



# Office of the City Clerk

City Hall  
121 N. LaSalle St.  
Room 107  
Chicago, IL 60602  
www.chicityclerk.com

## Legislation Text

File #: SO2015-6392, Version: 1

# IHAL FOR PUBLICATION

## 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 be amended by changing all the M2-3 Light Industry District symbols and indications as shown on Map No. 1-F in the area bounded by

beginning at a point 278.41 feet north of West Grand Avenue and the east right-of-way line of the alley next west of and parallel to North Union Avenue; a line from a point 278.41 feet north of West Grand Avenue and the east right-of-way line of the alley next west of and parallel to North Union Avenue; to a point, 60 feet north of West Grand Avenue and 57.64 feet west of North Union Avenue; a line 60 feet north of and parallel to West Grand Avenue, a line 68 feet west of and parallel to North Union Avenue; West Grand Avenue; a line 181 feet west of and parallel to North Union Avenue; a line 60 feet north of and parallel to West Grand Avenue; and the alley next west of and parallel to North Union Avenue (TOB),

to those of a C1-5 Neighborhood Commercial District and a corresponding use district is hereby established in the area above described.

SECTION 2. Further, Title 17, of the Municipal Code of Chicago, the Chicago Zoning Ordinance be amended by changing all the C1-5 Neighborhood Commercial District symbols and indications as shown on Map No. 1-F in the area bounded by

beginning at a point 278.41 feet north of West Grand Avenue and the east right-of-way line of the alley next west of and parallel to North Union Avenue; a line from a point. 278.41 feet north of West Grand Avenue and the east right-of-way line of the alley next west of and parallel to North Union Avenue; to a point, 60 feet north of West Grand Avenue and 57.64 feet west of North Union Avenue; a line 60 feet north of and parallel to West Grand Avenue, a line 68 feet west of and parallel to North Union Avenue; West Grand Avenue; a line 181 feet west of and parallel to North Union Avenue; a line 60 feet north of and parallel to West Grand Avenue; and the alley next west of and parallel to North Union Avenue (TOB)

to those of the designation of Residential-Business Planned Development Number \_\_\_\_\_, which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

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

Common address of Property:

## FINAL FOR PUBLICATION

### RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT

#### NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Planned Development Number \_\_\_\_\_, ("Planned Development") consists of approximately 23,854 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, Wicker Park Apartments, Inc.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-0400 of the Zoning Ordinance.
3. All applicable official reviews, approvals or permits are required to be obtained by the Applicant or its successors, assignees or grantees. Any dedication or vacation of streets or alleys or grants of easements or any adjustment of the right-of-way shall require a separate submittal to the Department of Transportation on behalf of the Applicant or its successors, assignees or grantees, and approval by the City Council.

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans. Ingress or egress shall be pursuant to the Plans and may be subject to the

review and approval of the Departments of Planning and Development and Transportation. Closure of all or any public street or alley during demolition or construction shall be subject to the review and approval of the Department of Transportation.

All work proposed in the public way must be designed and constructed in accordance with the Department of Transportation Construction Standards for Work in the Public Way and in compliance with the Municipal Code of the City of Chicago. Prior to the issuance of any Part 11 approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of these sixteen (16) Statements: a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Landscape and Green Roof Plan; Building Elevations (Northeast/North, South/Southeast, and West) prepared by Brininstool + Lynch and dated February 18, 2016 submitted herein. Full-sized copies of the Site Plan, Landscape

Applicant: Wicker Park Apartments, Inc.  
Address: 708-712 W. Grand Avenue  
Introduced: September 24, 2015  
Plan Commission: February 18, 2016

1

## FINAL FOR PUBLICATION

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 are permitted in the area delineated herein as a Residential Business Planned Development: Multi-unit Residential Dwelling Units located above the ground floor only, ground floor retail, accessory parking, accessory and related uses.
6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations and Data Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations

Table has been determined using a Net Site Area of 23,854 square feet.

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

10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. The improvements on the property, including the on-site exterior landscaping, as well as the landscaping along the adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed, and maintained in substantial conformance with the Site Plan and the Landscape Plan. In addition, parkway trees shall be planted and maintained in accordance with the Parkway Tree Planting provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.

Applicant: Wicker Park Apartments, Inc.  
Address: 708-712 W. Grand Avenue  
Introduced: September 24, 2015  
Plan Commission: February 18, 2016

2

## FINAL FOR PUBLICATION

11. The Applicant acknowledges and agrees that the rezoning of the Property from M2-3, Light Industry District to C1-5, Neighborhood Commercial District for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as an Exhibit, the Applicant has agreed to make a cash payment to the Affordable Housing Opportunity Fund in the amount of \$100,000 per unit ("Cash Payment"). At the time of each Part II review for the Residential Project, Applicant may update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. If the Applicant subsequently reduces the number of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement No. 11 (amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for the Residential Project, including, without limitation, excavation or foundation permits, the Applicant must make the required Cash Payment.

12. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.
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 Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
15. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. All development shall be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The proposed building shall provide

Applicant: Wicker Park Apartments, Inc.  
Address: 708-712 W. Grand Avenue  
Introduced: September 24, 2015  
Plan Commission: February 18, 2016

3

FINAL FOR  
PUBLICATION

a vegetated ("green") roof, totaling a minimum of 50% of the net roof area (approximately 11,822 square feet) and obtain LEED certification.

16. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a Zoning Map Amendment to rezone the property C1-5 Neighborhood Commercial District.

Applicant: Wicker Park Apartments, Inc.  
Address: 708-712 W. Grand Avenue  
Introduced: September 24, 2015  
Plan Commission: February 18, 2016

4

Residential Business Planned Development No. Plan of Development

Bulk Regulations and Data Table

30,711 square feet

Area remaining in public right-of-way:

23,854 square feet

Maximum Floor Area Ratio:

Maximum Number of Dwelling Units:

Minimum Number of Off-Street Accessory Parking Spaces:

4.25 105 45

Minimum Loading Spaces:

Number of Bicycle Spaces:

Maximum Building Height:

Per approved site plan

Applicant: Wicker Park Apartments, Inc.  
Address: 708-712 W. Grand Avenue  
Introduced: September 24, 2015  
Plan Commission: February 18, 2016

**FINAL FOR PUBLICATION**

01 Q. O  
a- tn \_l-6 lZO -  
Ej® Q" ^ £ w V) +  
< Zl o

o  
c= cd<sub>3</sub>

8dž

is 2  
o. 6

+

CO -J ©



O CN  
o 00  
^ ^ CN ^  
- CD cd ;;> O->  
o >  
CO CD\_D  
-Q CB\_D  
CN o"  
=! e u.  
CD if  
-> CO  
i o  
c in  
CU in  
\_ya>  
O- "O  
< <  
DI Q- 9  
CD CDlo  
9 CO en  
6 ^ |  
S O  
SU  
2 <=  
#1<sup>th</sup> CD  
JE qT

PIMA! COB DMQ: jpATinM



Q- co \_j

d ^ o

O  
CO 'X  
=21

+

c CD  
- 3  
£3 §  
o cd  
CD >  
CD <  
CD CD  
E-d  
CNI  
CD  
CO ^ O <-CO <U  
O  
CD  
CD CD  
5 "S

.-o

E E 5 o - a O 2 c  
^ CD

> oo

5 °

TO m  
J a. < a. - a

< <

/ \*\_

//

///

/  
cl co \_J

UJ o O  
CO no i\_  
Z> " r-

CD

//// V//

/

1 o

X  
LU

r; 3H.N3AV NOINfi

r; laauis q31sivh

n\_r

o

o

tr:

A3T1V  
L\_

e - 75

-Jr:

\*-(D  
CD\*O

2cd  
Q-CC

CC <\_>Q-

O3  
IT)

CD  
O CM  
00"  
5f. £  
•\* Q SM'  
LO  
CO  
CO  
E CD Q. CD  
CD J3  
CD  
CO  
3 E-6 O  
2 c  
+ CD  
£ 5;  
CN d  
CO CJ CO  
u ^ <->  
c= lo  
CD is CD  
75. -b  
D. "o  
< <

# FIMAL FOR PUBUCATION

V  
P  
E  
E  
Q  
E  
^  
E  
Q  
E  
P



30  
m q  
CL  
-1-0  
o -  
e !  
w +  
Z175

CQ-1 ©  
c 5  
CD ^  
g ?  
80 E  
A. a  
> S  
CL >  
v

CD

+

o  
CN  
b oo

SS  
CD LL.  
C O  
E E o o c  
JO CL

g s  
=! E  
75 r > 9

d s  
DI O  
CJ SS  
5  
-g  
c gn o gn  
o (P  
75. -t5  
a. TD  
< <

# FIM FOR PUBLICATION

^co

a  
HI  
cc a

i s  
N <  
cc tr \_ < < cz  
U. LC CO  
U- li-  
CO CO  
LO CM  
CO CD  
m lo CD

o o  
li.  
UJ CC  
<

< o -  
ul co



y/y//.■////%%. V//y/////A^/.  
///■////, A-y  
n O ^-Ln LU II

5g2 1 </> +  
Zl o

CQ\_I ©

+

it

a

o  
CM

£CD  
-Z  
co  
o

CM CO ^  
■2S  
E^?

CD Z3  
-O CD LL  
C o  
CD2  
a. Cj  
CO \*t ^  
^gl  
-CB  
CD CD->  
Q^ >  
CO  
o

»2  
cd cd cn  
.o co cn  
o "b f  
<^E  
85  
a. -o a -o <<  
-5u  
2c  
-^CD  
\_E51

3

q\_ < o co  
o

lo cn co  
in co  
CO  
t-Z  
UJ  
5  
LU CC

ZZ)

a  
LLI CC  
a

O  
N  
CC CC m < <  
LL LC CO

CO  
O O  
LU CL CO

<  
o

LU CC

CC I-  
O

X LU

U LL  
CO CO  
< o  
(N O)  
CD

UJ

CD O  
O

u.  
ui cc

itl

CC ^ a-< 2 O IE < 2

oo co

or o <c  
F-^ CO  
> ° O

y rf Q O CL

O \_ . cc >- < Q- CD CJ

LL LL LL  
CO CO CO  
LO  
LO CT) <-  
LO CO ~  
r< ai co



<

O 2 LU  
I- Z) CCTL  
CCOX10\_X> (-  
LL CD f- CD

0- uj 1 xLUOOI-  
x rr ■< lu  
QDIO 2 CO I- I-  
: 2 <  
r> i cl O  
% sz UJ  
LU <C  
co c2  
Z3 CD  
LU JZ  
CQo  
I- <

co luZ) h-o

< Icq  
52 lu q k  
or ^  
o cd < o zsz o I  
UJ<  
-1 or  
CD  
o  
■ CO

COILOO  
cn O ca o

co  
CD  
o

CD

< 2

cc p

hUdVBI AVM-OAU)

