



# Office of the City Clerk

City Hall  
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## Legislation Details (With Text)

**File #:** O2019-6827  
**Type:** Ordinance  
**Status:** Introduced  
**File created:** 9/18/2019  
**In control:** Committee on Zoning, Landmarks and Building Standards  
**Final action:**  
**Title:** Zoning Reclassification Map Nos. 1-F and 3-F at 808 N Cleveland Ave - App No. 20190  
**Sponsors:** Misc. Transmittal  
**Indexes:** Map No. 1-F, Map No. 3-F  
**Attachments:** 1. O2019-6827.pdf

Date	Ver.	Action By	Action	Result
9/18/2019	1	City Council	Referred	

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### ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Residential-Business Planned Development No. 447 symbols as shown on Map Nos. 1 -F and 3-F for the property located in the area generally bounded by:

A line 17 feet south of the centerline of West Hobbie Street extended west where no street exists; North Kingsbury Street; West Hobbie Street; North Crosby Street; North Larrabee Street; a line 458 feet north of and parallel to West Chicago Avenue; the alley next east of North Larrabee Street; the alley next north of West Chicago Avenue and the alley extended east where no alley exists; North Hudson Avenue; West Chicago Avenue; North Hudson Avenue; West Huron Street; North Kingsbury Street; West Superior Street; North Larrabee Street; West Erie Street; the east bank of the north branch of the Chicago River; West Chicago Avenue; a line 321.03 feet west of the west bank of the Chicago River as measured on the north line of West Chicago Avenue; a line 380.01 feet north of and parallel to the north line of West Chicago Avenue; and the east bank of the north branch of the Chicago River

to the designation of Residential-Business Planned Development No. 447, as amended, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

SECTION 2. This ordinance takes effect after its passage and due publication.

Address: 808 North Cleveland Avenue

Residential-Business Planned Development No. 447, as amended Planned  
Development Statements.

1. The net site area delineated herein as Residential-Business Planned Development Number 447, as amended, consists of approximately one-million two-hundred fifty-thousand one-hundred eighty-six (1,250,186) square feet, or twenty-eight and seventy-one hundredths (28.71) acres (exclusive of public rights-of-way) of property (the "Property"). This planned development amendment is under the single-designated control of DAC Developments LLC, for the property located at 808 North Cleveland Avenue ("Subarea A-l A"). It is the intent of this ordinance to amend Subarea A-l A only.
2. The person or entity as may then own or control the area delineated herein shall obtain all required views, approvals, licenses and permits which are necessary to implement this planned development. Any dedication or vacation of streets, alleys or easements or any adjustment of rights-of-way or consideration or resubdivision of parcels shall require a separate submittal on behalf of the Property owner or its successors, assignees or grantees and approval by the City Council. Any dedication or vacation of streets and alleys, or easements, or adjustments of rights-of-way require the approval of the Commissioner of Planning and Development, who shall then adjust the net site area calculations with the table of controls accordingly. The requirements, obligations and conditions contained within this planned development shall be binding upon the applicant, its successors and assigns (including any condominium or homeowners association which is formed) and, if different than the applicant, the legal titleholders and any ground lessors. All rights granted hereunder to the applicant shall inure to the benefit of the applicant's successors and assigns (including any condominium or homeowners association which is formed) and, if different than the applicant, the legal titleholder and ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this planned development are made, shall be under single ownership or under single designated control. Single designated control is defined in Section 17-8-0400.

3. This planned development amendment consists of Nineteen (19) statements; a Bulk Regulations and Data Table; an Existing Zoning Map; an Existing Land-Use Area Map; a Property and Planned Development Boundary Map for Subarea A-1A; a Site/Landscape Plan for Subarea A-1 A; a Ground Floor Plan for Subarea A-1 A; Typical Floor Plans for Subarea A-1 A; a Green Roof Plan for Subarea A-1 A; and Building Elevations (North, East, South and West) for Subarea A-1 A. Also incorporated herein by reference are the following:

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- Design Exhibits set forth in the City Council Journal of Proceedings for October 11, 2017, pages 57937 to 57939 (inclusive);
- Design Exhibits set forth in the City Council Journal of Proceedings for March 16, 2016, pages 21249 to 21260 (inclusive);
- Design Exhibits set forth in the City Council Journal of Proceedings for April 10, 2013, pages 51767 to 51772 (inclusive);
- Design Exhibits set forth in the City Council Journal of Proceedings for October 3, 2001, pages 68768 to 68796 (inclusive), and
- Also incorporated herein by reference are all site plan review and minor change approvals granted prior to the date of this amendment, and the exhibits attached thereto.

Full-sized copies of the above exhibits 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 Chicago 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 Chicago Zoning Ordinance, this Planned Development shall control.

4. The following uses shall be permitted in this planned development subject to the restrictions contained in Statement 9 and the Bulk Regulations and Data Table:

Subarea A-1 A:

Retail uses including restaurant uses (with or without the sale of liquor) and taverns; urban farm (outdoor and indoor) and its accessory uses, including greenhouses and hoop houses; offices (both business and professional); hotel; community centers; medical uses; health club; day care; storage; district cooling facilities; wireless communications facilities; including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea A-1B:

Multi-family residential: housing for the elderly; retail uses including restaurant uses (with or without the sale of liquor) and taverns; urban (arm (outdoor and indoor) and its accessory uses, including greenhouses and hoop houses; offices (both business and professional); hotel; community centers; medical uses; health club; day care; storage; district cooling facilities; wireless communications facilities: including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

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Subarea A-2:

Residential (including townhomes and multi-family residential); housing for the elderly; retail uses including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns; office (both business and professional); medical uses; health club; day care; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea A-3:

Residential, including townhomes, condominiums and single-family dwellings; retail uses including restaurant uses (with or without the sale of liquor) and taverns; accessory parking; and accessory uses.

\* Subarea B-1:

Multi-family residential; housing for the elderly; hotel; theaters; retail uses including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns; office (both business and professional); medical uses: health club; day care: parks and recreation uses; district cooling facilities; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses,

Subarea B-2:

Multi-family residential; housing for the elderly; hotel; theaters; retail uses including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns; offices (both business and professional); medical uses; health club; day care: wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; financial institutions; drive through facilities, for the sole purpose of serving a financial institution: accessory and non-accessory parking; and accessory uses.

Subarea C-1:

Residential (including townhomes and multi-family residential); housing for the elderly; retail uses including restaurant uses (with or without the sale of liquor); offices (both business and professional); health club; day care; wireless and communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

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Subarea C-2:

Park and recreational uses; accessory uses. Subarea D:

Multi-family residential; day care centers; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea E-1:

Multi-family residential; retail uses including restaurant uses with or without the sale of liquor, live entertainment and dancing and taverns (including unenclosed or partially enclosed restaurants and taverns; offices (both business and professional); hotel; health club; day care centers; amusement establishments; art galleries; arcades; marinas; telecommunications; high technology and new media uses; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea E-2:

All uses permitted within a C3-5 Commercial-Manufacturing District (excluding animal hospitals; animal pounds; battery and tire service stations; Class I and II tire facilities; building materials sales; fuel and ice sales; house trailer sales; linen, towel, diaper and other similar supply services; machinery sales, monument sales, motor vehicle sales and rental; motorcycle sales; packing and crating; slaughtering and retail sale of live poultry; trailer sales and rental; community homes; automobile service stations; exterminating shops; feed stores; plumbing showrooms and shops; taxidermists; typewriter and adding machine sales and services; casket and casket supplies; undertaking establishments and funeral parlors); telecommunications, high technology and new media uses; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

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In addition, the following uses shall be excluded from the retail area adjacent to the public riverwalk at the basement level and the retail area at street level; astrology, card reading, palm reading or fortune telling in any form; auto accessory stores; currency exchanges; employment agencies; inter-track wagering facilities; laundry/laundrettes; loan offices; non-accessory office (business and professional), except for commercial enterprises that provide goods and/or services directly to the consumer, where such goods are available for purchase and removal from the premises by the purchaser; pawn shops; pay day loan stores; second hand stores and rummage shops; and tattoo parlors.

Subarea F:

Intentionally deleted from the planned development. Subarea G:

Residential (including townhomes and multi-family residential); housing for the elderly; hotel uses; retail uses including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns; park and recreational uses; offices (both business and professional); medical uses; health club; day care; wireless communication facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea H:

Residential (including townhomes and multi-family residential); housing for the elderly; hotel uses; retail uses including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns, marinas, boat house, and boat storage; park and recreational uses; offices (both business and professional); medical uses; health club; day care; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

Subarea I:

Residential (including townhomes and multi-family residential); housing for the elderly; hotel uses; retail use including restaurant uses (with or without the sale of liquor, live entertainment and dancing) and taverns; park and recreational uses; offices (both business and professional); medical uses; health club; day care; wireless communications facilities, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae; accessory and non-accessory parking; and accessory uses.

