City of Chicago

O2014-2338

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/2/2014
Sponsor(s):	City Clerk (transmitted by)
Type:	Ordinance
Title:	Zoning Reclassification App No. 18001 at 4000-4180 W Diversey Ave and 4029-4153 W George St
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the M1-1 Limited Manufacturing/Business Park District symbols and indications as shown on Map 7-K in the area bounded by:

> West George Street; a line 286.97 feet west of and parallel to North Pulaski Road; a line 314.64 feet south of and parallel to West George Street; a line 100 feet west of and parallel to North Pulaski Road; a line 323.14 feet south of and parallel to West George Street; North Pulaski Road; West Diversey Avenue; and the Easterly Right of Way Line of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company; a line 673.08 feet northwest of and parallel to the north line of West Diversey Avenue (as measured along the Easterly Right of Way line of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company); the west boundary line of North Kearsarge Avenue.

to those of C2-2 Motor Vehicle-Related Commercial District.

SECTION 2. That the Chicago Zoning Ordinance be amended by changing all of the C2-2 Neighborhood Commercial District symbols and indications as shown on Map 7-K in the area bounded by:

> West George Street; a line 286.97 feet west of and parallel to North Pulaski Road; a line 314.64 feet south of and parallel to West George Street; a line 100 feet west of and parallel to North Pulaski Road; a line 323.14 feet south of and parallel to West George Street; North Pulaski Road; West Diversey Avenue; and the Easterly Right of Way Line of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company; a line 673.08 feet northwest of and parallel to the north line of West Diversey Avenue (as measured along the Easterly Right of Way line of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company); the west boundary line of North Kearsarge Avenue.

to those of Planned Development No. _____

SECTION 2. This Ordinance shall be in force and effect from and after its passage.

#18001
INTRODUCE:
APRIL 02, 2014

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:

4000-4180 West Diversey Avenue; 4029-4153 West George

2. Ward Number that property is located in: 31

3. APPLICANT 4K Diversey Partners, LLC

ADDRESS 4000 West Diversey Avenue CITY Chicago

STATE IL ZIP CODE 60639 PHONE 773-202-6300

EMAIL pfishbein@meritre.com CONTACT PERSON Paul Fishbein

4. Is the applicant the owner of the property? YES X NO ____
If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER Same as above.

ADDRESS ____ CITY ____

STATE ____ ZIP CODE ____ PHONE ____

EMAIL ____ CONTACT PERSON ____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY DLA Piper LLP (US); Attn: Rich Klawiter and Katie Jahnke Dale

ADDRESS 203 North LaSalle, Suite 1900

CITY Chicago STATE IL ZIP CODE 60601

PHONE 312-368-7243 (R) / -2153 (K) FAX 312-630-7337 EMAIL richard.klawiter@dlapiper.com
katie.dale@dlapiper.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements.
See Economic Disclosure Statements filed with this application

7. On what date did the owner acquire legal title to the subject property? January 2014

8. Has the present owner previously rezoned this property? If yes, when?
No

9. Present Zoning District M1-1 Limited Manufacturing/ Business Park District Proposed Zoning District C2-2 Motor Vehicle-Related Commercial District then to Residential-Business Planned Development

10. Lot size in square feet (or dimensions) 751,345

11. Current Use of the property Vacant building and office

12. Reason for rezoning the property Applicant seeks a rezoning of the property in connection with the approval of a Planned Development for the Property, as described below and in the accompanying application documents

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces; approximate square footage of any commercial space; and height of the proposed building. (BE SPECIFIC)
The Applicant seeks approval of a Planned Development to allow for adaptive re-use of the structures on the property and activation of currently unused property. The proposed uses include approximately 1,000,000 square feet of industrial space, approximately 300,000 square feet of accessory parking, approximately 110,000 square feet of commercial space, and approximately 100,000 square feet of business live/work units (approx 82 units)

14. On May 14th, 2007, the Chicago City Council passed the Affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)

YES X NO

COUNTY OF COOK
STATE OF ILLINOIS

Paul Fishbein, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Signature of Applicant

Subscribed and Sworn to before me this 6th day of March, 2014.

"OFFICIAL SEAL"
KAREN A. TOTH
Notary Public, State of Illinois
My Commission Expires 04/15/2015

Notary Public

For Office Use Only

Date of Introduction:_____

File Number:_____

Ward:_____

DLA PIPER

DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
www.dlapiper.com

Katherine C. Jahnke Dale
katie.dale@dlapiper.com
T 312.368.2153
F 312.251.2856

March 13, 2014

The Honorable Daniel Solis, Chairman
City of Chicago Committee on Zoning
Room 304, City Hall
121 North LaSalle Street
Chicago, Illinois 60602

Martin Cabrera, Jr., Chairman
City of Chicago Plan Commission
Room 1000, City Hall
121 North LaSalle Street
Chicago, Illinois 60602

Re: Application for Residential-Business Planned Development
4K Diversey Partners, LLC

Dear Chairman Solis and Chairman Cabrera:

The undersigned, Katherine C. Jahnke Dale, an attorney with the law firm of DLA Piper LLP (US), which firm represents 4K Diversey Partners, LLC, the applicant for an amendment to the Chicago Zoning Ordinance and proposed planned development, certifies that she has complied with the requirements for Section 17-13-0107 of the Chicago Zoning Ordinance by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet of each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways. Said written notice was sent by First Class U.S. Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; a statement that the applicant intends to file the application for change in zoning on approximately March 13, 2014, and a source for additional information on the application.

The undersigned certifies that she has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject site is a complete list containing the names and addresses of the people required to be served.

Very truly yours,

DLA Piper LLP (US)

Katherine C. Jahnke Dale

Subscribed and sworn to before me
This 13th day of March, 2014.

