

# City of Chicago



O2016-2607

# Office of the City Clerk

### **Document Tracking Sheet**

**Meeting Date:** 4/13/2016

Sponsor(s): Misc. Transmittal

Type: Ordinance

Zoning Reclassification Map No. 1-F at 314-332 N Clark St, 315-333 N LaSalle St and 101-131 W Carroll Ave - App No. Title:

18731

Committee on Zoning, Landmarks and Building Standards **Committee(s) Assignment:** 

#18731 INTIO DATE. APR. 13,2016

#### **ORDINANCE**

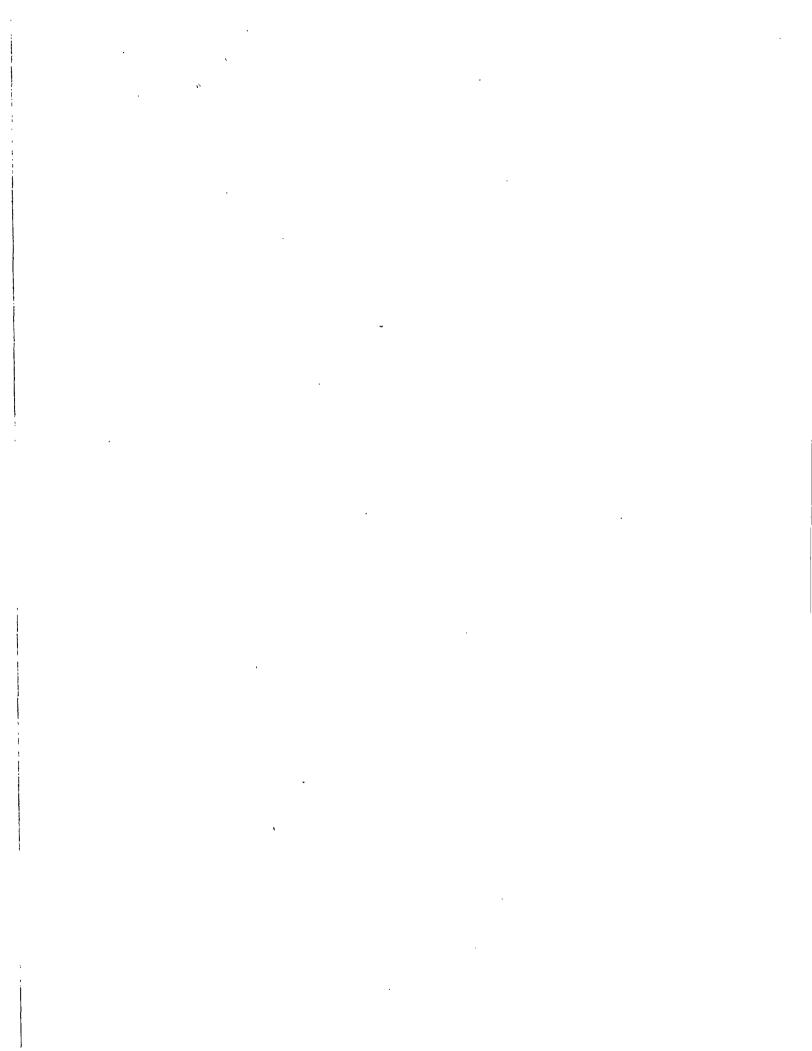
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO

SECTION 1: Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance is hereby amended by changing all the DC-12 Downtown Core District and DX-16 Downtown Mixed Use District symbols and indications as shown on Map No. 1-F in an area bounded by:

A line 194.91 feet south of and parallel to West Kinzie Street; North Clark Street; the north bank of the Chicago River; North LaSalle Street; West Carroll Avenue; a line 80.22 feet west of and parallel to North Clark Street

to the designation of Waterway Business Residential Planned Development No. \_\_\_\_\_ and a corresponding use district is hereby established in the area above described.

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



WATERWAY BUSINESS RESIDENTIAL PLANNED DEVELOPMENT NO. \_\_\_\_\_\_
PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as Waterway Business Residential Planned Development No.

consists of approximately 69,287.4 square feet of property which is depicted on

the attached Planned Development Boundary and Property Line Map ("Property") and is

owned or controlled by the Applicant, 322 North Clark LLC.

2. 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 easements, or adjustments of right-of-way, or consolidation or resubdivision

of parcels, shall require a 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 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. Furthermore, pursuant to the

requirements of Section 17-8-0400 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 is defined in Section 17-8-

0400 of the Zoning Ordinance.

4. This Plan of Development consists of these fifteen (15) Statements; a Bulk Regulations

and Data Table; an Existing Land Use Map; Existing Zoning Map; a Property Line and

Right of Way Adjustment Map; a Site Plan/First Floor; and Building Elevations

APPLICANT:

322 NORTH CLARK LLC

ADDRESS:

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314-332 NORTH CLARK STREET, 315-333 NORTH LASALLE STREET,

101-131 WEST CARROLL AVENUE, CHICAGO, ILLINOIS

INTRODUCED:

APRIL 13, 2016

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prepared by HKS Architects dated April 6, 2016. Full size copies of the Site Plan, and Building Elevations are on file with the Department of Planning and Development. 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 allowed within the area herein delineated as Waterway

  Business Residential Planned Development: all uses allowed as permitted uses in the DX
  16 Downtown Mixed-Use District; including, but not limited to retail, hotel, restaurants,

  offices and residential uses, riveredge docking; and accessory parking.
- 6. Business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development and the Commission on Chicago Landmarks. Temporary signs, such as construction and marketing signs, shall be permitted subject to the review and approval of the Department of Planning and Development.
- 7. Any service drives or other ingress or egress (including ramps from Clark Street and/or LaSalle Street to Carroll Avenue) shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles.