3RN3AV NOINfi

O 9<sup>00</sup>, O b cm I

to  
Zl  
\* "> Si  
Z ||<sup>-1</sup>  
5UI ±2 1

CQ-I ©

+

cc ■ LL  
a 8 o  
2 L O CC  
cl < O co q  
< Z  
., LU LU CC  
CD  
E

O

o oo  
CN\*-  
cB 2 ^ >•

EE  
- ~.oo  
5°  
CO LO  
75 (D) J5  
< CI I  
D) D. O CO CD CO CO  
O \*O CD

■ a CJ 2 c  
\*J CO  
JE cl

# IUCATIQN

u tr

o o

cc o o

tr o o

X i-  
CD

.0L-,t70l

cc  
OO

X  
LO  
cc OO

X  
h-  
cc OO

Q CC oo  
tr OO

O  
tr o

rH. co

O  
co

oi

to +  
Zl 75

It

q;>-c5  
CQ-l ©

+

3Nn AlHSdOHd

oo >-  
CO  
-tr

LU CC o  
co

tr

o o <c tr or  
UJ  
i  
LU  
< CL

<  
tr  
o  
EU  
o tr <

if v: H  
f

k

&  
J  
'j'  
'i"  
- - -  
&

?

\*,  
-  
v  
?

i \*

r

•j



Is

i

C2

.)

4

V >

1' v

%

; if!-

!

\*

a :

—

1

%

>

\*.

.feE

SJ

|

'1

>

:

X

-

lv;v-

-

..

l'

1,

Q  
Z COCM

<C  
i-  
5 n t 1-  
n lu lu  
tr U  
LU J <C <  
tr tr tr  
£ ? =2  
g LU LU  
Q T T  
<? O O  
-J or or o <<

o  
LU H: DC O  
or <

E CD >  
CD E t-> U

D. <a

LO  
o  
CD O

oo o

CO ui  
.y cd  
75. t5  
< <

E  
E o u

FINAL FOR PUBLICATION

CC  
ZD I-  
u  
ZD CC  
I-  
CO  
m  
L-.U

■9-

cc O O

CC; = O <?

-1

< eij  
UJ o

to

CO UJ  
O -o |

+

Z18

QF>-cS CQ-l ©

+

co

s §  
- a

CD  
CU  
C ~ ro  
CD i  
o. o  
CD  
CJCB  
"5. tj  
A: T  
K

o co  
CM  
X  
B S I  
S CO JJ  
o.  
p  
S  
o  
=3  
- E U  
CD  
2 <=  
-> CD £ CL

, -Q CD

F3NAL

f-OR

# PUBLICATION

## 2007 Affordable Housing Profile Form (Rental)

Submit this form to the Department of Planning & Development (DPD) for projects that are subject to the 2007 ARO. Projects submitted after October 13, 2015 - or that do not receive City Council approval by July 13, 2016 - will be subject to the 2015 ARO. More information is online at [www.cityofchicago.org/ARO](http://www.cityofchicago.org/ARO) <<http://www.cityofchicago.org/ARO>>.

This completed form should be returned to: Kara Breems, DPD, 121 N. LaSalle Street, Chicago, IL 60602. I. .iviii; k;u o.l>revMiisri/ici!yo'<:hig,i;joTelephone: (312) 744-6476

Date: 11/23/2015

### SECTION 1: DEVELOPMENT INFORMATION

Development Name: 710 Grand Development Address: 708-712 W. Grand Ave. Ward: 27th  
City Land

Financial Assistance (If receiving TIF assistance, will TIF funds be used for housing construction? 'l j\*') 'if yes, please provide copy . . . of the TIF Eligible Expenses < ' [v^J Zoning increase and/or PD

If you are working with a Planner at the City, what is his/her name? Fernando Espinoza Type of City involvement: (check all that apply)

### SECTION 2: DEVELOPER INFORMATION

Developer Name: Wicker Park Apartments, Inc. Developer Contact (Project Coordinator): Mark Sutherland Developer Address: 1517 w. Haddon Ave. Chgo. 60642 Email address: MarkSutherland68@gmail.com <mailto:MarkSutherland68@gmail.com> Telephone Number: 3122188078

### SECTION 3: DEVELOPMENT INFORMATION

#### a) Affordable units required

For ARO projects:  $1^{\circ}s \times .10 = 21$  : (always round up)  
Total units total affordable units required  
\*20% if TIF assistance is provided

For Density Bonus projects:  $X 25\% =$   
Bonus Square Footage\* Affordable sq. footage required

\*Note that the maximum allowed bonus is 20% of base FAR in dash-5; 25% in dash-7 or -10; and 30% of base FAR in dash-12 or -16 ([www.cityofchicago.org/zoning](http://www.cityofchicago.org/zoning) <<http://www.cityofchicago.org/zoning>> for zoning info).

#### b) building details

In addition to water, which of the following utilities will be included in the rent (circle applicable):

Cooking gas electric gas heat electric heat other (describe on back)  
units? yes no market-rate units? yes no     Is parking included in the rent for the: affordable  
If parking is not included, what is the monthly cost per space?



