

## **PLANNING AND ZONING COMMISSION AGENDA ITEM**

### **ACTION REQUESTED:**

Reconvene the public hearing for 1960 Lucent Lane (Karis Critical Data Centers) – DEV-0057-2025

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

### **ENTITLEMENTS REQUESTED:**

1. A conditional use pursuant to Section 6-8B-3 of the Code to allow the operation of one data center;
2. A variance from Section 6-9-3 of the Code to reduce the required parking for a data center from 211 spaces to 60 spaces for a data center;
3. A variance from Section 6-2-12:3 of the Code to increase the maximum permitted height of the proposed equipment yard screen wall from 15 feet to 22 feet.

### **BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for DEV-0057-2025 was published in the Naperville Sun on Sunday, August 3, 2025.

On Wednesday, August 20, 2025, the PZC opened and continued the public hearing for DEV-0057-2025 to the September 3, 2025, Planning and Zoning Commission.

On September 3, 2025, the PZC reconvened the public hearing, began petitioner and public testimony, and continued the public hearing to October 15, 2025.

### **BACKGROUND:**

The subject property consists of approximately 40.87 acres of vacant land located at 1960 Lucent Lane. It is currently zoned ORI (Office, Research and Light Industry District) and is located along the City's I-88/Diehl Road corridor. The I-88/Diehl Road corridor is largely developed with buildings used for office or institutional purposes.

Karis Critical Member, LLC proposes development of a data center on the subject property. The data center campus will be comprised of one building used for the warehouse of computer systems and associated components that process and distribute large amounts of data.

The City's Land Use Master Plan (LUMP) designates the subject property as Medium Density Residential; however, this designation does not override the property's current zoning designation of ORI. No zoning changes are being requested with the petitioner's proposal; data centers are listed as a conditional use in the ORI district as further discussed below.

### **DISCUSSION:**

#### ***Changes Proposed Since September 3<sup>rd</sup>***

The petitioner's presentation and public testimony on the Karis Critical proposal began on September 3<sup>rd</sup>. Many members of the public provided comments on the proposal. In the staff report provided to the PZC for the September 3<sup>rd</sup> meeting (attached), staff

included several recommended conditions of approval for the Planning and Zoning Commission's consideration as they evaluated the petitioner's conditional use and variance requests. Staff additionally recommended that the PZC continue Karis Critical to the October 15<sup>th</sup> PZC meeting in order for a third-party consultant hired by the City to complete an independent review of the petitioner's sound study.

Since the September 3<sup>rd</sup> meeting, and in response to the comments and feedback provided thus far, the petitioner has submitted revised development plans for the Planning and Zoning Commission's consideration. Key changes that have been made to the plans since the September 3<sup>rd</sup> meeting are outlined below:

- **Site Plan:** The petitioner has modified the proposed site plan by eliminating the Phase 2 data center building and associated utility substation. This modification also resulted in the elimination of a variance request from Section 6-2-12:4 of the Code (which was originally requested to permit an increase in the height of the security fence for the Phase 2 private electrical substation to a maximum of 8 feet).

As a result of these modifications, the petitioner is requesting approval of a conditional use for one data center building and variances to reduce the required number of parking spaces on-site and to increase the height of the equipment yard screenwall.

Landscaping modifications are also proposed along the eastern portion of the site. The eastern half of the site will continue to include a landscaped berm to create a buffer between the proposed data center and Naper Commons townhomes along Weatherbee Lane, but the remainder of this area will be seeded and maintained as turf as depicted on the site plan provided in the attachments.

The modified site plan also results in elimination of an access point on Weatherbee Lane, so all traffic will be required to enter or exit the site from Lucent Lane.

*Staff is supportive of these modifications.*

- **Building Elevations:** The building elevations were revised to include additional accent materials and to raise the parapet walls to the full height of the rooftop mechanical units. The glass curtain wall with metal panel accenting continues to wrap the front corners of the building, and ground floor and upper story windows, vertical aluminum drain covers, and foundation plantings and ornamental trees will continue to add visual interest to the façades.

*Staff is supportive of these modifications.*

- **Site Lighting:** The petitioner has provided a letter confirming that all exterior light fixtures proposed on the subject property are "Dark Sky" compliant and an updated photometric plan which includes a note stating that all light fixtures are "dark sky" compliant.

*Staff is supportive of these modifications.*

- **Other Plans:** Other plans were updated as necessary to reflect these proposed site plan modifications.

### ***Third Party Sound Engineer Analysis***

On September 3, staff recommended that a third-party sound engineer be hired to review the petitioner's Noise Impact Assessment, verify the data center campus will operate in compliance with City regulations identified in Section 6-14-4:1 of the Municipal Code, and determine if any additional improvements are recommended to mitigate potential noise impacts.

