



City of Chicago



O2021-1499

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	4/21/2021
Sponsor(s):	Misc. Transmittal
Type:	Ordinance
Title:	Zoning Reclassification Map No. 2-F at 210 S Canal St, 307-309 S Clinton St and 310 S Canal St - App No. 20673
Committee(s) Assignment:	Committee on Zoning, Landmarks and Building Standards

#20673

INTRO DATE

APRIL 21, 2021

ORDINANCE

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

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the Business Planned Development Number 376 symbols and indications as shown on Map No. 2-F in the area bounded by

West Adams Street; South Canal Street; West Van Buren Street; and
South Clinton Street,

to those of Business Planned Development Number 376, as amended, which is hereby established in the area described, subject to such use and bulk regulations as are set forth in the Plan of Development attached herewith and made a part thereof and to no others.

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

Common Address of Property: 210 S. Canal St., 307-309 S. Clinton St. and 310 S. Canal St.

Planned Development Statements.

1. The area delineated herein as Business Planned Development Number 376, as amended ("Planned Development") consists of approximately 254,074 square feet of land area which is depicted on the attached Planned Development Boundary and Property Line Map ("Property"). The Property consists of Subarea A, Subarea B and Subarea C. Subarea A is owned by National Railroad Passenger Corporation, doing business as ("Amtrak"). Subarea B is owned by the City of Chicago (the "City"). Subarea C is owned by 320 South Canal Titleholder LLC (the "Applicant"). Amtrak and the City have authorized 320 South Canal Titleholder LLC to be the Applicant for purposes of this Planned Development.
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 titleholders 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 titleholder and any ground lessors. Furthermore, pursuant to the requirements of Section 17-8-0400 of the Chicago Zoning Ordinance (the "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; provided, however, that after the adoption of an ordinance wherein the property is divided into specifically delineated subareas or subparcels, each having its own bulk and density standards, or similar subarea specific or subparcel specific development controls or requirements, the owners of or designated controlling party for each subarea may seek amendments, changes, or modifications for that subarea without the consent of the owners or designated controlling party of the other subareas. The right to amendments, changes or modifications described in the preceding sentence shall be subject to the conditions and limitations contained 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 ("COOT") on behalf of the Applicant or its successors, assignees or grantees.

The Applicant shall commit to provide and fully fund infrastructure improvements as described in the Traffic Management Plan ("TMP") (attached hereto as Exhibit A to this Planned Development Ordinance).

Physical infrastructure improvements specific to Subarea A shall include the improvements described in the "Vehicular Traffic and Parking Access" section of the TMP under the following subtitles:

- "Using the existing Headhouse driveways to access the existing below grade parking";
- "Establish curbside standing zones for Headhouse user drop-off and pick-up";
- "Use of existing Headhouse below-grade loading docks for service, loading and delivery"; and
- "Restrict southbound right turns from Clinton Street to Quincy Street".

Prior to the issuance of the final Certificate of Occupancy ("Occupancy") for any of the anticipated hotel uses above the second floor of the Chicago Union Station Headhouse in Subarea A, the Applicant shall complete the physical infrastructure improvements specific to Subarea A as noted above. Prior to the issuance of the final Certificate of Occupancy of Subarea C, the Applicant shall complete all other infrastructure improvements described in the TMP, including but not limited to the improvements described in the "Curbside Management" and "Active Transportation Management" sections.

The Applicant shall be responsible for making the following signal improvements:

Intersection		Traffic Signal Upgrades	
Monroe	Jefferson Street	ATC 1000 Controller	Pedestrian Countdown Signals
	Clinton Street	ATC 1000 Controller	
	Canal Street	ATC 1000 Controller	
	Gateway Crossing (Riverside Plaza)	ATC 1000 Controller	
Adams	Jefferson Street		Pedestrian Countdown Signals
	Clinton Street	ATC 1000 Controller	
	Canal Street	ATC 1000 Controller	
Jackson	Jefferson Street	ATC 1000 Controller	Pedestrian Countdown Signals
	Clinton Street	ATC 1000 Controller	
	Canal Street	ATC 1000 Controller	
	Gateway Crossing (Riverside Plaza)	ATC 1000 Controller	Pedestrian Countdown Signals
Van Buren	Jefferson Street	ATC 1000 Controller	Pedestrian Countdown Signals
	Clinton Street	ATC 1000 Controller	Pedestrian Countdown Signals
	Canal Street		Pedestrian Countdown Signals

The Applicant shall also convert the unused bus lane on the north side of West Adams Street, between South Canal Street and South Clinton Street, to a traffic lane with no parking tow zone signage and the Applicant will update the Traffic Management Plan exhibits to reflect this.