Estimated date for the commencement of marketing:

Estimated date for completion of construction of the affordable units:

| Unit<br>of Units | Number<br>Type*  | Number of<br>Bedro<br>ms/Unit | Total Square<br>Footage/Unit | Expected<br>Market<br>Rent | Proposed<br>Level of<br>Affordability<br>(60% or less of AMI) | Proposed ;<br>Affordable<br>Rent'<br> <br>(60% or less of AMI) | Unit Mix OK to<br>proceed? |
|------------------|------------------|-------------------------------|------------------------------|----------------------------|---|--|----------------------------|
| <i>Example</i>   | 1 bad/1 ; 4 bath |                               | . 800 _':                    | \$1000                     | .759  | 60% .  |                            |



Affordable  
Units

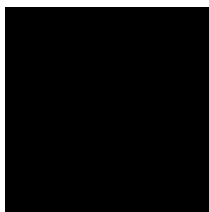
j




Market Rate  
Units

N/A N/A i

N/A ■ N/A



N/A j N/A r

Rem amounts updated annually in the 'Cay.of Chicago'8 Maximum AlfottfOTWi Monthly Rent Chart

**SECTION 4: PAYMENT IN LIEU OF UNITS**

When do you expect to make the payment -in-lieu? ^  
(typically corresponds with issuance of building permits) Month/Year

For ARO projects, use the following formula to calculate payment owed:

**105**

Number of total units in development

**x \$100,000 = \$1,100,000**

Amount owed

For Density Sonus projects, use the following formula to calculate payment owed:

\$

x 80% x \$

Bonus Floor Area (sq ft) median price per base FAR foot Amount owed

Submarket (Table for use with the Density Bonus fees-in-lieu calculations) Median Land Price per Base FAR Foot

Loop: Chicago River on north/west; Congress on south; Lake Shore Dr on east North: \$31 \$43'

Division on north; Chicago River on south/west; Lake Shore Dr. on east

South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr on east

\$22

West: Lake on north; Congress on south; Chicago River on east. Racine on west j S29

to Proceed (to be completed by Developer & DPD)

Kara Breems, DPD

7\*\*

'ej^pp%r/Pr<i}ectJ/lafiager

^ l-f (? ro\et f &\pp\ d<> ^ isu o^-^1

**l\*&(**

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

**CITY OF CHICAGO**

**MEMORANDUM**

Alderman Daniel S. Solis  
Chairman, City Council Committee on Zoning

David L. Reifman Secretary  
Chicago Plan Commission

February 19, 2016

RE: Proposed Waterway Residential Business Planned Development for property generally located at 708 West Grand Avenue.

On February 18, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by Wicker Park Apartments, Inc. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

Also enclosed is a copy of the staff report to the Plan Commission which includes the Department of Planning and Development, bureau of Planning and Zoning recommendation and a copy of the Resolution. If you have any questions in this regard, please do not hesitate to contact me at 744-5777.

cc: Steve Valenziano  
PD Master File (Original PD, copy of memo)

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO, ILLINOIS 60602

City of Chicago Plan Commission

February 18, 2016

Residential Business Planned Development 708-712 West Grand Avenue

708-712 WEST GRAND AVE NUE Applcn. Wictar Prfo\*farments, h; Address 708-712 VtotGmd A\*ru«  
Chc^.. IL60654 Imoduoad September 2d. 2015 Hin CommiBkn Uruvy 16. 2016

BRININSTOOL +LYNCH

;r r c :c

X



! i-

JO«.712«il ^:GRAHOAVE. \

i . RC • A R

GRANDAVNUE =

J [J ]

C/ ;

c j c

! Pullm.)

AtJicjni Wictm P. ul AjuJfiri.ii.;  
M.ii.-s ;?VW.6i' ■. /e\* ■

Cl. . r<| II 's-M

Il.m

DIMLIKIAIi.niSH MAI \*  
BRININSTOOL f LYNCH

FAR ZONING REQUIREMENT  
I ah j:k  
SIEAKEA TIMMST

IWA SI CUAHAVI, NUI  
P... V... A... I... I... A...

BRININSTOOL + LYNCH

1ERRAC01 IA RAINSCHLEN  
ARCHITECTURAL METAL PANELS

\*a /s/

V, 7, 1

I:HHH.OOH ^\_

rpiin  
I.L. II'ii  
: it rn

*mi*  
"rr. r. il  
TTTT

!;>->ih11::!>■; \*., 4

1,Milliout: i-iini,mm

1

7.at,ywa M:it,AncsAvi,nui  
Ap,JLU,upr:VilJin I,ekABLIiu Inc  
M,Jlins- ,■; |> V:IM (PLH) Avijm:|>

ill,ate',-1 ■!-<■< AI /ulv  
M:-iCu v:am M'nury in ?>.

