



Office of the City Clerk

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

Legislation Text

File #: SO2015-6407, Version: 1

FINAL FOR PUBLICATION

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

SECTION 1 That Section 17 of the Municipal Code of Chicago, the City Zoning Ordinance be amended by changing all the MI-3 Limited Manufacturing/Business Park District and RT-4 Residential Two-Flat, Townhouse and Multi-unit District symbols and indications as shown on Map No. I -G in area bound by

NORTH ABERDEEN STREET; THE PUBLIC ALLEY NEXT NORTH OF AND
PARALLEL TO WEST HURON STREET; THE PUBLIC ALLEY NEXT SOUTHWEST
OF AND PARALLEL TO NORTH ABERDEEN STREET; AND NORTH OGDEN
AVENUE

To those of a B3-5 Community Shopping District, and a corresponding use district is hereby established in the area above described.

SECTION 2 Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B3-5 Community Shopping District symbols shown on Map 1-G in area bound by

NORTH ABERDEEN STREET; THE PUBLIC ALLEY NEXT NORTH OF AND
PARALLEL TO WEST HURON STREET; THE PUBLIC ALLEY NEXT SOUTHWEST
OF AND PARALLEL TO NORTH ABERDEEN STREET; AND NORTH OGDEN
AVENUE

To those of a Residential-Business Planned Development, subject to the use and bulk regulations set forth in the Plan of Development attached hereto and made a part hereof.

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

FINAL FOR PUBLICATION

RESIDENTIAL-BUSINESS PLANNED DEVELOPMENT No.

Plan of Development Statements

1. The area delineated herein as Residential Business Planned Development Number _____, ("Planned Development") consists of approximately 30,691 square feet of property located at 768 North Aberdeen Street, which is depicted on the attached Planned Development Boundary and Property Line Map ("Property") and is owned or controlled by the Applicant, John Kelly.
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 II approval, the submitted plans must be

approved by the Department of Transportation.

4. This Plan of Development consists of 17 Statements: a Bulk Regulations Table; a Plat of Survey; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; a Site Plan; a Sub-Area Map; Floor Plans; Landscape Plan; Building Elevations prepared by Fitzgerald Associates Architects and dated June 16, 2016, submitted herein. Full-sized copies of the Site Plan, Landscape Plan and Building

Applicant	John Kelly
Address	768 North Aberdeen Street
Introduced	September 2-1, 2015
Plan Commission	June 16, 2016

1

FINAL FOR PUBLICATION

Elevations are on file with the Department of Planning and Development. In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development conforms to the intent and purpose of the Zoning Ordinance, and all requirements thereto, and satisfies the established criteria for approval as a Planned Development. In case of a conflict between the terms of this Planned Development Ordinance and the Zoning Ordinance, this Planned Development Ordinance shall control.

5. The following uses are permitted in the area delineated herein as a Residential Business

5. Planned Development No. .

Multi-Unit Residential; Day Care; Parks and Recreation; Art Sales Space; Restaurant General; Outdoor Patio grade level; Bank; Automated Teller Machine Facility; Liquor Store (packaged goods); Liquor Sales (as accessory use); Medical Service; Office; accessory Parking, Hair Salon, Nail Salon or Barbershop; Dry cleaning drop off or pickup (no on premises plant); Retail Sales, General; Children's Play Center. The following uses shall be prohibited: Adult Use.

In accord with Section 17-10-0503 of the Municipal Code, the Applicant may lease to members of the public on an hourly, daily, weekly or monthly basis' up to twenty-five percent (25%) of the minimum required parking spaces.

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.

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 5.0, 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 30,691 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

Applicant	John Kelly
Address	7bS North Aberdeen Street
Introduced	September 24, 2015
Plan Commission	June 16, 2016

2

FINAL FOR PUBLICATION

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.
13. 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, conserves energy and maximizes the preservation of natural resources. The Applicant shall achieve at least basic LEED Certification under the Leadership in Energy and Environmental Design Green Building Rating System for all new construction within the Planned Development. The Applicant shall install a green roof over 50 percent of the net roof with a total of 13,533 square feet.
15. The Applicant acknowledges and agrees that the rezoning of the Property from M1-3 and RT-4 to B3-5 and then to a Residential-Business Planned Development for construction of this Planned Development triggers the requirements of Section 2-45-110 of the Municipal Code (the "Affordable Housing Ordinance"). Any developer of a "residential housing project" within the meaning of the Affordable Housing Ordinance ("Residential Project") must: (i) develop affordable housing units as part of the Residential Project; (ii) pay a fee in lieu of the development of affordable housing units; or (iii) any combination of (i) and (ii). In

accordance with these requirements and the Affordable Housing Profile Form attached hereto as an Exhibit, the Applicant has agreed to provide 2 affordable housing units 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 15 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 of dwelling units in the Residential Project, DPD may

Applicant	John Kelly
Address	7<SS North Aberdeen Street
Introduced'	September 24, 2015
Plan Commission	June 16, 2016

3

FINALFOR PUBLICATION

adjust the requirements of this Statement 15 (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 to 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 DPD 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. If this Planned Development does not receive city council approval by July 13, 2016, the project will be subject to Section 2-45-115 of the Municipal Code (the "2015 ARO"). In such event, the Applicant shall meet with the Department of Planning and Development to determine the application of the 2015 ARO to the project, and the 2015 ARO requirements will replace and supersede the affordability requirements set forth in this Section.