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

Ingress or egress shall be pursuant to the Planned Development 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 COOT.

Pursuant to a negotiated and executed Perimeter Restoration Agreement ("Restoration Agreement") by and between CDOT's Division of Infrastructure Management and the Applicant, the Applicant shall provide improvements and restoration of all public way adjacent to the Property, which may include, but not be limited to, the following as shall be reviewed and determined by CDOT's Division of Infrastructure Management:

- Full width of streets

- Full width of alleys
- Curb and gutter
- Pavement markings
- Sidewalks
- ADA crosswalk ramps
- Parkway and landscaping

The Perimeter Restoration Agreement must be executed prior to any COOT and Planned Development Part II Review permitting. The Restoration Agreement shall reflect that all work must comply with current Rules and Regulations and must be designed and constructed in accordance with CDOT's Construction Standards for Work in the Public Way and in compliance with the Municipal Code of Chicago Chapter 10-20. Design of said improvements should follow CDOT's Rules and Regulations for Construction in the Public Way as well as The Street and Site Plan Design Guidelines. Any variation in scope or design of public way improvements and restoration must be approved by COOT.

4. This Planned Development ordinance consists of 24 Statements; a Bulk Regulations Table; an Existing Zoning Map; an Existing Land-Use Map; a Planned Development Boundary and Property Line Map; Site Plan -- Subarea C; L1 Canal Street Level Plan

- Subarea C; LL1 Clinton Street Level Plan - Subarea C; Lower Level 2 Plan

- Subarea C; Green Roof Plan -- Subarea C; North/South Building Section -- Subarea C; East, West, North and South Elevations for Subarea C; Facade System; Facade Detail; Landscape Plan -- Subarea C; Planting Details -- Subarea C; Street Sections -- Subarea C; Clinton Street Elevation and Clinton Street Perspective; and North Elevation at CTA Bus Station and Wall Section at CTA Bus Station prepared by SCB and Goettsch Partners dated May 8, 2020.

The Planned Development ordinance also consists of the following exhibits and plans: Site Plan -- Subarea A; Landscape Plans -- Subarea A; Building Sections (North-South and East-West) -- Subarea A; North, South, East, and West Elevations for Subarea A prepared by SCB and Goettsch Partners dated October 18, 2018; the Union Station Traffic Management Plan prepared by Kimley Horn dated October 2018 (Exhibit A); and a Memorandum of Understanding between the City of Chicago and the National Railroad Passenger Corporation (Exhibit B) dated October 18, 2019.

Full-sized copies of the Site Plan, Landscape Plan and Building Elevations are on file with the Department of Planning and Development ("DPD"). In any instance where a provision of this Planned Development conflicts with the Chicago Building Code, the Building Code shall control. This Planned Development ordinance 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. In each of the following Subareas of this Planned Development, the following uses shall be permitted in this Planned Development:

Subarea A:

utilities and services, major (including passenger and commuter rail lines and activities directly related to the provision of passenger and commuter rail service, and accessory or related uses); hotel; office; indoor sports and recreation, participant; food and beverage retail sales; liquor store (packaged goods); eating and drinking establishments; retail sales; financial services; assisted living; day cares; personal service; artisanal manufacturing services; entertainment and spectator sports; indoor special event facilities; cultural exhibits/libraries; accessory parking; co-located wireless communication facilities; and uses accessory or incidental to any of the foregoing uses.

Subarea B:

utilities and services, major.

Subarea C:

utilities and services, major; office; parks and recreation, indoor sports and recreation, participant; food and beverage retail sales; liquor store (packaged goods); eating and drinking establishments; retail sales; financial services; day cares; personal service; indoor special event facilities; accessory parking; co-located wireless communication facilities; and related accessory uses.

6. On-premises signs and temporary signs, such as construction and marketing signs, shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Off-premises signs are prohibited within the boundary of the Planned Development.
7. For purposes of height measurement, the definitions in the Zoning Ordinance shall apply. The height of any building shall be measured from the top of the curb at the intersection of Jackson and Canal and 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 Property shall be in accordance with the attached Bulk Regulations Table. For the purposes of Floor Area calculations and measurements, the General Terms and Measurements in the Zoning Ordinance shall apply. The permitted Floor Area identified in the Bulk Regulations Table has been based on the net site area of 254,074 square feet and the maximum permitted FAR identified in the Bulk Regulations Table.