- GLAZED STOREFRONT AND ENTRY SYSTEM
- ARCHITECTURAL METAL 3
- ARCHITECTURAL METAL 7

• AfiCueCTJR! UT.TAL I

1!  
<v

vfiimaivAiiiHi

BRININSTOOL + LYNCH

J ARCHITECTURAL METAL PANELS ! r- TERRACOTTA RAIHSCREEN / | 1)\*. ursiUMciiMiL 'U H"" ,ji

);;>nj .Lii2PJj ~\i ""Si,- \*!T: :thfi i>

!. □ □ □ □ □ □ □ □ □ □ ] □ □ □ □ □ □ □ □ □ □ \_! □ OCIE u

□ --imnn.-o- .moD-ia m.l

. \_V! !;MHilomi J. :1 :;:r r ^! .■ 4 11111 ■);.■. "1! ...!" /!«M. i, i \*" i T i i;:Nijm!>n" iW.i ""> j UTK\*ntj>\_ ^\_L

MASONRY CORDOVA STS (S) (L,W,r) OJ ai:- q BRIN

MADUNKI LLMKjVA!OMCjKUUALP^UUNUFACE ARCHITECTURAL ICTAL. 3

riiHUr.M S'fH I V.MKIN

MCnNECTURALVITH.2 ARCHITECTURAL METAL 1 MUM AinDOVJSTSTFU ARCHITECTJRAL COMPOSITE METAL PANEL \*RC"iHICTUJIAL METAL PANELS

DIDiaiQ[DPfl«.llil

llfillilai;

D'DOIfiDIM

DffiDiffiD-MfDDO11J □ ' ODiLTJ" - D r □ □! m-£LTJ □

IOltOWODItlli

fflBiMffliitiJii

m uoiMiBc mm mmrwoiiiif

^iillllillfc

- KEIANNING BALL

-V-r

-V;

BRININSTOOL + LYNCH  
70&712WEST GWNQ WEKUE AlptaoimWteker PtkPptinrcm. Ire Address 708-772 WofGurE] "onue  
Crta"), IL605W Inntroduocd S"paHTE]or 24. 2018 PbnCom mason Unary 18 2018  
CORDOVA STONE GHOUND-FAJED

**BRININSTOOL + LYNCH**  
« flitvM + Ujnt. Ltd.

7C&712 WESTGRANC AVENUE AoJwTil Wf4o Aprt(Tionr. hi 708-712VAal3ro(A"rue  
In"D'J]-<J S'JKllba 24.201 ^ Flan Cnt"rlllalec"l fanny 18. 7010  
GrndAjdXfo EnSeec

**BRININSTOOL -f LYNCH**  
o Birthe"v + In

708 712 WESTGRAHO AVENUE

Srvf Avklic Letts' Ermroc

n-nCommialK, fctuvv lrt 2JKS

Clics.: Sil-Ai.v

"".711 KJ

ijjd

.mx^m

Mjnl-Yiri l-Lcr Ar-i >-.Hf

-1 <f,-

Mum mm Nui.il.tn <http://Nui.il.tn> t.t f llS-Sn^-.i h-JUil ^ J.r.r; I

W um. Il jml.-i >f .in S.it.-i [v]lhn.r

M.t..il.ain UuMmy HUuiil

1UI -in"

M.[ iiiiU-q.rl.-IS.-ll.-llL

Sik Hn

"! 1.WFSI -ifirdMh AVI ill  
"X^J.M.-i (T. E.  
MFW.. f. > / i > W<r,t' j.-n-J.-Vnill).-

H.-J.MILlHPiV...M.

- f r jow-A"yHM-41  
sdlHL.L...-q;-iWj

"■-<"■»' ^Ti-.J- \*

+ LYNCH

iiBRININSTOOL

**FINAL**

**REPORT to the  
CHICAGO PLAN COMMISSION from the  
DEPARTMENT of PLANNING AND DEVELOPMENT**

**FEBURARY 18, 2016**

**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT**

**WICKER PARK APARTMENTS, INC**

**708-712 WEST GRAND AVENUE**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation on a proposed Residential Business Planned Development for your review and recommendation to the Chicago City Council. The application for this amendment to the Chicago Zoning Ordinance was introduced into the City Council on September 24, 2015. Notice of the public hearing was published in the Chicago Sun-Times on February 3, 2016. The applicant was separately notified of this public hearing.

The applicant filed the application as a mandatory planned development per the requirement of section 17-8-0512 Tall Buildings. The applicant proposes to reclassify the site to C1-5, Neighborhood Commercial District prior to establishing the Residential Business Planned Development.

**SITE AND AREA DESCRIPTION**

The approximately 23, 854 square foot site lies in the West Town (24) Community Area. The triangular shaped site is currently improved by a four (4) masonry buildings with heights ranging from two (2) to four (4) stories. The site is currently M2-3, Light Industry District. The site is neither within the Lake Michigan and Chicago Lakefront Protection District, nor within a Chicago Landmark District but is located in the River West Tax Increment Finance District. The site is bounded on the north and east by the METRA Tracks, on the south by West Grand Avenue, on the west by a public alley. There is a mix of uses along West Grand Avenue that include commercial, retail, institutional and accessory parking.

The site is served by the Chicago Transit Authority bus routes #8 Halsted Street bus line; The CTA's Grand and Milwaukee Blue line station provides access to the area and is located one 1/2 mile west of the site.

Page 1 of 4

**PROJECT DESCRIPTION**

The applicant proposes to construct a multi-story mixed-use building with ground floor retail, 105 dwelling units, accessory parking and accessory uses. The applicant is seeking an up zoning to a C1-5, Neighborhood Commercial District to a Residential Business Planned Development. The proposal includes the construction of a 9-story (104'-10") residential tower, 6,592 square feet of



commercial retail space, and 45 accessory parking spaces. The unit breakdown for the project is as follows: 24 studio units, (49) One-bedroom, and (35) two-bedroom units.

