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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the C2-1 Motor Vehicle-Related Commercial District symbols and indications as shown on Map No. 11-1 in the area bound by:

> West Eastwood Avenue; North Western Avenue; a line 75.00 feet south of West Eastwood Avenue; a line 108.00 feet west of North Western Avenue

to those of a B2-3 Neighborhood Mixed-Use District;

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all of the B2-3 Neighborhood Mixed-Use District symbols and indications shown on Map No. 11-I in the area bounded by:

> West Eastwood Avenue; North Western Avenue; a line 75.00 feet south of West Eastwood Avenue; a line 108.00 feet west of North Western Avenue

to those of a Residential- Business Planned Development, and a corresponding use district is hereby established in the area above described.

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

Commonly known as: 4618-20 North Western Avenue

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

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all of the C2-1 Motor Vehicle-Related Commercial District symbols and indications as shown on Map No. 11-I in the area bound by:

> West Eastwood Avenue; North Western Avenue; a line 75.00 feet south of West Eastwood Avenue; a line 108.00 feet west of North Western Avenue

to those of a B2-3 Neighborhood Mixed-Use District;

SECTION 2: That the Chicago Zoning Ordinance be amended by changing all of the B2-3 Neighborhood

Mixed-Use District symbols and indications shown on Map No. 11 -I in the area bounded by:

West Eastwood Avenue; North Western Avenue; a line 75.00 feet south of West Eastwood Avenue; a line 108.00 feet west of North Western Avenue

to those of a Residential- Business Planned Development, and a corresponding use district is hereby established in the area above described.

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

Commonly known as: 4618-20 North Western Avenue

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RESIDENTIAL BUSINESS PLANNED DEVELOPMENT NO.
PLANNED DEVELOPMENT STATEMENTS

1. The area delineated herein as Residential Business Planned Development Number , ("Planned Development") consists of approximately 8,099 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, JAB Merger, LLC. At the time of implementation of this Planned Development, the site has been zoned C2-1 and is located within 600 feet of an entrance to the CTA Brown Line Western Avenue station. Because the application reduces the number of parking spaces by (more than) 50% from the minimum otherwise required, it is eligible for increased Floor Area Ratio (Section 17-3-0403-B), reduced Minimum Lot Area per Unit (Section 17-3-0402-B), and increased height (Section 17-3-0408-B). Due to the increase in Floor Area Ratio, the project was required to be a mandatory planned development pursuant to Sec. 17-3-403-B at the time the planned development application was introduced to the Chicago City Council.

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

Applicant: JAB Merger, LLC
Address: 4618-20 North Western Avenue
Introduced: July 29, 2015
Plan Commission. November 19, 2015

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compliance wilh the Municipal Code of the City of Chicago. Prior to the issuance of any Part II approval, the submitted plans must be approved by the Department of Transportation.

4. This Plan of Development consists of 16 Statements; a Bulk Regulations Table; an Existing Zoning Map; a Property Line & R.O.W. Map; Landscape Plan; First Floor Plan; and Building Elevations (North, South, East and West) prepared by Sullivan Goulette Architects and dated November 19, 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 Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential Business Planned Development: multi-family residential dwelling units located at and above the ground floor, eating and drinking establishments, financial services (excluding payday/title secured loan store and pawn shop), food and beverage retail sales, general retail sales, medical service, personal service, dry cleaning service, office, accessory parking and accessory uses.

6. On-Premise signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-Premise signs are prohibited within the boundary of the Planned Development

7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall also be subject to height limitations, if any, established by the Federal Aviation

Administration.

8. The maximum permitted Floor Area Ratio ("FAR") for the site shall be in accordance with the attached Bulk Regulations 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 8,099 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

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reviews associated with site plan review or Part II reviews, arc 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 ofthe Municipal Code, or any other provision of that Code.