The Applicant acknowledges that the project has received a bonus FAR of 0.5 calculated on the net site area of Subarea C, pursuant to Section 17-4-1000 of the Zoning Ordinance. With this bonus FAR, the total FAR for the Planned Development is 12.18. In exchange for the bonus FAR, the Applicant is required to make a corresponding payment, pursuant to Sections 17-4-1003-8 and C, prior to the issuance of the first building permit for any building in the Planned Development; provided, however, if the Planned Development is constructed in phases, the bonus payment may be paid on a pro rata basis as the first building permit for each subsequent new building or phase of construction is issued. The bonus payment will be recalculated at the time of payment (including partial payments for phased developments)

and may be adjusted based on changes in median land values in accordance with Section 17-4-1003-C. 3. The bonus payment will be split between three separate funds, as follows:

80 percent to the Neighborhoods Opportunity Fund, 10 percent to the Citywide Adopt-a-Landmark Fund and 10 percent to the Local Impact Fund. In lieu of paying the City directly, the Department may: (a) direct developers to deposit a portion of the funds with a sister agency to finance specific local improvement projects; (b) direct developers to deposit a portion of the funds with a landmark property owner to finance specific landmark restoration projects; or (c) approve proposals for in-kind improvements to satisfy the Local Impact portion of the payment.

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, including Section 17-13-0800. Final landscape plan review and approval will be by the Department of Planning and Development. Any interim reviews associated with site plan review or Part II Reviews, shall be 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 13-32-085, or any other provision of the Municipal Code of Chicago.
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 titleholders and any ground lessors of the Property.
13. The Applicant acknowledges that it is in the public interest to design, construct and maintain the development in a manner which promotes, enables and maximizes universal access throughout the Property. Plans for all buildings and improvements on the Property shall be reviewed and approved by the Mayor's Office for People with Disabilities to ensure compliance with all applicable laws and regulations related to access for persons with disabilities and to promote the highest standard of accessibility.
14. The Applicant acknowledges that it is in the public interest to design, construct, renovate and maintain all buildings in a manner that provides healthier indoor environments, reduces operating costs and conserves energy and natural resources. The Applicant shall obtain the number of points necessary to meet the requirements of the Chicago Sustainable Development Policy, in effect at the time of the Part II Review process is initiated for each improvement that is subject to the aforementioned policy and must provide documentation verifying compliance with said policy.
15. The Applicant and the Department of Planning and Development, at either party's request, may continue to evolve the design of the building elevations for the building to be located in Subarea C; changes to such elevations, if any, shall, if mutually agreed, be approved by the Department administratively as a Minor Change.

16. Pursuant to this Planned Development, an FAR Building Area of 425,202 square feet is being transferred from Subarea A to Subarea C. Subject to the terms and conditions contained in the Memorandum of Understanding between the City of Chicago and National Railroad Passenger Corporation regarding Chicago Union Station (the "MOU"), which the City and Amtrak entered into on October 18, 2018, a copy of the MOU is attached hereto as Exhibit B, Amtrak shall plan, design and use best efforts to complete certain improvements within Subarea A in connection with the Planned Development. Said improvements are described in the MOU (the "Improvements"). The City and Amtrak entered into the Right of First Offer Agreement dated May 1, 2015 (the "ROFO Agreement") which pertains to Subarea B. The City and Amtrak entered into the Second Amendment to Right of First Offer Agreement dated February 2, 2021 (the "Second Amendment"). The MOU, ROFO Agreement and Second Amendment to ROFO Agreement are hereby ratified pursuant to this Planned Development. Section 10 of the Second Amendment to ROFO Agreement authorizes the City, upon Amtrak's written request, to approve a minor change to the Planned Development pursuant to Section 17-13-0611-A(2) of the City's Zoning Ordinance (provided that such minor change will not result in an increase in the maximum permitted floor area ratio for the total net site area), such that an FAR Building Area of 417,344 square feet will be transferred from Subarea B to Subarea A upon Amtrak's exercise of its rights under the Second Amendment to ROFO Agreement; provided, however, that Amtrak acknowledges that subsequent additional development of Subarea A that increases the height of the Station more than 10 percent of the maximum height for Subarea A as stated in the Planned Development will require a major change to the Planned Development pursuant to Sections 17-13-0611-B and 17-13-1003-L of the City's Zoning Ordinance. Pursuant to Statement 16 of the Planned Development, concurrent with the aforementioned transfer, the minor change shall also authorize the transfer of 7,868 square feet of FAR Building Area from Subarea C to Subarea A. The Applicant acknowledges that the Applicant and its successors shall be bound by the MOU, ROFO Agreement and Second Amendment to ROFO Agreement. After the adoption and publication of this amendment to the Planned Development, the Applicant may apply for the minor change described in this Statement 16 after Amtrak has provided the City with documentation showing that Amtrak has expended at least \$14,100,000 on the Improvements and/or the development, redevelopment or further improvement of Amtrak Properties (as defined in the ROFO Agreement) within the Union Station Area (as defined in the ROFO Agreement). In the event (a) Amtrak has provided the City with documentation showing that Amtrak has expended at least \$14,100,000 on the Improvements and/or the development, redevelopment or further improvement of Amtrak Properties within the Union Station Area; (b) Amtrak has applied for and received approval of the aforementioned minor change and (c) the City has provided Amtrak with documentation showing the City's costs and expenditures actually incurred by the City for the Infrastructure Improvements (as defined in the Second Amendment to ROFO Agreement), then no later than thirty (30) days after Amtrak receives approval of the minor change and the City has provided Amtrak with documentation showing the City's costs and expenditures actually incurred by the City for the Infrastructure Improvements, Amtrak shall reimburse the City for the Infrastructure Improvements in a total amount not to exceed \$500,000.
17. The Applicant or its successors or assignees shall, at its own cost, construct the proposed public park as shown on the Composite Landscape Plan -- Subarea C (hereinafter the "Park"). The Applicant or its successors or assignees shall be responsible for maintaining, repairing, replacing, and managing the Park, including ensuring that the landscaping is well maintained, that the vegetation and plantings are kept in healthy condition, and that the Park facilities and areas are clean, well lit, litter free and clear of snow and debris. The Applicant shall provide sufficient liability insurance coverage necessary for the operation of the Park for public use. The Applicant shall also provide informational signage at all entries that the Park