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Additional Permitted Use Regulations:

- a. Residential dwelling units, except for residential lobbies, shall not be permitted below the second floor in Subareas A-IB, B-1, B-2 (northern one hundred twenty (120) feet and E-2 (southern one hundred twenty (120) feet).
  - b. Residential uses shall be permitted below the second floor in Subareas A-2, C-1,0, E-1,G, Hand I.
  - c. Existing interim surface parking lots may remain until such time as such property is developed, Any proposed new interim surface parking lots are subject to approval of the Commissioner of Planning and Development.
  - d. Hotel may be located within one hundred twenty-five (125) feet of a residential district.
5. In addition to the maximum heights of the buildings and any appurtenances attached thereto prescribed in this planned development, the height of any improvements shall also be subject to height limitations as certified and approved by the Federal Aviation Administration, and airport regulations as established by the Department of Planning and Development, the Department of Aviation and Department of Law and approved by the City Council.
6. For purposes of maximum floor area ratio ("FAR") calculations, the definition contained in the Chicago Zoning Ordinance shall apply; provided, however, that (i) floor area in an office building dedicated to mechanical equipment which exceeds five thousand (5,000) square feet in any single location shall not be included, and (ii) floor area devoted to accessory off-street parking related to any use within this planned development shall not be included. Transfer of floor area and dwelling units from one subarea to another may be permitted by the Commissioner of Planning and Development if it meets the criteria for minor changes set forth in Statement 8 hereof.
7. 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 ("MOPD") to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility. No approvals shall be granted until the Director of MOPD has approved detailed construction drawings for each proposed building or improvement.
8. The terms, conditions and exhibits of this planned development may be modified administratively by the Commissioner of Planning and Development upon the request of the owner and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of

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the improvements contemplated by this planned development. Any such modification shall be deemed a minor change in the planned development as contemplated by Section 17-13-0611 of the Chicago Zoning Ordinance

9. Parking and loading improvement on the property shall be designed, constructed and maintained subject to the following development parameters:
- a. Off-Street Parking: Off-street parking shall be provided in accordance with the Bulk Regulations and Data Table attached to this planned development. New off-street parking areas must be carefully located and designed to be functional, compatible with immediately surrounding uses, and architecturally compatible with the surrounding neighborhood.
  - b. To the extent required by the Illinois Accessibility Code, a minimum of two percent (2%) of all public parking spaces provided pursuant to this planned development shall be designated and designed for parking for the handicapped. Any parking for residential uses within existing structures in Subareas D, E-1 and E-2 shall be exempted from this requirement.
  - c. Shared Parking: The parking facilities may be used, on a shared basis, to satisfy the accessory parking requirements for uses within this planned development. Accessory parking lots and structures may serve to provide the required parking for multiple uses, irrespective of location, within this planned development, subject to the approval of the Department of Planning and Development.
  - d. Size: All required parking spaces shall meet the minimum size requirements as established by the Zoning Ordinance, except in existing buildings within Subareas D, E-1 and E-2 where because of column locations the size of the spaces may be reduced to compact car size.
  - e. Within the existing building in Subarea E-1, tandem stalls, where one (1) car parks in front of another shall be permitted for spaces assigned to a single household or user,
  - f. Lots: Interim surface parking lot shall be landscaped and fenced in accordance with the Chicago Landscape Ordinance by the third (V) anniversary of the effective date of this planned development.
  - g. Off-Site Parking: Permitted uses may be served by parking facilities located on any land within this planned development, including land other than the zoning lot on which the building or use to be served is located. Off-site parking on land outside this planned development will only be permitted as a special use.

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- h. Off-Street Loading: Loading docks and related facilities shall be provided in accordance with the Bulk Regulations and Data Table attached to this planned development.

10. Vehicular and pedestrian circulation improvements shall be designed, constructed and maintained subject to the following development parameters:

- a. Public Roadways And Sidewalks: See Statement 13, Public Improvements.



- b. Curb Cuts: Private roadways, driveways, entrances to off-street parking and loading docks, openings for vehicular drop-offs and all other facilities requiring curb cuts shall be located to minimize conflicts with on-street traffic and with pedestrian circulations. All curb cuts shall be constructed in accordance with the standards of the City of Chicago. No curb cuts will be permitted on Chicago Avenue.
- c. Private Roadways:
  - i) Property owners are encouraged to minimize the use of private roadways and to construct and dedicate public roadways for the purpose of providing ingress, including emergency vehicle and service access, to residential units.
  - ii) Private roadway shall mean any drive or way designed and intended for use as vehicular access to or within any subarea.
  - iii) Private roadways may be constructed in any of the subareas for the purpose of providing ingress and egress, including emergency vehicle and service access, to residential units.
  - iv) Each private roadway must be shown on an approved Site Plan, and each segment of private roadway shall be adequately designed and paved in compliance with the Municipal Code of Chicago.
  - v) Fire lanes, if required, shall be adequately designed and paved in compliance with the Municipal Code of Chicago to provide ingress and egress for emergency vehicles; there shall be no parking within such fire lane.
  - vi) All private roadways shall be designed and configured to provide pathways to public streets.

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11. Design Guidelines: The improvements on the Property shall be designed, constructed and maintained in general conformance with the plans and exhibits attached hereto. In addition, the following guidelines shall apply:

- a. Open Space:
  - i) Publicly Accessible Open Space: The property owner(s) shall provide open space that is accessible to the public during normal Chicago Park District hours and that is substantially similar to that which is shown on the Open Space Plan attached hereto
  - ii) Open space shall be provided at a ratio of eighty-seven (87) square feet of open space per

dwelling unit, provided, however that an overall minimum of one hundred forty-one thousand (141,000) square feet of open space (sixty-six thousand (66,000) square feet riverwalk, thirty-five thousand (35,000) square feet Subarea H and forty thousand (40,000) square feet Subarea C-2) as indicated on the Open Space Plan shall be provided. The amount of open space required for Subareas B-1 and B-2, as determined by the eighty-seven (87) square feet per unit ratio, shall be located on either or both subareas. The open shall be a minimum size of four thousand (4,000) contiguous square feet and shall have a minimum width of twenty-five (25) feet.

- iii) Private and common open space shall be provided for the residential units in the form of private yards and landscaped common areas at grade, terraces, rooftop gardens, balconies with integral planter's boxes, landscaped setbacks or other spaces as appropriate. All townhouses shall comply with the Open Space requirements of the Townhouse Ordinance.
- iv) The Property owners shall comply with the applicable provisions of the City's Open Space Impact Fee Ordinance. The open space areas developed in accordance with the Open Space Plan and that meet the criteria described in these statements shall entitle the Property owner to a credit of Three and 60/100 Dollars (\$3.60), or the current rate, per square foot of open space against the impact fees due. Additional open space areas that meet the standards for on-site open space shall be established by the current Open Space Impact Fee. Administrative Regulations and Procedures may also entitle the owner to a credit.
- v) The public open spaces identified on the Open Space Plan (see 11 .A(v) for the riverwalk within existing buildings in Subareas D, E-1 and E-2), shall include the following improvements as appropriate: internal pathways, planting beds, trees, benches, drinking fountains, bike racks, light fixtures, bollards, play equipment for tots and other children, fountains or other water features, or public art. At least one (1) of the public open spaces shall contain play equipment. Public streets: walkways or the riverwalk shall abut

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at least one (1) side of every public park. All open spaces identified on the Open Space Plan shall contain plaques at entrances to such open spaces stating that the park or open space is open to the public during normal Chicago Park District hours.

- (vi) In order to achieve the City's goal of increasing the continuity and accessibility of the riverwalk, space adjacent to and at the level of the river and within the existing buildings in Subareas D, E-1 and E-2 and areas leading to such spaces, shall be developed and maintained as publicly accessible riverwalk, as follows:

1) Subarea D:

The area within the first structural bay adjacent to the Chicago River at the basement level for the entire length of the existing building shall be dedicated to public riverwalk use. This area shall be adequately lit and finished per the exhibits attached. The Riverwalk shall connect to an existing tunnel under the

Chicago Avenue bridge at the north end, where one (1) stair and one (1) elevator shall also provide access to Chicago Avenue. At the south end, the riverwalk shall open directly to the open-air walk in Subarea C-1,

2) Subarea E-2:

The area adjacent to the Chicago River for the entire length of the building (see Basement Floor Plan and Riverwalk Level for details) shall be dedicated to public riverwalk uses. Two (2) story space shall be provided in the area between column lines 2 and 22, 29 and 35, and 38 to 41. The riverwalk shall be open-air riverwalk on its west facade. At a minimum, exposed concrete walls, columns and beams shall be sandblasted. Floors shall be stained concrete. Two (2) connections to the main building entrances on Larrabee Street shall occur from the riverwalk. An elevator and grand staircase shall provide access to the riverwalk from the street level of the building. Public toilets and drinking fountains shall be provided. Retail, restaurant, health club and other uses shall line the riverwalk and connections as per Statement 4. The riverwalk shall connect to Chicago Avenue via a staircase at the south end, and to an existing tunnel under the Chicago Avenue bridge. The north end of the riverwalk shall connect to the riverwalk in Subarea E-1,

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(3) Subarea E-1:

The area adjacent to the Chicago River (see Ground Level Site Plan for details) for the entire length of the building shall be dedicated to public riverwalk uses. Two (2) story space shall be provided in the area between column lines 41 and 44, and 47 and 57. The riverwalk shall be an open-air riverwalk on its west facade. Finishes shall match the riverwalk in Subarea E-2. A grand staircase and elevator shall provide a connection to the first (131) floor entrance on Kingsbury Street. The riverwalk shall open directly to the open-air riverwalk north of the existing building.

