



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2022-1839  
**Type:** Ordinance      **Status:** Introduced  
**File created:** 6/22/2022      **In control:** Committee on Zoning, Landmarks and Building Standards  
**Final action:**  
**Title:** Zoning Reclassification Map No. 7-H at 2746 N Clybourn Ave - App No. 21047  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 7-H  
**Attachments:** 1. O2022-1839.pdf

Date	Ver.	Action By	Action	Result
6/22/2022	1	City Council	Referred	

Reclassification Of Area Shown On Map Number 7-H. (As Amended)

j (Application No. )  
(Common Address: 2746 N. Clybourn Ave.)

[SO ]

*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 current Waterway-Business Planned Development Number 728, as amended, symbols and indications as shown on Map Number 7-H in the area bounded by:

North Clybourn Avenue, a line 1,053.47 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; a line 113.58 feet southwesterly of and parallel to North Clybourn Avenue; a line 1,055.35 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; a line 120 feet southwesterly of and parallel to North Clybourn Avenue; a line 1,274.70 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; a line 186.74 feet southwesterly of and parallel to North Clybourn Avenue; a line 1,266.44 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; a line bearing N78°36'36"E intersecting a point located 1,266.44 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and 273.95 feet southwesterly of North Clybourn Avenue; a line 1,249.15 feet southeasterly of the intersection of West Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; a line 395.06 feet southwesterly of and parallel to North Clybourn Avenue; a line 1,404.89 feet southeasterly of the intersection of West

Diversey Parkway and North Clybourn Avenue (as measured at the westerly right-of-way line of North Clybourn Avenue) and perpendicular to North Clybourn Avenue; the North Branch of the Chicago River; and North Damen Avenue,

to those of Waterway-Business Planned Development Number 728, as amended.

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

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May 24, 2022

**Re: Project Narrative: Planned Development No. 728 / Application No.**  
***Costco Wholesale Corporation 2746 N. Clybourn Avenue, Chicago, IL 60614 (the "Site").***

Costco Wholesale Corporation ("Costco") is proposing certain changes to the Site, including (1) expansion of the existing drive-through fueling facility, (2) modification of the stand-alone retail building with relocation of existing tenants, demolition of part of the retail building, and reconfiguration to provide Costco with additional parking, and (3) expansion of the Costco store to increase warehouse space, while simultaneously decreasing the amount of loading docks. These changes will involve replacing the existing site and landscape plans incorporated into the existing planned development with revised site and landscape plans, including site and landscape plans specific to the fuel facility and the river setback area.

In the first phase, Costco will add five additional dispensers to the fueling facility (11 pumping stations) and expand the existing canopy to cover the additional dispensers. In addition, the ADA stalls adjacent to the existing warehouse will be relocated closer to the warehouse entrance.

In the second phase, Costco intends to expand the existing Costco store by constructing an approximately 14,300 sf addition at the rear (south elevation) of the building. The store expansion will result in three dock doors instead of the four that are existing.

In the third phase, Costco intends to demolish the existing approximately 20,448 sf stand-alone retail building along Clybourn and expand the parking lot in its place. The existing Ulta Beauty and Chase Bank tenants are anticipated to relocate to the approximately 14,200 sf building to remain at the corner of Clybourn and Damen.

There are no proposed increases to maximum floor area ratio (FAR) or building height. Further, Costco is not proposing to introduce dwelling units or otherwise change the nature of the use of the Site.

Below is a summary of zoning data for all three Phases:

	<b>Existing</b>	<b>Phase I</b>	<b>Phase II</b>	<b>Phase III</b>
<b>Site Area SF</b>	727,785	727,785	727,785	727,785

Parking (Warehouse)	564	562	616	693
Parking (Retail)	146	146	87	36
Total Parking	710	708	703	729
Warehouse SF	142,374	142,374	156,674	156,674
Retail SF	34,648	34,648	34,648	14,200
Total Building SF	177,022	177,022	191,322	170,874
FAR	0.24	0.24	0.22	0.24
Landscape Area SF	94,451 (13%)		102,446 (14%)	

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

*Waterway-Business Planned Development No. 728, As Amended. Plan Of  
Development Statements.*

1. The net site area delineated herein as a Waterway-Business Planned Development consists of approximately seven hundred twenty-seven thousand seven hundred eighty-five (727,785) square feet (sixteen and seventy-one hundredths (16.71) acres) of property (the "Property\*") which is depicted on the attached Planned Development Boundary and Property Line Map and is owned or controlled by the applicant, Costco Wholesale Corporation (the "Applicant").
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 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 titleholders and any ground lessees. 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 titleholder and any ground lessees. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time any applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this planned development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by all the owners of the Property and any ground lessors. Nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein (other than an assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness) and solely with respect to the portion of the Property so transferred, the term "Applicant" shall be deemed amended to apply to the transferee thereof. An agreement among different owners of the Property, or a covenant binding upon owners of the Property, may designate the parties authorized to apply for future

amendments, modifications or other changes to this planned development.