is open to the public, free of charge, during normal park hours from 6:00 AM. to 11:00 P.M. every day of the year. Maintenance and management obligations shall be binding upon the Applicant, its successors and assigns.

Prior to issuance of building permits for Subarea C, the Applicant will enter into a development and maintenance agreement with the City of Chicago binding the Applicant, its successors and assigns for the construction, maintenance, and management of the Park. The Park is required to be substantially completed prior to issuance of final certificate of occupancy for the principal building within Subarea C, provided that planting may be delayed, if consistent with good landscape practice, but no longer than one year following receipt of the occupancy certificate. Upon completion of the Park, the Applicant will memorialize the Park in a public access easement agreement with and for the benefit of the City of Chicago or a not for profit accredited land conservancy trust, as approved by the City, whose purpose is to hold open space public access easements. Any costs associated with establishing, monitoring, or stewardship of the public access easement shall be the responsibility of the Applicant and would need to be contributed at the time when the easement is granted.

18. The Applicant has expressed interest in relocating certain elements of the existing Union Station Transit Center (the "USTC Site") in Subarea B (the "CTA Service Facilities Building") to Subarea C in order to extend the plaza landscaping and access paths from Subarea C onto the USTC site. The CDOT Commissioner is hereby granted authority to enter into and administer agreements related to the relocation of the CTA Service Facilities at the Applicant's expense.
19. The TMP, which is attached as an exhibit to this Planned Development ordinance, shall become effective after the issuance of the Certificate of Occupancy for Subarea A or Subarea C of the Planned Development, whichever occurs first. The Applicant's compliance with the TMP shall be a requirement of this Planned Development ordinance and shall be coordinated with CDOT. After the initial Occupancy of any Subarea, and prior to the subsequent Occupancy of a different subarea, the Applicant may request CDOT to review the TMP, and CDOT may update the TMP as necessary.
20. CDOT and the Office of Emergency Management and Communications ("OEMC") have determined that the posting of Traffic Control Aides ("TCAs") and Parking Enforcement Aides ("PEAs" and, together with TCAs, "Aides") would help traffic operations at key intersections within and adjacent to the Planned Development during the AM. and P.M. peak hours, Monday through Friday, and allow for strict enforcement of both curbside regulations and parking restrictions.

Accordingly, the Applicant agrees to meet with OEMC prior to construction start of each Planned Development subarea and to compensate the City, at the generally applicable part-time Aide rate, for the cost of Aides posted within or adjacent to the Planned Development as determined necessary by OEMC due to the Planned Development construction activities.

