



Office of the City Clerk

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

Legislation Text

File #: SO2015-1352, Version: 1

FOWL FOR PUBLICATION

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

Section 1. That the Chicago Zoning Ordinance be amended by changing all the current Planned Manufacturing District 11 B symbols and indications as shown, on Map Number 4-F in the area bounded by:

West 17th Street; South Stewart Avenue; a line 200.00 feet north of and parallel to West 18th Street; a line 142.99 feet east of and parallel to South Stewart Avenue; West 18th Street; and South Canal Street.

to those of a Commercial Manufacturing Planned Development, which is hereby established hi the area described above.

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

FINAL FOR PUBLICATION

COMMERCIAL MANUFACTURING PLANNED DEVELOPMENT NO. PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Commercial Manufacturing Planned Development Number , ("Planned Development") consists of approximately 118,997.66 square feet of property which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant. New Chinatown Real Estate, LLC.
2. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance, the Property, at the time of application for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or designated control. Single designated control is defined in Section 17-8-

0400 of the Zoning Ordinance.

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

Any requests for grants of privilege, or any items encroaching on the public way, shall be in compliance with the Plans.

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

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

4. This Plan of Development consists of fifteen (15) Statements: a Bulk Regulations Table; an Surrounding Zoning and Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan; Green Roof Plan; Landscape Plan; and Building Elevations (North, South, East and West) prepared by Ridgeland Associates, Inc. and dated December 17, 2015, submitted herein. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned

Applicant	New Chinatown Real Estate. LLC
Addicss	400-448 W 18" Street/1701-1735 S Canal Street/1700-1734 S Stewart Avenue/1717-1725 S. Stewart Avenue
Introduced	March 18. 2015
Plan Commission	December 17,2015

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

5. The following uses are permitted in the area delineated herein as a Commercial Manufacturing Planned Development: food and beverage retail sales, general retail sales, eating and drinking establishments, accessory parking, and accessory uses.
6. On-Premisc signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning

and Development. Off-Premise signs are prohibited within the boundary of the Planned Development.

7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation Administration.
8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations Table. For the purposes of FAR calculations and measurements, the definitions in the Zoning Ordinance shall apply. The permitted FAR identified in the Bulk Regulations Table has been determined using a Net Site Area of 118,997.66 square feet.
9. Upon review and determination, "Part II Review", pursuant to Section 17-13-0610 of the Zoning Ordinance, a Part II Review Fee shall be assessed by the Department of Planning and Development. The fee, as determined by staff at the time, is final and binding on the Applicant and must be paid to the Department of Revenue prior to the issuance of any Part II approval.
10. The Site and Landscape Plans shall be in substantial conformance with the Landscape Ordinance and any other corresponding regulations and guidelines. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II reviews, are conditional until final Part II approval.
11. The Applicant shall comply with Rules and Regulations for the Maintenance of Stockpiles promulgated by the Commissioners of the Departments of Streets and Sanitation, Fleet and Facility Management and Buildings, under Section 13-32-125 of the Municipal Code, or any other provision of that Code.
12. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.

Applicant	New Chinatown Real Estate, LLC
Address	400-418 W 18 th Street/1701-1735 S Canal Street/1700-1734 S Stewart Avenue/1717-1725 S Stewart Avenue
Introduced	March 18, 2015
Plan Commission	December 17, 2015

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

accessibility.

14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The project will include a vegetative green roof totaling 22,082 square feet which is 50% of the net roof area and the project will otherwise comply with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development
15. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Commissioner of the Department of Planning and Development shall initiate a Zoning Map Amendment to rezone the property to Planned Manufacturing District No. 11.

Applicant	New Chinatown Real Estate. 1.1-C
Address-	400-44X W IS'11 Street/1701-1735 S Canal Strecl/1700-1734 S Stewart Avenue/1717-1725 S Stewart Avenue
Introduced	March 18.2015
Plan Commission'	December 17.2015

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COMMERCIAL MANUFACTURING PLANNED DEVELOPMENT NO. BULK

REGULATIONS AND DATA TABLE

Gross Site Area: 177, 220.47 sq. ft. (4.068 acres)

Less area in public right-of-way: 58,222.81 sq. ft.