APPLICANT:

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101-131 WEST CARROLL AVENUE, CHICAGO, ILLINOIS

INTRODUCED:

APRIL 13, 2016

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There shall be no parking within such emergency areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic, and the Department of Planning and Development. Closure of all or part of any public streets or alleys during demolition or construction shall be subject to the review and approval of the Department of Transportation, Bureau of Traffic. Prior to the occupancy of the building with a new use not in place on the date of this ordinance, the Applicant shall, if determined to be warranted by the Department of Transportation, provide for its proportionate share of the cost of signalization at the LaSalle Street entry portal, as determined by the Department of Transportation.

- 8. In addition to the maximum height of the building and any appurtenance thereto prescribed in this Planned Development, the height of any improvement shall also be subject to height limitations approved by the Federal Aviation Administration.
- 9. For purposes of Floor Area Ratio ("FAR") calculations the definitions in the Zoning Ordinance shall apply.
- 10. The improvements on the property shall be designed, installed and maintained in substantial conformance with the Site/Landscape Plan, the Riveredge Plan and Building Elevations and in accordance with the parkway tree provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. All physical improvements to the exterior of the building including, but not limited to roof top additions, infill additions, signage, awnings, window replacement, cleaning and restoration, shall require approval of the Commission on Chicago Landmarks.
- 11. The Applicant acknowledges the importance of the Chicago River as a resource

APPLICANT:

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101-131 WEST CARROLL AVENUE, CHICAGO, ILLINOIS

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for both commerce and recreation and also acknowledges the City's goals of improving the appearance and quality of and accessibility to the Chicago River, as provided for in the Waterway Planned Development Guidelines set forth in Section 17-8-0509 of the Chicago Zoning Ordinance. To further these goals, the Applicant agrees to pursue the receipt of a permit from the Army Corps of Engineers to extend the deck (River Deck) southward from the existing concrete dock to a point aligned with the south edge of the existing dolphins adjacent to the Clark and LaSalle Street bridge houses and to allow for continuous public access to the east and to the west under the LaSalle Street and Clark Street bridges. Pursuant to the Riveredge Plan, the River Deck shall include a minimum 15 foot wide publicly accessible riveredge walkway (the Riveredge Area) which shall be landscaped in accordance with the Riveredge Plan, which shall be completed and open to the public concurrent with the opening of the first restaurant or retail space located on the basement level adjacent to the River Deck. The Riveredge Area shall be open and available for use by the general public, free of charge, during normal Chicago Park District hours and such other hours as may be designated by Applicant; provided, however, Applicant may from time to time close off public access to the Riveredge Area to prevent the establishment of any public, prescriptive or constructive easements to such area or any portion thereof.

The Applicant or any lessee, shall be permitted to operate outdoor dining areas on the River Deck only in the areas designated on the Riveredge Plan.

12. The terms, conditions and exhibits of this Planned Development Ordinance may be

APPLICANT:

322 NORTH CLARK LLC

ADDRESS:

314-332 NORTH CLARK STREET, 315-333 NORTH LASALLE STREET,

101-131 WEST CARROLL AVENUE, CHICAGO, ILLINOIS

INTRODUCED:

APRIL 13, 2016

modified administratively by the Commissioner of the Department of Planning and Development upon the application for such modification by the Applicant and after a determination by the Commissioner of the Department of Planning and Development that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated in this Planned Development and the purposes underlying the provisions hereof. Any such modification of the requirements of this statement by the Commissioner of the Department of Planning and Development shall be deemed to be a minor change in the Planned Development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.

- 13. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all new buildings located within this Planned Development in an energy efficient manner, generally consistent with the most current energy efficiency standards published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers ("A.S.H.R.E.") and the Illuminating Engineering Society ("I.E.S."). Copies of these standards may be obtained from the Department of Planning and Development.
- 14. The Applicant acknowledges that it is in the public interest to design, construct and maintain the project in a manner which promotes, enable 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 ("M.O.P.D.") to ensure compliance with all applicable laws and regulations related to

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101-131 WEST CARROLL AVENUE, CHICAGO, ILLINOIS

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access for persons with disabilities and to promote the highest standard of accessibility.

No approvals shall be granted pursuant to Section 17-13-0611 until the Director of

M.O.P.D. has approved detailed construction drawings for each building or improvement.

15. Unless substantial construction of the new improvements contemplated in this Planned.

Development has commenced within six (6) years following adoption of this Planned

Development, and unless completion is thereafter diligently pursued, then this Planned

Development shall expire and the zoning of the property shall automatically revert to

DX-16 Downtown Mixed Use District.