- vii) All open areas of this planned development which are not otherwise devoted to permitted buildings, parking areas or pedestrian/vehicular circulation areas shall be maintained with the following: landscaping, which shall consist of grass, ground cover, shrubs, trees or other living plant materials; approximately designed public plazas; riverwalk; or with a harbor or docks.

In addition to the requirements of this planned development, any development within this planned development shall incorporate landscaping to the extent feasible to enhance the appearance of the development from the public street, to screen unsightly uses from

the street and to provide compatible buffers between adjacent uses, All private property landscaping shall be properly and adequately maintained at all times. Parkway trees shall be provided and maintained in accord with the applicable provisions of the Chicago Zoning Ordinance and corresponding regulations and guidelines.

- viii) The public open space to be provided within Subarea H shall be a minimum of thirty-five thousand (35,000) square feet and shall be open to existing or proposed public rights-of-way or to the riverwalk. The final design and configuration of this open space shall be subject to the review and approval of the Department of Planning and Development.
- ix) A pedestrian way/view corridor shall connect the open space area in Subarea H with Hobbie Street to the north and Kingsbury Street to the south. The pedestrian way shall be a minimum of twenty-five (25) feet wide and will align with Kingsbury Street. The pedestrian way shall be improved with decorative sidewalks, landscaping, lighting, and other amenities as appropriate and shall be open to the public during normal Chicago Park District hours. If the pedestrian way contains a service drive, it shall be decoratively paved.

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b. Streetscape:

- i) A minimum of fifty percent (50%) of the linear frontage on Chicago Avenue of new structures shall be provided with retail or commercial uses or lobbies at the first (1st) floor level to provide for a lively pedestrian experience. New or existing developments facing other streets are encouraged to have retail, commercial, and office uses as well as residential uses, where permitted, at the first (1st) floor. It is acknowledged, however, that parking is a permitted use at the first (1st) floor level.
- ii) In general, new structures, except for the new structures to be built within Subarea C-1, shall have setbacks which match the predominant setback of adjacent structures on the street. Increased setbacks may be allowed or required for residential structures to provide adequate common landscaped areas or private yards, or in other circumstances where a larger setback area would permit additional landscaping, outdoor sidewalk cafe seating, or other amenities. Notwithstanding the above, setbacks shall not be required on Chicago Avenue.
- iii) The owner shall install new street trees, sidewalks, decorative lighting, parkway planting, benches, garbage containers, sculpture, or other elements as appropriate concurrent with the development of each site within any subarea and in general accordance with the Right-of-Way and Street Width Table.

c. Urban Design:

- i) Building Entrances: For each building adjacent to a public right-of-way, a primary

building entrance must be oriented to, accessible from and visible from the public right-of-way,

- ii) Garage Door: No single-family home or townhome shall have a garage door facing the public street.
- iii) Building Materials: The primary material for the facades of structures located within this planned development which are generally visible from the public right-of-way but are not otherwise devoted to windows or other openings shall be masonry (i.e., brickwork, stonework, terra cotta, et al.), metal (i.e., copper, tin, stainless steel, iron, et al.) or materials (such as concrete) which are articulated and colored to give the appearance of, and which are compatible with, masonry. For business or commercial uses, aluminum and glass curtain wall system shall be permitted. Windows or courses of windows are to be provided on all sides of each building above its base. The colors and textures of materials used within any subarea are to be complementary and compatible. Mechanical equipment on rooftops shall

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be screened with quality materials and made a feature of the building design, where appropriate.

- iv) Parking Structures: Any new parking structures shall be constructed in accordance with the Parking Garage Ordinance and the Landscape Ordinance. In addition, any new structure adjacent to the Chicago River or to the Catalogue Building must be fronted with active-use spaces or predominantly enclosed with glazing with the minimal use of louvers, as necessary for ventilation. Any new parking structures adjacent to Chicago Avenue shall be fronted with active-use spaces or predominantly enclosed with glazing or other high-quality screening materials on the facade facing Chicago Avenue and wrapping the corner for the first twenty (20) feet. Garage facades which are enclosed with glazing shall be exempt from any requirements for landscaping in planters or baskets attached to the facade.
- v) Streetfront Fences: Fencing on private property adjacent to a public right-of-way shall be substantially open and shall not take the form of a wall which prevents views from the public right-of-way into the private property lying between the fence and the facade of the structure. Fencing adjacent to the public right-of-way shall not be of chain link or wood construction. Closed fences may be allowed if adjacent to noxious, unsightly uses (such as generators or loading docks), subject to the approval of the Department of Planning and Development.
- vi) Lighting: Lighting along private pedestrian ways shall be compatible with the lighting in the public right-of-way. Lighting in the public rights-of-way shall be subject to the future approval of the Department Planning and Development. The level or intensity of lighting shall be sufficient to permit reasonable safety in walking.
- vii) Signage: Except as delineated below, permitted signage within the planned development area shall include signs for buildings identified and information, business identification

and information, and parking identification and information; however, all signage shall be subject to the approval of the Department of Planning and Development. The Department of Planning and Development shall review the design, materials, size, illumination level, and location of proposed signs to ensure their compatibility with the building design and with the neighborhood character prior to the issuance of Part II Approval for said signs.

The Department of Planning and Development encourages signs with individually lit or backlit letters, logos or other three-dimensional effects and strongly discourages box signs and painted or applied murals. Electronic message boards are prohibited. It is preferred that tenant identification signs on the facade of new buildings should be located in a sign bank area within the first (1st) floor level near the tenant's space and/or

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entrance; however, the location of such signage shall be determined during the site plan approval process and alternate sign locations may be agreed upon during that process.

No posters or other two-dimensional images should be affixed directly to the glass. Any permitted posters (i.e., not affixed directly to the glass) should occupy no more than twenty percent (20%) of the window area.

Temporary signage for site identification and information purposes or for marketing (sales, rental, leasing) and directional purposes is permitted in all subareas, subject to the approval of the Department of Planning and Development.

Any proposed moving signs, rooftop signs or projecting signs will be reviewed on a case-by-case basis. Signage for the west side of the existing building within Subarea E-2 shall be allowed to contain individual illuminated letters similar in size and details to the historic Montgomery Ward's sign, subject to review by the Commission on Chicago Landmarks.

- (viii) Facade Design: The wall of any new structure facing a public street (the "streetwall") shall be given texture and detail through the use of projections, recesses, offsets, variations to the parapet wall, variations in the type or color materials or other devices which contribute to an architectural character. A minimum of fifty percent (50%) of the streetwall at the ground level of any new structure containing retail, commercial or office uses at the ground level shall be finished with clear glass opening onto active internal uses. The remainder of that streetwall shall be architecturally compatible with adjacent structures.

- d. Satellite dishes or other electronic receiving devices must be placed in an area minimally visible from the adjacent street; provided, however, that these provisions shall not apply to the existing equipment located on the existing building in Subarea B-2. Propane tanks, garbage receptacles, et cetera, must be within the building area and screened from view. Boats and other recreational equipment must also be stored inside and screened from view other than those allowed in the marina area.

Applicant Address' Introduced: Plan Commission'.

- c. Riverwalk (at non-existing buildings): To further the goals of the Chicago Zoning Ordinance (Section 17-01-0500) and the "Chicago River Urban Design Guidelines" for the downtown corridor, the owner shall set back all new buildings and parking areas from the existing river edge as depicted on the Riverwalk Plan

and Details. The publicly accessible portion of this setback area shall be improved with decorative paving and landscaping, special lighting, railings and seating. Prior to the issuance of any Part of II Approval, more specific plans for the public riverwalk shall be reviewed by the Department of Planning and Development with input from the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for physically disable persons.

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Existing Montgomery Ward Riverfront Structure,

a. Subarea E-2.

The existing structure located in Subarea E-2 has been designated a Chicago landmark by the City Council. In order to protect the historic and architectural character of this building, any proposed work on the building is subject to the review of the Commission on Chicago Landmarks, in accordance with the Chicago Landmarks Ordinance,

b. Subareas E-1 and D.