Net Site Area: 118,997.66 sq. ft. (2.73 acres)

Maximum FAR: 1.0

Minimum required parking spaces: 153 parking spaces

Loading berths: 2

Minimum bicycle parking: 32

Maximum building height: 32'-6"

Applicant: New Chinatown Real Estate, LLC
Address: 400-148 W 18th Street/1701-1735 S Canal Street/1700-1734 S Stewart Avenue/1717-1735 S Stewart Avenue

Introduced March 18,2015
Plan Commission' December 171 2015

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APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

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

400-148 W. 18th Street/1701-1735 S. Canal StreeV1700-1734 S. Stewart Avenue/1717-1735 S. Stewart Avenue

2. Ward Number that property is located in: 25

- 3 APPLICANT New Chinatown Real Estate, LLC

ADDRESS 2168-70 South Archer Avenus'

CITY

Chicago

STATE IL

ZIP CODE

60616

PHONE 312-929-6266

EMAIL minghinl999@gmail.com <mailto:minghinl999@gmail.com>

CONTACT PERSON

Shao Fei Chen

4. Is the applicant the owner of the property? YES x NO_

If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing .the application to proceed.

OWNER Same as above

ADDRESS

CITY

STATE

ZIP CODE

PHONE_

EMAIL

"

CONTACT PERSON

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

A7TORNFY ^atnns McGuire c/o Thompson Coburn, LLP

ADDRESS 55 E Monroe Street, 37th Floor

CITY Chicago

PHONE 312-580-2326

STATE

IL

ZIP CODE

eo.0?

FAX 317.-762-1826

EMAIL kmcauireO)thomDsoncob'.irn com

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.

Shao Fei Chen

Qinbin Liu

Camellia investment Management LLC

Done, Ling Liu

Shao Qiu Chen

4QOM. LLC ;

Shao Yun Chen

■Jiqie Shen .

On what date did the owner acquire legal title to the subject property? Has the present owner previously rezoned this property? If yes, when?

No

Present Zoning District PMD11B

Proposed Zoning District Commercial Manufacturing Planned Development

Lot size in square feet (or dimensions') 118,997.66 square feet

Current Use of the property ' Vacant Land ; ^ '

Reason for rezoning the prnp.rty The construction of a 1-story, approximately 47,000 square foot

retail and wholesale grocery store with 153 parking spaces and accessory uses.

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 cxtmmercial space; and height of the proposed building. (BE SPECIFIC)

The construction of a 1-story, approximately 47,000 square foot retail and wholesale grocery store with 153 parking spaces and accessory uses.

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

YES.

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

Section 1. That the Chicago Zoning Ordinance be amended by changing all the current Planned Manufacturing District 11 B symbols and indications as shown on Map Number 4-F in the area bounded by:

West 17th Street; South Stewart Avenue; a line 200.00 feet north of and parallel to West 18th Street; a line 142.99 feet east of and parallel to South Stewart Avenue; West 18th Street; and South Canal Street.

to those of a Commercial Manufacturing Planned Development, which is hereby established in the area described above.

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

Department of Planning and Development
city of chicago

MEMORANDUM

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

David L. Reifman Secretary
Chicago Plan Commission

December 18, 2015

RE: Proposed Commercial Manufacturing Planned Development for property generally located at 400-448 West 18th Street, 1701-1735 South Canal Street, 1700 1734 South Stewart Avenue and 1717-1735 South Stewart Street.

On December 17, 2015, the Chicago Plan Commission recommended approval of the proposed planned development submitted by New Chinatown Real Estate, LLC. A copy of the proposed planned development is attached. I would very much appreciate your assistance in having this introduced at the next possible City Council Committee on Zoning hearing.

