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June 10, 2005

**VIA MESSENGER**

Guru Naganat  
Chief Financial Officer  
Dubin Residential  
4252 North Cicero Avenue  
Chicago, Illinois 60641

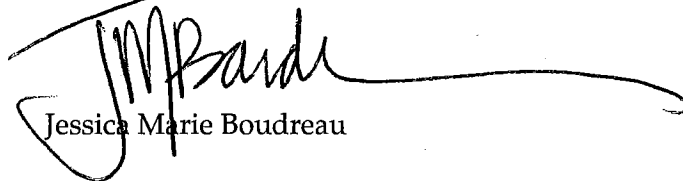
**Re: Application Nos.: 14772 and 14773  
Applicant: Dubin Residential/2301 South Wabash Development Corp.  
Property: 2301-35 S. Wabash and 2346-56 S. Wabash**

Dear Mr. Naganat,

The Planned Developments proposed at 2301-35 S. Wabash and 2346-56 S. Wabash were unanimously approved by the Plan Commission and passed by City Council on May 11, 2005.

Enclosed are copies of the ordinances as published in the *Journal of the Proceedings of the City Council of the City of Chicago, Illinois* evidencing this approval. If you should have any questions or concerns, please contact our office.

Very truly yours,



Jessica Marie Boudreau

JMB:jjz

Enclosures

cc: Bernard I. Citron (w/o encls)  
Lesley Magnabosco (w/o encls)

*Reclassification Of Area Shown On Map Number 6-E.  
(As Amended)  
(Application Number 14773)*

*Be It Ordained by the City Council of the City of Chicago:*

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the DS-3 Downtown Service District and indications as shown on Map Number 6-E in the area bounded by:

a line 149.69 feet north of and parallel to East 24<sup>th</sup> Street; South Wabash Avenue; East 24<sup>th</sup> Street; and the north/south public alley next west of and parallel to South Wabash Avenue,

to those of a DR-5 Downtown Residential District and a corresponding use district is hereby established in the area above described.

SECTION 2. In the area above described, the City Zoning Ordinance be amended by changing all of the DR-5 Downtown Residential District symbols to those of a Residential Planned Development and a corresponding use district is hereby established.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development Statements referred to in this ordinance read as follows:

*DR-5/Residential Planned Development Number \_\_\_\_.*

*Plan Of Development Statements.*

1. The area delineated herein as a Residential Planned Development consists of a net site area of approximately eighteen thousand twenty-four (18,024) square feet (forty-one hundredths (.41) acre) which is controlled by 2301 South Wabash Development Corp. ("Applicant") for purposes of this Residential Planned Development.
2. The Applicant shall obtain all applicable official reviews, approvals and permits which are necessary to implement this plan of development. Any dedication or vacation of streets or alleys or easements or adjustments of rights-of-way or consolidation or resubdivision of parcels shall require

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separate submittal on behalf of the Applicant or its successors, assignees or grantees and approval by the City Council.

- 3. The requirements, obligations and conditions applicable within this planned development shall be binding upon the Applicant, its successors and assigns and if different than the Applicant, the owners of all the property within the planned development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the planned development, the legal titleholder and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant, successors and assigns and, if different than the Applicant, the legal titleholder and any ground lessors.

Furthermore, pursuant to the requirements of Section 17-8-0500 of the Chicago Zoning Ordinance, the property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this planned development or any modification or change thereto (administrative, legislative or otherwise) shall be made by the Applicant, the owners of all the property within the planned development or any homeowners association(s) formed to succeed the Applicant for purposes of control and management of any portion of the planned development. No amendment may be sought without written approval by the homeowners association unless the right to do so has been retained by Applicant and its successors in title documents. Notwithstanding the foregoing, nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the property or any rights, interest or obligation therein.

- 4. This plan of development consists of these sixteen (16) statements, a Bulk Regulations and Data Table; a Planned Development Boundary and Property Line Map; a Subarea Map; an Existing Zoning Map; a Site Plan -- Subarea "B"; an Existing Land-Use Map; a Landscape Plan -- Subarea "B"; and Condominium Building Elevations, all dated March 17, 2005, prepared by Hartshorne + Plunkard Architects, which are all incorporated herein. Full size sets of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development. This plan of development is in conformity with the intent and purposes of the Chicago Zoning Ordinance (Title 17 of the Municipal Code in Chicago) and all requirements thereof and satisfies the established criteria for

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