Along with the building in Subarea E-2, the existing structures in Subareas E-1 and D form the Montgomery Ward and Company Complex and are a National Historic Landmark. In order to protect the historic and architectural character of the buildings in Subareas E-1 and D, any exterior alterations and changes shall be consistent with the applicable Building Plans, Elevations and Riverwalk Sections, as set forth in Statement 3 of this planned development. In particular:

Applicant. Address Introduced. Plan Commission:

- i) Projecting and recessed balconies shall be allowed in the locations shown on the Elevations, although recessed balconies may be substituted for projecting balconies as shown: provided, however, that as long as the total number of balconies and the basic patterns remain the same, the Applicant may change the location of the balconies as necessary by interior requirements and subject to the approval of the Department of Planning and Development. No additional balconies will be allowed. After the existing building's facades have been painted in either Subarea D or E-1, two (2) or more balconies shall be test painted in order for the Department of Planning and Development to review and approve the color selection in place.
- ii) Habitable and non-habitable roof-top additions shall be limited to the locations and dimensions shown on the Elevations. No additional rooftop additions will be allowed.
- iii) Window openings shall not be added, enlarged or closed up except as shown on the Elevations. On the second (2nd) level and above, the size of all window openings and the spandrels below the windows shall be maintained, except that the spandrels may be modified to accommodate two standard-width doors per each projecting balcony for access on the existing building in Subarea E-1 and one (1) standard-width door per each projecting balcony for, access on the existing building in Subarea D.
- iv) The tower and statue of the "Spirit of Progress" on the building in Subarea D shall be preserved. The top of the tower and the statue shall have architectural accent lighting.

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- (v) In addition to the design parameter set forth in Statement 11 .A, signs and canopies on the buildings in Subareas D and E-1 shall be consistent with those approved by the Commission on Chicago Landmarks for the building in Subarea E-2.

13. Public Improvements:

- a. Prior, to the occupancy of any buildings, except as provided in Statement 13(B), improvements necessary to serve or accommodate the building for use shall be in place and available for use. The improvements shall be designed, constructed and installed in accordance with applicable City standards, laws and regulations, subject to the approval of the appropriate City departments and agencies as required, as well as in conformance with applicable state and federal standards, regulations and laws. Improvements necessary to serve uses of buildings on the property are the following: (i) the public roadway improvements depicted on the Proposed Right-of-Way Vacation Map, Right-of-Way Vacation Map, Right-of-Way Dedication Map, Right-of-Way and Street Width Table, and Street Cross Sections (including pavement, required turn lanes, curbs and gutters, and traffic signals); (ii) the utilities necessary to provide potable water, sewer facilities, electric, gas, telephone, cable and other private utility facilities and services to the Property; (iii) the streetscape improvements (including sidewalks, streetlights, street trees, and planters) depicted generally on the Street Cross Sections; and (iv) the publicly accessible parks or open spaces depicted on the Open Space Plan.
- b. The following specific improvements shall be completed by the owner within the time periods described below. A "Development Parcel" means that portion of the Property located within a single subarea which is the subject of an application for Site Plan approval as described in Statement 15 of this planned development:
  - i) The new construction of widening, narrowing, or other improvements to, Kingsbury Street, Larrabee Street, Superior Street, Chicago Avenue, Oak Street, Hudson Avenue, Huron Street, Cambridge Street, and Hobbie Street, shall be constructed and completed by the owner per Right-of-Way and Street Width Table and Street Cross Sections. The alignment of Cambridge Street with Kingsbury at the Chicago Avenue intersection and provision of a new traffic light shall be completed no later than initial occupancy of the first (1st) principal structure constructed within Subareas A-1 or B-1.
  - ii) The roadway improvements (curb-to-curb) depicted generally on the Street Cross Sections and on the Larrabec/Kingsbury Catalogue Building Streetscape Plan shall, for and to the extent such improvements are contiguous to a Development Parcel, be completed no later than six (6) months following initial occupancy of the first principal structure constructed or renovated upon said Development Parcel.

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The improvements to the public open space within Subarea H shall be completed and available for public use, and a conservation easement dedicated, no later than six (6)



months following initial occupancy of the first (1 st) principal structure constructed within Subarea H.

- iii) Conveyance of the park within Subarea C-2 to the Chicago Park District, free and clear of all encumbrances inconsistent with public use, shall also occur prior to issuance of a Certificate of Occupancy for any structure in Subarea C-1. An easement to the City for the use of approximately two hundred eighty-six (286) square feet of space at the south end of Subarea C-2 to build an accessible ramp for a water taxi dock at the end of Erie Street shall be conveyed to the City within three (3) months of passage of this planned development amendment.
- iv) Improvements to the riverwalk depicted on the Open Space Plan, shall be completed as follows: In Subareas C-1 and H, the riverwalk shall be completed and available for public use no later than six (6) months following initial occupancy of the first principal structure constructed within such subarea. In Subarea E-1, the external riverwalk north of the Catalogue Building shall be completed at the time of occupancy of any new structure adjacent and to the east, or at the time of completion of the riverwalk in Subarea H, whichever comes first. The riverwalk internal to the existing building in Subarea D shall be completed and available for public use within six (6) months following initial occupancy of the building. The riverwalk internal to the existing buildings in Subareas E-1 and E-2 shall be completed and available for public use within one (1) year following fifty percent (50%) occupancy of the building.

14. It is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The owner shall use reasonable efforts to design, construct and maintain all buildings located within the Property in an energy efficient manner, generally consistent with the most energy efficiency standards published by the American Society of Heating, Refrigeration and Air-Conditioning Engineers ("ASHRAE") and the Illuminating Engineers Society ("IES"). Copies of these standards may be obtained from the Department of Planning and Development
15. Prior to issuance by the Department of Planning and Development of a determination pursuant to Section 17-13-0610 of the Chicago Zoning Ordinance (Part II Approval") for development or redevelopment of any property included within this planned development, other than interior-only alterations to existing buildings, a site plan for proposed development, including parking areas (a "Site Plan") shall be submitted by the owner or with the owners written approval to the Commissioner for approval; provided, however, that individual lot owners for properties located within Subarea A3 may submit a Site Plan for approval pursuant to the requirements of this statement.

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Review and approval of the Site Plan by the Commissioner is intended to assure that specific development proposals substantially conform with this planned development and to assist the City in monitoring ongoing development. A Site Plan may be submitted for all or any part of the Property. Such Site Plan need only include that portion of the Property, including adjacent public rights-of-way, for which approval is being sought by the owner. No Part TT Approval for any portion of the Property shall be granted until an applicable Site Plan has been approved. Provided, however, that prior to the Commissioner's approval of a Site Plan for development of Subareas C-1, C-2 and H or for the development of the riverwalk through the improvements in Subareas E-1 and E-2, the Commissioner

shall seek the review by the Chicago Plan Commission of the Site Plan with respect to Subareas C-1, C-2 and H and the riverwalk plans with respect to Subareas E-1 and E-2.

If a Site Plan substantially conforms to the provisions of this planned development, the Commissioner shall approve said Site Plan in writing within thirty (30) days of submission of a complete application for approval thereof. If the Commissioner fails to make a written determination on a Site Plan within thirty (30) days after the submission of a complete application, then the Site shall be deemed approved by the Commissioner,

If the Commissioner determines within said thirty (30) day period that the Site Plan does not substantially conform with the provisions of this planned development, the Commissioner shall advise the owner in writing of the specific reasons for such adverse determination and specific areas in which the Site Plan and supporting data and material do not substantially conform to the provisions of this planned development not later than fourteen (14) days after the expiration of the thirty (30) day period. The Commissioner shall thereafter make a final written determination of any resubmission within fourteen (14) days of its filing. The failure of the Commissioner to make final written determination of any resubmission within fourteen (14) days of its filing shall be deemed an approval of the Site Plan by the Commissioner, Provided, however, that this paragraph shall not apply to the Site Plan review described in the previous paragraph for Subareas C-1, C-2 and H and the review of the riverwalk plans with respect to Subareas E-1 and E-2 until reviewed by the Chicago Plan Commission, which review shall occur at the next scheduled Plan Commission hearing available after submittal of the applicable Site Plan or riverwalk plan to the Commissioner.

Following approval of a Site Plan by the Commissioner, the approved Site Plan and supporting data and materials shall be kept on permanent file with the Commissioner and shall be deemed to be an integral part of this planned development.

After approval of a Site Plan by the Commissioner, the approved Site Plan may be changed or modified pursuant to the provisions of Statement 8 hereof. In the event of any inconsistency between an approved Site Plan and the terms of this planned development in effect at the time of approval of such Site Plan or of the modifications or changes thereto, the terms of this planned development shall govern.