The Applicant further agrees to enter into an agreement (the "Aides Agreement") with OEMC upon the initial Occupancy of any Planned Development subarea, for a period of ten (10) years from the date of issuance of said Occupancy, in order to compensate the City for a portion of the cost of three (3) TCAs and two (2) PEAs posted within or adjacent to the Planned Development, as determined necessary by CDOT and OEMC. The Executive Director of OEMC or the Executive Director's designee (the "Executive Director") is authorized to negotiate, execute and deliver the Aides Agreement, and such other supporting documents as may be necessary or appropriate to carry out and comply with the provisions

of the Aides Agreement, with such changes, deletions and insertions as shall be approved by the Executive Director.

The payment structure by which the Applicant compensates the City will be as follows: a) upon Occupancy of one of the Planned Development Subarea A or Subarea C, the Applicant will pay to the City the full cost of 1.5 TCAs, and the City will pay for 1.5 TCAs and 2 PEAs; b) upon the Occupancy of both the Planned Development Subarea A and Subarea C, the Applicant will pay to the City the full cost of 3 TCAs, and the City will pay for 2 PEAs; c) upon Occupancy of any portion of the block located at 303 South Canal Street (PIN Number 17-16-121-003), which is currently located outside but adjacent to this Planned Development, the Applicant will pay to the City the full cost of 3 TCAs and 2 PEAs.

Compensation amounts for the cost of the Aides will be based on actual Aide assignment to intersections or streets (if a roving Aide) within or adjacent to the Planned Development. Payments received from the Applicant under the Aides Agreement will be appropriated into a fund designated by the Director of the OEMC and the Director of the Office of Budget and Management (the "OBM"). The first payment will be made on a date designated by the Director of the OBM. The Aides Agreement shall be recorded against the Planned Development. The first payment will be made on a date as determined by OBM and will be pro-rated for the remaining number of months in that year. On a date as determined by OBM of the following year, the Applicant will provide the next payment, and each payment thereafter. The Aides Agreement will be reviewed annually to determine if the payment amount needs to be modified based on changes in wages. The Applicant may request the City's approval of changes to this statement, including specifically a reduction in the number of Aides and the amount of the Applicant's payment obligation based on evidence of changed circumstances. Such evidence shall include, as appropriate, traffic analyses and other technical data. The City agrees at a minimum, based on Applicant-supplied traffic analyses, OEMC/CDOT data and analyses and other evidence, to review the appropriateness of the Applicant's Aide payment obligation on the earlier to occur of (1) the date of the next requested comprehensive amendment of this Planned Development; or (2) on an annual basis.

21. The Applicant has expressed interest in relocating an existing State of Illinois Department of Transportation ("IDOT") drainage facility located in an easement held by the City in Subarea C to the adjacent City right-of-way in order to allow for the Subarea C parking to be located below grade. The COOT Commissioner is hereby granted authority to enter into and administer agreements with IDOT and/or the Applicant related to the relocation of the facility at the Applicant's expense, the release of the easement, and the partial transfer of jurisdiction of the applicable portion of the adjacent City right-of-way to IDOT.
22. Pursuant to the Chicago Zoning Ordinance (Section 17-8-0911), Planned Developments are to give priority to the preservation and adaptive reuse of Chicago landmark buildings. The Planned Development includes the Union Station building at 210 South Canal Street, which is designated as a Chicago landmark . Proposed work to Union Station will require review and approval by the Commission on Chicago Landmarks and will need to meet the Commission/Permit Review Committee conditions of approval, pursuant to the Chicago Landmarks Ordinance, Section 2-120-740.
23. The Applicant acknowledges that it is the policy of the City to maximize opportunities for Minority- and Women-owned Business Enterprises ("M/WBEs") and City residents to compete for contracts and jobs on construction projects approved through the planned development process. To assist the City in promoting and tracking such M/WBE and City

resident participation, the applicant for planned development approval shall provide information at three points in the City approval process. First, the applicant must submit to DPD, as part of its application for planned development approval, an M/WBE Participation Proposal. The M/WBE Participation Proposal must identify the applicant's goals for participation of certified M/WBE firms in the design, engineering and construction of the project, and of City residents in the construction work. The City encourages goals of (i) 26 percent MBE and 6 percent WBE participation (measured against the total construction budget for the development or any phase thereof), and (ii) 50 percent City resident hiring (measured against the total construction work hours for the project or any phase thereof). The M/WBE Participation Proposal must include a description of the applicant's proposed outreach plan designed to inform M/WBEs and City residents of job and contracting opportunities. Second, at the time of the applicant's submission for Part II Permit Review for the development or any phase thereof, the applicant must submit to DPD (a) updates (if any) to the applicant's preliminary outreach plan, (b) a description of the applicant outreach efforts and evidence of such outreach, including, without limitation, copies of certified letters to M/WBE contractor associations and the ward office of the alderman in which the development is located and receipts thereof; (c) responses to the applicant's outreach efforts, and (d) updates (if any) to the applicant's M/WBE and City resident participation goals. Third, prior to issuance of a Certificate of Occupancy for the project or any phase thereof, the applicant must provide DPD with the actual level of M/WBE and City resident participation in the project or any phase thereof, and evidence of such participation. In addition to the foregoing, DPD may request such additional information as the department determines may be necessary or useful in evaluating the extent to which M/WBEs and City residents are informed of and utilized in planned development projects. All such information will be provided in a form acceptable to the Zoning Administrator. DPD will report the data it collects regarding projected and actual employment of M/WBEs and City residents in planned development projects twice yearly to the Chicago Plan Commission and annually to the Chicago City Council and the Mayor.