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

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

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

Chicago Plan Commission

Proposed Commercial Manufacturing Planned Development 400 W 18th Street

December 17, 2015
COHNER V1CW AT 11th 1 CANAL SHEET - LOOKING TOWARD THE NORTHEAST

GREEN ROOF MAN

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**REPORT to the
CHICAGO PLAN COMMISSION from the
DEPARTMENT OF PLANNING AND DEVELOPMENT DECEMBER
17, 2015**

**FOR APPROVAL: PROPOSED COMMERCIAL MANUFACTURING PLANNED
DEVELOPMENT (APPLICATION NO. 18288)**

APPLICANT: NEW CHINATOWN REAL ESTATE, LLC

**LOCATION: 400-448 WEST 18th STREET; 1701-1735 SOUTH CANAL STREET;
1700-1734/1717-1735 SOUTH STEWART AVENUE**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation regarding a proposed Commercial Manufacturing Planned Development for your review and recommendation to the Chicago City Council. The application for the amendment to the Zoning Ordinance was introduced into the City Council on March 18, 2015. Proper legal notice of the public hearing on the application was published in the Chicago Sun-Times on December 2, 2015. The Applicant was separately notified of this hearing.

The Applicant, New Chinatown Real Estate, LLC, is seeking approval to establish a Commercial Manufacturing Planned Development. The Applicant is seeking approval of the proposed Planned Development in order to permit the construction of an approximately 47,000 square foot wholesale/retail grocery store and accessory parking on a 118,997 square foot site. This development is being submitted by the Applicant as a mandatory Planned Development, pursuant to Section 17-8-0510-D of the Chicago Zoning Ordinance, which states that Planned Development review and approval is required when the proposal involves any commercial development with a net site area of two acres or more in a PMD (Planned Manufacturing District) B subdistrict.

SITE AND AREA DESCRIPTION

The subject property is located in the Lower West Side Community Area on the city's (near) Southwest Side. The site is not located within either the Lake Michigan and Chicago Lakefront Protection District or a Chicago Landmark District, nor does it contain a designated local landmark structure or site. The site is located within the Pilsen Industrial Corridor Tax increment Financing District.

The subject property is generally bounded by South Canal Street on the west, West 18th Street on the south, West 17th Street on the north and private property on the east. The gross site area of the planned development is 177,220 square feet and includes portions of

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the public rights of way surrounding the site as well as a portion of South Stewart Avenue, which bifurcates the site into an east and west portion. After netting out the public rights of way, the net site area of the property is 118,997 square feet.

The site itself varies in grade somewhat, especially from east to west. More importantly though, the site is constrained by the grade change along 18th Street, which slopes up to the east, as the 18th Street bridge crosses the South Branch of the Chicago River. This creates an effective grade change from the sidewalk level of over 16 feet on the parcel east of South Stewart Avenue. The site currently consists of vacant land.

The subject property is currently zoned PMD (Planned Manufacturing District) 11, Subdistrict B. PMD 11 is known as the Pilsen Planned Manufacturing District and the subject site is located in the northernmost area of the PMD. In total, PMD 11 is approximately 1070 acres in size, extending more or less along both sides of the Chicago River between South Western Avenue and South Stewart Avenue.

The properties immediately surrounding the subject site, to the north, east, south and southwest, are also zoned PMD 11B. The properties directly to the west, across South Canal Street, are outside of the PMD boundary and are zoned C3-3 (Commercial, Manufacturing and Employment District). Land uses in the area generally include industrial and commercial. Businesses in the area are involved in warehousing, packaging and distribution, among other activities.

The closest public transit to the site is the Chicago Transit Authority's (CTA) Halsted bus, approximately 14 mile to the west. Protected bike lanes are in place along West 18th Street at the subject site.

PROJECT DESCRIPTION

The Applicant is proposing to establish a one-story commercial building, surface parking area and landscaping on the portion of the site west of South Stewart Avenue. The portion of the site east of South Stewart Avenue will be devoted to additional parking. Specifically, the proposed project includes a total of approximately 47,000 square feet of new commercial space which will include a retail/wholesale grocery store. The project will accommodate parking for approximately 153

automobiles.

DESIGN

The site is being designed with the building set back significantly from 18th Street (approximately 147 feet). This will allow the surface parking area to be located to the front of the building. It should be noted that the Applicant explored a site design with the building holding the corner at West 18th /South Canal but the grade change of the site and the associated impacts on loading, general vehicular access and store layout precluded this option.