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A Site Plan shall, at a minimum, provide the following information:

- a. the boundaries of the site;
- b. the footprint of the proposed improvements;
- c. all proposed landscaping, including species and size;
- d. all pedestrian circulation routes;
- e. elevations of the improvements;

- f. location and depiction of all parking spaces (including relevant dimensions);
- g. locations and depiction of all loading berths (including relevant dimensions);
- h. all drives, roadways and vehicular routes;
- i. all landscaping and buffer zones (including a description of all landscape materials);
- j. statistical information regarding the Property limited to the following:
  - i) floor area and floor area ratio;
  - ii) floor area devoted to retail users;
  - iii) number of dwelling units;
  - iv) number of parking spaces;
  - v) number of loading berths; and
  - vi) uses of parcels.
- k. parameters of building envelopes including:
  - i) maximum building height; and
  - ii) setbacks, required and provided.

A Site Plan shall include such other information as may be necessary to illustrate substantial conformance to this planned development.

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Address: 80S North Cleveland Avenue  
Introduced: September 18<sup>th</sup> 2019  
Plan Commission: TBD

16. In order to develop the proposed improvements in Subarea A-3, the Applicant has acquired additional floor area through the Neighborhood Opportunity Bonus. Said Development Rights shall be applicable solely to Subarea A-3 in accordance with the amounts shown on the Bulk Regulations and Data Table of this Planned Development. In no event shall such transfer of Development Rights cause the FAR or density limitations shown on the Bulk Regulations and Data Table to be exceeded.

In order to develop the proposed improvements in Subarea A-1 A, a prior applicant contracted to acquire a portion of the unused floor area (for FAR purposes) and dwelling units from Subarea B-2 (the

"Development Rights"). The prior applicant shall establish those Development Rights (i) prior to issuance of Part II approval for Subarea A-1 A and (ii) by delivery to DPD of an executed and recorded Agreement ("Agreement"). Said Agreement shall confirm the amount of Development Rights acquired for the benefit of Subarea A-1 A. Said Development Rights shall be applicable solely to Subarea A-1 A in accordance with the amounts shown on the Bulk Regulations and Data Table of this Planned Development. In no event shall such transfer of Development Rights cause the FAR or density limitations shown on the Bulk Regulations and Data Table to be exceeded. Delivery of the Agreement shall authorize DPD to issue Part II approval for Subarea A-1 A pursuant to the parameters set forth in the Bulk Regulations and Data Table of this Planned Development.

17. The Applicant acknowledges the city's ongoing and evolving initiatives to enhance awareness of, and support and encourage participation by, Minority and Women's Business Enterprise certified contractors and local city residents. To assist the city in promoting such MBE, WBE and local city resident involvement, the Applicant will work with the Department of Planning and Development on outreach plans designed to elicit MBE, WBE and local city resident participation, such submission may include copies of certified letters, and receipts of such, sent to MB E/WBE contractor associations and the ward office of the alderman in which this project is proposed to be located. In conjunction with the Applicant's submission for Part II permit reviews, the Applicant will provide DPD, and upon request, the full Plan Commission, with all responses to any outreach plans and certified letters, updates on any associated communications or meetings and anticipated percentages of MBE, WBE and local city resident participation. Prior to issuance of their Certificate of Occupancy, the Applicant will upon request, provide DPD with the actual level of MBE and WBE certified contractor and local city resident participation. All such details will be provided in a form acceptable to the Zoning Administrator or Commissioner of the Department of Planning and Development.

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Introduced: September 18, 2019  
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18. Sunset. The Property is intended to be developed in phases extending over periods of time. This statement describes the schedule for commencement of development over those phases.
  - a. Initial Period. Unless substantial construction or renovation has commenced upon a minimum of one million (1,000,000) square feet of floor area within six (6) years of the effective date of this amended planned development, this planned development expires pursuant to the foregoing provision, the zoning of the property shall automatically revert to the C3-5 Commercial-Manufacturing District classification. Such reversion shall not render any building existing at the time to be nonconforming.
  - b. Subsequent Periods. Unless substantial construction or renovation has commenced and been diligently pursued after the initial period on two million (2,000,000) square feet of floor area (cumulative) within ten (10) years of the effective date hereof, and three million (3,000,000)

square feet of floor area (cumulative) within twenty (20) years of the effective date hereof (the "Subsequent Periods"), the department may decide to review and recommend modification of the provisions of this planned development in whole or in part; provided, however, that any such modification may not render any building existing at the time to be nonconforming. The department's determination that the planned development ordinance must be reviewed shall be reflected in an application filed by the City for a planned development amendment, with City being deemed the applicant and providing such notice as may be required by law. If any subarea has been improved per the terms of this planned development and the planned development is amended pursuant to this Statement 17, the amended planned development shall preserve the provisions applicable to the improved subarea. As of April 10, 2013, Three-million Eighty-two thousand Three-hundred twenty-four (3,082,324) square feet of development have been completed within the entire planned development and this section of the planned development is satisfied.

- c. Unless substantial construction has commenced for the three thousand (3,000) square foot bank building and ATM facility within six (6) years of the effective date of the April 10, 2013 amended planned development, this planned development expires pursuant to the foregoing provision and the zoning of the Property shall revert to Planned Development Number 447, last amended June 27, 2012. Should this planned development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the Property. Such reversion shall not render any building existing at the time to be nonconforming. As of July 16, 2015, the three thousand (3,000) square foot bank building and ATM facility have been completed within the entire planned development and this section of the planned development is satisfied.

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- d. Unless substantial construction has commenced within Subarea A-1 A for the mixed-use building within six (6) years of this amended planned development, this planned development expires pursuant to the foregoing provision, the zoning of the Property shall revert to Planned Development Number 447, last amended October 11, 2017. Should this planned development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the Property. Such reversion shall not render any building existing at the time to be nonconforming.

- 19. Severability. It is hereby declared to be the intention of the City Council of the City of Chicago that the provisions of this planned development ordinance are severable. If any provision, clause, paragraph, or statement of this planned development shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, that judgment shall not affect, impair, or invalidate the remainder of this planned development.

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Introduced: September 18, 2019  
Plan Commission: TBD

Parking and Loading Requirements and Bulk Regulations and Data Table referred to in these Plan of Development Statements read as follows:

Parking and Loading Requirements.

Parking.

1. Residential:

- Multi-family - 1.0 parking space per dwelling unit; Except for Subarea A-1 A, which shall have a minimum accessory parking requirement of 0.85 parking spaces per dwelling unit.
- Townhouse - 1.5 parking spaces per dwelling unit.
- Single-family - 2.0 parking spaces per dwelling unit.

2. Commercial:

- Telecommunications, high technology, data centers and new media 0.25 parking spaces per 1,000 usable square feet.
  - Office - 1.5 parking spaces per 1,000 usable square feet.
  - Retail - 0.75 parking spaces per 1,000 usable square feet in excess of 10,000 square feet.
  - An 80 percent occupancy factor may be applied to the above requirements if they are all present in the same zoning lot and shared parking is allowed.
3. Other uses - per C3-5 zoning requirements. Loading.
1. Telecommunications, high technology, data centers and new media - 1 loading dock for every 500,000 square feet of usable floor area,
2. Office - 1 loading dock for every 250,000 square feet of usable floor area up to 750,000 square feet after which 1 loading dock for every 500,000 square feet will be required.
3. Multi-family Residential - 1 loading dock for every 200,000 square feet of floor area.
4. Retail.

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- 0 to 10,000 square feet of usable area, no loading dock required provided that the retail is accessory to another use within the same zoning lot.
  - 10,000 to 25,000 square feet of usable area, 1 loading clock required.
  - 25,000 to 50,000 square feet of usable area, 2 loading docks required.
  - 50,000 to 75,000 square feet of usable area, 3 loading docks required.
  - 75,000 to 125,000 square feet of usable area, 4 loading docks required.
  - 125,000 to 250,000 square feet of usable area, 5 loading docks required.
  - 1 additional loading dock will be required for every 250,000 square feet thereafter.
5. Loading dock requirement may be reduced through sharing arrangements by 15 percent for each of the above uses included within a zoning lot (e.g., if 10 loading docks would be required by the above calculations for a building that included retail, telecommunications and office, the required number of docks would be reduced by 30 percent to 7 docks:  $15 \text{ percent} + 15 \text{ percent} = 30 \text{ percent}$  multiplied by 10 loading docks = 7 docks required).
6. Townhouses and Single-family Homes - no loading docks required. Other uses - per

C3-5 zoning requirements.