Following the September 3<sup>rd</sup> PZC meeting, the City hired Hampton, Lenzini and Renwick, Inc. ("HLR") to review the petitioner's Noise Impact Assessment. Based on the petitioner's plans and supporting application materials, HLR determined that the petitioner's Noise Impact Assessment complies with the requirements of Naperville Municipal Code Section 6-14-4:1 which sets the Naperville noise standards (note: the consultant reviewed the plans that incorporated the latest revisions noted above). While not required by the City's ordinance, as a best practice in data center development, HLR recommended that the petitioner's sound engineer, Jacob and Heffner, compare the proposed noise levels to the Illinois Pollution Control Board (PCB) Standards to ensure that none of the nine octave bands are exceeded, at the closest residential receptor, R1-1. If there are any exceedances to any of the nine octave bands, additional mitigation measures should be proposed.

***Staff recommendations:*** *In response to the best practice in data center development identified by HLR, staff recommends a condition of approval be added requiring the petitioner to conduct an additional noise analysis to compare the proposed noise levels to the Illinois Pollution Control Board (PCB) Standards to ensure that none of the nine octave bands are exceeded, at the closest residential receptor, R1-1. If any exceedances to any of the nine octave bands are identified, the petitioner shall propose additional noise mitigation measures to bring each of the nine octave bands into compliance with PCB standards.*

### ***Fire Considerations***

During the public hearing, some individuals expressed concerns with the fuel storage tanks required by data centers and spill mitigation plans. The City's Fire Department confirmed that the Office of the State Fire Marshal regulates fuel storage tanks. As is standard practice, the developer will be required to obtain permits through the City as well as through the State Fire Marshal, and the proposed data center will be required to have an Emergency Plan which will include any spill mitigation. Operators on the site will also be required to provide an annual report to the City to identify what chemicals, and in what amount, they have on site.

The Fire Department does not have any concerns with future fire protection on the property. The data center will be required to be fully sprinklered along with an automatic fire alarm. Fire protection equipment will need to be installed per the National Fire Protection Association (NFPA) 13. Battery storage and computer storage areas are anticipated to have special extinguishment systems but will also be backed up by sprinkler systems.

***Recommended Conditions – Updated from 9/3/25***

Subject to the conditions provided below (note: additional conditions may be added/refined following 3<sup>rd</sup> party review, public input, and/or further plan modifications) and execution of an approved Owner's Acknowledgement and Acceptance Agreement, staff recommends approval of Petitioner's request.

1. Prior to any building permit issuance for the subject property, Petitioner shall coordinate with City staff and the Naperville Development Partnership (NDP) to submit a plan for gateway signage and landscaping to be installed at the intersection of Naperville Road and Warrenville Road for the Karis Data Center. Said gateway signage and landscaping shall be installed and approved prior to issuance of any occupancy permits for the Subject Property. The Director of the City's Transportation, Engineering, and Development (TED) Department may grant an extension to the landscape installation deadline provided the petitioner submits a written request setting forth the reasons for the requested delay and providing a specific timeframe by which the approved landscape installation shall be completed and approved. Petitioner and all future owners shall maintain the approved landscaping in good condition.
2. All rooftop mechanical units and other mechanical units on the Subject Property shall be screened to the full height of the units/equipment by the building parapet wall as required by Section 5-10-3:12 of the Naperville Municipal Code. If any mechanism besides a parapet wall is proposed to be utilized for rooftop screening, it will require the review and written approval of the City Zoning Administrator.
3. As recommended by Hampton, Lenzini and Renwick, Inc., a sound consultant hired by the City to review Karis' noise study, the petitioner shall conduct an additional noise analysis to determine if any of the nine octave bands, at the closest residential receptor, R1-1, exceed the maximum noise levels established in the Illinois Pollution Control Board (PCB) Standards (hereinafter "Additional Noise Study"). Said Additional Noise Study shall be completed prior to issuance of any building permit for the Subject Property. If said Additional Noise Study finds exceedances to any of the nine octave bands, the petitioner shall propose additional noise mitigation measures to bring each of the nine octave bands into compliance with PCB standards; said mitigation measures shall be subject to review and approval by the City's Zoning Administrator and installed prior to issuance of any occupancy permit for the Subject Property.
4. Any proposed loading docks on the Subject Property in addition to those depicted on the final approved engineering plans attached as **Exhibit X** shall be subject to review and approval by the City in accordance with Section 6-3-8:5 (Changes to Approved Conditional Uses) of the Naperville Municipal Code as amended from time to time.
5. Any future modifications proposed to the approved site or landscaping plans for the Subject Property shall be subject to review and approval in accordance with Section 6-3-8:5 (Changes to Approved Conditional Uses) of the Naperville Municipal Code as amended from time to time.
6. The photometric plan (the "**Photometric Plan**") for the Subject Property shall comply with the requirements identified in Section 6-14-4:3 of the Naperville

Municipal Code as amended from time to time. In addition, Petitioner shall install and continuously maintain in operation dark sky compliant features as specified in **Exhibit X**.