The project has an estimated total project cost of \$20,000,000.00 and the expected construction time line is 18 months. The project is anticipated to generate 100 construction jobs and 20 permanent full time jobs.

### **DESIGN**

The multi-story building is primarily comprised of an architectural composite metal panel system and a Terracotta Rain Screen System. The facades are further defined and glass window system. This architectural vocabulary defines primarily the residential tower fronting West Grand Avenue elevation. The ground floor contains commercial retail space and fronts West Grand Avenue, and is enclosed by a glass storefront. The residential units are contained on two through nine with the roof top programmed for amenities and mechanical uses. The remaining elevations of the base of the building include scoured concrete and masonry, Cordova Stone ground face.

### **ACCESS/CIRCULATION**

The site has vehicular access via an existing public alley. Pedestrian access for the residential tower is located along West Grand Avenue from a residential entry lobby. The ground floor of the proposed building is designed for commercial retail space fronting West Grand Avenue. The design of the base of the building improves the pedestrian experience and is enlivened by a glass store front facade fronting the street frontage.

### **LANDSCAPE / SUSTAINABILITY**

The project will install new parkway trees along West Grand Avenue (4 trees). The project will comply with the City's Landscape Ordinance. The project will also comply with the Storm Water Management Ordinance, implementing best practices in stormwater management. The project will satisfy the requirements of the City of Chicago's Sustainable Development matrix: The project anticipates receiving building certification and will provide approximately 9,457 square feet of green roof covering 50% of the net roof area.

### **BULK/USE/DENSITY**

The site will be rezoned to a C1-5 District and has a maximum allowable Floor Area Ratio (F.A.R) of 5.0. This proposed Residential Business Planned Development will achieve an F.A.R of 4.25. Based on the projects net site area of 23,854 square feet the blended Minimum Lot Area would permit 105 dwelling units under the C1-5 District.

Page 2 of 4

The developer has opted to reduce the FAR of the building from a 5.0 FAR to 4.25 FAR to permit the scale and bulk of the building to be in character with the surrounding area.

### **RECOMMENDATION**

The Department of Planning and Development has reviewed the project materials submitted by the applicant and has concluded that the proposed application for a Residential Business Planned

Development would be appropriate for the site and that the project meets the review criteria for planned developments set forth in the Zoning Ordinance (Section 17-13-0900).

1. The project complies with the Standards and Guidelines for Planned Developments in the Zoning Ordinance (Section 17-8-0900).
  - a. Compliance with Zoning. The proposed building would conform to all the requirements and restrictions of the C1-5, District for uses, height, floor area ratio, and density.
  - b. Transportation, Traffic Circulation and Parking: The site has vehicular access via an existing public alley and directly accessible from West Grand Avenue. The pedestrian access for the residential tower is located along West Grand Avenue and is identified via a residential entry lobby. Loading will occur internal to the building envelope and foot print and be accessed from an existing alley.
  - c. Pedestrian Orientation. The proposed project will allow unimpeded pedestrian flow on West Grand Avenue. Residential patrons will access the residential entry lobby through West Grand Avenue.
  - d. Urban and Building Design. The building's modern design emphasizes the contrast among the various types of architectural styles and vocabulary along West Grand Avenue. The building materials include an architectural composite metal panel system and a Terracotta Rain screen System. The facades are further defined with a glass window system.

The ground floor contains commercial retail space and fronts West Grand Avenue, and is enclosed by a glass storefront. The residential units are contained on two through nine with the rooftop programmed for amenities and mechanical uses. The remaining elevations of the base of the building include scoured concrete and masonry, Cordova Stone ground face.

2. The proposed development is compatible with the character of the surrounding area in terms of uses, density and building scale. Current development north and south of the site is comprised of a mix of uses along W. Grand Avenue and further along N. Halsted Street which include residential and commercial uses. The permitted uses are allowed within the project's underlying zoning of C1-5 District.

Page 3 of 4

3. Approved Plans. The site is identified in the Near Northwest Side Plan approved by Plan Commission on September 19, 2002, and is identified as a redevelopment opportunity site. The plan identifies this site for a mixed use building with complimentary commercial uses as the highest and best economic use for the site.
4. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy.

The proposed Planned Development has been reviewed by the Chicago Department of

Transportation's and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and all comments received have been addressed in the revised application.

Based on the foregoing, it is the recommendation of the Department of Planning and Development that the revised application for a Residential Business Planned Development for WICKER PARK APARTMENTS, INC, be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be: "As Amended, Passage Recommended."