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# **Planned Development Exhibits**

A. DULK KEGULAHUNG IAD	۹.	BULK REGUI	LATIONS TABL	E
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- B. EXISTING LAND-USE MAP
- C. EXISTING ZONING MAP
- D. PROPERTY LINE AND ADDITIONAL FAR MAP
- E. SITE PLAN/FIRST FLOOR
- F1. EAST ELEVATION ALONG NORTH CLARK STREET
- F2. SOUTH ELEVATION ALONG CHICAGO RIVER
- F3. WEST ELEVATION
- F4 NORTH ELEVATION ALONG CARROLL AVENUE

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### A. BULK REGULATIONS TABLE

NET SITE AREA: 69287.4 sf

MAXIMUM ALLOWABLE FAR: 12

TOTAL FAR: 831,448.8 sf

EXISTING BUILDING AREA: 328,213 sf

AVAILABLE FAR: 503,235.8 sf

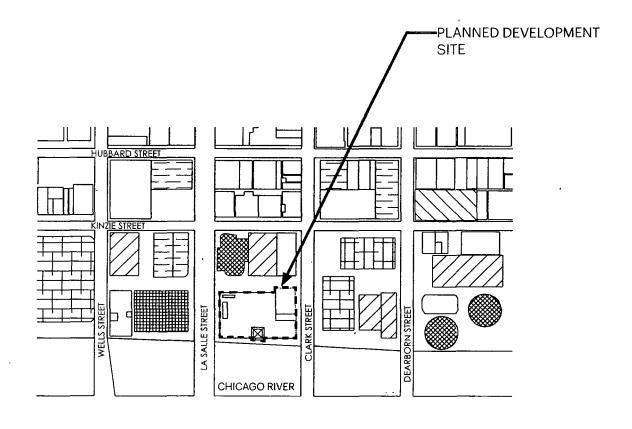
LOADING BERTHS: 4

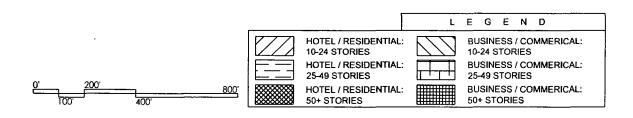
PROPOSED BUILDING HEIGHT: 377' - 0"

MINIMUM NUMBER OF PARKING SPACES 79

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### **B. EXISTING LAND-USE MAP**

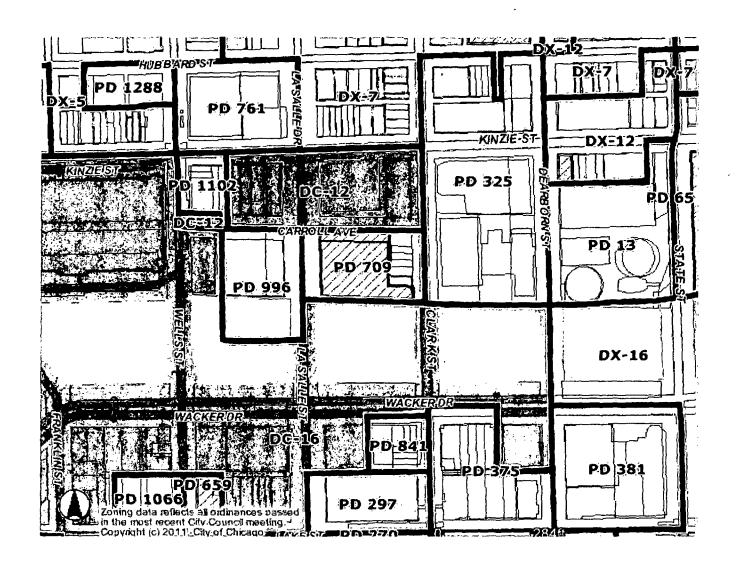






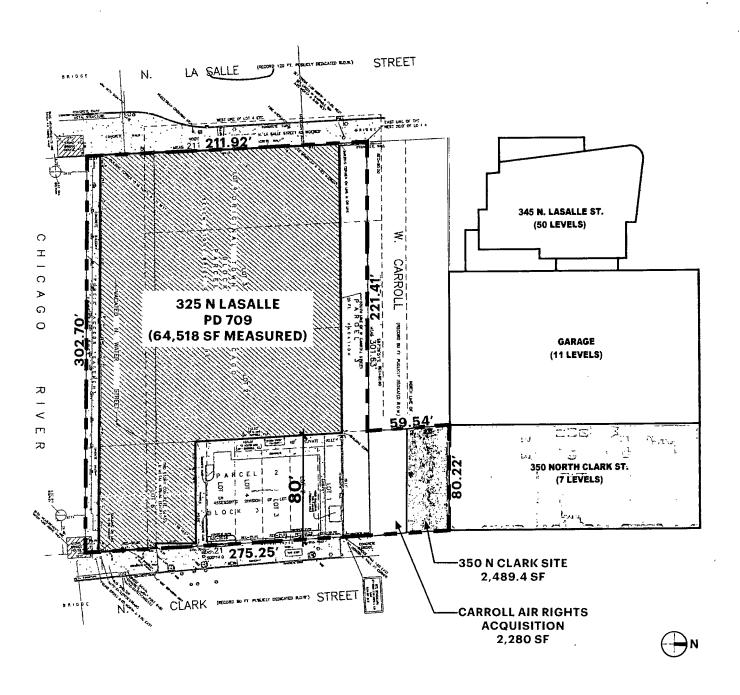
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## C. EXISTING ZONING MAP