Illiana Ramos
Notary Public

"OFFICIAL SEAL"
ILLIANA RAMOS
Notary Public, State of Illinois
My Commission Expires 01/10/2016

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DLA PIPER

DLA Piper LLP (US)
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
www.dlapiper.com

Richard F. Klawiter
richard.klawiter@dlapiper.com
T 312.368.7243
F 312.630.7337

March 13, 2014

FIRST CLASS MAIL

Dear Sir or Madam:

As required by Section 17-13-0107 of the Municipal Code of the City of Chicago, please be informed that on or about March 13, 2014, the undersigned, on behalf of 4K Diversey Partners, LLC (the "Applicant"), intends to file an application to (1) rezone the property located at 4000-4180 West Diversey Avenue and 4029-4153 West George Street, Chicago, Illinois (collectively, "Sub-Area A") from the M1-1 Limited Manufacturing/Business Park District to the C2-2 Neighborhood Commercial District and then to Residential - Business Planned Development and (2) rezone the property located at 4001-4145 West Diversey Avenue; 2716-26 North Pulaski Road; 4018-36 West Parker Avenue and 4100-34 West Parker Avenue, Chicago, Illinois (collectively, "Sub-Area B") from M1-1 Limited Manufacturing/Business Park District to Residential-Business Planned Development.

The development site currently consists of various one and multi-story brick and metal buildings and surface parking lots. The application seeks approval of plans for adaptive reuse of the existing buildings for industrial, self-storage, commercial, office and business live/work (approximately 82 units) uses and new construction on the surface parking lots south of Diversey with similar uses.

The proposed change of zoning does *not* apply to your property. You are receiving this notice as required by the Chicago Municipal Code because the assessor's tax records indicate that you own property within 250 feet of the proposed Planned Development.

I am an authorized representative of the Applicant and my address is 203 North LaSalle Street, Suite 1900, Chicago, IL 60601. The Applicant owns the subject property and its address is 4000 West Diversey, Chicago, Illinois 60639.

Please contact me at 312-368-7243 with questions or to obtain additional information.

Very truly yours,

DLA Piper LLP (US)

Rich Klawiter

Richard Klawiter

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CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT
AND AFFIDAVIT

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS. Include d/b/a/ if applicable:

4K Diversey Partners, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. [X] the Applicant
   OR
2. [ ] a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest: _____
   OR
3. [ ] a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control: _____

B. Business address of the Disclosing Party: 4000 West Diversey Avenue
Chicago, Illinois 60639

C. Telephone: 773-202-6300 Fax: _____ Email: pfishbein@meritre.com

D. Name of contact person: Paul Fishbein

E. Federal Employer Identification No. (if you have one): _____

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable):

Planned Development for property located at 4000-4180 West Diversey Avenue; 4029-4153 West George

G. Which City agency or department is requesting this EDS? Department of Planning and Development

If the Matter is a contract being handled by the City's Department of Procurement Services, please complete the following:

Specification # _____ and Contract # _____

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

[ ] Person
[ ] Publicly registered business corporation
[ ] Privately held business corporation
[ ] Sole proprietorship
[ ] General partnership
[ ] Limited partnership
[ ] Trust

[X] Limited liability company
[ ] Limited liability partnership
[ ] Joint venture
[ ] Not-for-profit corporation
(Is the not-for-profit corporation also a 501(c)(3))?
[ ] Yes [ ] No
[ ] Other (please specify)

_____

2. For legal entities, the state (or foreign country) of incorporation or organization, if applicable:

Illinois

3. For legal entities not organized in the State of Illinois: Has the organization registered to do business in the State of Illinois as a foreign entity?

[ ] Yes [ ] No [X] N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

1. List below the full names and titles of all executive officers and all directors of the entity. **NOTE:** For not-for-profit corporations, also list below all members, if any, which are legal entities. If there are no such members, write "no members." For trusts, estates or other similar entities, list below the legal titleholder(s).

If the entity is a general partnership, limited partnership, limited liability company, limited liability partnership or joint venture, list below the name and title of each general partner, managing member, manager or any other person or entity that controls the day-to-day management of the Disclosing Party. **NOTE**: Each legal entity listed below must submit an EDS on its own behalf.

Name	Title
Aaron Paris	Member

2. Please provide the following information concerning each person or entity having a direct or indirect beneficial interest (including ownership) in excess of 7.5% of the Disclosing Party. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture,

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None." **NOTE**: Pursuant to Section 2-154-030 of the Municipal Code of Chicago ("Municipal Code"), the City may require any such additional information from any applicant which is reasonably intended to achieve full disclosure.

Name	Business Address	Percentage Interest in the Disclosing Party
Paul Fishbein	4000 West Diversey Avenue, Chicago, Illinois	33.33%
Aaron Paris	4000 West Diversey Avenue, Chicago, Illinois	33.33%
Lou Silver	4000 West Diversey Avenue, Chicago, Illinois	33.33%

SECTION III -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Has the Disclosing Party had a "business relationship," as defined in Chapter 2-156 of the Municipal Code, with any City elected official in the 12 months before the date this EDS is signed?

[ ] Yes [X] No

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s):

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist, accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

"Lobbyist" means any person or entity who undertakes to influence any legislative or administrative action on behalf of any person or entity other than: (1) a not-for-profit entity, on an unpaid basis, or (2) himself. "Lobbyist" also means any person or entity any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) **NOTE:** "hourly rate" or "t.b.d." is not an acceptable response.
DLA Piper LLP (US)	203 North LaSalle, Suite 1900 Chicago, IL 60601	Attorney	$10,000 (est)
Hirsch Associates LLC	225 W Hubbard St, Chicago, IL 60654	Architect	$10,000 (est)

(Add sheets if necessary)

[ ] Check here if the Disclosing Party has not retained, nor expects to retain, any such persons or entities.

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

[ ] Yes [X] No [ ] No person directly or indirectly owns 10% or more of the Disclosing Party.

If "Yes," has the person entered into a court-approved agreement for payment of all support owed and is the person in compliance with that agreement?

[ ] Yes [ ] No

B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article I")(which the Applicant should consult for defined terms (e.g., "doing business") and legal requirements), if the Disclosing Party submitting this EDS is the Applicant and is doing business with the City, then the Disclosing Party certifies as follows: (i) neither the Applicant nor any controlling person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any sister agency; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II.B.1. of this EDS:

a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;

b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;

d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and

e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

3. The certifications in subparts 3, 4 and 5 concern:

• the Disclosing Party;
• any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
• any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
• any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor nor any Agents have, during the five years before the date this EDS is signed, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or

d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control of the U.S. Department of the Treasury or the Bureau of Industry and Security of the U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of the Municipal Code.

7. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further Certifications), the Disclosing Party must explain below:

_____

_____

_____

_____

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

8. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the execution date of this EDS, an employee, or elected or appointed official, of the City of Chicago (if none, indicate with "N/A" or "none").

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than $20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

N/A

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

1. The Disclosing Party certifies that the Disclosing Party (check one)

[ ] is [X] is not

a "financial institution" as defined in Section 2-32-455(b) of the Municipal Code.

2. If the Disclosing Party IS a financial institution, then the Disclosing Party pledges:

"We are not and will not become a predatory lender as defined in Chapter 2-32 of the Municipal Code. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the City."

If the Disclosing Party is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32-455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code, explain here (attach additional pages if necessary):

If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Disclosing Party certified to the above statements.

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 of the Municipal Code have the same meanings when used in this Part D.

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

[ ] Yes [X] No

NOTE: If you checked "Yes" to Item D.1., proceed to Items D.2. and D.3. If you checked "No" to Item D.1., proceed to Part E.

2. Unless sold pursuant to a process of competitive bidding, or otherwise permitted, no City elected official or employee shall have a financial interest in his or her own name or in the name of any other person or entity in the purchase of any property that (i) belongs to the City, or (ii) is sold for taxes or assessments, or (iii) is sold by virtue of legal process at the suit of the City (collectively, "City Property Sale"). Compensation for property taken pursuant to the City's eminent domain power does not constitute a financial interest within the meaning of this Part D.

Does the Matter involve a City Property Sale?

[ ] Yes [ ] No

3. If you checked "Yes" to Item D.1., provide the names and business addresses of the City officials or employees having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest

4. The Disclosing Party further certifies that no prohibited financial interest in the Matter will be acquired by any City official or employee.

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either 1. or 2. below. If the Disclosing Party checks 2., the Disclosing Party must disclose below or in an attachment to this EDS all information required by paragraph 2. Failure to

comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

X 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

____2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

_____

_____

_____

_____

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

NOTE: If the Matter is federally funded, complete this Section VI. **If the Matter is not federally funded**, proceed to Section VII. For purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

A. CERTIFICATION REGARDING LOBBYING

1. List below the names of all persons or entities registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

_____

_____

_____

(If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in Paragraph A.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

3. The Disclosing Party will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in paragraphs A.1. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the City upon request.

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

If the Matter is federally funded, federal regulations require the Applicant and all proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations.

Is the Disclosing Party the Applicant?

[ ] Yes [ ] No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)
[ ] Yes [ ] No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
[ ] Yes [ ] No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
[ ] Yes [ ] No

If you checked "No" to question 1. or 2. above, please provide an explanation:

_____

_____

SECTION VII -- ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N.

Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with the applicable ordinances.

C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other transactions with the City. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.

D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. **NOTE:** With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing **PERMANENT INELIGIBILITY** for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

F.1. The Disclosing Party is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Disclosing Party or its Affiliated Entities delinquent in paying any fine, fee, tax or other charge owed to the City. This includes, but is not limited to, all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes.

F.2 If the Disclosing Party is the Applicant, the Disclosing Party and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed by the U.S. E.P.A. on the federal Excluded Parties List System ("EPLS") maintained by the U. S. General Services Administration.

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.1. and F.2. above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the Disclosing Party has reason to believe has not provided or cannot provide truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F.1., F.2. or F.3. above, an explanatory statement must be attached to this EDS.

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS and Appendix A (if applicable) on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.

4K Diversey Partners, LLC
(Print or type name of Disclosing Party)

By: Paul Fish
(Sign here)

Paul Fishbein
(Print or type name of person signing)

Member
(Print or type title of person signing)

Signed and sworn to before me on (date) March 6, 2014,
at Cook County, IL (state).

Karen A Toth Notary Public

"OFFICIAL SEAL"
KAREN A. TOTH
Notary Public, State of Illinois
My Commission Expires 04/15/2015

Commission expires: 4-15-15.

CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5 percent. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1.a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

[ ] Yes [x] No

If yes, please identify below (1) the name and title of such person, (2) the name of the legal entity to which such person is connected; (3) the name and title of the elected city official or department head to whom such person has a familial relationship, and (4) the precise nature of such familial relationship.

_____

_____

_____

PLANNED DEVELOPMENT NO. _____
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number ____, ("Planned Development") consists of approximately 751,345 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by 4K Diversey Partners, LLC (the "Applicant").

2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.

3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Chicago Department of Transportation ("CDOT") on behalf of the Applicant or its successors, assigns or grantees.

   Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans (as defined in Statement 4 below).

   Ingress or egress shall be pursuant to the Plans and may be subject to the review and approval of the Department of Planning and Development ("DPD") and CDOT. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of CDOT.

   All work proposed in the public way must be designed and constructed in accordance with CDOT Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by CDOT.

4. This Plan of Development consists of sixteen (16) Statements: a Bulk Regulations Table; an Existing Zoning Map; an Existing Land Use Map; a Planned Development Property Line and Boundary Map; Site Plan; Landscape Plan; and Building Elevations (North, South, East and West) prepared by Hirsch Associates LLC and dated March 5, 2014 submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with DPD. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the

intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses shall be permitted in this Planned Development:

   Business Live/Work Units and all uses permitted in the C2 District including, without limitation, Utilities and Services (Minor); Building Maintenance Services; Business Support Services; Employment Agencies; Restaurant (Limited and General); Tavern; Indoor Special Event Class B; Banquet or Meeting Halls; Banks; Food and Beverage Retail Sales; Liquor Sales; Office; High Technology Office; Electronic Data Storage Center; Personal Service; Residential Storage Warehouse; Retail Sales (General); Manufacturing, Production and Industrial Service (Artisan, Limited and General); Class I Recycling Facilities; and Warehousing, Wholesaling and Freight Movement.

6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of DPD. Off-Premise signs are prohibited within the boundary of the Planned Development.

7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.

8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 691,996 square feet.

9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by DPD. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.

10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by DPD. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.

12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to Section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.

13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.