The one-story structure will be clad with brick, metal panels, window walls and glass. The north, east and west elevations are essentially composed of brick while the southwest

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corner of the building will include a significant glass window wall system. The south elevation will include a more significant window wall system and metal panel system integrated into a unified facade. The main entrance for the building will be on the south elevation and will consist of a glass window wall "tower."

The building will not be setback at all along South Canal Street or South Stewart Avenue and minimally along West 17th Street. The setback on West 17th Street is designed to primarily serve the loading function of the building. The height of the structure will not exceed 33 feet.

LANDSCAPING

The parking areas planned for the site will include internal shade trees and landscaped islands in the form of new shade trees. The entire development will meet the requirements of the Landscape Ordinance.

ACCESS/CIRCULATION

The main vehicular access to the site will be via new access drives along South Canal Street and South Stewart Avenue. These access points will be located immediately south of the building, approximately 140 feet north of West 18th Street. The parking area located to the east of South Stewart Avenue will be accessed via a new access point along South Stewart Avenue. No curb cuts are planned along West 18th Street itself. The parking areas, combined, will accommodate approximately 153 automobiles.

Loading for the site will be performed at the rear of the building, accessed via South Stewart Avenue. Two loading berths will be provided on the site, 10 by 50 feet each.

Pedestrian access to the site will be enhanced by improvements to the sidewalks and a direct connection from the building entrance to South Canal Street and South Stewart Avenue. An additional pedestrian access "switchback" to the parking lot on the east will be provided to

accommodate the significant grade change at this location. The project will accommodate spaces for 30 bicycles.

SUSTAINABILITY

The project will meet the City of Chicago's sustainable development policy for planned developments. The project will incorporate a green roof equal to 50% of the net roof area or approximately 20,000 square feet. In addition, the entire project will achieve LEED certification.

BULK/USE/DENSITY

The proposed maximum Floor Area Ratio for this Commercial Manufacturing Planned Development will be 1.0, which is less than the 3.0 maximum allowed under PMD (Planned Manufacturing District) 11. The proposed maximum, allowable zoning height of the building

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will be 33 feet. This Planned Development proposes allowance of general retail sales, food and beverage retail sales, eating and drinking establishments, accessory and non-accessory parking and accessory uses, in accordance with the proposed Planned Development Statements.

RECOMMENDATION

The Department of Planning and Development has reviewed the project materials submitted by the Applicant and compared this proposal to existing development in the community. The area around this project is a mix of commercial and planned manufacturing zoning districts and the project represents an opportunity to establish a wholesale/retail grocery store in this area and appropriately add new development to Planned Manufacturing District 11.

Based on that analysis, the Department of Planning and Development has concluded that this proposal is appropriate for this site and supports this development for the following reasons:

1. The project meets the purpose and criteria set forth in Chapter 17-8 of the Zoning Ordinance and its adoption would not have any adverse impact on the public's health, safety or welfare. Specifically, this project meets the following provisions of Chapter 17-8:
 - a. The project incorporates separate and distinct pedestrian pathways to connect adjacent public sidewalks and parking areas with building entrances (per 17-8-0904-C6) as evidenced by the project's parking lot design which facilitates pedestrian movements to the proposed building;
 - b. The project promotes the safe and efficient circulation of pedestrians, cyclists and motor vehicles (per 17-8-0904-A1) as evidenced by the location of vehicular access points, truck loading areas and pedestrians walkways; and
 - c. All sides and areas of the buildings that are visible to the public are treated with materials, finishes and architectural details that are of high-quality and appropriate for use on primary street-facing facade (17-8-0907-A-4), as evidenced through the material callouts in this report

and on the elevations.

2. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy. The proposed project has been reviewed by the Mayor's Office for People with Disabilities and the Department of Transportation and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and no comments have been received which have not been addressed in the application.
3. The project will comply with the requirements for access in case of fire and other emergencies.

Based on the foregoing, it is the recommendation of the Department of Planning and

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Development that this application for a Commercial Manufacturing Planned Development be approved and that the recommendation to the City Council Committee on Zoning, Landmarks and Building Standards be "Passage Recommended".