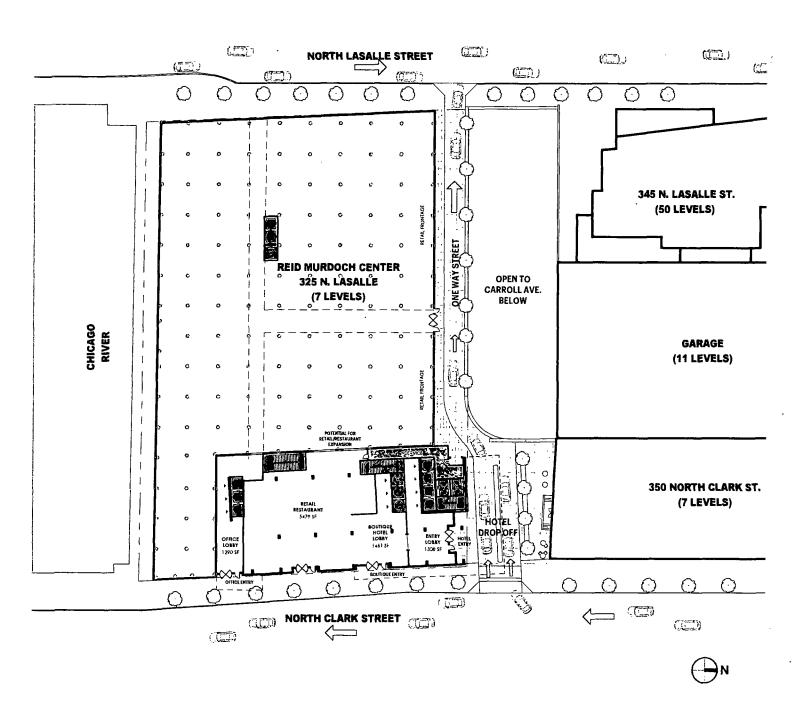




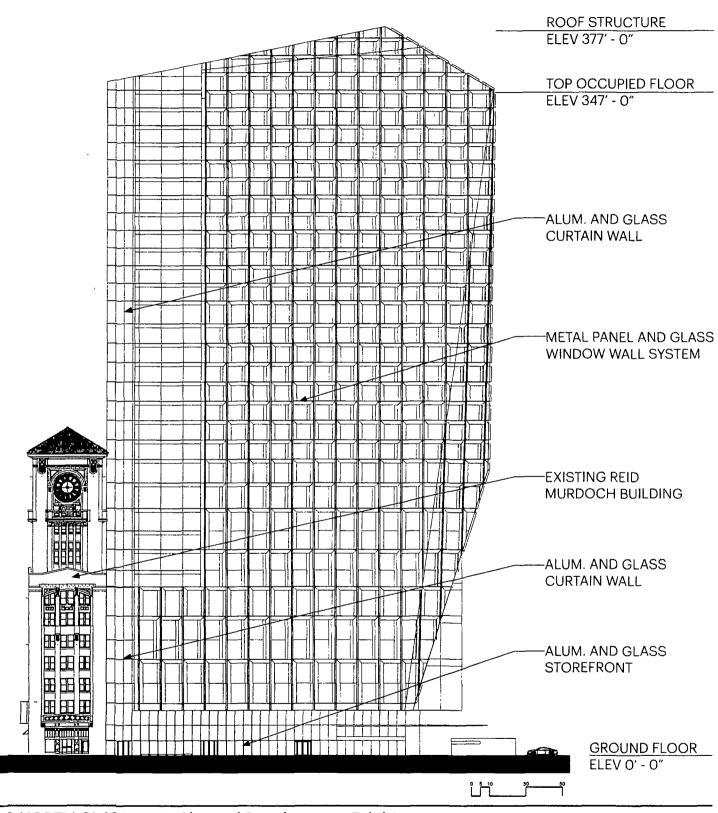
### D. PROPERTY LINE AND ADDITIONAL FAR MAP



## E. SITE PLAN / FIRST FLOOR PLAN



### F1. EAST ELEVATION ALONG NORTH CLARK ST



330 NORTH CLARK LLC - Planned Development Exhibits

Applicant: Address:

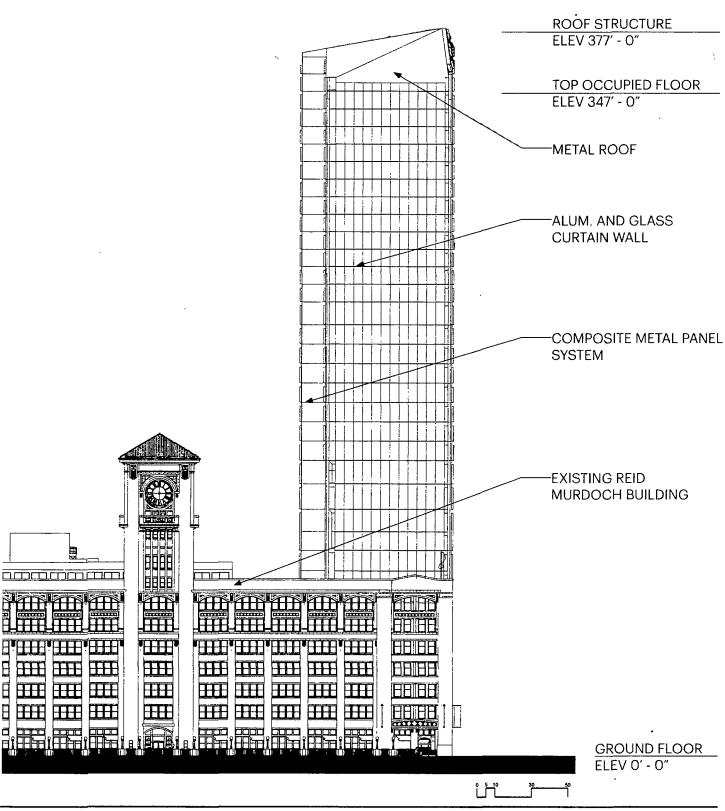
Friedman Properties, Ltd.

Planned Development Application:

April 6, 2016

350 N. Clark St, Chicago, II

### F2. SOUTH ELEVATION ALONG CHICAGO RIVER



330 NORTH CLARK LLC - Planned Development Exhibits

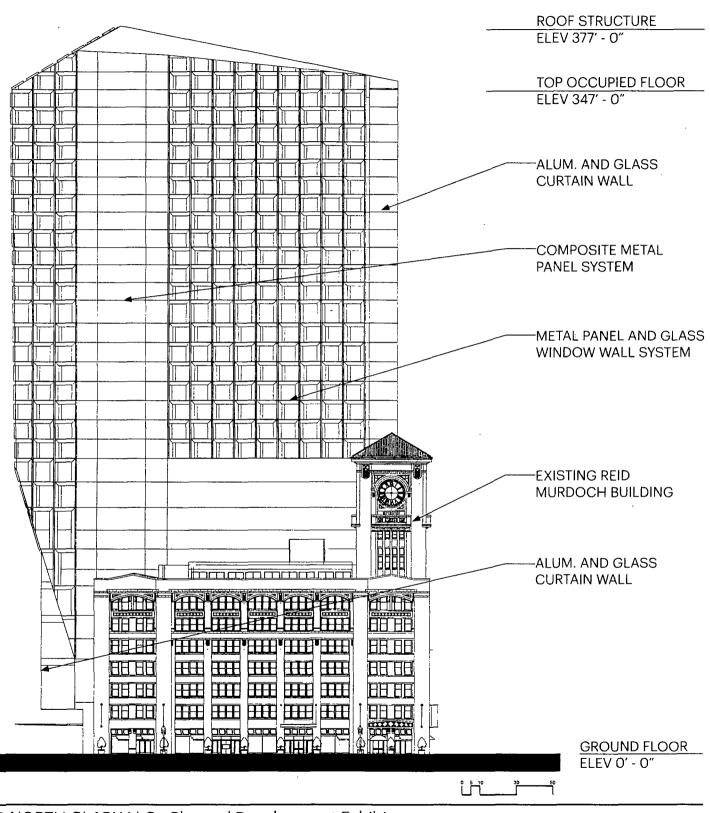
Applicant: Address:

Friedman Properties, Ltd. 350 N. Clark St, Chicago, II Planned Development Application:

April 6, 2016

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### **F3. WEST ELEVATION**



330 NORTH CLARK LLC - Planned Development Exhibits

Applicant:

Friedman Properties, Ltd.

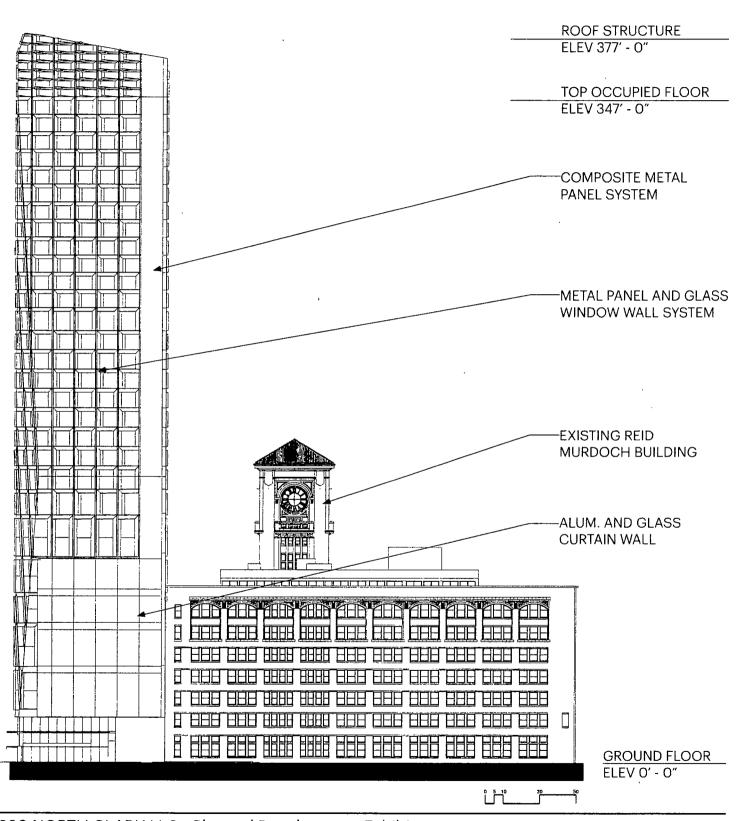
Planned Development Application:

