FAQ's for 2538 S. Wabash Ave.

When did your office first learn the esports arena would become a data center, and what position did your office take on the "minor change" designation? Alderman Dowell's office can not pinpoint the exact date. The office was made aware of the proposed change in mid-December 2024. Alderman Dowell did not take a position on the matter as a data center was already a permitted use in the planned development (**PD #1496)** originally approved by the Plan Commission.

Did your office ask the Bureau of Zoning to require a public hearing? If not, why not? Administrative adjustments/Minor Changes do not require a public hearing. Alderman Dowell's office decided to host a public meeting on March 19th and the two smaller meetings even though they were not required by the Bureau of Zoning.

We have heard that HydraVault or its representatives met with your office seeking additional assistance from the City for this project. Is that accurate? Please describe any request for City assistance of any kind — TIF, Class 6b or other property tax classification, permit fee relief, infrastructure or utility support, land or right-of-way concessions, or support for a state Data Centers Investment Program certification. If such a request exists, we ask that it not advance without a public meeting in this ward. No city public entitlements have been or will be provided to HydraVault Alderman Dowell's office is unaware of the state Data Centers Investment Program Certificate.

This facility has been described throughout as privately funded. Will you commit to publicly opposing any public subsidy for it? Yes.

What binding commitments — not assurances — exist regarding generator testing schedules, noise limits at the property line, emissions from the seven backup generators, and construction hours? Regarding noise limits, the City's noise ordinance applies. Regarding generator requirements, please note that the requirements are for all users of diesel generators, not only data centers. Diesel generators require an Air Pollution Control Permit issued by the Department of Environment. Noise is regulated under MCC 8-32-090, under mechanical stationary sources. This stationary mechanical equipment is limited to the following between 8PM - 8AM: 55 dB(A) when measured at 100 feet away and 70 dB(A) when measured at 10 feet away. However, accurately detecting sound and proving the source of the measured sound, especially in noisy or complex source environments, can be challenging. The report published earlier this summer by the City of Chicago includes this information in further detail on pages 17-18. The report and the noise ordinance are available on Alderman Dowell's website.

On July 4, 2026, the adjoining warehouse building at 2540 S. Wabash caught fire. The below are questions we received in the aftermath of the fire:

Whether an origin-and-cause investigation was in fact opened, and if it was closed, on what basis and by whom. An origin-and-cause investigation was formally opened and remains ongoing. The investigation is being conducted concurrently by the City of Chicago Fire Investigation Team and the landlord's insurance carrier. No conclusive, formal reports have been issued yet, meaning the investigation is not officially closed. However, preliminary evidence strongly indicates the fire originated from an unauthorized fireworks party on the rooftop of the adjacent five-story residential building. A review of recordings taken from surveillance video cameras located on the owner's property shows silhouettes of people with fireworks standing on the roof of the adjacent building recorded on the late evening of July 4th. Also, physical firework remnants found on-site confirm the use of "high-performance" consumer or commercial fireworks were used on the roof deck of the adjacent building. Investigators are reviewing entry logs, building's main security, and an electronically controlled rooftop access door. While the ignition of the owners building may have been an unintentional accident caused by fireworks being used on the roof of the adjacent building, discharging high-performance fireworks from a downtown rooftop constitutes severe recklessness and a regulatory felony, which precludes the individuals from absolving themselves of criminal liability.

The Department of Buildings inspection record for that site before and after the fire, and whether any violations were issued. Prior to the fire, the City of Chicago Department of Buildings issued no building violations against the property that caught fire. Following the incident, which destroyed approximately 50% of the structure, the Chicago Building Department issued an emergency demolition order. This order was mandated because the remaining structure posed an imminent danger to public safety. The property owner fully complied with the Department's directive, and the fire debris has been entirely removed to ensure public safety

What fire protection, site security, fire watch, and hot-work controls were in place on a night when fireworks were foreseeable, and what has changed since. Under Illinois tort law, there is no legal basis to shift civil liability onto the property owner under a theory of a "foreseen condition." In third-party liability and insurance law, the proximate cause and civil liability remain strictly with the active wrongdoers—in this case, the individuals who hosted the unauthorized rooftop party and launched illegal fireworks. A landlord is under no legal obligation to anticipate, police, or fortify a property against independent criminal acts or extreme negligence by third parties, regardless of the calendar date. The occurrence of a holiday, such as Independence Day, does not create an exception to established premises liability standards. It does not legally obligate a landlord to implement extraordinary measures, such as hiring specialized security, maintaining a 24-hour fire watch, or applying fire-retardant materials to prevent highly illegal activities originating from adjacent properties. Consequently, no site controls were legally required for this foreseeable holiday, and no operational changes are mandated under the law.

Whether the fire has affected the project's scope, schedule, or plans for the existing masonry structure — and whether any revised plans have been or will be submitted to the City. The fire has not, to Alderman Dowell's knowledge,

impacted the scope, overarching design plans, or the construction schedule of the primary development. The small wooden structure affected (which was a minor part of the entire development) will be reconstructed as part of the larger project. To accommodate this, supplemental plans to the original permit will be submitted to the Building Department as required by local regulations. These revisions and additional requirements to the original permitted plans are technical in nature but will not alter to the project's intent or scope; the additional plans will not change the building's designated use or expand the scope of the project or will not change the exterior aesthetics. The only deviation from the original permitted plans is that the annex small structure will be rebuilt using modern, fire-resistant building materials to optimize structure resilience and safety.