Bureau of Zoning and Land Use Department of Planning
and Development

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DEPARTMENT OF PLANNING AND DEVELOPMENT CITY OF
CHICAGO

**400-448 WEST 18TH STREET; 1701-1735 SOUTH CANAL STREET; 1700-
1734/1717-1735 SOUTH STEWART AVENUE COMMERCIAL
MANUFACTURING PLANNED DEVELOPMENT**

RESOLUTION

WHEREAS, the Applicant, New Chinatown Real Estate, LLC, has submitted an application seeking approval for a Commercial Manufacturing Planned Development on property currently zoned PMD (Planned Manufacturing District) 11B; and,

WHEREAS, the Applicant is proposing to construct an approximately 47,000 square foot retail/wholesale grocery store, with approximately 153 accessory parking spaces on a 118,997 square foot site; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on March 18, 2015; and,

WHEREAS, proper legal notice of the hearing before the Plan Commission was published in the

Chicago Sun-Times on December 2, 2015. The Applicant was separately notified of this hearing and the proposed zoning application was considered at a public hearing by this Plan Commission on December 17, 2015; and,

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

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated December 17, 2015, a copy of which is attached hereto and made a part hereof; and,

WHEREAS, the Plan Commission has fully reviewed the application and all informational submissions associated with the proposal, the report and recommendation of the Department of Planning and Development and all other testimony presented at the public hearing held on December 17, 2015, giving

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

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consideration to the Zoning Ordinance;

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

1. THAT the above-stated recitals to this resolution together with the report of the Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this planned development application; and,
2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final planned development application dated December 17, 2015.

Martin Cabrera, Jr. Chairman / Chicago
Plan Commission'

CMPD No.

Approved: December 17, 2015

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

**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: Now
Chinatown Real Estate, LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. Q9 the Applicant

OR

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

2. Applicant in which the Disclosing Party holds an interest: .

OR

3. (71 a legal entity with a right of control (see Section II.B.1.) State the legal name of the entity in
which the Disclosing Party holds a right of control: \ ; ;

B. Business address of the Disclosing Party: 2168-70 South Archer Avenue, Chicago, Illinois 60618 ■

C. Telephone: 312-a2&-6268

Fax:

• Email: mlnohln1fl9aQflmall.com

<http://mlnohln1fl9aQflmall.com>

D. Name of contact person: Shao Fel Chen ^

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

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

Zoning Amendment to PMD11B to create a Commercial Manufacturing Planned Development for the properties located at 400-448 W. 18th

Sb3et/i7oi--i736 S. Canal 6tnMtf1700-1734 S. Stewart Avenue/1717-11735 S. Stewart Avwiue ■ .■ .:

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

Zoning, City Council

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

Specification # ■■ " and Contract # ■■

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SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Person

J ☐ Publicly registered business corporation I ☐ Privately held business corporation PJ Sole proprietorship ☐
General partnership : ☐ Limited partnership f ☐ Trust

(jT) Limited liability company .

Q Limited liability partnership

("~(Joint venture . ,

[~] Not-for-profit corporation

(Is the not-for-profit corporation also a 501(c)(3))?

☐ Yes C ☐ No f ☐ J Other (please specify) ;

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

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

☐ Yes f ☐ No (3 N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

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

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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 "tb.d." is not an acceptable response.
Katrina S. McGuthe/Thompson Coburn LLP	SS E. Monroe St. 37th FL, Chicago. IL 60603	Attorney	Est \$20,000

(Add sheets if necessary)

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

SECTION V - CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under Municipal Code Section 2-92-41S, 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 pecn.declared in arrearage on any child support obligations by any Illinois court of competent jurisdiction?

- Yes
- G3No
- Q No person directly or indirectly owns 10% or more of the

Disclosing Party.

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

- Yes - IX)No ' ".V

B. FURTHER CERTIFICATIONS ,

I . Pursuait to Municipal Code Chapter 1-23, Article I (^Article r*)(which the Applicant should consult for defined terms (e;g., "doing business ¹⁾" and legal retirements), if the Disclosing Party submitting this'EDS is the Applicant and is doing business with the City, then the Disclosing Patfy certifies as follows: (i) neither Che.Applicant nor any cohtroUing person is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any t 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 contmuing requirement for doing business with the City. NOTE: If Article I applies to the Applicant, the permanent compliance timeframe in Article I supersedes some five-year compliance timeframes in certifications 2 and 3 below.