April 6, 2016

Address:

350 N. Clark St, Chicago, II

### F4. NORTH ELEVATION ALONG CARROLL AVE



330 NORTH CLARK LLC - Planned Development Exhibits

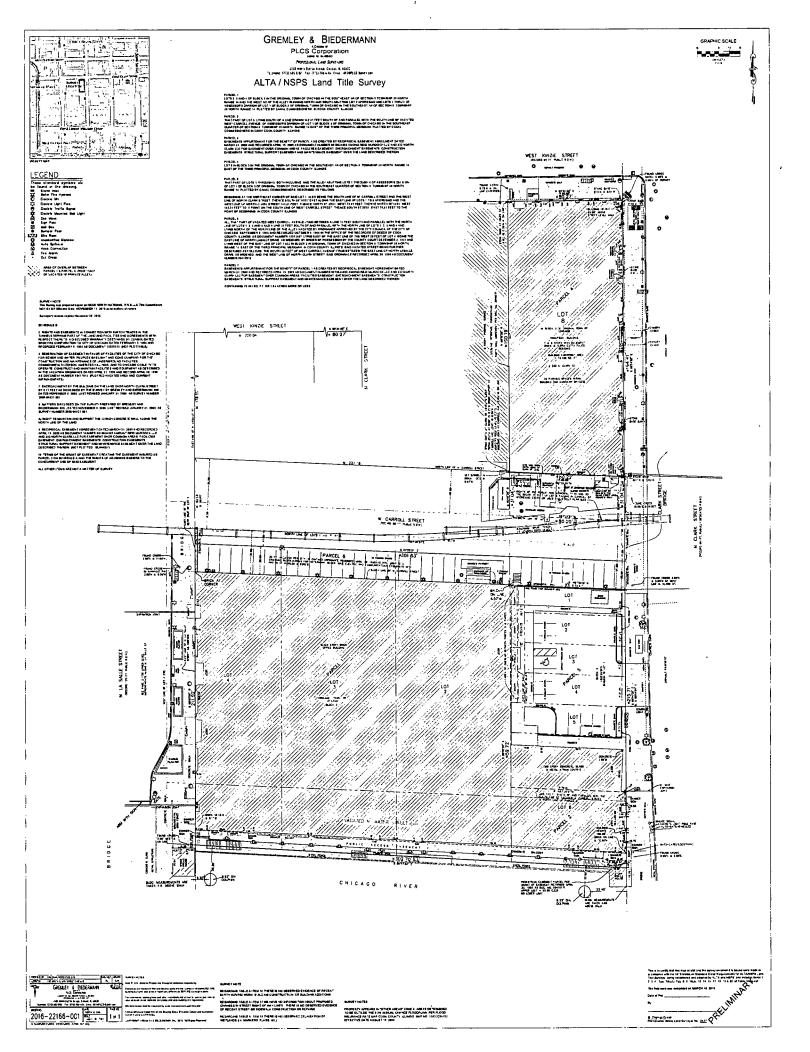
Applicant:

Friedman Properties, Ltd.

Planned Development Application:

April 6, 2016

Address: 350 N. Clark St, Chicago, II



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Two Prudential Plaza 180 North Stetson Avenue Suite 3700 Chicago, Illinois 60601

312.565.2400 TEL 312.565.8300 FAX SRCattorneys.com

JOHN J. GEORGE Attorney at Law TEL 312 565.8439 FAX 312 565.8300 JGeorge@SRCattorneys.com

April 6, 2016

Chairman, Committee on Zoning Room 200 - City Hall Chicago, Illinois 60602

> Re: 314-332 North Clark Street, 315-333 North LaSalle Street, 101-131 West Carroll Avenue.,

Chicago, Illinois

The undersigned, John J. George, being first duly sworn on oath, deposes and says the following:

The undersigned certifies that he has complied with the requirements of Sec. 17-13-0107 of the Chicago Zoning Ordinance, by sending the attached letter by USPS first class mail to such property owners who appear to be the owners of said property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet.

The undersigned certifies that the notice contained the boundaries of the property sought to be rezoned; a statement of intended use of said property; the name and address of the applicant; a statement that the applicant intends to file an application for a change in zoning on approximately April 6, 2016.

The undersigned certifies that he has made a bonafide effort to determine the addresses of the parties to be notified; that the applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet, recognizing the above limits, is a complete list containing the names and last known addresses of the owners of the property required to be served and that the applicant has furnished in addition a list of the persons so served.