12. The Applicant acknowledges and agrees that the rezoning of the Property from C2-1 to B2-3 for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In accordance with these requirements and the Affordable Housing Profile Form attached hereto as Exhibit A, the Applicant has agreed to provide two (2) affordable housing units (for rental units, 10% of total if leased at prices affordable at 60% AMI in the Residential Project for households earning up to 60% of the Chicago Primary Metropolitan Statistical Area median income (the "Affordable Units"), and make a cash payment to the Affordable Housing Opportunity Fund in the amount of $100,000 per unit ("Cash Payment") for two (2) additional units. At the time of each Part II review for the Residential Project, Applicant may update and resubmit the Affordable Housing Profile Form to the Department of Planning and Development ("DPD") for review and approval. If the Applicant subsequently reduces the number

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of dwelling units in the Residential Project, DPD may adjust the requirements of this Statement 12 (i.e., number of Affordable Units and/or amount of Cash Payment) accordingly without amending the Planned Development. Prior to the issuance of any building permits for the Residential Project, including, without limitation, excavation or foundation permits, the Applicant must either make the required Cash Payment, or execute an Affordable Housing Agreement in accordance with Section 2-45-110(i)(2). The terms of the Affordable Housing Agreement and any amendments thereto are incorporated herein by this reference. The Applicant acknowledges and agrees that the Affordable Housing Agreement will be recorded against the Residential Project and will constitute a lien against each Affordable Unit. The City shall execute partial releases of the Affordable Housing Agreement prior to or at the time of the sale of each Affordable Unit to an income-eligible buyer at an affordable price, subject to the simultaneous execution and recording of a mortgage, restrictive covenant or similar instrument against such Affordable Unit. The Commissioner of Planning and Development may enforce remedies for breach of the Affordable Housing Agreement, and enter into settlement agreements with respect to any such breach, subject to the approval of the Corporation Counsel, without amending the Planned Development.

13. The terms and conditions of development under this Planned Development ordinance may be modified administratively, pursuant to section 17-13-0611-A of the Zoning Ordinance by the Zoning Administrator upon the application for such a modification by the Applicant, its

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successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors.

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

15. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs, conserves energy and maximizes the preservation of natural resources. At the time of a hearing before the Chicago Plan Commission, all developments must be in substantial compliance with the current City of Chicago Sustainable Development Policy set forth by the Department of Planning and Development. The Applicant will achieve LEED or Energy Star certification for the

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Project and will have a green roof of 1,441 square feet (minimum 50% of net roof area).

16. 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 B2-3.

Applicant: JAB Merger, LLC
Address: 4618-20 North Western Avenue
Introduced: July 29, 2015
Plan Commission: November 19, 2015

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Net Site Area:

Area in the Public Right-of-Way:

Gross Site Area:

Maximum F.A.R.:

Maximum Number of Units:

Maximum Building Height:

Minimum Off-Street Parking Spaces Required:

Minimum Off-Street Loading Spaces Required:

Minimum Bicycle Parking Spots:

Minimum periphery setbacks:

8,099 square feet (0.19 acres)

9,818 square feet (0.22 acres)

17,917 square feet (0.41 acres)

3.5

40

60

10

0

40

Per approved plan

USE & BULK DATA SHEET

APPLICANT: JAB MERGER L.L.C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE: JULY 29, 20 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D AT E : N O V E M B E R

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NUK I n

EXISTING ZONING MAP

APPLICANT: JAB MERGER L.L.C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE : JULY 29, 20 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION DATE: NOVEMBER

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PROPERTY LINE & R.O.W. MAP

APPLICANT: JAB MERGER L.L.C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DAT E : J U L Y 29, 2 0 1 5 REVISED. NOVEMBER 11,2015 PLAN COMMISSION D A T E : N O V E M B E R

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LANDSCAPE PLAN

APPLICANT: JAB MERGER LLC. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DAT E : J U L Y 29, 2 0 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D AT E : N O V E M B E R

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FIRST FLOOR PLAN

APPLICANT: JAB MERGER LL C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DAT E : J U L Y 29, 20 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D AT E : N O V E M B E R

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EAST BUILDING ELEVATION

APPLICANT: JAB MERGER L.L.C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE.JULY 2 9, 20 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D A T E : N O V E M B E R

S U L L I V A N |
GOULETTE

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Ic

NORTH BUILDING ELEVATION

APPLICANT: JAB MERGER L L C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE.JULY 29, 20 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D AT E : N O V E M B E R

SOUTH BUILDING ELEVATION
2 0 15

APPLICANT. JAB MERGER L L C. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE:JULY 2 9,
2 0 1 5 REVISED: NOVEMBER 11,2015' PLAN COMMISSION DATE: NOVEMBER 19

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WEST BUILDING ELEVATION

APPLICANT: JAB MERGER L LC. ADDRESS: 4620 N WESTERN AVE INTRODUCTION DATE: JULY 2 9, 2 0 1 5 REVISED: NOVEMBER 11,2015 PLAN COMMISSION D AT E : N O V E M B E R 19