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Introduced September 18.2019  
Plan Commission' TDD

**Planned Development 447, As Amended Bulk Regulations  
and Data Table**

Sub-Area	Net Site Area Sq. Ft.(1)	Net Site Area (acres)(1)	Maximum F.A.R. (1)	Maximum Dwelling Units	Maximum Efficiency Units (%)(2)	Maximum Building Heights (ft.)(3)
A-1A	18,300	0.42	13.32	0	0	242
A-1B	40,890	0.94	7	100	20	140
A-2	94,062	2.16	7	282	20	240 on northern half 140 on southern half
A-3	74,376	1.71	2.225 (5)	20	0	55
B-1	71,739	1.65	7	175	20	140
B-2	96,647	2.22	6.8	325	0	Existing
C-1	72,203	1.66	8.5	350	20	140 on northern 70 feet 350 on remaining
C-1	40,000	0.92	0	0	0	0
D	71,527	1.64	6.5	241	20	Existing
E-1	135,317	3.11	8	290	20	160



E-2	169,488	3.89	8	0	0	160
F	Deleted from Planned Development					
G	27,760	0.64	6	96	20	104
H	214,422	4.92	3	256	20	80/ 140 (4)
I	123,455	2.83	4	225	20	140
Total	1,250,186	2S.7I	5.5	2,"560	N/A	N/A

- 1) Net Site Area is based on the Boundary and Sub-Area Map and may change based on actual vacations and dedications. If Net Site Area is adjusted, the permitted floor area shall be adjusted accordingly.
- 2) An "Efficiency Unit" shall have the definition provided in 3.2 of the Chicago Zoning Ordinance; provided, in addition, an "Efficiency Unit" shall mean any unit containing less than 600 square feet.
- 3) "Building Height" excludes mechanical penthouses and other appurtenances above the level of the highest habitable floor.
- 4) West of Kingsbury: 80 feet (excluding the parking structure and any units attached thereof, which shall be subject to the 140 foot height limit) the remaining height on the property east of Kingsbury Street shall be 140 feet.
- 5) Property owner at 701 North Kingsbury Street was granted an additional 1,853.5 square feet of floor area (representing a 0.5 F.A.R. increase for the 701 North Kingsbury Street site), which increased the overall maximum F.A.R. for Sub-Area A-3 by 0.025 - from 2.20 to 2.225. Property owner at 701 North Kingsbury Street is allowed to transfer floor area to other parcels in Sub-Area A-3 subject to the administrative authority of the Zoning Administrator.

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Legend  
 ., | Subject Premises

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Existing Zoning  
 Map

Legend

PD Boundary  
Property Boundary

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Introduced: September 18, 2019

Plan Commission: TBD

Scale 1"=150"

Existing Land Use  
Area Map

Legend

PD Boundary

W. Chicago Avenue

Two VVny Traffic  
mr row.

Property Boundary

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Plan Commission: TBD

Scale. 1"=40'

Property and Sub-  
Area Boundary  
Map

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Introduced: September 18, 2019

Plan Commission: TBD

Scale. 1"=40'

Site/ Landscape  
Plan

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Scale 1"=40'

Ground Floor Plan

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Address: 808 North Cleveland  
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Plan Commission: TBD

2nd Floor Plan

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3rd Floor Plan

Plan Commission: TBD

Scale 1"=30'

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3rd Mezz. Floor  
Plan

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Introduced: September 18, 2019

Plan Commission: TBD Scale- 1"=30'

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Plan Commission: TBD

4th Floor Plan

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Introduced: September 18, 2019

Typical Floor Plan

Plan Commission: TBD

Scale: 1"=30'

Green Roof Calcs

	Roof Area - Gross	Roof Area - Nol	Green Roof Area	Green Roof/ Net Area Ratio
<4th Floor Amenity Terrace	6,364 S.F.	742 S.F.	742 SF.	100%
Hotel Tower Roof	9,521 S.F.	6,919 S.F.	4,343 S.F.	62.8%
24th Floor Amenity Terrace	2023 S.F.	■IOC) S.F.	100 S.F.	100%
Total	17,908 SF.	7,761 S.F.	5,185 S.F.	66.8% (50% Min.)

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Plan Commission: TBD

Green Roof Plan

Top of Screen ■260'-8"

«6

Bottom of slab  
42'-0"

Random Width Glass and Aluminum Window Wall System

Metal Slab Edge Cover

24th Floor +226'-10"

23rd Floor +214'-2" 22nd Floor +205'-2" 21st Floor

+196'-2" 20th Floor + 187'-2" 19th Floor

178'-2" 18th Floor +169'-2"

17th Floor +160'-2"

16th Floor <sup>B</sup>+151'-2"  
15th Floor <sup>Y</sup> 1-142'-2"  
14th Floor <sup>Y</sup>+133'-2"  
13th Floor <sup>Y</sup>+124'-2" 12th Floor + 115'-2" 11th Floor + 106'-2" 10th Floor  
+97'-2" 9th Floor <sup>\*</sup>+88'-2"  
8th Floor <sup>Y</sup>+79'-2"  
7th Floor <sup>Y</sup>+70'-2" 6th Floor <sup>U</sup>+61'-2" 5th Floor <sup>'</sup>+52'-2"

Sf

Open Metal Panel For Naturally Vented Garage

Aluminum Louvers

,4th Floor - Amenity

ezz. Parking

+33'-6"

3rd Floor Parking +24'-6" „2nd Floor

Painted  
Architectural  
Concrete

Applicant: DAC Developments, LLC  
Address: 808 North Cleveland  
Introduced: September 18, 2019  
Plan Commission- TBD Scale. 1"=40'-0"  
Painted Architectural Concrete w/ Reveals

North Elevation

.Top of Screen

■ @.260'-Si"

Bottom of Slab 242'- 0"

24th Floor <sup>W</sup>+ 226'-10"

-,23 rd Floor

-,22nd Floor

.,21st Floor <sup>i</sup> 196'-2" -20th Floor

■ t-187'-2" -,19th Floor

178'-2" -,18th Floor <sup>W</sup>+169'-2" -17th Floor

-i-i 60'-2" -16th Floor <sup>\*</sup>, 151'-2"

15th Floor <sup>i</sup> 142'- 2" -14th Floor <sup>\*</sup>+133'-2" -13th Floor <sup>\*</sup>+124'-2" -12th Floor <sup>\*</sup>+115'-2" -11th Floor

■ ICC-2" - 10th Floor <sup>\*</sup>+97'-2" -9th Floor <sup>Y</sup>+88'-2" -8th Floor <sup>Y</sup>+79'-2" -7th Floor <sup>U</sup>+70'-2" -6th Floor <sup>'</sup>

61'-2" 5th Floor<sup>\*</sup>

+52'-2" ^4111 Floor - Amenity on:Plf.ezz. Parking

' +33'-6"

ird Floor Pairing >24'-6" ~ 2n Il Floor + 15-6" "

,1st Floor

Applicant: DAC Developments, LLC  
Address: 808 North Cleveland  
Introduced: September 18, 2019  
Plan Commission- TBD Scale. 1"=40'-0"  
Haintod Architectural Concrete w/ Reveals

East Elevation

Random Width Glass and Aluminum Window Wall System

Metal Slab Edge Cover

Metal Panel

Open Metal Panel For Naturally Vented Garage  
Glass w/ Sig  
and Aluminum Curtainwall nage Band Alwve  
Top of Screen +260'-8"

Bottom of  
Slab  
242'-0"

-24th Floor <sup>V</sup>+226'-16"

23rd Floor <sup>B</sup>+214'-2"  
22nd Floor <sup>B</sup>+205'-2"  
21 st Floor <sup>B</sup>+196'-2" 20th Floor

*Sf*  
+ 187'-2" 19th Floor + 178'-2" 18th Floor

*S-*  
69'-2" 17th Floor

*Sr*  
+ 160'-2" 16th Floor <sup>B</sup>+151'-2"  
15th Floor <sup>V</sup>+142'-2"  
14th Floor <sup>B</sup>+133'-2"  
13th Floor <sup>B</sup>+124'-2"  
12th Floor <sup>B</sup>+115'-2"

■ *9-*  
11th Floor <sup>B</sup>+106'-2" 10th Floor +97'-2" 9th Floor <sup>B</sup>+88'-2"  
8th Floor <sup>B</sup>+79'-2"

*S*  
7th Floor <sup>B</sup>+70'-2" 6th Floor\*  
+61'-2" 5th Floor\*

4th Floor-Amenity

3fM

*Sf*



Sr

tezz. Parking

+33'-6"

3rd Floor Paikmg + 24'-6" 2nd Floor

+ 15'-6"

1st Floor ±0"

Applicant: DAC Developments, LLC

Address: 808 North Cleveland

Introduced- September 18, 2019

Plan Commission. TBD

Scale 1"=40'-0"

South Elevation

0

Random Width Glass and Aluminum Window Wall System

Metal Slab Edge Cover

Metal Panel

Open Metal Panel For Naturally Vented Garage

Painted Architectural Concrete w/ Reveals

Aluminum Louvers  
Glass and AluTiitiiurri Curtainwall w/ Signage Rand Above  
.Top ol Screen "w+260'-8"

Bottom ol  
Slab  
242'-0"

24th Floor  
+226'-10"