16. The Applicant or its successors and assigns, at their own cost, shall design and construct the open space improvements as depicted on the Landscape Plan (hereinafter the "Park"). Upon completion of the Park, the Applicant, its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors, shall be responsible to assure that the Park is maintained and managed for the purposes herein set forth, including assuring that the Park landscaping is well maintained and that the vegetation and plantings are kept in a healthy condition and that the Park facilities are clean, well lit, litter free and clear of snow (hardscape areas) and debris. The maintenance and management obligations contained herein shall continue for the life of this Planned Development.

The Park shall be tin-gated and access thereto open to the public free of charge with signage indicating that the Park are open to the public daily from 5:00 am to 1 1:00 pm. All improvements within the Park must be

substantially completed prior to receipt of a final Certificate of Occupancy for improvements depicted in the site plan, provided that planting may be delayed, if consistent with good landscape practice, but not longer than one year following receipt of the occupancy certificate.

17. 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 DX-5, (Downtown Mixed-Use District).

Applicant	John Kelly
Address	76S North Aberdeen Street
Introduced	September 24, 2015
Plan Commission	June 16, 2016

4

... WATIAM
MiMAL run ruDuuMi ^un

Planned Development No.

Bulk Regulations and Data Table

Site Area:

Gross Site Area: Public Right-of-Way: Net Site Area:

52,634 square feet 21,943 square feet 30,691 square feet

Maximum Height:

£1,000,000
nuui Mied ^anu dTiu DUHUUie Mred.

Overall Maximum FAR:

Overall Maximum Buildable FAR:

5.0

153,455 square feet

Maximum Number of Dwelling Units:

Setbacks:

Rear yard:

Per approved site plan 30' at residential floors

Minimum Parking Spaces:

Minimum Bicycle Spaces:

1 (10 feet by 25 feet)

Applicant: John Kelly
Address: 768 North Aberdeen Street
Introduced: September 24, 2015
Plan Commission: June 16, 2016

r:r>p dhq\ ip
t V-i-

2007 Affordable Housing Profile Form (Rental) j i

Submit this form to the Department of Planning & Development for projects that are subject to i the 2007 ARO. Projects submitted after October 13, 2015 will be subject to the 2015 ARO. More | information is online at www.cityofchicago.org/ARO <<http://www.cityofchicago.org/ARO>>. |

This completed form should be returned to: Kara Breems, Department of Planning & ; Development, 121 N. LaSalle Street, Chicago, IL 60602. \ E-mail: kara.breems@cityofchicago.org <<mailto:kara.breems@cityofchicago.org>> Telephone: (312) 744-6476 |

.Date: May-27, 2016 .__^_____

SECTION 1: DEVELOPMENT INFORMATION

Development Name: Ogden arid Aberdeen **Development Address:** 768

North Aberdeen Street Ward: 27th ward - Alderman Burnett

If you are working with a Planner at the City, what is his/her name? Fernando Espinoza

type of City involvement: Land write-down

(check all that apply) Financial Assistance (If receiving tif assistance, will tif funds be used for housing construction? *) If yes, please provide copy

of the TIF Eligible expenses x Zoning increase, PD, or City Land purchase

SECTION 2: DEVELOPER INFORMATION

Developer Name: John Kelly

Developer Contact (Project Coordinator): John Kelly

Developer Address: 110 West Chestnut, Chicago, IL 60642

Email address: jkjk95950yahoo.com

<http://jkjk95950yahoo.com> Telephone Number: 708.624.4201

SECTION 3: DEVELOPMENT INFORMATION

a) Affordable units required

For ARO projects: $\text{isb} \times 10\% = 17$ (always round up)
Total units total affordable units required
*20% if TIF assistance is provided

For Density Bonus projects: $\text{X } 25\% =$
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 (vt'ww.citvofcliicaqo.orgfebninci for zoning info).

b) building details

In addition to water, which of the following utilities will be included in the rent (circle applicable): Cooking gas electric gas heat electric heat other (describe or back)

Is parking included in the rent for the: affordable units? yes(no J market-rate units? yes(jio)

If parking is not included, what is the monthly cost per space? \$200

Estimated date for the commencement of marketing: June 2018

Estimated date for completion of construction of the affordable units: June 2018

1

f °Jf each unit configuration. ML out a separate row, as applicable (see example).

	Unit Type	Number of Units	Number of Bedrooms/Unit	Total Square Footage/Unit	Expected Market Rent	Proposed Affordable Rent*	Proposed Level of Affordability (60% of less of AMI)	Unit Mix OK to proceed?
Example	1 bed/1 . bat4		1	800	\$1000	759	60%	
Affordable Unit:						19	... *sc\	
						500	not	

Market Rate	r.<i	0		N/A	N/A	y
1 Ri»dvoon		/Of	*:i~<ja	N/A	N/A	v
2 Badtv.rt.-n <http://BadtvW/i.		»C2		N/A i	N/A-	v

SECTION 4; PAYMENT IN LIEU OF UNITS

When do you expect to make the payment -in-lieu? mv

(typically corresponds with issuance of building permits) Month/Year F ry ARO projects use the following formula to calculate payment owed-

Number.of tcta! units ■.a development

(rojrici up to nearest whole ni-mber)

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 {from table below)

S

Submaekct Cable (yr use With the Density Bonus fees-m-iiieu calculations)

Amount owed

| Median Land Price j per Base FAR.Foot !