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2007 Affordable Housing Profile Form (Rental)

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

This completed form should be returned to: Kara Breems, DPD. 121 N. LaSalle Street. Chicago, IL 60602. E-mail: kara.breems@cltyofchIcago.org <mailto:kara.breems@cltyofchIcago.org> Telephone: (312) 744-6476

Date: November 5, 2015

SECTION 1: DEVELOPMENT INFORMATION
Development Name:
Development Address: 4618-20 North Western Avenue Ward: 47
tf you are working with a Planner at the City, what is his/her name? Dan Klaiber Type of City invoh/ement:
| j City Land
(check all thai apply) 1-1 Financial Assistance (If receiving TIF assistance, wll TIF funds be
I J uud for housing construction? [|*) *tf yes, please provide copy
I . of the TIF ESglbte Expenses
1^1 Zoning Increase and/or PD

SECTION 2: DEVELOPER INFORMATION
Developer Name: JAB Merger LLC Developer Contact (Project Coordinator):
James Jann Developer Address: 1800 w. Berenice #zoo Chicago 6O613' Email
address: jiann@iabreale8tate.com <mailto:jiann@iabreale8tate.com>Telephone
Number: 773.472.9500

SECTION 3: DEVELOPMENT INFORMATION
a) Affordable units reouired

For ARO projects: « x 10%* ~ £ (always round up)
Total units total affordable units required

*20% If TIF assistance is provided

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

•Note that the maximum allowed bonus Is 20% of base FAR in dash-5; 25% In dash-7 or -10; and 30% of base FAR in dash-12 or -16 (www.dtvofchlcaQQ.orQ/zonlnq <http://www.dtvofchlcaQQ.orQ/zonlnq> for zoning info).

b) building details

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

□ □ LJ □ □

Cooking gas electric gas heat electric heat other (describe on back)

□LZi □m

Is parking included in the rent forthe: affordable units? yes no market-rate units? yes no
If parking is not included, what Is the monthly cost per space? iiso

Estimated date for the commencement of marketing; 4th quarter 2016

"Developer intends to fulfill the ARO requirement by constructing 2 ARO units on-site and contnbullng $200,000 In in lieu] fees.

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Estimated date for completion of construction of the affordable units: 4th quarter 2016

	Unit Type*	Number of Units	Number of Bedroo ms/Unlt	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent'	Proposed Level of Atfordabillty (60% or less of AMI)	Unit Mix OK to proceed?
MM	mt n				$MO0D) S3			m
Affordable Units	Studio	1	0	366			60%	□
	1 bedroom	1	1	527			60%	□
								□
Market Rate Units	Studio	14	0	avg. 382	$1,100	N/A	N/A	□
	1 bdrm	24	1	avg. 514	$1,400	N/A	N/A	□
						N/A	N/A	□

For ARO protects, use lhe following formula to calculate payment owed:

40 x 10% = 4 x 5100 000 a s400t000*

Number of total units (round up to nearest Amount owed

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in development whole number)

For Density Bonus projects, use the following formula to calculate payment owed:
= $_

X 80% X $_
Bonus Floor Area (sq ft) median price per base FAR foot Amount owed

Submarket (Table for use with the Density Bonus fees-in-Jieu calculations)	Median Land Price per Base FAR Foot
Loop: Chicago River on north/west Congress on south: Lake Shore Dr on east	$31
North; Division on north; Chicago River on aouttvwest; Lake Shore Dr. on east	$43 .
South: Congress on north; Stevenson on south; Chicago River on west; Lake Shore Dr. on east	S22
West: Lake on north; Congress on south; Chicago River on east: Racino on west	$29

Authorization to Proceed (to bo completed by Developer & DPD)

ll- \7--\5 <file:///7--/5>
Date

Kara Breerrts. ^PD TjjlS/0 i-VrT-ki n, <XcV

Jvelbper/Prolect Manager ^ Date
Developer/Project Manager

'Developer intends to fulfill the ARO requirement by constructing 2 ARO units on-site and contributing $200,000 In In lieu fees. 2

***J= 18**

CITY OF CHICAGO RECEIVED

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

NU V 1 *

ADDRESS of the property Applicant is seeking to rezone: 4618-20 N. Western Avenue