Subscribed and sworn to before me this &

April, 2016

OFFICIAL SEAL DEBRA A. FLANAGAN TARY PUBLIC, STATE OF ILLINOIS

Notary Public

Two Prudential Plaza 180 North Stetson Avenue Suite 3700 Chicago, Illinois 60601

312.565.2400 TEL 312.565.8300 FAX SRCattorneys.com

JOHN J. GEORGE
Attorney at Law
TEL 312 565.8439
FAX 312 565.8300
JGeorge@SRCattorneys.com

#### April 6, 2016

Re:

Application for Waterway Business Residential Planned Development

314-332 North Clark Street, 315-333 North LaSalle Street, 101-131 West Carroll Avenue, Chicago,

Illinois

#### Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, for an approval under the Chicago Zoning Ordinance and an application for Waterway Business Residential Planned Development, please be informed that on or about April 6, 2016, I, the undersigned attorney, will file an application on behalf of the Applicant, 322 North Clark LLC, for a change in zoning from DC-12 Downtown Core District and DX-16 Downtown Mixed-Use District to Waterway Business Residential Planned Development No. \_\_\_\_\_\_\_, for the property commonly known as 314-332 North Clark Street, 315-333 North LaSalle Street, 101-131 West Carroll Avenue, Chicago, Illinois and generally bounded by: a line 194.91 feet south of and parallel to West Kinzie Street; North Clark Street; the north bank of the Chicago River; North LaSalle Street; West Carroll Avenue; a line 80.22 feet west of and parallel to North Clark Street, Chicago, Illinois.

The Applicant proposes to construct an addition to the existing Reid Murdoch Building to allow for an expansion of office space and also to allow for a new hotel with approximately 500 rooms.

The Applicant is 322 North Clark LLC whose address is 350 North Clark Street, Suite 400, Chicago, Illinois.

The owner of the property is 322 North Clark LLC whose address is 350 North Clark Street, Suite 400, Chicago, Illinois.

I am the attorney for the Applicant. My address is 180 North Stetson Street, Suite 3700, Chicago, Illinois 60601.

Please note that the Applicant is not seeking to purchase or rezone your property. The Applicant is required by law to send you this notice because you own property located within 250 feet of the proposed development.

Sincerely.

John J. George

#18731 INTAD DATE: APR.13, 2016

#### CITY OF CHICAGO

# APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

ADDRESS of the proj	perty Applicant is seeking to rezo	one:
314-332 North Clark S	treet, 315-333 North LaSalle Stre	et, 101-131 West Carroll Avenue
Ward Number that pro	operty is located in: 42nd Ward	<u></u>
APPLICANT 322 No	rth Clark LLC	<u> </u>
ADDRESS 350 N. Cla	ark St., Suite 400	CITY Chicago
STATE_IL	ZIP CODE 60654	PHONE 312-644-1100
	Imanproperties.com CONTACT PERS	SON_Bob Lopatin
Is the applicant the ox	oner of the property? YES X	NO
proceed.		om the owner allowing the application to
ADDRESS		CITY.
STATE	ZIP CODE	PHONE
EMAIL	CONTACT PERS	SON
If the Applicant/Owne		·
	r of the property has obtained a l de the following information:	awyer as their representative for the
rezoning, please provi	de the following information:	awyer as their representative for the
rezoning, please provi	de the following information:	
rezoning, please provi ATTORNEY John J. ADDRESS 180 N. St	de the following information:  George etson, Suite 3700	

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C	On what date did the owner acquire legal title to the subject property? 2003
F	Has the present owner previously rezoned this property? If yes, when?
1	No.
_	Waterway Business Re
P	Present Zoning District DX-16 and DC-12 Proposed Zoning District Planned Development
L	Lot size in square feet (or dimensions) 69,287.4 s.f.
C	Current Use of the property Mixed use property, including Reid Murdoch building
R	Reason for rezoning the property To allow for new hotel and office development.
u h	Describe the proposed use of the property after the rezoning. Indicate the number of dwelling inits; number of parking spaces; approximate square footage of any commercial space; and leight of the proposed building. (BE SPECIFIC)  Applicant proposes an addition to the existing building that will contain and expansion of floors 2.
_	of office space and will also contain a new hotel development with approximately 500 rooms.
	he Affordable Requrements Ordinance (ARO) requires on-site affordable housing units and/or financial contribution for residential housing projects with ten or more units that receive a zon range which, among other triggers, increases the allowable floor area, or, for existing Planned

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#### COUNTY OF COOK STATE OF ILLINOIS

statements and the statements contained in the documents	ignature of Applicant
Subscribed and Sworn to before me this    day of April , 20   6.   Notary Public	OFFICIAL SEAL EMILY LAWRENCE Notary Public - State of Illinois My Commission Expires Apr 1, 2018
For Office U	se Only
Date of Introduction:	
File Number:	

# CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

#### SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting this EDS	S. Include d/b/a/ if applicable:
322 North Clark LLC	
Check ONE of the following three boxes:	
Indicate whether the Disclosing Party submitting this EDS:  1. [X] the Applicant OR  2. [] a legal entity holding a direct or indirect interest in Applicant in which the Disclosing Party holds an interest or OR	n the Applicant. State the legal name of the
3. [] a legal entity with a right of control (see Section I which the Disclosing Party holds a right of control:	
B. Business address of the Disclosing Party: 350 North C Chicago, IL	Clark Street, Suite 400 60654
C. Telephone: 312-644-1100 Fax: 312-645-5717	Email: rlopatin@friedmanproperties.c
D. Name of contact person: Albert M. Friedman	S
E. Federal Employer Identification No. (if you have one):	
F. Brief description of contract, transaction or other undertawhich this EDS pertains. (Include project number and loca	•
Application for planned development at 314-332 N. Clark St. 315-333	N. LaSalle St. 101-131 W. Carroll Ave.
G. Which City agency or department is requesting this EDS	S?DPD
If the Matter is a contract being handled by the City's Decomplete the following:	epartment of Procurement Services, please
Specification # and Cor	ntract #

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#### 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 [] Not-for-profit corporation also a 501(c)(3))?