24. This Planned Development shall be governed by Section 17-13-0612 of the Zoning Ordinance. Should this Planned Development ordinance lapse, the Zoning Administrator shall initiate a zoning map amendment to rezone the Property to Planned Development Number 376, as amended October 31, 2018.

Bulk Regulations and Data Table referred to in these Plan of Development Statements reads as follows:

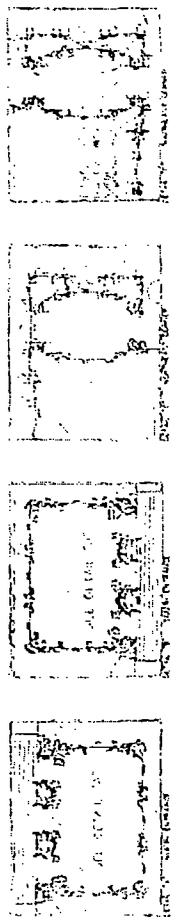
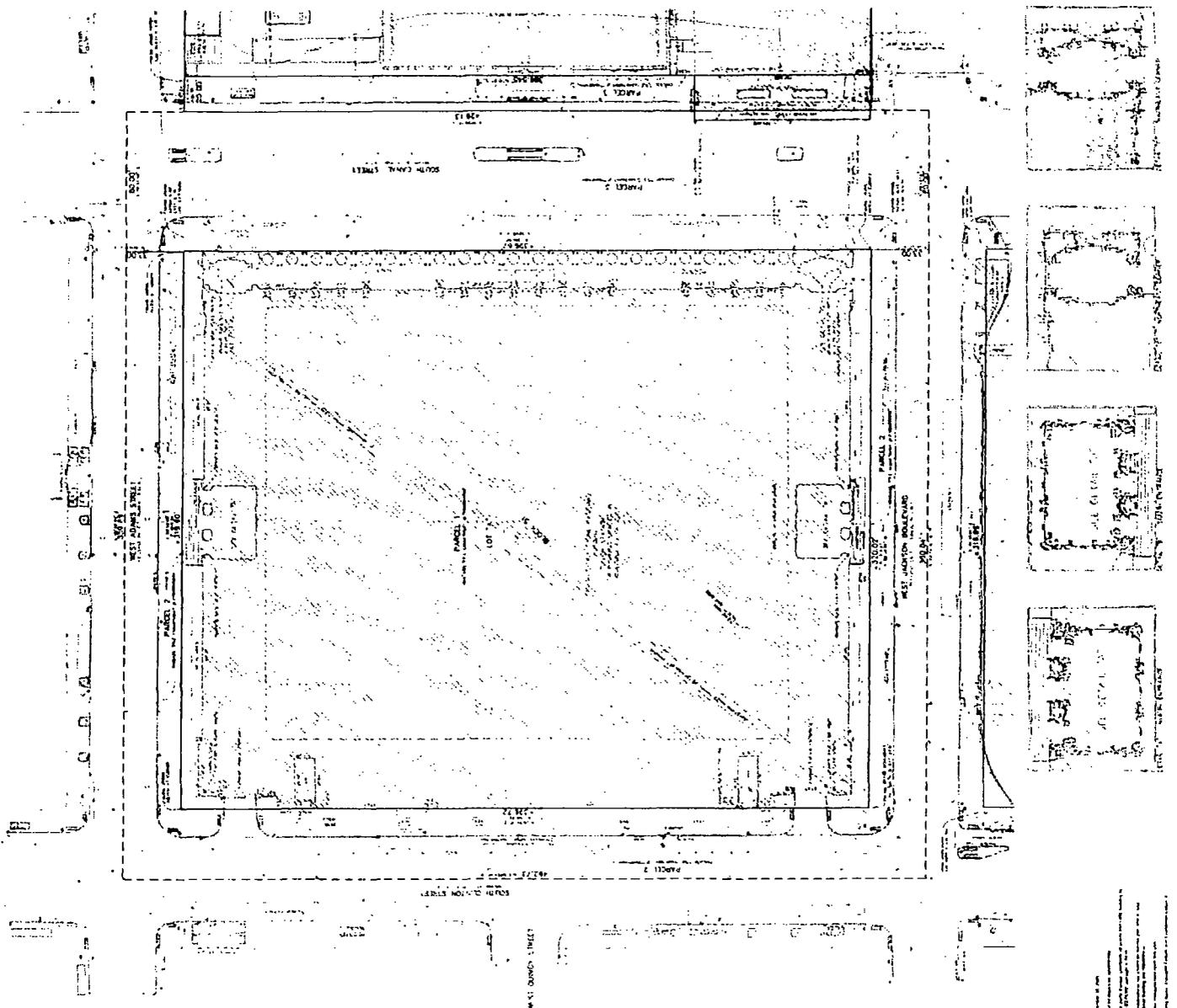
Bulk Regulations And Data Table.