RLS^I?^*^..^A^..0!^ I?!!^1^*..^!- Cong.-ess on souUtJUko Shore Or on east j 531_

522 ~S29"

Jl9._*C Division o« north, Chicago River on south/west; Lake Shore Dr. on easl , S42

South. Congress on no-th, Stevenson or, south.. Chicago Rive.' on west, Lake Shore Di on east
j West: Lake on north: Congress on south, ChjcagoJ_ iy__ or^ east; j_ying_onjii/est

Authorization to Proceed (to be completed by Developer & DPD) ^

~~~gZ^^ b(2-/l(e

Date

*Vife-fcfcWL. ' UilLk*

iteveloper/ProJecnj/ianager ' /\

Kara ureems. Department of Planning & Development

Date

c\ /? ./Pi/ n n

jjwanager

/ j

~7, | (0> -1 f ht>fy 7<0/s

## Planned Development No. Existing Land Use Area Map

TRANSIT-BUS

ROUTE

TRANSIT

-

BUS

ROUTE

-

16 STORIES

Applicant' John Kelly  
Address. 768 North Aberdeen Street

Date April 12, 2016  
Revised: June 16, 2016

**FINAL FOR  
PUBLICATION Planned Development No.  
Site Area Map**

0' 15' 30' 60' V\_L

Applicant. John Kelly  
Address: 768 North Aberdeen Street

Date: April 12, 2016 pp.  
Revised" June 16, 2016

r LJ-UZ

**FOR PUBLICATION**

**Planned Development No.  
Property Line / PD Boundary Map**

ITLTT  
O)

0' 15' 30' 60' VJ\_ ^

Applicant' John Kelly  
Address. 768 North Aberdeen Street

Date: Revised'  
April 12, 2016 June 16,2016

rj'j a» rnrs m in? tr> at><"»..m  
ruwi, r\_v\ ruDLSWiisvti

## Planned Development No. Existing Zoning and Street System Map

Applicant: John Kelly  
Address: - 768 North Aberdeen Street

Date: Revised:  
April 12, 2016 June 16, 2016

## Planned Development No. Generalized Site Plan

NEW  
PARKWAY

NEW PUBLIC PARK AND DOG RUN  
NEW DIWY STATION

**FINAL FOR PUBLICATION.**

NEW CURB RAMP

0' 15' 30' 60'

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date. Revised:  
April 12, 2016 June 16, 2016

## Planned Development No. Landscape & Parking Plan

I

0' 15' 30' 60' V\_L^

Applicant. John Kelly  
Address: 768 North Aberdeen Street

Date: Revised:  
April 12, 2016 June 16, 2016

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date: April 12, 2016  
Revised: June 16, 2016

riMAI CAE) niiHii^ATi

## Planned Development No. Terrace Roof Deck

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date- April 12, 2016  
Revised: June 16, 2016

## ^ M FINAL FOR PUBLICATION Planned Development No. Penthouse Plan

Applicant John Kelly  
Address: 768 North Aberdeen Street

Date- April 12, 2016  
Revised June 16, 2016 HU-Uy

01-^ p.-.

**FINAL FOR  
PUB LICATIO**

**Planned Development No.  
Mechanical Roof Screen Plan**

**Ln-rn' ffi**

0' 8' 16' 32' My

Applicant: John Kelly  
Address' 768 North Aberdeen Street

Date: April 12, 2016  
Revised. June 16, 2016

**" "FINAL" FOR  
PUB LICATIO Planned Development No.**

## Northeast Elevation

METAL PANEL  
ELEVATOR OVERRUN WITHIN PENTHOUSE UNIT  
11 MECHANICAL SCREEN  
PENTHOUSE CEILING  
155'-0" 11 ELEVENTH FLOOR  
16  
03 POOL DECK  
01 FIRST FLOOR  
30' - 0"  
0'-0'  
GLASS AND ALUMINUM STOREFRONT

0' 15' 30' 60'

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date: April 12, 2016  
Revised: June 16, 2016

FILED IN PLANNED DEVELOPMENT PERMIT

## Planned Development No. Northwest Elevation

ROOF TOP  
11 MECHANICAL SCREEN  
167'-0"  
PENTHOUSE CEILING  
EQUIPMENT SCREEN

155'-0" 11 ELEVENTH FLOOR

GLASS AND ALUMINUM WINDOWS -

DARK  
BRICK

GLASS AND METAL CANOPY -

BB DJBB

ddbblh

BB LTJBB LTJBBII]

BB COBB CDB BCD

BB TQ'bB CDBBCD

IfD BB mBBfflBB DBS UJ BB CDBBLII

Sjm bb m bbctjbb

ErJJJB UJ BB CDBBCD CD BB CD BBLTJBB BHQ LTI BB CDBBm BELT! BB CD BBCDBB

EBBB UJ BB LHBBLT]

inEiiiuuin uiiiiuiiii iiiidQE iiiiii iiiejuemhw

;mVr.

^ METAL >X PANEL

132'-0"

DARK BRICK

03 POOL DECK

30' - 0" METAL LOUVERS

LTLTT

0' 15' 30' 60'

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date: Revised:  
April 12, 2016 June 16, 2016

**itfAL FOR**  
**PUBLICATION Planned Development No.**  
**South Elevation**

DARK BRICK

DARK BRICK

METAL LOUVERS  
METAL MECHANICAL SCREEN  
ELEVATOR OVERRUN WITHIN PENTHOUSE LEVEL  
GARAGE DOOR  
30' - 0"

0' 15' 30' 60'

Applicant: John Kelly  
Address: 768 North Aberdeen Street

Date-Revised:  
April 12, 2016 June 16, 2016

, r

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

DATE: June 17, 2016

RE: Proposed Residential Business Planned Development for property generally  
located at 768 North Aberdeen Street.

On June 16, 2016, the Chicago Plan Commission recommended approval of the proposed planned development submitted by John Kelly. 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 LAS ALUË STREET. ROOM 1 000. CHICAGO, ILLINOIS 60602

**O**  
**LO CO**

<sup>^</sup><sub>VO</sub>  
**E** <sup>^</sup> **o** **S**  
**ZD**

**CD CL**

**O**

**ro u**

**UJ**

**O**

**LU LU**  
**> Q**  
**LU CC**  
**Q LU**  
**<**

**LU ^**

**err O**

**Q CO LU UD**  
**co r\ O**

**O**

**CC**

**X h- =J UJ CO OQ**

1- O Q  
CD  
CO H d X CO 3 UJ t- CQ

GO  
or  
O ,  
O O ui < jo z or  
co  
O ,  
5s  
UI < 2 CC

C O  
"-+>»  
03 >

(f) 03 CD

UJ»

-i < UJ < I LU  
l- o cn  
UJ UJ Q  
2 2 co

Final

**REPORT to the  
CHICAGO PLAN COMMISSION from the**

**DEPARTMENT of PLANNING AND DEVELOPMENT JUNE 16, 2016**

**FOR APPROVAL: RESIDENTIAL BUSINESS PLANNED DEVELOPMENT**

**APPLICANT: JOHN KELLY**

**LOCATION: 768 N. ABERDEEN STREET**

Pursuant to the provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, the Department of Planning and Development hereby submits this report and recommendation on a proposed Residential Business Planned Development for your review and recommendation to the Chicago City Council. The application for this amendment to the Chicago Zoning Ordinance was introduced into the City Council on September 24, 2015. Notice of the public hearing was published in the Chicago Sun-Times on June 1, 2016. The applicant was separately notified of this public hearing.

The applicant filed the application as a mandatory planned development per the requirement of section 17-8-0512 Tall Buildings. The applicant proposes to reclassify the site to B3-5, Community Shopping District prior to establishing the Residential Business Planned Development.

**SITE AND AREA DESCRIPTION**

The project consists of a trapezoidal shaped lot approximately 30,691 square feet and is bounded on the northwest by North Ogden Avenue, on the northeast by North Aberdeen Street, on the southwest by an existing public alley.

1. PD Boundary and Existing Land Use Map.      2. Aerial - Project Location Map.

Planned Development No.

**PROJECT DESCRIPTION AND BUILDING DESIGN**

The proposal will allow an 11-story mixed use building with ground floor retail and 168 dwelling units, accessory parking and related uses. The site is currently zoned M1-3 (Limited Manufacturing/Business Park District) and RT-4 (Residential Two-Flat, Townhouse and Multi-Unit District). The building is defined by an aluminum store front system along North Ogden Avenue. The North Ogden Avenue, North Aberdeen Street and public alley elevations contain high quality materials which include an architectural aluminum glass window system, dark masonry brick and a metal panel system. The facades are further defined with a glass window system. The top of the building is accentuated with a masonry brick with aluminum windows. The top floor will be a partial floor and allow for a vestibule and access to the roof level and a green roof.