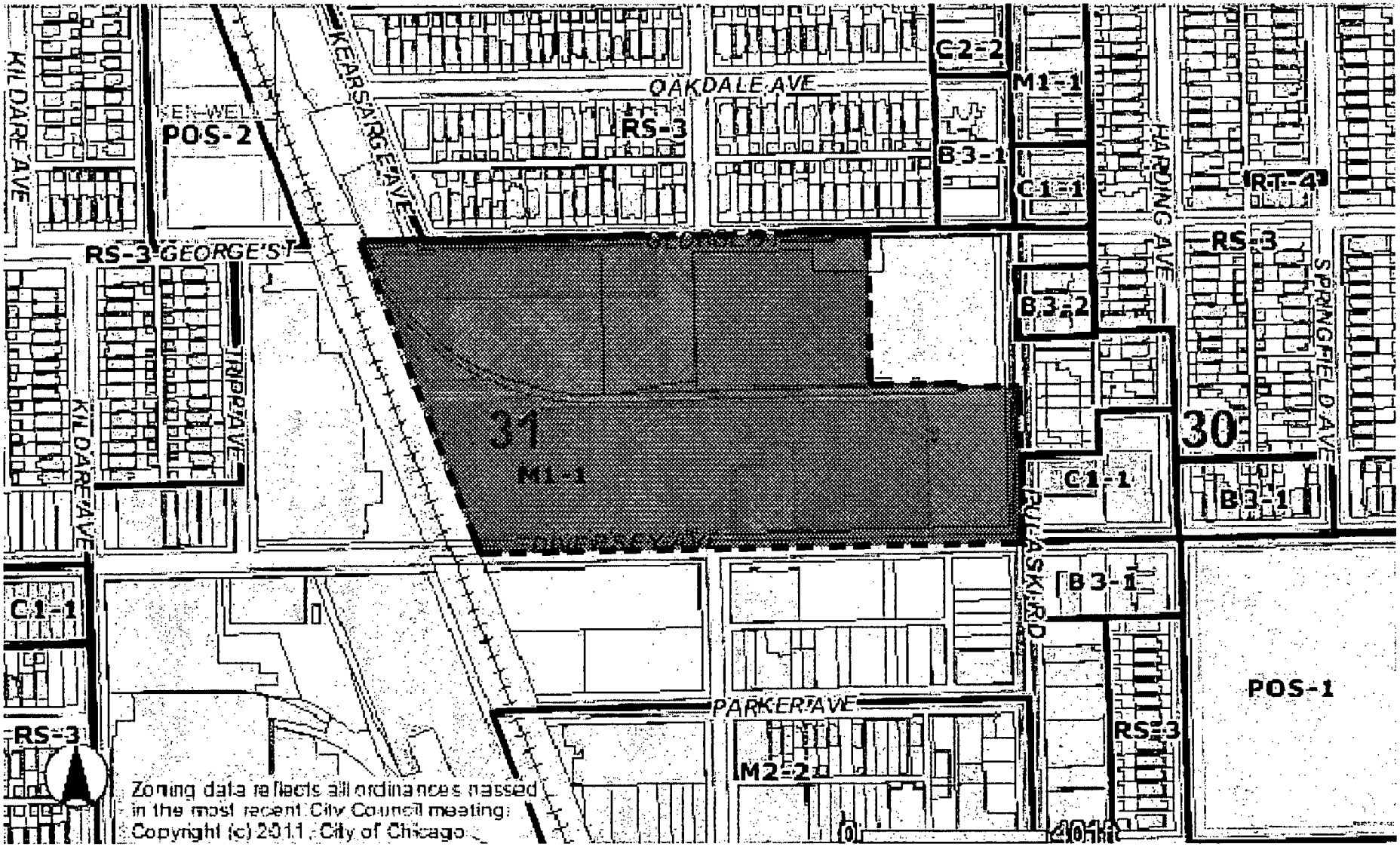
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The development will involve the rehabilitation and reuse of an older building, in accordance with the purpose and intent of the Zoning Ordinance.

15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of DPD shall initiate a Zoning Map Amendment to rezone the property to C2-2.

PLANNED DEVELOPMENT NO. _____
PLAN OF DEVELOPMENT
BULK REGULATIONS AND DATA TABLE

Gross Site Area: 751,345 square feet

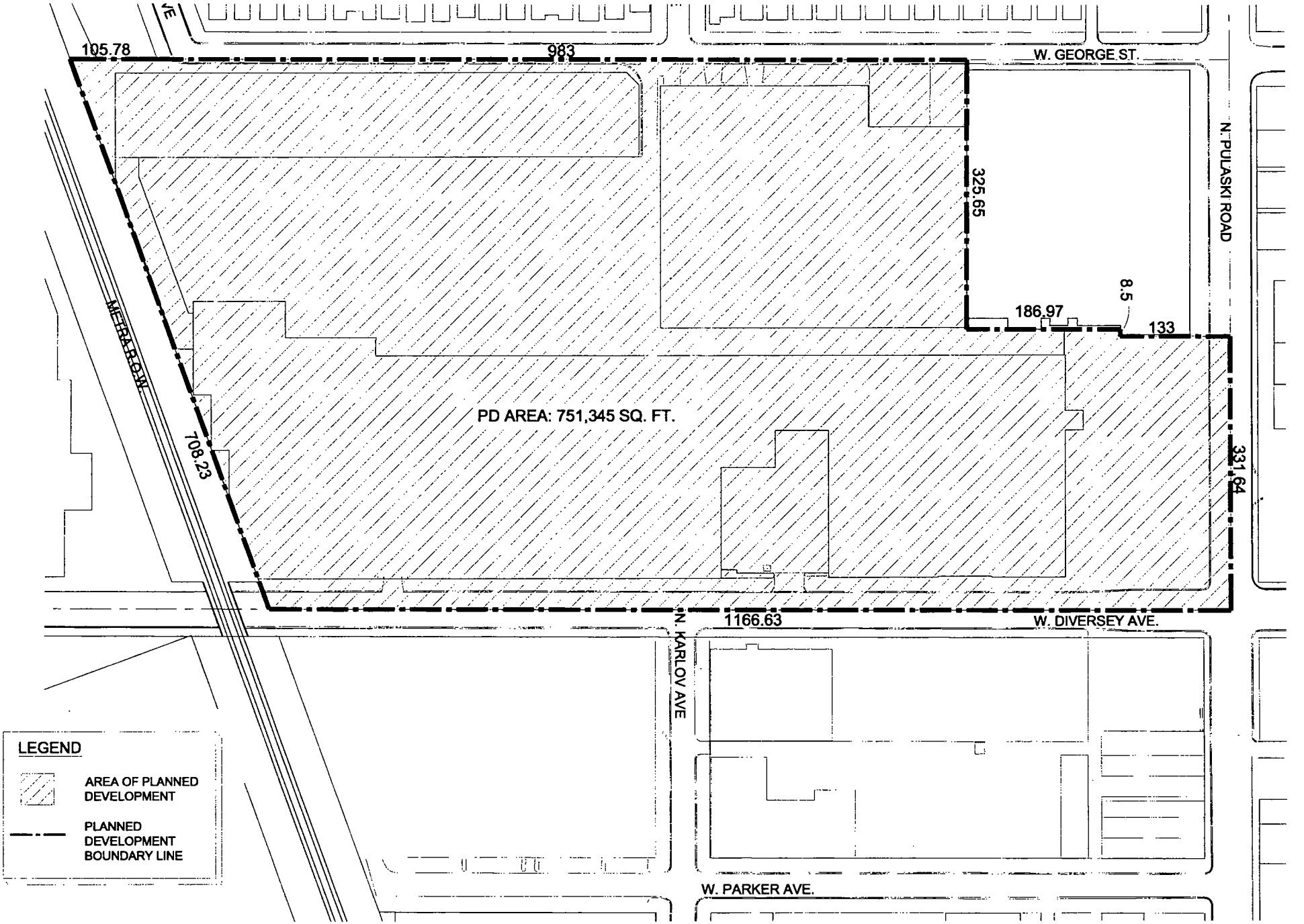
Net Site Area – Total	691,996 sq. ft.
Maximum Floor Area Ratio (FAR)	2.2
Maximum Floor Area (sf) - Total	1,522,391 sq. ft.
Maximum Site Coverage	Per Site Plan
Minimum Number of Off-Street Parking Spaces	550
Minimum Number of Off-Street Loading Berths	As required by Zoning Ordinance
Maximum Building Height (feet)	Existing Height (96'-7")