4. This planned development consists of eighteen (18) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Aerial Map; Site

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Plan - All Phases; Enlarged Site Plan - Phase I; Fuel Stacking Plan; Vehicle Maneuvering; Proposed Fuel Canopy Elevations; Building Addition - North, East, South and West Elevations; Overall Landscape Plan; Landscape Plan Phases I, II and II; Landscape Compliance Table; Fence and Pier Detail; and Riverwalk Plan.

5. The following uses shall be permitted within the area delineated herein as "Waterway-Business Planned Development": all uses permitted in the B3-1 Community Shopping District (including automobile tire sales, service and repair as an accessory use) and accessory fueling facilities (gas stations); provided, however, that arcades, dwelling units, second-hand stores and rummage shops, theaters and funeral and interment services are not permitted.
6. On-premises signs and temporary signs, including, but not limited to, construction and marketing signs, shall be permitted within the planned development subject to the review and approval of the Department of Zoning and Land Use Planning. No off-premises signs shall be permitted.
7. Any service drives or other ingress or egress 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. 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 and the Department of Zoning and Land Use Planning. 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 Chicago Department of Transportation.
8. For purposes of floor area, floor area ratio ("F.A.R.") and building height calculations, the definitions of the Chicago Zoning Ordinance shall apply.
9. In addition to the maximum heights of the buildings and any appurtenances attached thereto prescribed in this planned development, the height of any improvements shall also be subject to height limitations as approved by the Federal Aviation Administration.
10. The improvements on the Property shall be designed, constructed and maintained in substantial conformance with the plans and exhibits attached hereto and with the parkway and parking lot landscaping provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Notwithstanding any statement to the contrary, this planned development shall be subject to the provisions of Chapter 17-11 of the Chicago Zoning Ordinance governing landscaping and screening. In any instance where a provision of this planned development conflicts with landscape and screening provisions of the Chicago Zoning Ordinance, the Chicago Zoning Ordinance shall control. Nothing in this planned development is intended to waive the applicability of the landscape and screening provisions of the Chicago Zoning Ordinance.

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11. The terms, conditions and exhibits of this planned development may be modified administratively by the Commissioner of the Department of Zoning and Land Use Planning (the "Commissioner") upon the request of the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the improvements contemplated by this planned development. Any such modification shall be deemed a minor change to the planned development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance.
12. The Applicant acknowledges the importance of the Chicago River as a resource for both commerce and recreation and also acknowledges the City's goal of improving the appearance and quality of Chicago's waterways and, wherever possible, establishing a continuous landscaped walkway and bicycle path along Chicago's waterways. To further these goals, the Applicant has set back all buildings and paved parking areas to a minimum of thirty (30) feet from the existing riveredge as depicted on the Landscape Plan. The riveredge setback area has been, and shall continue to be, landscaped and improved with a pathway extending from the North Damen Avenue Bridge to the property's south property line as depicted on the Landscape Plan. This setback area shall be open and available for use by the general public, free of charge, during normal Chicago Park District hours. Notwithstanding any provision of this planned development, the requirement that a paved pathway and public access be provided along the riveredge shall not be construed to require the Applicant to permit the public use of such pathway or access for any purpose other than pedestrian movement along the riveredge or to restrict the Applicant's ability to close off public access from time to time to prevent the establishment of any public or constructive easements.
13. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner which provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. All future developments shall comply with the City of Chicago Sustainable Development Policy set forth by the Department of Zoning and Land Use Planning current at the time of development.
14. 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 City of Chicago 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, to the extent required by law, the highest standard of accessibility.
15. The City of Chicago has established a Part II Review Fee in the amount of Zero and 25/100 Dollars (\$0.25) per square foot of buildable floor area. The Part II Review Fee will be assessed by the Department of Zoning and Land Use Planning in accordance with the aforementioned rate during the actual Part II Review of the new improvements (e.g., the fueling facilities) identified on the Site Plan. The fee,

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as determined by the Department of Zoning and Land Use Planning at that time in accordance with the aforementioned rate, is final and shall be paid to the Department of Zoning and Land Use Planning prior to the issuance of any pending building permit.

16. The Applicant will comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioner of the Department of Streets and Sanitation, the

Commissioner of the Department of Environment and the Commissioner of the Department of Buildings under Section 13-32-125 of the Municipal Code of Chicago or any other provision of that Code.