	Subarea A	Subarea B	Subarea C	Total
Gross Site Area:	189,686	58,189	131,790	379,665
Right-of-Way Area:	62,760	23,327	39,504	125,591
Net Site Area:	126,926	34,862	92,286	254,074
FAR Building Area:	1,097,910	418,344	1,578,777	3,095,031
Maximum FAR:	8.65	12.00	17.11	12.18
Maximum Height:	165 feet	40 feet	730 feet	730 feet maximum ¹
Maximum DU:	0	0	0	0 units
Maximum Hotel Keys:	400	0	0	400 keys
Maximum Office and Retail Floor Area:	175,000	0	1,578,777	1,753,777
Maximum Parking:	265	0	400	665 stalls
Minimum Bike Parking:	50	0	50	100 bikes
Minimum Loading:	4	0	4	8 at 10 by 25 with 12 feet clear

¹ Measured from the top of curb at the intersection of Jackson and Canal Street adjacent to the property.

CHICAGO GUARANTEE SURVEY COMPANY
 PLGS Corporation
 1100 N. LA SALLE ST.
 CHICAGO, ILL. 60610
PLAT OF SURVEY

THIS SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING THE LAND SHOWN INTO LOTS AND PARCELS FOR THE PURPOSE OF CONVEYING THE SAME TO THE SEVERAL PARTIES WHOSE NAMES ARE SET FORTH IN THE FOREGOING INSTRUMENT. THE SURVEY WAS MADE BY THE CHICAGO GUARANTEE SURVEY COMPANY, INC. A CORPORATION OF ILLINOIS, UNDER THE CLOSE PERSONAL SUPERVISION AND DIRECTION OF THE SURVEYOR, AND THE SURVEYOR HAS BEEN FULLY ADVISED OF ALL THE FACTS AND CIRCUMSTANCES RELATIVE TO THE SURVEY AND THE TRUTH AND ACCURACY OF THE SAME IS GUARANTEED BY THE SURVEYOR.



CHICAGO GUARANTEE SURVEY COMPANY, INC.
 A CORPORATION OF ILLINOIS
 1100 N. LA SALLE ST.
 CHICAGO, ILL. 60610
 SURVEYOR

2019-72731-001
 11/1/19

20673
INTRO DATE
APRIL 21, 2021

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:
210 S. Canal St., 307-309 S. Clinton St. and 310 S. Canal St. (PIN(s): 17-16-114-003;
17-16-120-011; 17-16-120-009 and 17-16-120-010)

2. Ward Number that property is located in: 42

3. APPLICANT National Railroad Passenger Corporation d/b/a Amtrak
ADDRESS 500 W. Jackson Blvd., 2nd Floor CITY Chicago
STATE IL ZIP CODE 60661 PHONE 312-519-8346
EMAIL Suzanne.Mosher@Amtrak.com CONTACT PERSON Suzanne Mosher

4. Is the applicant the owner of the property? YES as to 210 S. Canal NO Canal as to 307-309 S. Clinton and 310 S.
If the applicant is not the owner of the property, please provide the following information
regarding the owner and attach written authorization from the owner allowing the application to
proceed.
OWNER See Exhibit A attached hereto
ADDRESS _____ CITY _____
STATE _____ ZIP CODE _____ PHONE _____
EMAIL _____ CONTACT PERSON _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the
rezoning, please provide the following information:
ATTORNEY Lenny D. Asaro, Faegre Drinker Biddle & Reath LLP
ADDRESS 311 S. Wacker Drive, Suite 4300
CITY Chicago STATE IL ZIP CODE 60606
PHONE 312-356-5111 FAX 312-212-6501 EMAIL Lenny.asaro@faegredrinker.com

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

N/A

7. On what date did the owner acquire legal title to the subject property? Applicant acquired legal title to 210 S. Canal St. on 12/29/1914

8. Has the present owner previously rezoned this property? If yes, when? Applicant, the owner of 307-309 S. Clinton St. and the owner of 310 S. Clinton St. rezoned and/or authorized the rezoning of the properties pursuant PD 376, as amended on October 31, 2018, and as amended on May 20, 2020.