Ward Number that property is located in: 47

APPLICANT JAB Merger LLC

ADDRESS 1800 N. Berenice. Suite 200 **CITY** Chicago

STATE IL ZIP CODE 60613 PHONE 773-294-6654

EMAIL fcarnP'se@iabrealestate.com <mailto:se@iabrealestate.com> CONTACT PERSON Francis S. Campise

Is the applicant the owner of the property? YES NO *

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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 Shahin Bagheri

ADDRESS 2973 <_)liver Lane **CITY** lowa

STATE 'A ZIP CODE 52240 PHONE 319-331-1586

EMAIL shahin47@gmail.com <mailto:shahin47@gmail.com> CONTACT PERSON Shahin Bagheri

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

ATTORNEY Katriina S. McGuire/ Thompson Coburn LLP

ADDRESS 55 E. Monroe Street, 37th Floor

CITY Chica9° **STATE** __l_z **ZIP CODE** 60603

PHONE 312-580-2326 FAX 312-782-1826 EMAIL kmcquire(a>thompsoncoburn.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.

Francis S. Campise

James Jann

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

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

unknown

9. Present Zoning District C2-1 Proposed Zoning District B2-3 to Residential Business Planned Development

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10. Lot size in square feet (or dimensions) 8.099.46 square feet

11. Current Use of the property 1 storV improved building

12. Reason for rezoning the property r-""°Posed 5-story mixed-use building with ground floor commercial

12. space. 40 residential units. 10 parking spaces and 40 bicvele spaces,

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)**
Proposed 5-story mixed-use building with ground floor commercial space, 40 residential units, IQ parking spaces and 40 bicycle spaces. .

14. 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 die proposed zoning classification, is this project subject to the Affordable Requirements Ordinance? (See Fact Sheet for more information)

YES.

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REPORT to the
CHICAGO PLAN COMMISSION from the
DEPARTMENT OF PLANNING AND DEVELOPMENT
NOVEMBER 19, 2015

FOR APPROVAL: PROPOSED RESIDENTIAL BUSINESS PLANNED DEVELOPMENT

APPLICANT: JAB MERGER, LLC

LOCATION: 4618-20 NORTH WESTERN AVENUE

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 ofthe Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation regarding a proposed Residential Business 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 July 29, 2015. Proper legal notice of the public hearing on the application was published in the Chicago Sun-Times on November 4, 2015. The Applicant was separately notified of this hearing.

The Applicant, JAB Merger, LLC, is seeking approval to rezone property from C2-1 (Motor Vehicle-Related Commercial District) to B2-3 (Neighborhood Mixed-Use District), prior to establishing a Residential Business Planned Development. The Applicant is seeking a planned development in order to receive an FAR increase for a transit-served location project pursuant to Section 17-3-0403-B of the Chicago Zoning Ordinance which required planned development review at the time that this application was filed. Subsequent to the filing of this project, Section 17-3-0403-B was amended to eliminate the automatic mandatory planned development review requirement for transit-served location projects. The Applicant intends to construct a new five-story residential/mixed use building on the subject property.

PROJECT BACKGROUND

The Applicant, JAB Merger, LLC, purchased the subject property in 2015. The property on which the project is to be constructed currently consists of a one-story automobile sales facility, which is planned to be demolished prior to construction of the project.

SITE AND AREA DESCRIPTION

The subject property is approximately 8,099 square feet and is currently zoned C2-1 (Motor Vehicle-Related Commercial District) and is bounded by North Western Avenue on the east, a public alley on the west, a two-story residential/mixed use building to the south and West Eastwood Avenue on the north. The immediate area along North Western Avenue at this location is generally zoned B3-2 (Community Shopping District) while a few nearby

parcels are zoned B3-3 and C1-2 (Neighborhood Commercial District). The residential side streets are generally zoned RS-3 (Residential Single Unit (Detached House) District). Nearby land uses include multi-unit residential/mixed uses and various commercial uses including some parking. The residential side streets include various multi-unit buildings and single family homes. 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 or national landmark structure or site. The site does lie within the Western Avenue (North) Tax Increment Financing Area. It lies within the Lincoln Square Community Area.

The site is very well served by the Chicago Transit Authority's Brown Line station at Western Avenue. The train station entrance is approximately 300 feet to the northeast of the subject site. As stated earlier, it is this fact that allows the Applicant to seek additional floor area under the transit-served locations section of the Chicago Zoning Ordinance. In addition, the site is directly served by the CTA's Western Avenue busses (#49/#49B) and the nearby Lincoln Avenue (#11) and Lawrence

Avenue (#81) busses. Finally, shared bike lanes along North Lincoln Avenue are also present.