17. All work proposed in the public way must be designed and constructed in accordance with the Chicago Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Any changes to ingress and egress as depicted in the plans and as set forth below shall be subject to the review and approval of the Department of Transportation and the Department of Zoning and Land Use Planning. Off-street parking and loading facilities shall be provided in compliance with this planned development. A minimum of two percent (2%) of all parking spaces provided pursuant to this planned development shall be designated and designed for parking for the handicapped.
18. Unless substantial construction of the expanded accessory fueling station or the expansion to the Costco warehouse depicted on the plans, as proven by the issuance of building permits and the diligent pursuance thereof, has commenced within six (6) years of the effective date of this planned development, this planned development shall expire upon the sixth (6th) anniversary of the effective date hereof. If this planned development expires pursuant to the foregoing provision, the zoning of the Property shall automatically revert to the Waterway-Business Planned Development Number 728, as amended, classification in effect immediately prior to this amended planned development. The six (6) year period may be extended for up to one additional year if, before expiration, the Commissioner determines that good cause for an extension is shown.

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*Waterway-Business Planned Development No. 728, As Amended. Plan Of  
Development Bulk Regulations And Data Table.*

Gross Site Area 800,421 square feet (18.38 acres) = Net Site Area 727,785 square feet (16.71 acres) + Area in Public Right-of-Way, 72,636 square feet.

Maximum Permitted Floor Area Ratio:

Maximum Building Height:

Setbacks From Property Line:

Maximum Percentage of Site Coverage:

Minimum Number of Off-Street Parking Spaces\*:

Minimum Number of Off-Street Loading Berths:

0.35

Per Site Plan Per Site Plan

In substantial conformance with the Site Plan 720 parking spaces

\*Note: The minimum number of parking spaces may fall below 720 in interim phases of site modifications.

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CITYOFCHICAGO ^^^^

APPLICATION FOR AN AMENDMENT TO THE  
CHICAGO ZONING ORDINANCE

ADDRESS of the property Applicant is seeking to rezone: 2746 N. Clybourn  
Avenue, Chicago, IL

32

APPLICANT

Ward Number that property is located in:

COSTCO WHOLESALE CORPORATION  
60062

c/o The JNL Design Group Inc.

ZIP CODE

Lawrence Dziurdzik, ASLA

EMAIL

ldziurdzik@jnlgroup.net <mailto:ldziurdzik@jnlgroup.net>

CONTACT PERSON

/

NO

Is the applicant the owner of the property? YES\_ 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

CITY

PHONE

CONTACT PERSON

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

MELTZER, PURTILL & STELLE LLC

Attn: Max B. Guggenheim, 125 South Wacker Drive, Suite 2900

ZIP CODE

mguggenheim@mpslaw.com <mailto:mguggenheim@mpslaw.com>

Page 1

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 attached Economic Disclosure Statements.

On what date did the owner acquire legal title to the subject property?

Has the present owner previously rezoned this property? If yes, when? 1/13/2010 Ordinance rezoning the property to a waterway-business planned development.

#### Proposed Zoning District

10. Lot size in square feet (or dimensions)

#### Current Use of the property

Expansion of accessory fueling facility, reconfiguration of parking lot,  
and expansion of the Costco warehouse building.

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) See attached project narrative.

14. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit [www.cityofchicago.org/ARO](http://www.cityofchicago.org/ARO) <<http://www.cityofchicago.org/ARO>> for more information). Is this project

subject to the ARO?

NO  
YES

Page 2

COUNTY OF COOK STATE  
OF ILLINOIS

Stephen Cross-Authorized Costco Representative  
, 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.

**For Office Use Only**

Date of Introduction:

File Number:

Ward:

Page 3

,2022

Honorable Thomas M. Tunney Chairman,  
Committee on Zoning 121 North LaSalle Street  
Room 304, City Hall Chicago, Illinois 60602

The undersigned, Max B. Guggenheim, being first duly sworn on oath deposes and states the following:

The undersigned certifies that he has complied with the requirements of 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 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. 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; and a statement that the applicant intends to file the application for a change in zoning on approximately June 22, 2022.

The undersigned certifies that the applicant 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.

Signature

**MELTZER, PURTILL & STELLE, LLC, attorneys for Costco Wholesale Corporation**

MELTZER, PURTILL & STELLE LLC  
ATTORNEYS AT LAW

June 7, 2022

**RE: Notice of Application for Amendment to Existing Waterway-Business Planned Development No. 728 located at 2746 N. Clybourn Avenue, Chicago, IL 60614 (the "Property")**

Dear Property Owner,

In accordance with the requirements of the Chicago Zoning Ordinance, Section 17-13-0107, please be informed

that on or about June 22, 2022, the undersigned will file an application for a change in zoning for the Property listed above, on behalf of Costco Wholesale Corporation ("Costco").