3. Rendering - Southeast View.

4. Rendering - Northeast View.

**ACCESS/CIRCULATION**

***5. Site Plan and Ground Floor Plan "***

The pedestrian residential access point for the 11-story residential building is located on North Aberdeen Street and the

retail entrance is located along North Ogden Avenue. Loading will occur internal to the building envelope and accessed from the existing alley.

#### **LANDSCAPING and SUSTAINABILITY**

The applicant must comply with the City of Chicago's Landscape Ordinance. In addition the proposed building is required to achieve building certification and provide a 50% green roof as defined by the City of Chicago Sustainable Matrix.

#### **6. Green Roof, Roof Deck and Amenity level. BULK/USE/DENSITY**

The site will be rezoned to a B3-5 District and has a maximum allowable Floor Area Ratio (F.A.R) of 5.0. This proposed Residential Business Planned Development will achieve an F.A.R of 5.0. Based on the projects net site area of 30,691 square feet the blended Minimum Lot Area would permit 168 dwelling units under the B3-5 District.

Reference attached Bulk and Data Table Exhibit.

#### **RECOMMENDATION**

The Department of Planning and Development has reviewed the project materials submitted by the applicant and has concluded that the proposed application for a Residential Business Planned Development would be appropriate for the site and that the project meets the review criteria for planned developments set forth in the Zoning Ordinance (Section 17-13-0900).

1. The project complies with the Standards and Guidelines for Planned Developments in the Zoning Ordinance (Section 17-8-0900).
  - a. Compliance with Zoning. The proposed building would conform to all the requirements and restrictions of the B3-5, District for uses, height, floor area ratio, and density.

- b. Transportation, Traffic Circulation and Parking: The site has vehicular access via an existing public alley and directly accessible from North Ogden Avenue. The pedestrian access for the residential building is located along North Aberdeen Street and is identified via a residential entry lobby. Loading will occur internal to the building envelope and foot print and be accessed from an existing alley.
- c. Pedestrian Orientation. The proposed project will allow unimpeded pedestrian flow on North Aberdeen Street. Residential patrons will access the residential entry lobby through North Aberdeen Street.
- d. Urban and Building Design. The building's materials include an architectural aluminum glass window system, dark masonry brick and a metal panel system. The facades are further defined with a glass window system.

The ground floor contains commercial retail space and fronts North Ogden Avenue, and is enclosed by a glass storefront. The residential units are contained on floors two through 11th with the rooftop programed for amenities and mechanical uses.

- 2. The proposed development is compatible with the character of the surrounding area in terms of uses, density and building scale. Current development north and south of the site is comprised of a mix of uses along North Ogden Avenue. The permitted uses are allowed within the project's underlying zoning of B3-5 District.
- 3. Approved Plans. The site is identified in the Near Northwest Side Plan approved by Plan Commission on September 19, 2002, and is identified as a redevelopment opportunity site. The plan identifies this site for a mixed use building with complimentary commercial uses as the highest and best economic use for the site.
- 4. The public infrastructure facilities and city services will be adequate to serve the proposed development at the time of occupancy.

The proposed Planned Development has been reviewed by the Chicago Department of Transportation's and all requested changes have been made. Copies of this application have been circulated to other City departments and agencies and all comments received have been addressed in the revised application.

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

Department of Planning and Development Bureau of Zoning Land  
Use

FINAL

DEPARTMENT of PLANNING and DEVELOPMENT CITY OF  
CHICAGO

**RESOLUTION**

**RESIDENTIAL BUSINESS PLANNED DEVELOPMENT 768 NORTH**

## ABERDEEN STREET

WHEREAS, the applicant, John Kelly, proposes to establish a Residential Business Planned Development at the above referenced address. The applicant proposes to construct a multi-story mixed-use building with ground floor retail, 168 dwelling units, accessory parking and accessory uses. The

-  
dJJU 11 IIL 10 accrviny ai I U(-> ^-vjuiiij lu a u»j^, ixciynuuiuwvju vunnu^tuidi

District then to a Residential Business Planned Development. The proposal includes the construction of an 11-story residential mixed use building + Penthouse, ground floor commercial retail space, and accessory parking spaces; and,

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

WHEREAS, proper legal notice of the hearing before the Chicago Plan Commission was published in the Chicago Sun-Times on June 1, 2016. The proposed Zoning Application was considered at a public hearing by this Plan Commission on June 16, 2016. The Applicant was separately notified of this hearing; and,

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

WHEREAS, the Department of Planning and Development recommended approval of the application, with the recommendation and explanation contained in the written report dated June 16, 2016, a copy of which is attached hereto and made a part hereof; and,

121 NORTH LASALLE STREET, ROOM 1000, CHICAGO ILLINOIS 60602

## FINAL

WHEREAS, the Chicago Plan Commission has fully reviewed the application and all informational submissions associated with the proposed amendment, the report and recommendation of the Commissioner of the Department of Planning and Development, and all other testimony presented at the public hearing held on June 16, 2016, giving due and proper consideration to the Chicago Zoning Ordinance; and

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

1. THAT the final application dated June 16, 2016 be approved as being in conformance with the provisions, terms and conditions of the corresponding Zoning application; and,

2. THAT this Plan Commission recommends approval to the City Council Committee on Zoning, Landmarks and Building Standards of the final zoning application dated June 16, 2016; and,

Commissioner of the Department of Planning and Development be adopted as the findings of fact of the Chicago Plan Commission regarding the zoning map amendment for a Residential Business Planned Development application.

Approved: June 16, 2016 RBP  
No.

AMENDED  
CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

RECEIVED JUN 16 2016

Initial- - (/J

ADDRESS of the property Applicant is seeking to rezone:

768 North Aberdeen Street

Ward Number that property is located in: 27th Ward John Kelly  
APPLICANT

ADDRESS 1110 West Chestnut Street

ZIP CODE 60640  
PHONE 312-782-9351  
NO

CONTACT PERSON John Pikarski, Jr or Thomas Pikarski XX

Is the applicant the owner of the property? YES

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

Standard Bank and Trust Company, as trustees under trust # 15038  
OWNER dated October 19, 1995

7800 West 95th Street

ADDRESS

CITY Hickory Hills STATE IL

CONTACT PERSON John Pikarski or Thomas Pikarsk

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

ATTORNEY Gordon & Pikarski

55 west Monroe, Suite 1700

PHONE 312-782-9351

**If the applicant is a corporation please provide the names of all shareholders as disclosed on the Economic Disclosure Statements.**

iJohn Kelly

7. **On what date did the owner acquire legal title to the subject property V\_**

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

9. Present Zoning District M1-3/RT-4 Proposed Zoning District Business Planned Development **B3-5 and then to Residential**

10. Lot size in square feet (or dimensions) 30,691 square feet

11. Current Use of the property Commercial

12. Reason for rezoning the property The applicant seeks to construct a mixed use building containing ground floor commercial space, 158 residential dwelling units and 84 automobile parking 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)**

The; property will be improved with a mixed use building. The building will contain 168 residential dwelling units and 84 parking spaces. The project will provide 5,132' square feet of retail space on the ground floor and reach a maximum height of 167 feet.

14. **On May 14<sup>th</sup>, 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    <sup>x</sup> NO

**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:

**Standard Bank and Trust Company, as trustee under Trust number 1503 8  
and**

**dated October 19, 1995**

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

Indicate whether the Disclosing Party submitting this EDS is:

1. ☒ the Applicant Property Owner

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest:

☒ OR ☐ ..r': ''

3. ☐ a legal entity with a right of control (sec 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:

7800 West 95th Street

Hickory Hills, Illinois 60457

C. Telephone: 312"521"7003

Fax: 312"521"7000

Email: j pikar^iagordonpikarski.com

D. Name of contact person: John Pikarski, Jr. or Thomas Pikarski

E. Federal Employer Identification No. (if you have one): <sup>NA</sup>

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

Applicant seeks a zoning map amendment for the property commonly known as 768 North Aberdeen Street

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

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

Specification # NA and Contract # <sup>NA</sup>

Page 1 of 13

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

~~f. If limited liability company~~

- ☐ Publicly registered business corporation ☐  
☐ Privately held business corporation ☐  
☐ Sole proprietorship ☐  
☐ General partnership ☐

1. Indicate the nature of the Disclosing Party: ☐ Person ☐

☐ Limited liability partnership ☐ Joint venture ☐ Not-for-profit corporation

☐ Yes ☐ No ☐ Other (please specify)

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

☐ Limited partnership

>P9 Trust ☐

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

Illinois

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

☐ N/A

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name Title

Standard Bank and Trust Company, Trustee  
as Trustee under Trust # 15038 and  
dated October 19, 1995

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 of 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 |
|-------------------------|------------------------------------------------------|---------------------------------------------|
| DHK Limited Partnership | 1110 West Chestnut Street<br>Chicago, Illinois 60640 | 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?

☐ Yes ☒ No

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

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

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

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

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

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

Gordon & Pikarski

| 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. |
|------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|                  | Suite 1700<br>Chicago, Illinois 60603                                      | 55 West Monroe Attorney \$5,000-estimated                                                                 |

(Add sheets if necessary)

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

## SECTION V - CERTIFICATIONS

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

i

Under Municipal Code Section 2-92-41 5, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

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

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

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

☐ Yes ☐ No

### B. FURTHER CERTIFICATIONS

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

Page 4 of 13

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of

federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

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

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

Page 5 of 13

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

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

- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

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

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

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

Page 6 of 13

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

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

N/A

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

n/a - ;

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

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

1. ☐ is ☐ is not

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

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

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

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

Page 7 of 13

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

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

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a

financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐Yes ☐No

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

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

Does the Matter involve a City Property Sale?

☐ Yes <sup>5</sup> ☐ No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

<sup>^x</sup> 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