23rd Floor <sup>B</sup>+214'-2" -22nd Floor <sup>B</sup>V205'-2"  
21st Floor <sup>B</sup>+196'-2"  
20th Floor <sup>B</sup>+187'-2"  
19th Floor <sup>B</sup>+178'-2" 18th Floor  
+169'-2" 17th Floor <sup>B</sup>+160'-2" 16th Floor + 151'-2" 15th Floor <sup>J</sup>+142'-2" 14th Floor +133'-2" 13th Floor  
+ 124'-2" 12th Floor <sup>B</sup>+115'-2"  
11th Floor <sup>V</sup>+111'-2"  
10th Floor <sup>B</sup>97'-2" 9th Floor <sup>I</sup>+88'-2"  
8th Floor <sup>B</sup>+79'-2" 7th Floor  
+70'-2" 6th Floor <sup>B</sup>+61'-2"  
5th Floor <sup>B</sup>+52'-2"

4th Floor - Amenity  
ireff<sup>B</sup>ezz. Paiking 'k33'-6" "~- 3rd Floor Parking +24'-6" 2nd Floor  
'+15'-6"

1st Floor r.n"

Applicant: DAC Developments, LLC  
Address: 808 North Cleveland  
Introduced- September 18, 2019  
Plan Commission: TBD Scale- 1"=40'-0"

West Elevation

Taft/

111 East Wacker Drive, Suite 2800 / Chicago, Illinois 60601 Tel:  
312.527.4000/Fax: 312.527.4011 www.taftlaw.com  
<http://www.taftlaw.com>

Honorable Tom Tunney  
Chairman  
Committee on Zoning, Landmarks and  
Building Standards  
121 North LaSalle Street  
Room 304, City Hall  
Chicago, Illinois 60602

Chairman  
Chicago Plan Commission  
121 North LaSalle Street  
Room 1000, City Hall  
Chicago, Illinois 60602

RE: 808 North Cleveland Avenue

The undersigned, being first duly sworn on oath, deposes and states the following:

The undersigned certifies that the notice requirements of Section 17-13-0107 of the Chicago Zoning Ordinance were complied with by causing written notice to be sent by first class mail, to such property owners who appear to be the owners of all property within the lot lines of the subject property and within 250 feet in each direction of the lot lines of the subject property, exclusive of public roads, streets, alleys and other public ways.

The undersigned certifies that the notice contained the address of the property which is the subject of the application; a statement of the intended use of the property; the name and address of the applicant; and a statement that the applicant intends to file an application for a Zoning Amendment on or about September 18, 2019.

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

O.

rJVpplica

Attorney for JVpplicant

Subscribed and sworn to before  
me this /O day of

**"OFFICIAL SEAL" NANCY LEE BEAGAN NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES  
3/8/2020**

Chicago / Cincinnati / Cleveland / Columbus / Dayton / Indianapolis / Northern Kentucky / Phoenix

111 East Wacker Drive, Suite 2800 / Chicago, Illinois 60601  
Tel: 312.527.4000 / Fax: 312.527.4011 [www.taftlaw.com](http://www.taftlaw.com)  
<<http://www.taftlaw.com>>

September 9, 2019

Dear Sir or Madam:

In compliance with the notice requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, please be informed that on or about September 18, 2019, an application

for an Amendment to the Chicago Zoning Ordinance will be filed on behalf of the Applicant, DAC Developments LLC, for the property located at 808 North Cleveland Avenue.

The application seeks a change in zoning from Residential-Business Planned Development No. 447, to the designation of Residential-Business Planned Development No. 447, as amended. This application for an amendment to Planned Development No. 447 affects Subarea A-1 A only. The purpose of the amendment is to allow a change in use from multi-family residential with retail on the ground floor, to hotel with retail on the ground floor. The building will be 24-stories in height and contain approximately 219 hotel rooms, 90 parking spaces on-site, and approximately 8,000 square feet of retail space on the ground floor.

The contact information for the Applicant is as follows: DAC Developments LLC, 640 North LaSalle Street, Suite 410, Chicago, Illinois 60654. The owner of the property is: RH Chicago LLC, 640 North LaSalle Street, Suite 410, Chicago, Illinois 60654.

Please note that your property is not being rezoned. The Applicant is required by law to send this notice to you because the Cook County Assessor's records indicate you own property within 250 feet of the development site.

Questions about this notice may be directed to the Applicant's attorney, Edward J. Kus, at 312.836.4080, at Taft Stettinius & Hollister LLP, 111 East Wacker Drive, Suite 2800, Chicago, Illinois 60601.

Very truly yours,

Taft Stettinius & Hollister, LLP

Edward J. Kus

Chicago / Cincinnati / Cleveland / Columbus / Dayton / Indianapolis / Northern Kentucky / Phoenix

## **AUTHORIZATION**

**The undersigned, on behalf of RH Chicago, LLC, being the owner of real property commonly known as 808 N. Cleveland Avenue in Chicago, Illinois (the "Subject Property"), hereby authorizes DAC Developments, LLC, and any affiliate or designee thereof, and its attorneys, Taft Stettinius & Hollister LLP, to file one or more applications for zoning approvals and related permits and approvals with the City of Chicago related to the Subject Property, including, without limitation, changes to Planned Development No. 447 to permit the construction of a hotel building, and related permits and approvals.**

IN WITNESS WHEREOF the undersigned has executed this Authorization  
as of this jQ \_ day of ^pUflW^, 2019.

RH CHICAGO, LLC

By: Nadim Shilleh  
Its. Authorized Representative

| ^ o

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE  
CHICAGO ZONING ORDINANCE

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

1. 808 North Cleveland Avenue

2. Ward Number that property is located in: 27

3. APPLICANT DAC Developments LLC

ADDRESS 640 North LaSalle Street - Suite 410 CITY Chicago

STATE Illinois ZIP CODE 60654 PHONE 312.392.21 19

EMAIL danny@krdcveiopnKnts.com <mailto:danny@krdcveiopnKnts.com> CONTACT  
PERSON Daniel Rezko

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 application  
to proceed.

OWNER RH Chicago LLC

ADDRESS 640 North LaSalle Street - Suite 410 CITY Chicago

STATE Illinois ZIP CODE 60654 PHONE 312.593.0808

EMAIL nadim@krdeveiopments.com <mailto:nadim@krdeveiopments.com>  
D. Shilleh

CONTACT PERSON Nadim

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

ATTORNEY Edward J. Kus / Taft Stettinius & Hollister LLP

ADDRESS 111 East Wacker Drive - Suite 2800

CITY PHONE

STATE Illinois ZIP CODE 60601

FAX 312.966.8488 EMAIL ekus@taftlaw.com <mailto:ekus@taftlaw.com>

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

Daniel Rezko - 100%

7. On what date did the owner acquire legal title to the subject property? April 2017

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

No

9. Present Zoning District RBL'D 447, A-1 A Proposed Zoning District RBPD 447, as amended

10. Lot size in square feet (or dimensions) 18,293 Square Feet

11. Current Use of the property Vacant

12. Reason for rezoning the property Change in use in Subarea A-1A from multi-unit residential to hotel with retail on ground floor.

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)

New building will be a 24-story hotel building with approximately 8,000 SF of retail on the ground floor. It will contain 216 hotel keys with 90 on-site parking spaces. The height of the building is approximately 242 feet.

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

NO X

COUNTY  
OF ILLINOIS

OF

COOK

STATE

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

Signature of Applicant

Notary P

Subscribed and Sworn to before me this 11<sup>th</sup> day of September 2019.

\_\_\_\_\_  
Notary Public

RUXANDRA VATRAC Official Seal Notary Public - State of Illinois My Commission Expires Dec 31, 2019

Date of Introduction:

File Number:

Ward:

**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: DAC

Developments LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. If the Applicant

OR

2. a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name:

"or" ~~~~~ \*

3. Q a legal entity with a direct or indirect right of control of the Applicant (see Section 11(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: 640 N LaSalle #410

Chicago, IL 60654

C. Telephone: 312-392-2119 fax:

Email: danny@krdevelopments.com

<mailto:danny@krdevelopments.com>

D. Name of contact person: Daniel Rezko

E. Federal Employer Identification No. (if you have one): : ' I \_ \_ \_ \_ \_ '

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

Amending existing PD 447 subarea A1A at 460 W Chicago Ave/808 N Cleveland Ave

G. Which City agency or department is requesting this EDS? Department of Planning \ Yx^ir->S't ^

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

Specification ii and Contract #

Ver.201S-1

Page 1 of 15

## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

| | Person



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

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

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

QYes [ ]No [^Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title Daniel Rczko - Manager

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

Paac2 of 15

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

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

Name	Business Address	Percentage Interest in the Applicant
t>Cvfr\Q ^?l~c	N-'uW/c ^.lUc^o, ZL	. \QC;^c/c

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

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

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

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

☐

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

If "yes," please identify below the name(s) of such City elected official(s) and/or spouse(s)/domestic partner(s) and describe the financial interest(s).