PROJECT DESCRIPTION

The Applicant is proposing to construct a five-story mixed use building. The project will contain approximately 2,700 square feet of ground floor commercial space, 10 enclosed parking spaces on the ground floor and a total of 40 dwelling units on floors two thru five. Additionally, the building will contain various amenities for residents and provisions for at least 40 bicycles.

DESIGN/LANDSCAPING

The project consists of a five-story structure along the corner site of North Western Avenue and West Eastwood Avenue. The building will not be setback on any sides at the ground floor level while the majority of the south side ofthe building will be setback approximately 17 feet above the first floor. The residential floors above the ground floor level will also be setback on the West Eastwood Avenue side of the building. The setback areas will contain private amenity decks for individual units.

The street level facade of the proposed building consists of an aluminum and glass storefront system at the corner. The west, east, north and south facades of the building consist of face brick, stucco, wood composite and fibre cement. Aluminum garage doors are present on the west and south facades. Glass railings are present on all ofthe private balconies. The proposed building height is approximately 60 feet.

The sidewalk along North Western Avenue and West Eastwood Avenue at the subject property will be improved with new trees in compliance with the Chicago Landscape Ordinance.

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ACCESS/CIRCULATION

Pedestrian access to the building will be via both Western Avenue and West Eastwood Avenue. Vehicular access to the building will be achieved via the public alley located at the structure's rear. As described earlier, the project will incorporate space for 10 automobiles in an enclosed structure, accessed from this alley. The project will contain 40 bike parking spaces, at a minimum.

SUSTAINABILITY

In accordance with the City of Chicago's Sustainability Policy, the Applicant will achieve either LEED certification or Energy Star certification for the project. Also in accordance with the policy, the Applicant will provide a green roof totaling 50% of the net roof area. The project will also comply with the Storm Water Management Ordinance, implementing best practices in all storm water management.

BULK/USE/DENSITY

As stated earlier, the Applicant seeks to first rezone the subject property from C2-1 (Motor Vehicle-Related Commercial District) to B2-3 (Neighborhood Mixed-Use District), prior to establishing the proposed Residential Business Planned Development.

The proposed maximum floor area ratio for this Residential Business Planned Development will be 3.5. The additional allowance for floor area, from 3.0 to 3.5, is permitted underthe Chicago Zoning Code (17-3-0403-B) because this project is proposing to incorporate no more than 50% ofthe otherwise required parking spaces. This allowance is made possible because the project is considered as a transit-served location underthe Chicago Zoning Code, being less than 1200 feet from the Western Avenue Station on the CTA's Brown Line. In addition, this project is planning to include approximately 50% efficiency units per the Chicago Zoning Code.

This Residential Business Planned Development includes the following uses: eating and drinking establishments; food and beverage retail sales; financial services; general retail sales; offices; personal services; multi-family dwelling units above the ground floor; and accessory parking.

Finally, this project will trigger the City of Chicago's Affordable Requirements Ordinance (ARO) as the project necessitates an increase in zoning to proceed as planned, from C2-1 to B2-3. The Applicant is proposing to comply with the ARO by including two units on-site and by paying the in-lieu fee for two units.

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 consists of a mix of commercial and business zoning districts and the project represents an opportunity to utilize the site's proximity to

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public transit with an appropriate mixed use development along North Western Avenue in Chicago's Lincoln Square Community Area.

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 proposed rezoning ofthe subject property, from C2-1 to B2-3, is appropriate under Chapter 17-13 of the Zoning Ordinance. Specifically, the proposed development is compatible with the character of the surrounding area in terms of uses, density and building scale (17-13-0308-C) and the proposed zoning classification is compatible with surrounding zoning (17-13-0308-C).

2. 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. Promotes transit, pedestrian and bicycle use (per 17-8-0904-A) as evidenced by the project incorporating fewer automobile spaces and more bicycle spaces, capitalizing on the project's proximity to public transit;
    b. Promotes economically beneficial development patterns that are compatible with the character of existing neighborhoods (per 17-8-0103), as evidenced through the project's design and massing keeping within the context of adjacent structures;
    c. Provides that parking is located behind the buildings or to the side of buildings (per 17-8 -0904-C-2), as evidenced by the enclosed parking area on the site to be located to the rear of the lot, accessed from a public alley;
    d. Provides street-level spaces within buildings that are designed to accommodate active uses or to otherwise engage pedestrian interest (per 17-8-0905-A-2), as evidenced by the incorporation of street level retail/commercial space fronting on North Western/West Eastwood Avenues;
    e. Promotes green design by conserving non-renewable energy and scarce materials (per 17-8-0908-A) as evidenced by the proposed green roof; and,
    f. 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.