EXISTING ZONING MAP (400' in each direction)

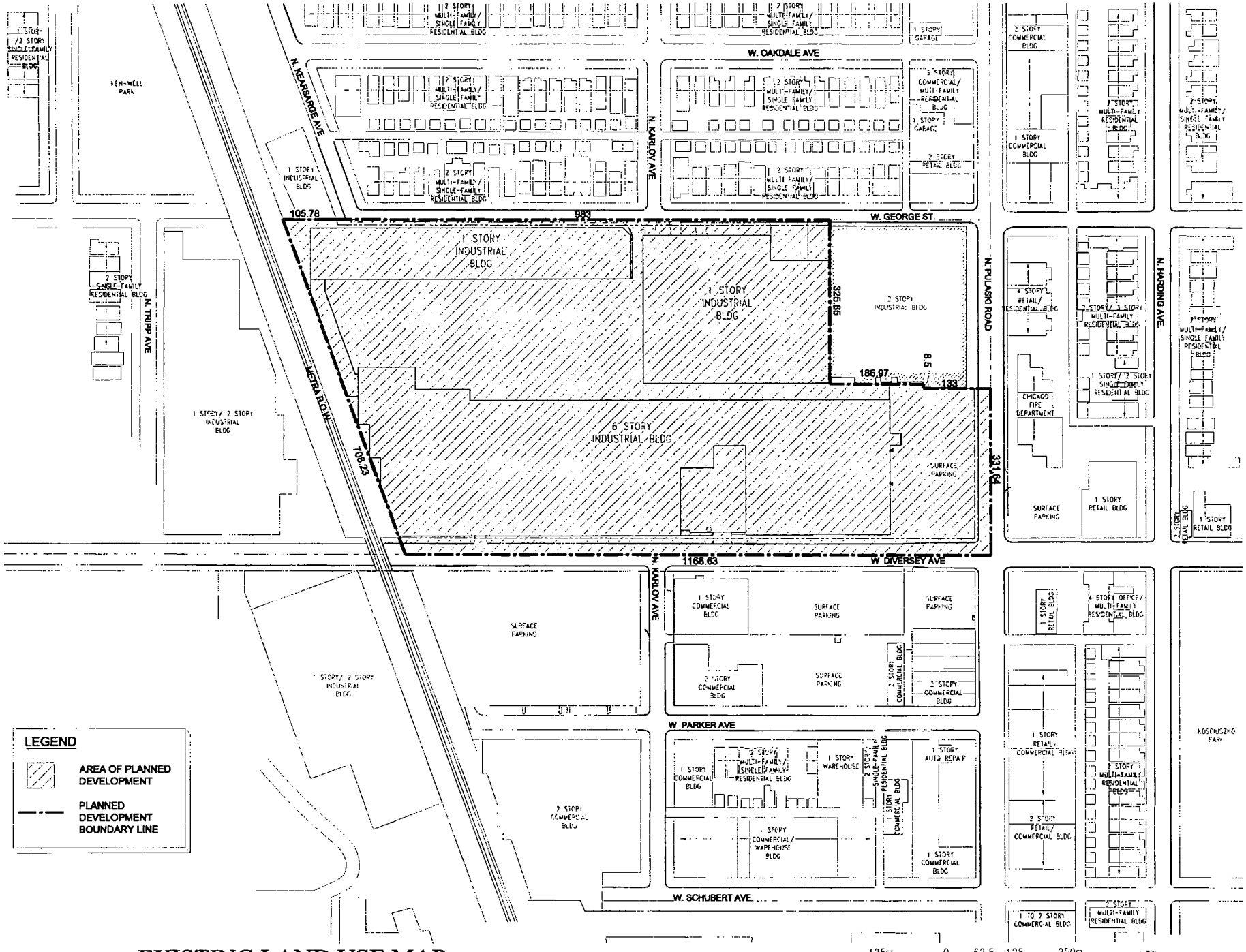
APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 26, 2014