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining,' attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City,or by the federal government, any state, or anyother unit of local government.

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

- the Disclosing Party;

- any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section TV*, "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").

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

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery, or attempting to
- a. bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal
- a. government or of any state or local governments the United States of America that officer's
- a. or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such
- b. agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or
- b. prospective bidders. in restraint of freedom of competition by agreement to bid a fixed price or
- b. otherwise;
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

(3) any dmUsx^afS^bfaay.s^:or..of _lillie. United States of America that contains the same elements as tho offense of bid-rigging or bid-rbteting. ' 1

5. Neitherthe Disclosng.^arty nor any Affiliated Entity islisted on anv pfjthe following lists maintained by the Office of Foreign Assets Cohtfbi"bf the<U.S. Department of tne Trwury or the Bureau of Industryand Security of the U.S. Department ofCommerce;,or their: successors: "the S Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List. .

6. *The Disclosing;Party, understands and shall compLy with the applicable requirements of Chapters*

6. *2-55 (Legislative Inspector General), 2-56 (mspectbrGeneral) and 2-156 (Goyemmental Ethics) of the*

6. *Municipal Code;---* . • . *"" "■ - . •' • ,,, . ' ' |

7. If the Disclosing Party is unable to certify to any of the above stetcments'in Sis Part B (Further

7. Certifications), me Disclosing Party must explain below:

, Notx? _ : :-- _-, . . ' ' - ■ ■-- ,, v . "" _

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

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

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

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 Section 2-32-455(b) of the Municipal Code.

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

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

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

None

..

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

D. CERTIFICATION REGARDING INTEREST IN CITY BUSINESS

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?
☐ Yes ☒ No

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

2. Unless sold pursuant to a process of competitive bidding, of 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 "financial interest".

Does the Matter involve a City Property Sale?

A. CERTIFICATION REGARDING LOBBYING

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

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

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

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

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

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from all subcontractors before it awards any subcontract and the Disclosing Party must maintain 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 to require all proposed

subcontractors to submit the following information with their bids or writings at the outset of \

negotiations. " ! -•■ •'. ■ ..^v^.. ..•

Is the Disclosing Party the Applicant? ... "t ;>;...

! JYes QNo 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 - Contingency Programs, and the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?
 - Yes.
 - No.
3. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
 - Yes.
 - No.

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

None. ;

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

The Disclosing Party understands and agrees that:

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

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

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

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

material fact may include incarceration and award to the City of treble damages.

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

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

The Disclosing Party represents and warrants that:

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

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

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

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

CERTIFICATION

Under penalty of perjury, the _____ (I) warrants that he/she is authorized to execute this EDS and Appendix A on behalf of the Disclosing Party and warrants that all information furnished in this EDS and Appendix A (if applicable) are true, accurate and complete as of the date furnished to the City.
(Print or type name of Disclosing Party)

New Chinatown Real Estate, LLC
(Print or type name of person signing)

f person si
(Print or type title of person signing)

Signed and sworn to before me on (date) ?//o//± at • Cj>*>L
County. «T///^> £ (state).
Commission expires:.

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND
AFFIDAVIT APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party*" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the dry clerk, tho 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 prnephew, 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 HJB.1.a., if the Disclosing Party is a co rporation; 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 liabilityMmpany; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5 percent ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

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

☐ Yes ☒ No .

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

None : ■ ■ ■ - •

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPEND DC B

BUILDING CODE SCOEFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

QYes [x]No

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

QYes

f"|No

[^} Not Applicable

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

None

- ■

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

(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

329-416 W. 18th Street/1700-1716 S. Stewart Avenue

This recertification is being submitted in connection with and 1701-1717 S. Canal Street [identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

Date:

New Chinatown Real Estate, LLC (Print or type legal name of Disclosing Party)

By. ^

Print or type name of signatory: ' \ ' Title of signatory: ,

Signed and sworn to before me on [date]

-*>y

Commission expires:

fil** A./ CLt^ ,at Cool*- County, STjjj^i^ [state].