3. The project is consistent with the Transit Friendly Development Guide - Station Area Typology Study, which was adopted by the Chicago Plan Commission in 2009. Specifically, the Chicago Transit Authority's Western Avenue Station on the Brown Line has been labeled as a "Local Activity Center" under the plan, which calls for projects that preserve the pedestrian experience, improve walkability, bicycling and access to transit.

4. The project is consistent with the Western Avenue (North) Tax Increment Financing District Land Use Plan, which was adopted by the Chicago City Council in 2000. Specifically, this Plan suggests that "Mixed Use" is appropriate forthe subject site.

5. 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.

6. 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 Development that this application for a Residential Business 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

RESIDENTIAL BUSINESS PLANNED DEVELOPMENT 4618-20
NORTH WESTERN AVENUE

RESOLUTION

WHEREAS, the Applicant, JAB Merger, LLC, has submitted an application seeking approval for a Residential Business Planned Development on property currently zoned C2-1 (Motor Vehicle-Related Commercial District); and,

WHEREAS, the Applicant intends to rezone the property to B2-3 (Neighborhood Mixed-Use District) prior to establishing the proposed Residential Business Planned Development; and,

WHEREAS, the Applicant intends to construct a five-story building with 40 dwelling units, ground floor retail space and accessory parking utilizing the Transit-Served Locations provisions of the Chicago Zoning Ordinance; and,

WHEREAS, the Applicant's request to rezone the property was introduced to the City Council on July 29, 2015; and,

WHEREAS, proper legal notice ofthe hearing before the Plan Commission was published in the Chicago Sun-Times on November 4, 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 November 19, 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 ofthe application, with the recommendation and explanation contained in the written report dated November 19, 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 proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development and all other testimony presented at the public hearing held on November 19, 2015, giving 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 Commissioner ofthe Department of Planning and Development be adopted as the findings of fact of the Plan Commission regarding this zoning map amendment application.

2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards ofthe final zoning application dated July 29, 2015; and,

RBPD No.
Approved: November 19, 2015

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

AO-Department of

Planning and Development

city of chicago

MEMORANDUM

TO: Alderman Daniel S. Solis

Chairman, City Council Committee on Zoning

FROM:

David L. Reifman Secretary

Chicago Plan Commission DATE:

November 20, 2015

RE: Proposed Residential Business Planned Development for property generally located at 4618 North Western Avenue.

On November 19, 2015, the Chicago Plan Commission recommended approval ofthe proposed planned development submitted by JAB Merger, 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 ofthe 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 LASAlil.j; STRKKT. ROOM 100(1, CHICAGO. ILLINOIS 60(502

Chicago Plan Commission

powered by Legistar™

4620 N. Western Ave. November 19,2015

Site Aenal

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Silo Zoning Map

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Photos of Existing Site

Proposed Site Plan

powered by Legistar™

Proposed Ground Floor Plan

11/19/2015

Proposed 2™'-A* Floor Plan

Proposed 5* Floor Plan

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Pioposcd Site Elevations

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Site Renderings

Site Renderings
Aerul Vic- from Die South^st Corner
Site Renderings

11/19/2015

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: JAB Merger LLC

Check ONE of the following three boxes: • J ,

Indicate whether the Disclosing Party submitting this EDS is:

1. fx] the Applicant
   OR
2. Q a 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. f~ 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: 1800 W. Berenice. Suite 200. Chicago. Illinois 60613

C. Telephone: 773-294-6654 p_{ax:} • Email: fcampise@jabrealestate.com

<mailto:fcampise@jabrealestate.com>

D. Name of contact person: Ffar)cis s_ Cam P'se

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

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

Zoning Map Amendment for the property located at 4616-20 N. Western Avenue

G. Which City agency or department is requesting this EDS? plan Commission. 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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- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

[j Person	pf] Limited liability company
L J Publicly registered business corporation	□ Limited liability partnership
| | Privately held business corporation	[J Joint venture
fT Sole proprietorship	[~ Not-for-profit corporation
|_J General partnership	(Is the not-for-profit corporation also a 501(c)(3))?
[_ Limited partnership	L_]Yes L~jNo
i ' Trust	rj 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?