Costco is seeking to amend existing Waterway-Business Planned Development No. 728 for the purpose of making certain modifications to the existing shopping center on the Property. Specifically, Costco intends to expand the existing fueling facility, demolish part of the standalone retail building, reconfigure the parking lot, and construct an expansion to its warehouse building. There are no proposed changes to the maximum allowable floor area or to maximum building height allowable on the Property. Further, Costco is not proposing to introduce residential uses or otherwise change the commercial and retail character of the use of the Property.

Please note that the Costco is not seeking to rezone or purchase your property. Costco is required by law to send this notice because you own property within 250 feet of the Property to be rezoned.

Very truly yours,

Attorneys for Costco Wholesale Corporation

**Meltzer, Purtill & Stelle LLC**

**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: Costco Wholesale Corporation**

**Check ONE of the following three boxes:**

Indicate whether the Disclosing Party submitting this EDS is:

1. M<sup>inc</sup> Applicant  
OR

2.  a legal entity currently holding, or anticipated to hold within six months after City action on





(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:

Washington

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  Organized in Illinois

**B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:**

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity; (ii) for not-for-profit corporations, all members, if any, which are legal entities (if there are no such members, write "no members which are legal entities"); (iii) for trusts, estates or other similar entities, the trustee, executor, administrator, or similarly situated party; (iv) for general or limited partnerships, limited liability companies, limited liability partnerships or joint ventures, each general partner, managing member, manager or any other person or legal entity that directly or indirectly controls the day-to-day management of the Applicant.

NOTE: Each legal entity listed below must submit an EDS on its own behalf.

Name Title See Attached Exhibit A

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. 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

Page 2 of 15

limited liability company, or interest of a beneficiary of a trust, estate or other similar entity. If none, state "None."

NOTE: Each legal entity listed below may be required to submit an EDS on its own behalf.

Name	Business Address	Percentage Interest in the Applicant
None		

**SECTION III - INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS**

Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS?  Yes  No

Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS?  Yes  No

If "yes" to either of the above, please identify below the name(s) of such City elected official(s) and describe such income or compensation:

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?  Yes  No

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse (s)/domestic partner(s) and describe the financial interest(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 (as defined in MCC Chapter 2-156), 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. 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.

Page 3 of 15

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.
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(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 MCC 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  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. [This paragraph 1 applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity [see definition in (5) below] has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e., an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

Page 4 of 15

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(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, during the 5 years before 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 subparagraph (b) above;
  - d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, during the 5 years before 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.
4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
5. Certifications (5), (6) and (7) 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 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 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 subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
  - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any 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.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant 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 MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant 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 Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

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contractor/subcontractor that does not provide such certifications or that the Applicant has reason to believe has not provided or cannot provide truthful certifications.

11. 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.

12. 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 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

13. 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 \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (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)

a "financial institution" as defined in MCC Section 2-32-455(b).

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 MCC Chapter 2-32. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in MCC Chapter 2-32. 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."

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

#### D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, 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

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), skip Items D(2) and D(3) and 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 financial interest and identify the nature of the financial interest:

Name	Business Address	Nature of Financial Interest
------	------------------	------------------------------

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

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**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 (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, as amended, 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, as amended, 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

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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," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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  Reports not required

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:

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## SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

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 Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics) <<http://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 this ordinance.

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 City transactions. 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 in, and appended to, this EDS may be made publicly available 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 MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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### CERTIFICATION

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

Costco Wholesale Corporation

(Print or type exact legal name of Disclosing Party)

By:

v\_ (Sign here) Gail Tsuboi

(Print or type name of person signing)

AVP/Assistant Secretary

(Print or type title of person signing)

Signed and sworn to before me on (date) 5" | n YLOZ2~  
Njbtary Public

Commission expires: ^ 1^ \ 2SS>

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**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%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

Under MCC 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% 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                       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.

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**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% (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 MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes                       No

2. If the Applicant is a legal entity publicly traded on any exchange, is any officer or director of the Applicant identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416?

Yes                       No                       The Applicant is not publicly traded on any exchange.

3. If yes to (1) or (2) above, please identify below the name of each person or legal entity identified as a building code scofflaw or problem landlord and the address of each building or buildings to which the pertinent code violations apply.

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**CITY OF CHICAGO ECONOMIC DISCLOSURE  
STATEMENT AND AFFIDAVIT  
APPENDIX C**

**PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION**

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted ([www.amlegal.com](http://www.amlegal.com) <<http://www.amlegal.com>>), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

On behalf of an Applicant that is a contractor pursuant to MCC Section 2-92-385, I hereby certify that the Applicant is in compliance with MCC Section 2-92-385(b)(1) and (2), which prohibit: (i) screening job applicants based on their wage or salary history, or (ii) seeking job applicants' wage or salary history from current or former employers. I also certify that the Applicant has adopted a policy that includes those prohibitions.

Yes

No

N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

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