NORTH



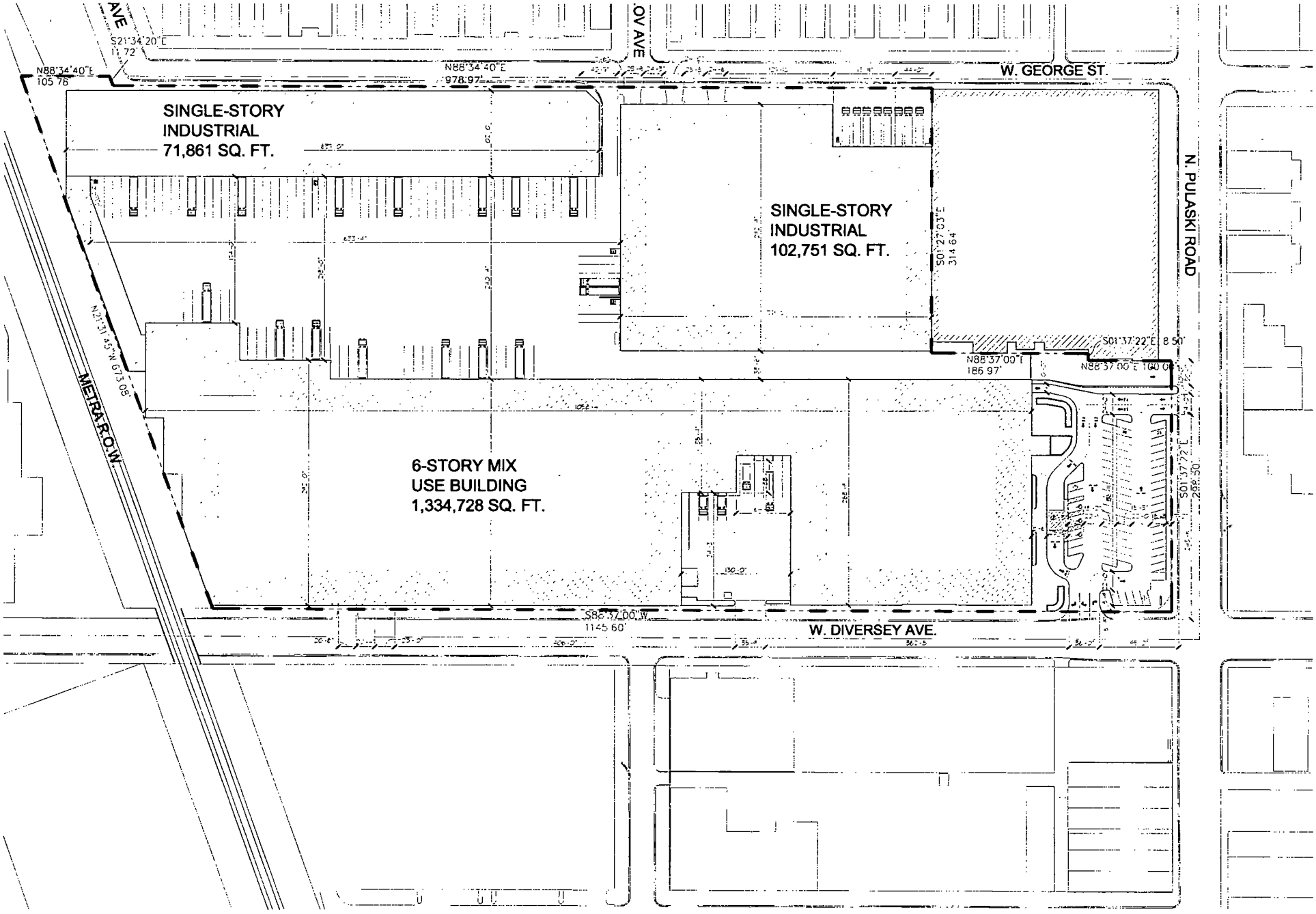
PLANNED DEVELOPMENT PROPERTY LINE AND BOUNDARY MAP

APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 26, 2014



EXISTING LAND USE MAP

APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 26, 2014

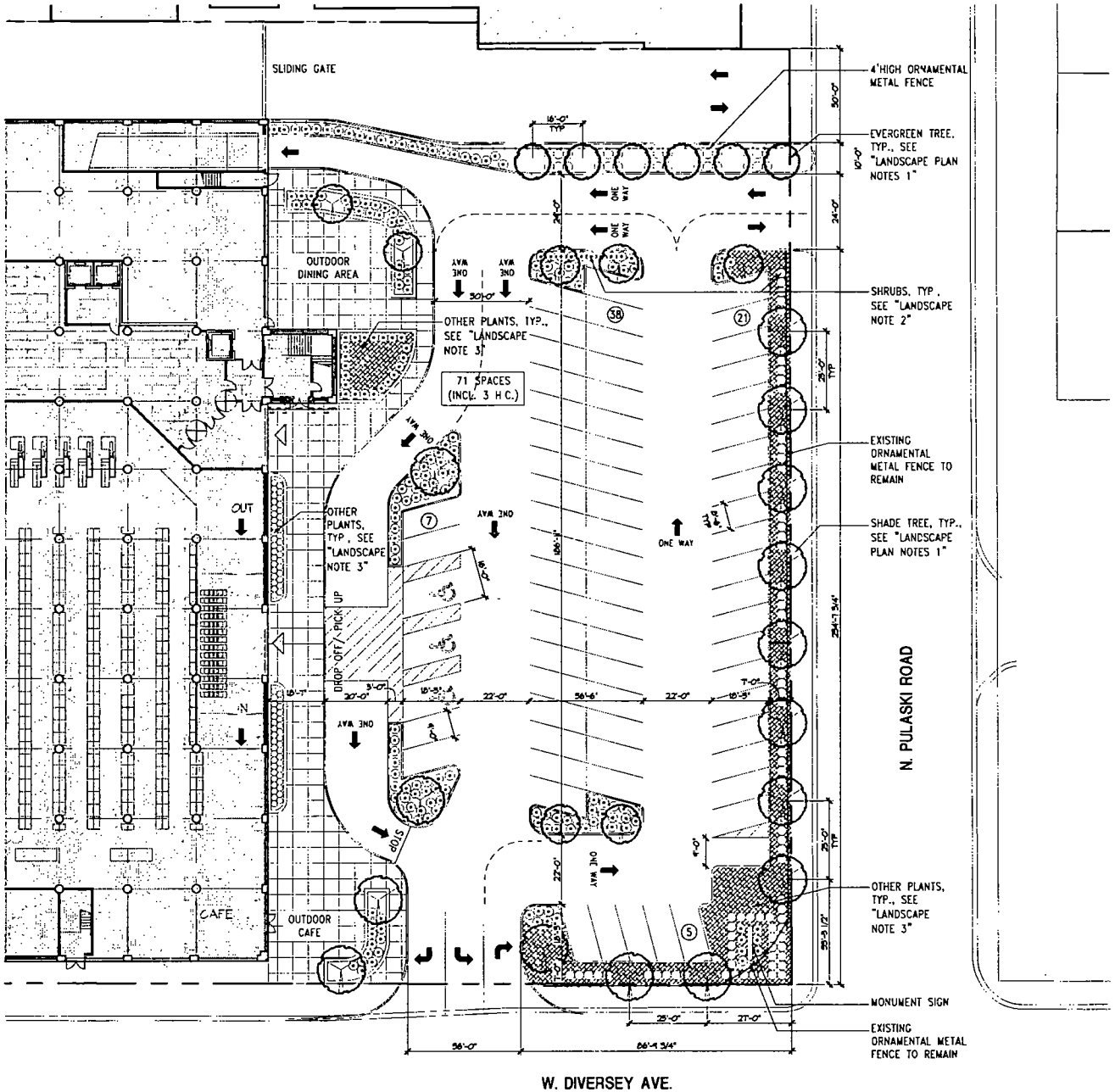


SITE PLAN

APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 26, 2014

75ft 0 37.5 75 150ft
1 150 GRAPHIC SCALE

NORTH



LANDSCAPE PLAN AREA CALCULATION:

VEHICULAR USE AREA:	34,129 SQ.FT.
INTERIOR LANDSCAPE AREA REQ'D (10% OF V.U.A.):	3,413 SQ.FT.
TOTAL INTERIOR LANDSCAPE AREA PROVIDED:	3,429 SQ.FT.
TOTAL TREE REQUIRED (1 PER 125 SQ.FT.)	28 TREES
TOTAL TREE PROVIDED	28 TREES

LANDSCAPE PLAN NOTES:

1. TREE SPECIES TO BE SELECTED FROM "DECIDUOUS SHADE TREES" LIST ON PLANT LIST.
2. SHRUB SPECIES TO BE SELECTED FROM "DECIDUOUS AND EVERGREEN SHRUBS" LIST ON PLANT LIST.
3. OTHER PLANTS TO BE SELECTED FROM "PERENNIALS AND GROUNDCOVERS" LIST ON PLANT LIST.