7. At no time shall asphalt sealants, or any other product that contains coal tar products, be used on any portion of the Subject Property. See also the letter from Petitioner attached as **Exhibit X**.
8. The Data Center shall utilize an air-cooled closed-loop cooling system (the “**Cooling System**”). The Cooling System was specified by developer for the specific purpose of meeting City of Naperville noise regulations and to minimize unnecessary use of water associated with the cooling of the Data Center. The Cooling System shall be continuously operated and maintained in good operating condition by Petitioner. Petitioner may maintain, repair, and replace the Cooling System in normal operation of the Data Center, subject only to applicable Building Code requirements. In the event that Cooling System will be replaced with an alternative design that does not comply with City of Naperville noise regulations or substantially increases the use of water associated with the Data Center, a major change to the Conditional Use shall be required.
9. Petitioner shall prepare an e-waste management plan in compliance with the letter attached as **Exhibit X** (the “**E-Waste Management Plan**”) Said E-Waste Management Plan shall be adhered to, maintained and updated as necessary by Petitioner to ensure proper disposal, and enforce regulations on collection, transportation, and recycling, of e-waste to ensure public health and environmental protection on an ongoing basis. The E-Waste Management Plan and documentation demonstrating compliance with said Plan shall be available to the City upon request.
10. A parking variance was granted to reduce the required parking for the Karis Data Center building from 211 spaces to 60 spaces as depicted on **Exhibit X**; however, a land banked parking (“**Land Banked Parking**”) area consisting of 114 parking stalls, as depicted on **Exhibit X**, has been reserved and shall be constructed by Petitioner in the event that additional parking is required based on actual use of the property. Petitioner shall actively manage the parking supply on the subject property such that not more than 60 vehicles are present on the subject property at one time. In the event that more than 60 vehicles use the parking on the Subject Property, the Zoning Administrator may require Petitioner to construct all or some portion of the Land Banked Parking (as set forth in the provisions below) up to a maximum of 174 vehicles.
  - a. Petitioner shall reserve sufficient space on the XX portion of the Subject Property to land bank 114 parking spaces as depicted on **Exhibit X**.
  - b. In the event that the City Zoning Administrator, at his or her sole discretion, determines that the construction of all or a portion of the land banked parking spaces on the subject property is necessary, Petitioner agrees to obtain all necessary approvals and permits and to commence construction of said land banked parking improvements within one hundred and eighty (180) days of written notice by the City that such construction is required. This provision shall survive the expiration or termination of this Agreement.

- c. The Land Banked Parking shall be constructed in compliance with the Naperville Municipal Code then in effect, including but not limited to all zoning, engineering, and building requirements and regulations.
  - d. Until converted to a parking facility, the Land Banked Parking area shall be landscaped and maintained with turf grass. No permanent buildings, structures, or other uses are permitted within the Land Banked area.
11. Upon cessation of use of all or any part of the Subject Property for data center purposes, Petitioner shall work with the City to decommission the data center and to take steps to make the resulting structure useful for other purposes or to demolish the data center at Petitioner's sole cost within a timeframe directed by the City Zoning Administrator.
12. Additional conditions may be considered following public input, the results of sound engineering reviews, and/or further plan modifications.
13. Within 30 days of a written request from the City Zoning Administrator to the petitioner, the petitioner shall conduct a review of its data center's operations and provide a written compliance report to the City's Zoning Administrator a demonstrating compliance with the conditions approved in the conditional use ordinance and the Owner's Acknowledgement and Acceptance Agreement, including but not limited to compliance with sound and vibration limitations.
14. Any ordinance approving the conditional use for the data center, and the Owner's Acknowledgment and Acceptance Agreement, shall specify that the City shall have the right, but not the obligation, to enforce compliance with any conditions approved by City Council for the Karis Data Center, including but not limited to remedies the City may elect to seek at law and/or in equity, and daily ordinance violations for failure to comply with said conditions.
15. The conditions imposed upon Petitioner shall be binding upon assignees, transferees, or lessees of Petitioner.

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