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

Page 3 of 15

**Business Address**

TaU.SWaI^ tU>k LI-F \u t.VluckcrW^S.b W KV^nv.^ \$30,000 - estimate

\$30,000 - estimate

\$50,000 -

estimate

V. .r. ^ . a,Wi4,it ,, \- , j . i \$30,000 - estimate

-ri- . ,. \_ ^ , , A, . , , w. c , ^ . ^ \$3,000 - estimate

Name (indicate whether Business Relationship to Disclosing Party Fees (indicate whether retained or anticipated Address (subcontractor, attorney, paid or estimated.) NOTE: to be retained) lobbyist, etc.) "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 MCC Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

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

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

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

[J Yes ☐ No ☐

### B. FURTHER CERTIFICATIONS

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

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

the Illinois Department of Revenue.

Page 4 of IS

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
- d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).

5. Certifications (5), (6) and (7) concern:

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

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5) (Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).

6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article I for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article I applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

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

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

None

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

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

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient. None

#### C. CERTIFICATION OF STATES AS FINANCIAL INSTITUTION

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

☐ is ☒ NOT

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

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

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

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

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

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

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

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

- Yes [ /J No

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

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

Does the Matter involve a City Property Sale?

- Yes r/JNo

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

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

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

## E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

Please check either (1) or (2) below. If the Disclosing Party checks (2), the Disclosing Party must disclose below or in an attachment to this EDS all information required by (2). Failure to comply with these disclosure requirements may make any contract entered into with the City in connection with the Matter voidable by the City.

☐ v [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.

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

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement,

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

#### B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

- Yes ☒ No

If "Yes," answer the three questions below:

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

- ☒ Yes ☐ No

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

- ☐ Yes ☒ No ^Reports not required

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

- Yes ☒ No

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

## SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156, imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics) <<http://www.cityofchicago.org/Ethics>>, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.
- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23, Article I (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

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

*v^Act v^ev/ekfi/ngAh LLC*

(Print or type exact legal name of Disclosing Party)

(Sign here)

(Print or type name of person signing)

*/^tlAttj <Lr~*

(Print or type title of person signing)

at \v County, c\_qquc- (state).

Notary Public 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 (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.**

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

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

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

☐ Yes

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

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

QYes

☐ Yes ☒ No

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

☐ No ☒ The Applicant is not publicly traded on any exchange.

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

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

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

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted ([www.amlegal.com](http://www.amlegal.com) <<http://www.amlegal.com>>), generally

covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

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

☒ Yes

☐ No

☐ N/A - I am not an Applicant that is a "contractor" as defined in MCC Section 2-92-385. This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1). If you checked "no" to the above, please explain.

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## **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: RH Chicago LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. 0 fee Applicant O VV^^'

OR

2. Q a legal entity currently holding, or anticipated to hold within six months after City action on the contract, transaction or other undertaking to which this EDS pertains (referred to below as the "Matter"), a direct or indirect interest in excess of 7.5% in the Applicant. State the Applicant's legal name:

~ OR ""~

3. [] a legal entity with a direct or indirect right of control of the Applicant (see Section 11(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: 640 N. LaSalle Dr Suite 410**

Chicago, IL 60654 :

C. Telephone- 312-593-0808      fax:      Email- nadim@KRDevetopments.com

<mailto:nadim@KRDevetopments.com>

D. Name of contact person: Nadim D Shilleh

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

F. Brief description of the Matter to which this EDS pertains. (Include project number and location of property, if applicable):

Amendment to Planned Development 447, Subarea A -1A at 460 W Chicago/808 N. Cleveland

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

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

Specification it      and Contract \_\_\_\_

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**SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF THE DISCLOSING PARTY**

☐ ☐

Indicate the nature of the Disclosing Party:

Person      f/] Limited liability company  
Publicly registered business coiporation      Q Limited liability partnership

Privately held business corporation  
Sole proprietorship  
General partnership  
| Limited partnership  
☐ Trust

QJ Joint venture :  
rj Not-for-profit corporation  
(Is the not-for-profit corporation also a 501(c)(3))?  
QJ Yes Q No  
QJ Other (please specify)

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

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?

☐jYes [7]rs<sup>20</sup> [ [Organized in Illinois

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

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

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

Name Title

Yusuf Khalaf Member

2. Please provide the following information concerning each person or legal entity having a direct or indirect, current or prospective (i.e. within 6 months after City action) beneficial interest (including ownership) in excess of 7.5% of the Applicant. Examples of such an interest include shares in a corporation, partnership interest in a partnership or joint venture, interest of a member or manager in a

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

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

Name

Yusuf Khaiaf

Business Address

640 N. LaSalle Dr Suite 410 - Chicago IL 60654 100%

Percentage Interest in the Applicant



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

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

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

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

Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code of Chicago ("MCC")) in the Disclosing Party?

☐ Yes ☐ No

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

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

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll. If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

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

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

QJ Yes / No QNo 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?

QYes QNo

### **B. FURTHER CERTIFICATIONS**

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

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

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3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 11(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
  - d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
4. The Disclosing Party understands and shall comply with the applicable requirements of MCC Chapters 2-56 (Inspector General) and 2-156 (Governmental Ethics).
5. Certifications (5), (6) and (7) concern:
- the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity). Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity. With respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Neither the Disclosing Party, nor any Contractor, nor any Affiliated Entity of either the Disclosing Party or any Contractor, nor any Agents have, during the 5 years before the date of this EDS, or, with respect to a Contractor, an Affiliated Entity, or an Affiliated Entity of a Contractor during the 5 years before the date of such

Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
  - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
  - c. made an admission of such conduct described in subparagraph (a)-or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
  - d. violated the provisions referenced in MCC Subsection 2-92-320(a)(4)(Contracts Requiring a Base Wage); (a)(5)(Debarment Regulations); or (a)(6)(Minimum Wage Ordinance).
6. Neither the Disclosing Party, nor any Affiliated Entity or Contractor, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3; (2) bid-rotating in violation of 720 ILCS 5/33E-4; or (3) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
7. Neither the Disclosing Party nor any Affiliated Entity is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.
8. [FOR APPLICANT ONLY] (i) Neither the Applicant nor any "controlling person" [see MCC Chapter 1-23, Article T for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency"; and (ii) the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City. NOTE: If MCC Chapter 1-23, Article 1 applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.
9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the federal System for Award Management ("SAM").
10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such

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

11. If the Disclosing Party is unable to certify to any of the above statements in this Part B (Further

Certifications), the Disclosing Party must explain below:

None

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

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

none

13. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law (if none, indicate with "N/A" or "none"). As to any gift listed below, please also list the name of the City recipient.

none

## C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

☐ is ☐ is not

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

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

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

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

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

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

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

1. In accordance with MCC Section 2-T56-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

Q Yes

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

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

Does the Matter involve a City Property Sale?

Q No

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

Nature of Financial Interest

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

#### H. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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, as amended, who have made lobbying contacts on behalf of the Disclosing Party with respect to the Matter: (Add sheets if necessary):

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

2. The Disclosing Party has not spent and will not expend any federally appropriated funds to pay any person or entity listed in paragraph A(1) above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee

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of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

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

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities," as that term is defined in the Lobbying Disclosure Act of 1995, as amended.

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant? 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                      Q 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                      Qj No                      Qj Reports not required

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

- Yes                      Q No

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

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## SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other



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

B. The City's Governmental Ethics Ordinance, MCC Chapter 2-156. imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics) <<http://www.cityofchicago.org/Ethics>>. and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

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

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

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Chapter 1-23. Article 1 (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-1)20. '

## **CERTIFICATION**

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

**RH Chicago LLC**

(Print or type exact legal name of Disclosing Party)

(Sign here)

**Nadim Shilleh**

(Print or type name of person signing)

**CFO**

(Print or type title of person signing)

Signed and sworn to before me on (date) Q>% o A \ o

at  
Coo

County,

Notary Public

Commission expires: vCLl ^\ I \*2jq v?\

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

**FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND  
DEPARTMENT HEADS j**

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

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

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

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

☐ Yes 0

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 SCOFFLAVV/PROBLEM LANDLORD CERTIFICATION**

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct

ownership interest in the Applicant exceeding 7.5% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

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

☐ Yes                      [7] No

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

| ☐ Yes                      rj No                      [/j The Applicant is not publicly traded on any exchange.

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

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

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

This Appendix is to be completed only by an Applicant that is completing this EDS as a "contractor" as defined in MCC Section 2-92-385. That section, which should be consulted ([www.amlciial.com](http://www.amlciial.com))

<<http://www.amlciial.com>>). generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

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

QYes ☐ No

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

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(l).

If you checked ">no" to the above, please explain.