2. The Disclosing Party verifies that, as a result of conducting the search in step 1 above, the Disclosing Party has found records of investments or profits from slavery or slaveholder insurance policies. The

Disclosing Party verifies that the following constitutes full disclosure of all such records, including the names of any and all slaves or slaveholders described in those records:

## **SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS**

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

### **A. CERTIFICATION REGARDING LOBBYING**

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

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.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

Page 9 of 13

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

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

5. If the Disclosing Party is the Applicant, the Disclosing Party must obtain certifications equal in form and

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

## B. CERTIFICATION-REGARDING EQUAL EMPLOYMENT OPPORTUNITY

r

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

Is the Disclosing Party;the Applicant?

☐ Yes                      ☐ No

If "Yes," answer the three questions below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

Page 10 of 13

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

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

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

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

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

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article 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 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 11 of 13

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

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

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

truthful certifications.

NOTE: If the Disclosing Party cannot certify as to any of the items in F. I., 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.

(Print or type name of Disclosing Party) ^

1A&IU .

(Print or type name of person signing)

(Print or type title of person signing) ^ J^/

Signed and sworn to before me on (date)  
at Cc?Q County, !T^IXC-«a^i"Estate).

/^sJ1ju^L.UJJ6CJ^L^  
mmission expires: J^Jitol

Notary Public.

**OFFICIAL SEAL** <

NOTARY PUBLIC-STATE OF ILLINOIS  
MY COMMISSION EXPIRES:03/05/17  
Page 12 of !3

**KIMBERLY SCHOOLEY** \$

### 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 this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

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

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

☐ Yes                      >                      ☒ No

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

Page 13 of 13

CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT  
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 an } Owner identified as ;i building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal Code? "

☐ Yes ☒ No

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

☒ Yes.

☐ 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.

NA

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

### 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:

John Kelly

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

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☐ a legal entity holding a direct or indirect interest in the Applicant. State the legal name of the Applicant in which the Disclosing Party holds an interest:

\_\_\_\_\_

OR

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

1110 West Chestnut Street

- B. Business address of the Disclosing Party:

Chicago, Illinois 60640

Telephone: 312-521-7003 Fax: 312-521-7000

Email:

D. Name of contact person: John Pikarski, Jr. or Thomas Pikarski

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

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location of property, if applicable): Applicant seeks a zoning map amendment and Planned Development for the property commonly known as 768 North Aberdeen Street

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

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

Specification # NA and Contract # NA

Ver. 01-01-12

Page 1 of 13

## SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

☒ Person [ ]  
[ ] Publicly registered business corporation [ ]  
[ ] Privately held business corporation [ ]  
[ ] Sole proprietorship [ ]  
[ ] General partnership (

1. Indicate the nature of the Disclosing Party:

[ ] Limited liability company [ ] Limited liability partnership [ ] Joint venture [ ] Not-for-profit corporation

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

Limited partnership  
Trust

[ ] Yes [ ] No [ ] Other (please specify)

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

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

[ ] N/A

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

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

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

Name Title

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<br>Disclosing Party |
|------|---|------------------|------------------------------------------------|
|------|---|------------------|------------------------------------------------|

**SECTION HI - BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS**

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

[ ] Yes

^ No

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

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

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

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

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

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

Gordon & Pikarski

| 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. |
|------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| Suite 1700       | Chicago, Illinois 60603                                                    | <u>55 West Monroe Attorney</u> <u>\$5,000-estimated</u>                                                   |

(Add sheets if necessary)

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

## SECTION V - CERTIFICATIONS

### A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

### B. FURTHER CERTIFICATIONS

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

Page 4 of 13

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or

performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
  - d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
3. The certifications in subparts 3, 4 and 5 concern:

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

Page 5 of 13

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

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

- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

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

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

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

Page 6 of 13

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