(J- ^fjr^ Notary Public.

Official Seal WilliamSBazlanos Notary Public State of INnofa • My Commission Expires 06/20/2017

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: 400M.LLC

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. (3« legal entity holding a direct or indirect interest in the Applicant State the legal name of the

2. Applicant in which the Disclosing Party holds an interest: New Chinatown Real Estate. LLC

OR

3. [71 a legal entity with a right of control (see Section 113.1.) State the legal name of the entity in

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

☐ Yes ☒ No ☐ N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name	Title
Yu Chen	Manager

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

Page 2 of 13

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

Name	Business Address	Percentage Interest in the Disclosing Party
Yu Chen	200 S. Michigan Ave, Suite 1100, Chicago, IL 60604	100%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

f] Yes

0No •

If yes, please identify below the name(s) of such City elected official(s) and describe such relationship^):
None

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

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Name (indicate whether Business retained or anticipated Address to be retained)

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)

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

SECTION V - CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

- Yes (29 No Q No person directly or indirectly owns 10% or more of the Disclosing Party.

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

- Yes^ - [?] No.

B. FURTHER CERTIFICATIONS ;■

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

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

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

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

- a. bribed or attempted to bribe, been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City; the State of Illinois; of 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, restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- A. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

4. Neither the Disclosing Party, Affiliated Entity of Contractor, or an agent or partner, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (i) 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 country of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

"5. Neither the Disclosing Party nor any Affiliated Entity maintained

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

, N°Pft. , " ■' : ; : : ' ^ : . - ■ '■

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

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

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

Nona

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. \square is Eg is not

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

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

PH 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.

} 12. 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:

None - - * - ■ ■ .

SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

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

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

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

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

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and substance to paragraphs A.1. through A.4. above from oil 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 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 Bureau of Employment Opportunity Commission all reports due under the applicable filing requirements?

- Yes ☐ No ☐

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

- Yes " .)U6 ' ' - /

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

None . :- ■ ■ ■

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

The Disclosing Party understands and agrees that:

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

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

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

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

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

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a

contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article I of Chapter 1-23 of the Municipal Code (imposing PERMANENT DISQUALIFICATION for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1 -23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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

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

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

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

CERTIFICATION

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

400M.LLC

(Print or type name of Disclosing Party)

YuChen

(Print or type name of person signing)

(Print or type title of person signing)

Commission expires:.

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDLYA

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

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

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

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

☐ Yes ☐ No

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

None

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CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT APPENDIX B

BUILDING CODE VIOLATION/PROBLEM LANDLORD CERTIFICATION

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

which has a direct ownership interest in the Applicant exceeding 7.5 percent (an "Owner").

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

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

Q Yes

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

☒ Yes / ☐ No

3. If yes to (1) or (2) above, identify as a building code scofflaw or problem landlord of the building or buildings to which the applicant is a building code scofflaw or problem landlord.

None

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDIX B IS INCORPORATED BY REFERENCE INTO, AND THAT THE REPR SUBJECT TO THE CERTIFICATION MADE UNDER PENALTY OF PERJURY ON PAGE 12 OF THE ASSOCIATED EDS.

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(DO NOT SUBMIT THIS PAGE WITH YOUR EDS. The purpose of this page is for you to recertify your EDS prior to submission to City Council or on the date of closing. If unable to recertify truthfully, the Disclosing Party must complete a new EDS with correct or corrected information)

RECERTIFICATION

Generally, for use with City Council matters. Not for City procurements unless requested.

329-416 W. 18th Street/1700-1716 S. Stewart Avenue

This recertification is being submitted in connection with and 1701-1717 S. Canal Street [identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Disclosing Party, (2) warrants that all certifications and statements contained in the Disclosing Party's original EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

400M, LLC
(Print or type legal name of Disclosing Party)

Print or type name of signatory:

Title of signatory:

in
Commission expin

Signed and sworn to before me on vVi7//a.w X H>*-i" q-k^i . at

Ver. 11-01-05

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SECTION I - GEU^Y^F^J^C^MO^^ ■k::: ^ ■^^f^^Jyr.ji: i

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