Department of Planning and Development Bureau of  
Planning and Zoning

Page 4 of 4

FINAL

DEPARTMENT of PLANNING and DEVELOPMENT CITY OF  
CHICAGO

**RESOLUTION**

**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT 708-712  
WEST GRAND AVENUE**

WHEREAS, the applicant, Wicker Park Apartments, Inc., proposes to establish a Residential Business Planned Development. The applicant proposes to construct a multi-story mixed-use building with ground floor retail, 105 dwelling units, accessory parking and accessory uses. The applicant is seeking an up zoning to a C1-5, Neighborhood Commercial District to a Residential Business Planned Development. The proposal includes the construction of a 9-story (104'-10") residential tower, ground floor commercial retail space, and 45 accessory parking spaces;

WHEREAS, This development is being submitted by the applicant as a mandatory planned development application and an application for a Planned Development was introduced to the City Council on September 24, 2015; and

WHEREAS, proper legal notice of the hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on February 3, 2016. The proposed Zoning, Application was considered "at a public hearing by this Plan Commission on February 18, 2016. The Applicant was separately notified of this hearing; and

WHEREAS, the Plan Commission has reviewed the applications with respect to the provisions of the Chicago Zoning Ordinance and finds that the proposal will be consistent with said provisions; and

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated February 18, 2016, a copy of which is attached hereto and made a part hereof; and

121 NOR TH LASALLE STREET. ROOM 1000, CHICAGO ILLINOIS 60602

FINAL

WHEREAS, the Chicago Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development, and all other testimony presented at the public hearing held on February 18, 2016 giving due and proper consideration to the Chicago Zoning Ordinance; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CHICAGO PLAN COMMISSION:**

1. THAT the final application dated February 18, 2016 be approved as being in conformance with the provisions, terms and conditions of the corresponding Zoning application; and
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated February 18, 2016; and
3. THAT the above-stated recitals to this resolution together with the report of the Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding the zoning map amendment for a Residential Business Planned Development application.

Chicago Plan Commission

Approved: February 18,  
2016 RBPD No.  
CITY OF CHICAGO

RECEIVED FEB 18 2016

AMENDED APPLICATION FOR AN AMENDMENT TO Initial: ~~JU to X~~  
THE CHICAGO ZONING ORDINANCE

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

1. 708-712 W Grand Avenue

2. Ward Number that property is located in: 27

3. APPLICANT Wicker Park Apartments, Inc.

ADDRESS 1517 WHaddon Avenue

CITY Chicago STATE Illinois ZIP CODE 60642

PHONE 773-278-8078 CONTACT PERSON Mark Sutherland

4. Is the Applicant the owner of the property? YES NO X 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 applicant to proceed.

OWNER 710 West Grand Avenue, LLC

ADDRESS 8237 Central

CITY Morton Grove STATE IL ZIP CODE 60053

PHONE 847-813-6040 CONTACT PERSON Robert L. Johnson

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

ATTORNEY Thomas S. Moore

ADDRESS 111 W Washington Suite 1720

CITY Chicago STATE IL

PHONE\_ 312-251-1500

CITY Chicago

. ZIP CODE 60602 FAX 312-251-1500

6. If the applicant is a legal entity (Corporation, LLC, Partnership, Etc.) please provide the names of all owners as disclosed on the Economic Disclosure Statements.

Mark Sutherland

7. On what date did the owner acquire legal title to the subject property? 2006

8. Has the present owner previously rezoned this property? If Yes, when?

No

9. Present Zoning District M2-3 Proposed Zoning District C1-5 toRBPD
10. Lot size in square feet (or dimensions?) 23,854 sq. ft.
11. Current Use of the property Vacant one- and four-story buildings on the property line with vacant land in rear of property.
12. Reason for rezoning the subject property: To construct a Transit Oriented Development with a 9 story building with 105 residential dwelling units, approximately 5000 square feet of retail space on the first floor with 45 parking spaces with one 10' x 25' loading berth. The height of the building will be 104'-10".
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)  
To construct a Transit Oriented Development with a 9 story building with 105 residential dwelling units, approximately 5000 square feet of retail space on the first floor with 45 parking spaces with one 10' x 25' loading berth. The height of the building will be 104' -10".
14. On May 14 , 2007, the Chicago City Council passed the affordable Requirements Ordinance (ARO) that requires on-site affordable housing units or a financial contribution if residential housing projects receive a zoning change under certain circumstances. Based on the lot size of the project in question and the proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information).

YES X

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:

Wicker Park Apartments, Inc.

Check ONE of the following three boxes;

Indicate whether the Disclosing Party submitting this EDS is:

1.  the Applicant  
OR
2.  a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest;  
OR.
3.  a legal entity with a right of control (see Section IJ.B.J.) State the legal name of the entity in

which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 1517WHaddon  
Chicago, IL 60642

r, t , 773-278-8078 r- r i Info@WickerParkAparlments.com  
<mailto:Info@WickerParkAparlments.com>

C. Telephone: "O CIO WIO Fax: Email: ■

D. Name of contact person: Mark Sutherland

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

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

Zoning Change-708-712 W Grand Avenue

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

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

*Specification # and Contract ff*

SECTION II -  
- DISCLOSURE OE OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- Person  Limited liability company
- Publicly registered business corporation  Limited liability partnership
- Privately held business corporation  Joint venture
- Sole proprietorship  Not-for-profit corporation
- General partnership (Is the not-for-profit corporation also a 501(c)(3))?
- Limited partnership [Ycs [ ] No
- Trust  Other (please specify)

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



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

Yes                       No                       N/A

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

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

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

Name Title Mark Sutherland President

2. Please provide the following information concerning each person or entity having a director 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.

Pane 2 of 13-

interest of a member or manager in a limited liability company, or interest of a beneficiary of a trust, estate or oilier 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-
		Mark Sutherland 1517 WHaddon, Chicago, IL 100%

**SECTION MI -- BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS'**

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

M Yes [8 No

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.h.d." is not an acceptable response.
& Moore, PC	111 W Washington, Suite 1720, Chicago, IL 60602		Estimated to be \$5,000.00

(Add sheets if necessary)

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

## CERTIFICATIONS

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

Yes                       No

### B. FURTHER CERTIFICATIONS

1. Pursuant to Municipal Code Chapter 1-23, Article I ("Article J")(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 1 supersedes some five-year compliance timeframes in certifications 2 and 3 below.