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

N/A ;



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

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

☐ Yes ; ☐ No

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

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

Does the Matter involve a City Property Sale?

☐ Yes ' ☐ No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

<sup>xx</sup> 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

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

## SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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

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

Page 9 of 13

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

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

501 (c)(4) of the Internal Revenue Code of 1986 but has not engaged and will not engage in "Lobbying Activities".

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

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes ☐ No If "Yes," answer the three questions

below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or

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

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

Sedgwick St., Suite 50.0, 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 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 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 11 of 13

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

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

F.3 . If the Disclosing Party is the Applicant, the Disclosing Party will obtain from any contractors/subcontractors hired

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

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

#### CERTIFICATION

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

„ ~k>W fcell

(Print or type name of Disclosing Party)

\_ ,i<?W\ \_k>£il.M

(Print or type name of person signing)

(Print or type title of person signing)

Signed and sworn to before me on (date) \f-\*B~ I  
at jLx^p £p\*prty. TAKMqjj^ (state).

Notary Public.

Commission expires: ^jsj T~V

**OFFICIAL SEAL<**  
**KIMBERLY SCHOOLEYk**  
NOTARY PUBLIC-STATE OF ILLINOIS \  
MY COMMISSION EXPIRES 03/05/17 ?

### 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 this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all executive officers of the Disclosing Party listed in Section II.B.1 a., if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all manager\$, 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 [X]No

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

Page 13 of 13

#### CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT 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.

I. Pursuant to Municipal Code Section 2-154.01(). is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to Section 2-92-416 of the Municipal

Yes xcx

li 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

lZj<sup>No</sup>

<sup>xcx</sup> Not Applicable

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.

NA

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

P;ilv 14 m u

**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: DHK

Limited Partnership

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

Indicate whether the Disclosing Party submitting this EDS is:

1. ☐ the Applicant

OR

2. ☒ a legal entity holding a direct or indirect interest in the Applicant: State the legal name of the Applicant in which the Disclosing Party holds an interest: Standard Bank and Trust Company,

**OR**

**J**

*as .trustee under Trust # 15038 and dated October 15, 1994~*

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

B. Business address of the Disclosing Party: 1110 West Chestnut Street

Chicago, Illinois 60640

312-521-7003 ^ 312-521-7000

C. Telephone:

Fax:

Email: 3pikarskiOgordonpikarski.com

D. Name of contact person: John Pikarski, Jr. or Thomas Pikarski

E. Federal Employer Identification No. (if you have one): <sup>NA</sup>

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

Applicant seeks a zoning map amendment for the property commonly known as 768 North Aberdeen Street

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

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

Specification #

^

and Contract #

^

Page 1 of 13

## SECTION II - DISCLOSURE OF OWNERSHIP INTERESTS

### A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

☐ Person

☐ Limited liability company

☐ Publicly registered business corporation

☐ Limited liability partnership

☐ Privately held business corporation

☐ Joint venture

☐ Sole proprietorship

☐ Not-for-profit corporation

☐ General partnership

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

☒ Limited partnership

☐ Yes ☐ No

☐ Trust

☐ Other (please specify)

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

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

☐ Yes

☐ No

☒ N/A

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

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

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

| Name       | ; Title   |
|------------|-----------|
| John Kelly | President |

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 |
|------------|------------------------------------------------------|---------------------------------------------|
| John Kelly | 1110 West Chestnut Street<br>Chicago, Illinois 60640 |                                             |

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

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

☐ Yes ☐ No

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

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

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

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

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

Page 3 of 13

Name (indicate whether retained or anticipated to be retained)

Gordon & Pikarski

| Business Address                                        | Relationship to Disclosing Party<br>(subcontractor, attorney, lobbyist, etc.) | Fees (indicate whether paid or estimated.) NOTE:<br>"hourly rate" or "t.b.d." is |                             |
|---------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------------------|
| 55 West Monroe<br>Suite 1700<br>Chicago, Illinois 60603 | Attorney                                                                      | \$5,000-estimated                                                                | not an acceptable response. |

(Add sheets if necessary)

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

## SECTION V - CERTIFICATIONS

### A. COURT-ORDERED CHTLD SUPPORT COMPLIANCE

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

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

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

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

☐ Yes ☐ No

### B. FURTHER CERTIFICATIONS

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