PLANT LIST:

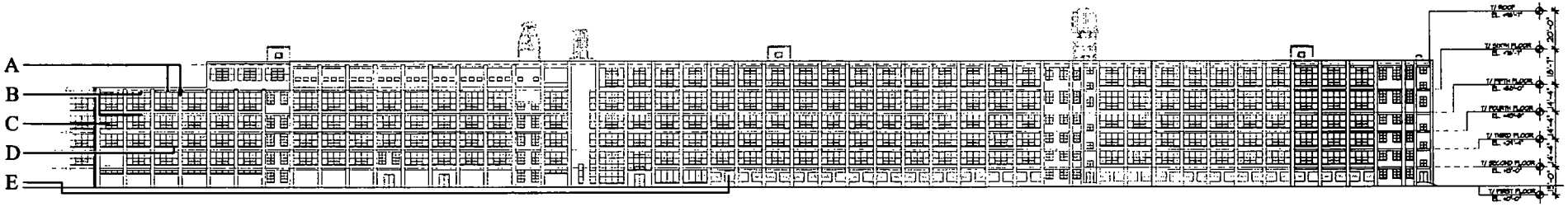
BOTANICAL NAME	COMMON NAME
DECIDUOUS SHADE TREES	
ACER X FREEMANII 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE
GINKGO BILOBA 'AUTUMN GOLD'	AUTUMN GOLD GINKGO
PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR
ULMUS X 'MORTON GLOSSY'	TRIUMPH ELM
EVERGREEN TREES	
THUJA EMERALD GREEN	EMERALD GREEN ARBORVITAE
DECIDUOUS AND EVERGREEN SHRUBS	
JUNIPERUS CHINENSIS 'SEA GREEN'	SEA GREEN JUNIPER
RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC
ROSA 'RADRAZZ'	KNOCKOUT ROSE
SYRINGA MEYERI 'PALIBIN'	DWARF KOREAN LILAC
PERENNIALS AND GROUNDCOVERS	
ECHINACEA PADILLA	PINK CONEFLOWER
HEDERA HELIX 'THORNDALE'	THORNDALE ENGLISH IVY
NEPETA X FAASSENI	FAASSEN'S CATMINT
SALVIA NEMEROSA 'BLUE HILL'	BLUE HILL SALVIA

LANDSCAPE PLAN

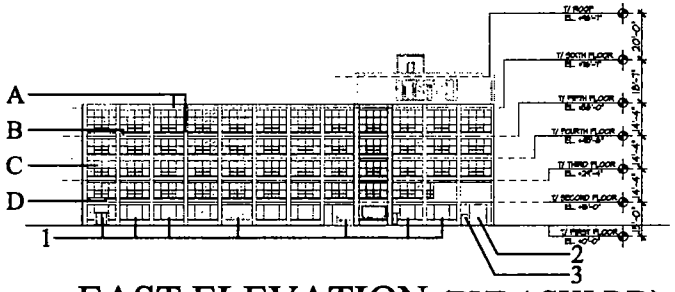
APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 5, 2014