C'j Yes □ No □ N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name	Title
Francis S. Campise	Manager
James Jann	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,

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 ofthe 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 tbe Disclosing Party
Francise S. Campise	1800 W. Berenice, Suite 200, Chicago. IL 60613	50%
James Jann	1800 W. Berenice , Suite 200, Chicago, IL 60613	50%

SECTION III - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

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

□ Yes [3 No •

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

SECTION IV - DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

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

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

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
LLP 55 E. Monroe St., 371h Flo, Chicago. IL 60603		Katriina S. McGuire/Thompson Cobum Attorney	Est $10.000

(Add sheets if necessary)

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

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

□ Yes □ No

B. FURTHER CERTIFICATIONS

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

2. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section 1I.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 die 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 tbe ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls tbe Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
- any responsible official ofthe Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

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

Affiliated Entity of a Contractor during the five years before the date of such Contractor's or Affiliated Entity's contract or engagement in connection with the Matter:

a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency ofthe federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;

b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or

d. .violated the.provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

5. Neither the Disclosing Party nor any Affiliated Entity is listed on any of the following lists maintained by the Office of Foreign Assets Control ofthe U.S. Department ofthe Treasury or the Bureau of Industry and Security ofthe U.S. Department of Commerce or their successors: the Specially Designated Nationals List, the Denied Persons List, the Unverified List, the Entity List and the Debarred List.

' 6. The Disclosing Party understands and shall comply with the applicable requirements of Chapters 2-55 (Legislative Inspector General), 2-56 (Inspector General) and 2-156 (Governmental Ethics) of tbe Municipal Code.

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

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

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

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

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

1. U is H 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:

"Wc 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 ofthe Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss ofthe 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) ofthe Municipal Code) is a predatory lender within the meaning of Chapter 2-32 ofthe Municipal Code, 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 INTEREST IN CITY BUSINESS

Any words or terms that are defined in Chapter 2-156 ofthe 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 [XJNo

NOTE: lfyou checked "Yes" to Item D.L, proceed to Items D.2. and D.3. lfyou checked "No" to Item D.L, proceed to Part E.

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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*]No

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

Name	Business Address	Nature of Interest

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

I"*"] 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. ,J2. 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

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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):
N/A

(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.l. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee ofany 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 ofany 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 ofthe statements and information set forth in paragraphs A.l. and A.2. above.

4. The Disclosing Party certifies that either: (i) it is not an organization described in section 501(c)(4) ofthe Internal Revenue Code of 1986; or (ii) it is an organization described in section 501(c)(4) ofthe 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.l. 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 ofthe 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:

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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 ofthe Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?

- Yes □No

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

- Yes □ No

lfyou checked "No" to question 1. or 2. above, please provide an explanation:
N/A :

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 ofany 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 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 ofthe Municipal Code (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by Chapter 1-23 and Section 2-154-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

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

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

F.3 If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in F.l. 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.L, 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.

By:

^Ign here)

(Print or type name of person signing) (Print or type title^f person signing)

" - -i ■

OFFICIAL SEAL AMANDA M REGNIER Notary Public - State of Illinois My Commission Expires Feb 2,2019 ,

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX A

FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

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

Under Municipal Code Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date tin's 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-lawj 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 ILB.l.a., if die 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 ofthe 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 Parry" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

□ Yes P£]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.

N/A

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT
APPENDIX B

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

   QYes fx] 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?

   QjYes [Z]No QTj 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 ofthe building or buildings to which the pertinent code violations apply.

None

FILLING OUT THIS APPENDIX B CONSTITUTES ACKNOWLEDGMENT AND AGREEMENT THAT THIS APPENDLX 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.

pO 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.

Zoning Amendment Application forthe property This recertification is being submitted in connection with located at 4618-20 N. Western Avenue [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 ofthe date furnished to the City and continue to be true, accurate and complete as ofthe date of this recertification, and (3) reaffirms its acknowledgments.

.^Merger LLC
(Print or type legal name of Disclosing Party)

(sign here)

Print or type name of signatory: James Jann

Title of signatory:

Manager
Signed and sworn
~T///ru(J [state].

to before me on [date] _

, at topic- County, T//,n
Notary Public.
Commission expires:

OFFICIAL SEAL AMANDA MREGNIER

My commission Expires Feb 2. «ns_

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