Page 4 of 13

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

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of

- federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false
- , statements; or receiving stolen property; >
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in clause B.2.b. of this Section V;
- d. have not, within a five-year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
- e. have not, within a five-year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.
3. The certifications in subparts 3, 4 and 5 concern:
- the Disclosing Party;
  - any "Contractor" (meaning any contractor or subcontractor used by the Disclosing Party in connection with the Matter, including but not limited to all persons or legal entities disclosed under Section IV, "Disclosure of Subcontractors and Other Retained Parties");
  - any "Affiliated Entity" (meaning a person or entity that, directly or indirectly: controls the Disclosing Party, is controlled by the Disclosing Party, or is, with the Disclosing Party, under common control of another person or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members, shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government, including the City, using substantially the same management, ownership, or principals as the ineligible entity); with respect to Contractors, the term Affiliated Entity means a person or entity that directly or indirectly controls the Contractor, is controlled by it, or, with the Contractor, is under common control of another person or entity;
  - any responsible official of the Disclosing Party, any Contractor or any Affiliated Entity or any other official, agent or employee of the Disclosing Party, any Contractor or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official of the Disclosing Party, any Contractor or any Affiliated Entity (collectively "Agents").

Page 5 of 13

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

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

- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or ■
- c. made an admission of such conduct described in a. or b. above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions of Municipal Code Section 2-92-610 (Living Wage Ordinance).

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

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

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

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

Page 6 of 13

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

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

N/A

' " ■ .

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

N/A

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

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

1. ☐ is ☒ is not

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

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

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

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

Page 7 of 13

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

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

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

1. In accordance with Section 2-156-110 of the Municipal Code: Does any official or employee of the City have a

financial interest in his or her own name or in the name of any other person or entity in the Matter?

☐Yes ☐No

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

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

Does the Matter involve a City Property Sale?

☐ Yes ☐ No

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

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

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

#### E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

Page 8 of 13

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

<sup>xx</sup> 1. The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

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

and all slaves or slaveholders described in those records:

## SECTION VI - CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

### A. CERTIFICATION REGARDING LOBBYING

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

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.1. above for his or her lobbying activities or to pay any person or entity to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.

Page 9 of 13

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

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

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

certifications promptly available to the City upon request.

## B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

☐ Yes ☐ No If "Yes," answer the three questions

below:

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

☐ Yes ☐ No

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

Page 10 of 13

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

The Disclosing Party understands and agrees that:

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

B. The City's Governmental Ethics and Campaign Financing Ordinances, Chapters 2-156 and 2-164 of the Municipal Code, impose certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions.

The full text of these ordinances and a training program is available on line at [www.cityofchicago.org/Ethics](http://www.cityofchicago.org/Ethics) <<http://www.cityofchicago.org/Ethics>>, and may also be obtained from the City's Board of Ethics, 740 N.

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

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

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

E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to Article 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 2-1 54-020 of the Municipal Code.

The Disclosing Party represents and warrants that:

Page 11 of 13

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

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

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

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

## CERTIFICATION

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

(Print or type title of person signing)

Signed and sworn to before me on

Page 12 of 13

## 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 this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

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

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

☐ Yes

☒ No

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

Page 13 of 13

**CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT  
AND AFFIDAVIT  
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.**

- I. 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? "
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

☒ Not Applicable

f

3. If yes to (I) 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.

NA

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

**ASSOCIATED EDS.**

P.I.S.V N of i-