25FT 0 12.5 25 50FT
1:50 GRAPHIC SCALE

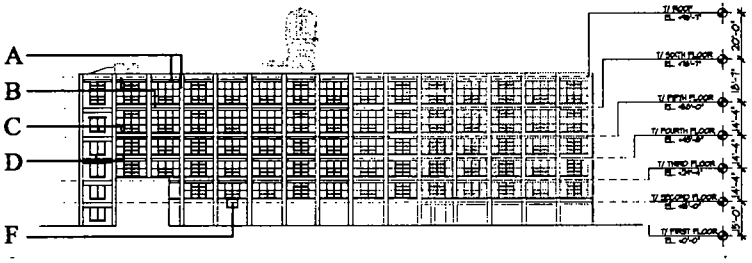
NORTH



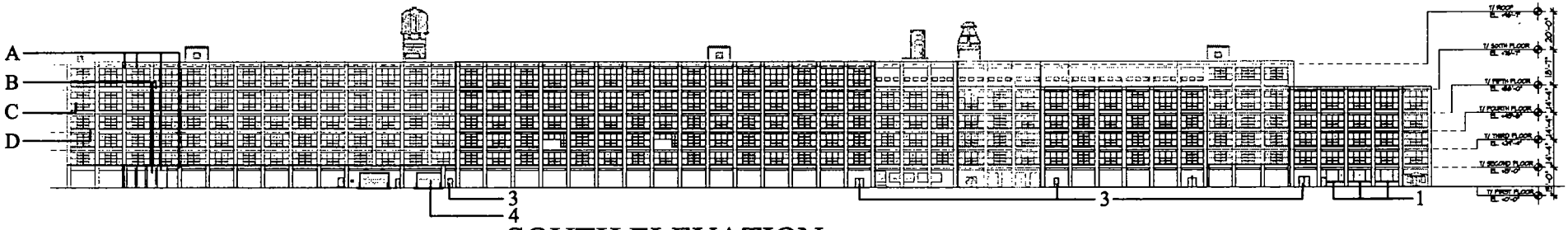
NORTH ELEVATION (REAR)



EAST ELEVATION (PULASKI RD)



WEST ELEVATION



SOUTH ELEVATION (DIVERSEY AVE)

EXISTING FEATURES
A.....PAINTED CONCRETE
B.....BRICK VENEER
C.....ALUMINUM FRAME WINDOWS
D.....CONCRETE SILL (UNPAINTED)
E.....LOADING DOCK
F.....VENT OR LOUVER

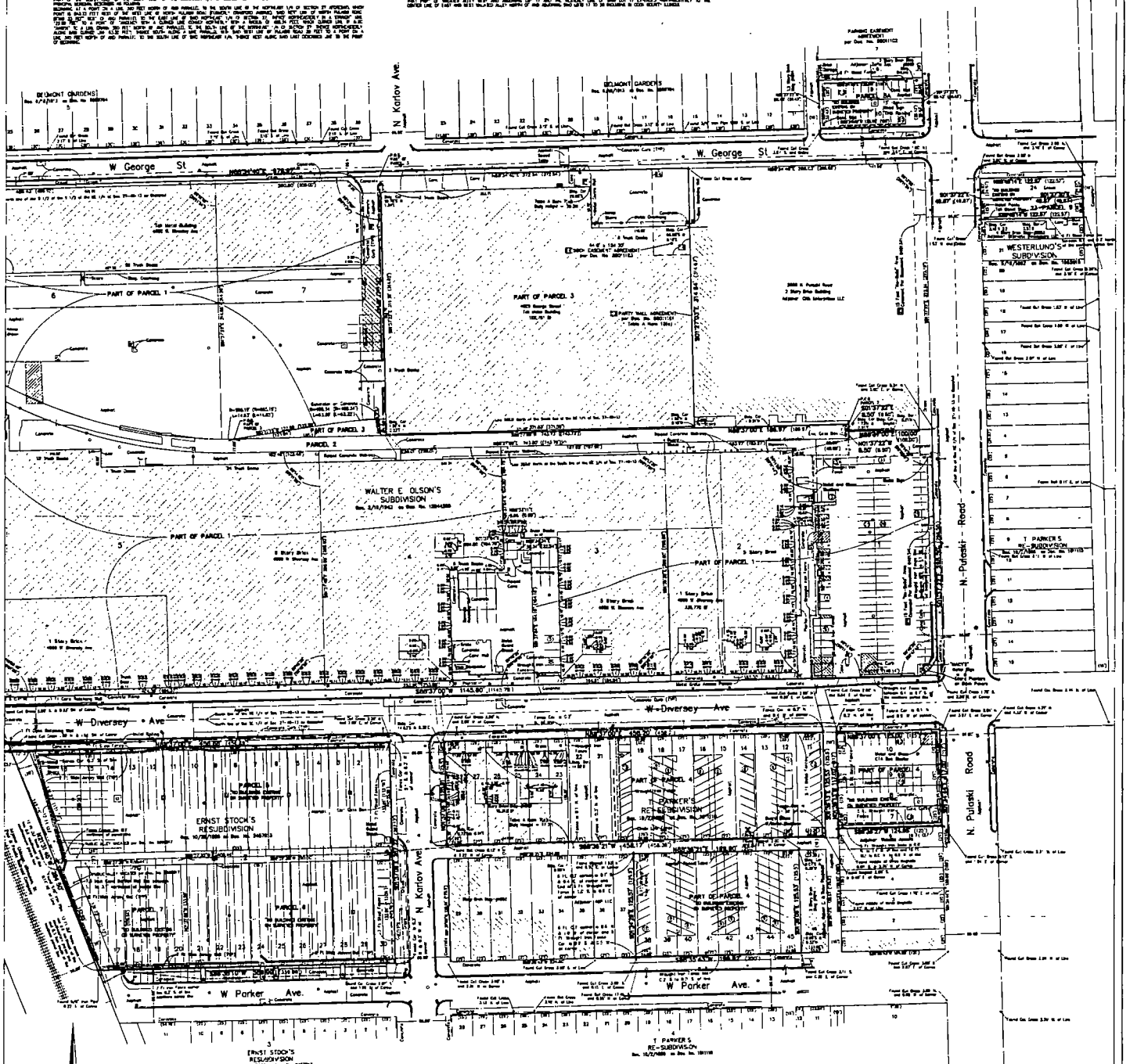
NEW FEATURES
1.....ALUMINUM STOREFRONT
2.....VEHICULAR ACCESS RAMP
3.....SWING DOOR
4.....OVERHEAD DOOR

BUILDING ELEVATIONS

60FT 0 30 60 120FT
1:120 GRAPHIC SCALE

APPLICANT: 4K DIVERSEY PARTNERS L.L.C., 4000 WEST DIVERSEY AVE, CHICAGO IL 60639
DATE: MARCH 5, 2014

A.L.T.A./A.C.S.M. LAND TITLE SURVEY



SHEET 1 OF 2

A.L.T.A./A.C.S.M. LAND TITLE SURVEY