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

[] Limited partnership

[] Trust

[x] No

[] N/A

[] Yes

[] Other (please specify)

[] No

#### 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
Albert M. Friedman	Manager
	•
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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,

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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
Albert M. Friedman	350 N. Clark St., Chicago, IL 60654	98%
SECTION III BU	SINESS RELATIONSHIPS WITH	CITY ELECTED OFFICIALS
	Party had a "business relationship," a elected official in the 12 months before	es defined in Chapter 2-156 of the Municipal ethe date this EDS is signed?
		Ç
[] Yes	[X] No	
If yes, please identify relationship(s):	below the name(s) of such City elected	ed official(s) and describe such

#### 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 (subcontractor, attorney, lobbyist, etc.)	Ī	Fees (indicate whether paid or estimated.) <b>NOTE:</b> 'hourly rate' or "t.b.d." is not an acceptable response.
John J. George 1	80 N. Stetson, Su	ite 3700, Chicago, IL 60601	Attorney	Est. \$25,000
(Add sheets if necessary)	)			
[] Check here if the Disc	closing Party ha	s not retained, nor expects to	retain, a	any such persons or entities.
SECTION V CERTI	FICATIONS			
A. COURT-ORDERED	CHILD SUPPO	ORT COMPLIANCE		
<del>-</del>		415, substantial owners of bun their child support obligatio		
	-	y owns 10% or more of the E ns by any Illinois court of co		•
[] Yes [X] N		person directly or indirectly closing Party.	owns 1	0% or more of the
If "Yes," has the person is the person in complian		ourt-approved agreement for reement?	paymen	t of all support owed and
[]Yes []N	lo			
D	a . ===a			

#### **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:				
N/A	· · · · · · · · · · · · · · · · · · ·			
	`			

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").
None
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.
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):

	"None," or no response appears the Disclosing Party certified to the	
D. CERTIFICATION REG	ARDING INTEREST IN CITY E	BUSINESS
Any words or terms that are meanings when used in this	defined in Chapter 2-156 of the Mart D.	Municipal Code have the same
of the City have a financial i entity in the Matter?	<del>-</del>	l Code: Does any official or employee in the name of any other person or
NOTE: If you checked "Ye Item D.1., proceed to Part E.	* <b>-</b>	D.2. and D.3. If you checked "No" to
elected official or employee any other person or entity in for taxes or assessments, or ( "City Property Sale"). Comp	shall have a financial interest in he the purchase of any property that (iii) is sold by virtue of legal proc	ng, or otherwise permitted, no City his or her own name or in the name of (i) belongs to the City, or (ii) is sold less at the suit of the City (collectively, nant to the City's eminent domain power this Part D.
Does the Matter involve a C	ity Property Sale?	
[ ] Yes [	] No	
_	to Item D.1., provide the names a g such interest and identify the na	and business addresses of the City ture of such interest:
Name E	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

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

federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew,

member of Congress, in connection with the award of any federally funded contract, making any

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:
<ol> <li>Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)</li> <li>Yes</li> <li>No</li> </ol>
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 <a href="https://www.cityofchicago.org/Ethics">www.cityofchicago.org/Ethics</a>, 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.

322 North Clark LLC	
(Print or type name of Disclosing Party)	
By: (Sign nere)	OFFICIAL SEAL EMILY LAWRENCE Notary Public - State of Illinois My Commission Expires Apr 1, 2018
Albert M. Friedman	
(Print or type name of person signing)	
Manager	
(Print or type title of person signing)	
Signed and sworn to before me on (date) April at Cook County, Illinios	· · · · · · · · · · · · · · · · · · ·
Evely Cources	Notary Public.
Commission expires: $7-1-18$	·

## 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	
such person is connec	ted; (3) the name and title of the	e of such person, (2) the name of the legal entity to which he elected city official or department head to whom such e nature of such familial relationship.

#### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

#### BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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 (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

1.	Pursuant to Municipal Code Section 2-154-010, is the Applicant or any Owner identified a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?			
	[ ] Yes	[X] No		
2.	2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or direct the Applicant identified as a building code scofflaw or problem landlord pursuant to S 2-92-416 of the Municipal Code?			
	[ ] Yes	[ ] No	[X] Not Applicable	
3.	3. If yes to (1) or (2) above, please identify below the name of the person or legal identified as a building code scofflaw or problem landlord and the address of the buildings to which the pertinent code violations apply.			

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND MADE A PART OF, THE ASSOCIATED EDS, AND THAT THE REPRESENTATIONS MADE IN THIS APPENDIX B ARE SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS: