Parcel Identification Number 08-05-207-037, as depicted on **Exhibit A** and legally described on **Exhibit B** ("**Subject Property**").

2. **WHEREAS**, the owner of the Subject Property is Franklin 1960 Lucent Lane, LLC, an Illinois limited liability company authorized by the Illinois Secretary of State's Office to transact business in the State of Illinois ("**Owner**"). The Petitioner is the contract purchaser of the Subject Property.
3. **WHEREAS**, the Subject Property is currently zoned ORI (Office, Research, and Light Industrial District) in the City of Naperville and is currently vacant.
4. **WHEREAS**, with the authorization of the Owner, the Petitioner is requesting approval of a conditional use pursuant to Section 6-8B-3 (ORI District: Conditional Uses) of the Naperville Municipal Code in order to construct one 2-story Data Center on the Subject Property, approximately 211,160 square foot in size, which may be constructed in two phases (Phase 1A and Phase 1B). The first phase of construction of the Data Center will consist of approximately 145,000 square feet, with full buildout of the Data Center occurring in the future.
5. **WHEREAS**, the conditional use described in Recital 4 above is applicable only to the Subject Property; the remaining portion of the real property which is part of Parcel Identification Number 08-05-207-037 shall be unencumbered by the conditional use.
6. **WHEREAS**, with authorization of the Owner, the Petitioner is requesting approval of a variance to Section 6-9-3 (Off-Street Parking) of the Naperville Municipal Code in order to reduce the required parking for a Data Center from two hundred and eleven (211) spaces to sixty (60) spaces.

7. **WHEREAS**, Petitioner has submitted a parking study demonstrating that sixty (60) parking spaces will be sufficient to serve the proposed Data Center.
8. **WHEREAS**, Petitioner has agreed to landbank one hundred and fourteen (114) additional parking spaces for potential future use if the proposed sixty (60) parking spaces are insufficient to serve the Data Center.
9. **WHEREAS**, with authorization of the Owner, Petitioner is requesting approval of a variance to Section 6-2-12:3 (Fences: Industrial Districts) of the Naperville Municipal Code in order to increase the height of the equipment screening wall of the Data Center from fifteen feet (15') to twenty-two feet (22').
10. **WHEREAS**, said equipment screening wall provides visual screening for the benefit of surrounding properties.
11. **WHEREAS**, a proposed contractual agreement between the City and the Petitioner, titled the "**Owner's Acknowledgement and Acceptance Agreement for the Karis Critical Data Center**" (the "**OAA**"), includes requirements applicable to the Data Center, including but not limited to provisions relating to the construction and operation of the Data Center and reporting requirements. Said OAA is attached hereto as **Exhibit F**.
12. **WHEREAS**, on August 20, 2025 a public hearing on the Petition filed by Petitioner for the Karis Critical Data Center was opened before the Naperville Planning and Zoning Commission ("**PZC**") and continued to September 3, 2025 without testimony. The public hearing regarding the Karis Critical Center was heard and continued, with testimony, to September 3, 2025; October 15, 2025; November 5, 2025; and November 19, 2025.

13. **WHEREAS**, at the conclusion of the PZC hearing conducted on November 19, 2025, the PZC recommended approval of the Petitioner's requests for a conditional use and variances subject to multiple conditions.
14. **WHEREAS**, subject to compliance with this Ordinance, all Exhibits hereto, and the provisions set forth and referenced in the Owner's Acknowledgment and Acceptance Agreement attached hereto as **Exhibit F**, the requested conditional use meets the City standards for conditional uses and the requested variances meet the City standards for variances as provided in **Exhibit C** attached hereto.
15. **WHEREAS**, Petitioner has requested that it be allowed one hundred and twenty (120) days to close on the purchase of the Subject Property and to sign the OAA as owner of the Subject Property (the "**OAA Execution Timeframe**") which the City has agreed to as provided herein. Petitioner's ownership in fee simple of the Subject Property and execution of the OAA as owner of the Subject Property within the OAA Execution timeframe are express conditions of City Council approval of this Ordinance and all approvals contained herein. If Petitioner fails to meet these conditions, this Ordinance and the approvals contained herein shall be deemed automatically void and of no force or effect with no further action being taken by the City, the Owner, or the Petitioner.
16. **WHEREAS**, the City will not reserve electric capacity for the Data Center until a site permit has been obtained by the Petitioner from the City to construct the Data Center.

17. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's requests should be granted subject to the terms and conditions set forth and referenced 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 for a Data Center on the Subject Property pursuant to Section 6-8B-3 (ORI District: Conditional Uses) of the Naperville Municipal Code is hereby granted subject to:

2.1 Compliance with the provisions set forth and referenced herein;

2.2 Compliance with the terms and conditions set forth and referenced in the Owner's and Acknowledgement and Acceptance Agreement for the Karis Critical Data Center attached hereto as **Exhibit F**; and

2.3 Approval of an electrical design for the Data Center and associated electric infrastructure and improvements all as approved by the Director of the City's Public Utility Department – Electric (DPU-E) and approved revision of any and all associated plans for the Subject Property to reflect the foregoing.

**SECTION 3:** A variance to Section 6-9-3 (Off-Street Parking) in order to reduce the required parking for the Data Center from two hundred and eleven (211) parking spaces to sixty-one (61) spaces as depicted on the Site Plan attached hereto as **Exhibit D** on the Subject Property is hereby granted, subject to the conditions in the Owner's and

Acknowledgement and Acceptance Agreement for the Karis Critical Data Center attached as **Exhibit F**.

**SECTION 4:** A variance to Section 6-2-12:3 (Fences: Industrial Districts) in order to increase the permitted height of the equipment screening wall for the Data Center from fifteen feet (15') to twenty-two feet (22') as depicted on the Equipment Setback Exhibit attached hereto as **Exhibit E** on the Subject Property is hereby granted, subject to the terms and conditions in the Owner's Acknowledgement and Acceptance Agreement for the Karis Critical Data Center attached as **Exhibit F**.

**SECTION 5:** The Owner's Acknowledgement and Acceptance Agreement for the Karis Critical Data Center, attached to this Ordinance as **Exhibit F**, is hereby approved.

**SECTION 6:** The Site Plan, attached hereto as **Exhibit D**, is hereby approved.

**SECTION 7:** The Landscape Plan, attached hereto as **Exhibit G**, is hereby approved.

**SECTION 8:** The Building Elevations, attached hereto as **Exhibit H**, are hereby approved.

**SECTION 9:** The Photometric Plan, attached hereto as **Exhibit I**, is hereby approved.

**SECTION 10:** Notwithstanding any other provision set forth in this Ordinance, if Petitioner does not submit a fully executed OAA, signed by an authorized representative of Karis Critical Data Center, LLC as owner of the Subject Property within the OAA Execution Timeframe, this Ordinance approving a conditional use and variances for the Karis Data Center, and all other approvals contained or referenced herein, shall be deemed

automatically void and of no force or effect with no further action being taken by the City, the Owner, or the Petitioner.

**SECTION 11:** This Ordinance is subject to all conditions and requirements set forth and referenced in the Naperville Municipal Code, as amended from time to time.

**SECTION 12:**The City Clerk is authorized and directed to record this Ordinance and its Exhibits with the DuPage County Recorder.

**SECTION 13:** 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 DuPage County Recorder.

**SECTION 14:**This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_

Dawn C. Portner  
City Clerk