Page 4 of 13

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section (1.13.1. of this EDS:

- n. 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. arc not presently indicted for, or criminally or civilly charged by, a governmental entiiy (federal, state or local) with committing any ofthe 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
- c. 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 Parly;
- 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 Parly, 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, wiith 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 ofthe Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Page 5 of 13

Neither the Disclosing Parly, nor any Contractor, nor any Affiliated Emily of cither ihe Disclosing Party or any Conractor nor any Agents have, during the five years before the date this EDS is signed, or. with respect to a Contractor, ah Affiliated Entity, or an Affiliated Entity of a Contractor during the five years before ihe 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 ofthe 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 LLCS 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

Page 6 of 13

If the letters "N A." 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"<sup>1</sup>).

N/A

9. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago, for purposes of this statement, a

"gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$20 per recipient (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

N/A

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1.  is  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):

Page 7 of 13

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-10 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

Yes  No

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

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

Does the Matter involve a City Property Sale?

Yes  No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page Sol' 13

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

\*\_1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments" or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

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

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

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

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

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

### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY



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

Is the Disclosing Party the Applicant?

Yes

No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (Sec 41 CFR Part 60-2.)

Yes

No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

Yes  No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

Yes

No

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

Page 10 of 13

## SECTION VII - ACKNOWLEDGMENTS, CONTRACT INCORPORATION, COMPLIANCE, P ENALTIES, DISCLOSURE

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](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 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, of 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 1 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:

Page 11 of .13

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.

Wicker Park Apartments, Inc.

Mark Sutherland

(Print or type name of person signing)

President

(Print or type title of person signing)

City of Chicago (state).

Signed and sworn to before me on

at \_\_\_\_\_ County, Illinois

Commission expires:

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 (h) 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

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.

Page 13 of 13

**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:

710 West Grand Avenue, LLC

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

Indicate whether the Disclosing Party submitting this EDS is:

1.  Owner

OR

2.  a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the

Applicant in which the Disclosing Party holds an interest:

OR

3.  a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in which the Disclosing Party holds a right of control:

B. Business address of the Disclosing Party: 8237 Central

Mnrtnn nrrwe, ll BOORS

C. Telephone: 847-813-6040

Fax:

Email:

D. Name of contact person: Robert L. Johnson ■

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

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

Zoning Change-708-712 W Grand Avenue

Department of Planning and Development

G. Which City agency or department is requesting this EDS? <sup>Durcau of ^onJng</sup>

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

Specification #

and Contract #

Page 1 of 13

SECTION II -

- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

Limited liability company  Limited liability partnership \*  Joint venture  Not-for-profit corporation (Is the not-for-profit corporation also a 501(c)(3))?

Yes

No

Other (please specify)

1. Indicate the nature of the Disclosing Party:  Person  Publicly registered business corporation  Privately held business corporation  Sole proprietorship  General partnership (

Limited partnership

Trust [

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?

N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title

Robert L Johnson

Managing Member

Suzanne Johnson Member

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

Page 2 of 13

Percentage Interest in the Disclosing Party

1

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

Robert L. Johnson 8237 Central, Morton Grove, IL Suzanne Johnson 8237 Central, Morton Grove, IL

### SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

Yes  No

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

**SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES**

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

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

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

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
--	------------------	--	---

(Add sheets if necessary)

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

**CERTIFICATIONS**

**A. COURT-ORDERED CHILD SUPPORT COMPLIANCE**

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

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

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

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

Yes       No

**B. FURTHER CERTIFICATIONS**

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

Page 4 of 13

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities entitled in Section II.B.I. 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").

Page 5 of 13

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:

—

Page 6 of 13

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

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

N/A

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

N/A

### C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1.  is  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):

Page 7 of 13

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

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

Yes  No

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

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

Does the Matter involve a City Property Sale?

Yes  No

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

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

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

**E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS**

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

Page 8 of 13

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

y

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 "N A" or if the word "None" appear, it will be conclusively presumed that the Disclosing Party means that NO persons or entities registered under the Lobbying

Disclosure Act of 1995 have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter.)

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

Page 9 of 13

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

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

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

Yes                       No

If "Yes," answer the three questions below:

1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2.)

Yes    -                       No

2. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

Yes  No

3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

Yes                       No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](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 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 1 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:

Page 11 of 13

F. J. 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.

710 West Grand Avenue, LLC  
imi ui type name ui uibuiu

(Print or type name of Disclosing Party) By

(Sign here) Robert L. Johnson  
(Print or type name of person signing)

(Print or type title of person signing)

*Managing Member S*  
*i SnSo^01 ^^^*

Signed and sworn to before me on (date) \_\_\_\_\_

at Up-r^c?---eonn ty, "tZ- If state)/ '^"^^'v,/

Jf^fl^d^^^ Notary Public.

Commission expires: .

Page 12 of 13

**CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND  
AFFIDAVIT  
APPEND LX 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

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.



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 as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code?

/ 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 Section 2-92-416 of the Municipal Code?

y/ Not Applicable

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

FILLING OUT THIS APPENDED 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.