9. Present Zoning District PD 376 Proposed Zoning District PD 376

10. Lot size in square feet (or dimensions) Approximately 254,074 square feet 210 S. Canal St.: Transportation; 307-309 S. Clinton St.: Transportation

11. Current Use of the property 310 S. Canal St.: Mixed Use (Office/Commercial)

12. Reason for rezoning the property Amend PD Statement No. 16 to allow for a Minor Change resulting in a transfer of FAR Building Area from Subareas B and C to Subarea A subject to the Second Amendment to the Right of First Offer Agreement between the City of Chicago and Applicant dated February 2, 2021.

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) Applicant is not proposing any changes in the use of the properties.

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

YES _____ NO _____

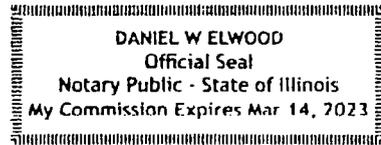
COUNTY OF COOK
STATE OF ILLINOIS

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

Suzanne Mosher
Signature of Applicant

Subscribed and Sworn to before me this
5th day of April, 2021

Daniel W. Elwood
Notary Public



For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____

WRITTEN NOTICE
AFFIDAVIT
(Section 17-13-0107)

April 7, 2021

Honorable Thomas M. Tunney
Chairman, Committee on Zoning
121 North LaSalle Street
Room 304, City Hall
Chicago, Illinois 60602

The undersigned, Lenny D. Asaro, being first duly sworn on oath deposes and states the following:

The undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Chicago Zoning Ordinance, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S. Mail, no more than 30 days before filing the application.

The undersigned certifies that the notice contained the address of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately April 8, 2021.

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

Lenny D. Asaro

Signature

Subscribed and Sworn to before me this
7th day of April, 2021.

Julie A. Lane

Notary Public



Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about April 8, 2021 the undersigned will file an application to amend Business Planned Development Number 376 to amend Statement 16 of the Planned Development Statements to allow for the transfer of 417,344 sq. ft. of FAR Building Area from Subarea B to Subarea C and for the transfer of 7,868 sq. ft. of FAR Building Area from Subarea C to Subarea A on behalf of the National Railroad Passenger Corporation d/b/a Amtrak for the property located at 210 S. Canal St., 307-309 S. Clinton St. and 310 S. Canal St.

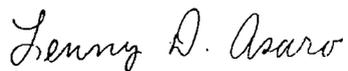
The applicant is not seeking to change the permitted uses for the property located at 210 S. Canal St., 307-309 S. Clinton St. and 310 S. Canal St.

Amtrak is located at 500 W. Jackson Blvd., 2nd Floor, Chicago, Illinois 60661. The contact person for this application is Lenny D. Asaro, Attorney, Faegre Drinker Biddle & Reath LLP, 311 S. Wacker Drive, Suite 4300, Chicago, IL 60606 and who can be reached by phone at 312-356-5111.

Please note that the applicant is not seeking to rezone or purchase your property. The applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.

Very truly yours,

Lenny D. Asaro
Faegre Drinker Biddle & Reath LLP



Signature



CITY OF CHICAGO

CHICAGO DEPARTMENT OF TRANSPORTATION

April 8, 2021

Patrick Murphey
Zoning Administrator, Bureau of Zoning
City of Chicago, Department of Planning and Development
121 N. LaSalle St., Room 905
Chicago, IL 60602

Tom Tunney
Chairman, Committee on Zoning
121 N. LaSalle St., Room 304
Chicago, IL 60602

Re: Consent to Proposed Amendment to Business Planned Development No. 376

The City of Chicago is the owner of 307-309 S. Clinton St., Chicago, IL 60661 (PIN: 17-16-120-011 and 17-16-120-009). The City of Chicago consents to National Railroad Passenger Corporation d/b/a Amtrak's application to amend Business Planned Development No. 376 with respect to PD Statement No. 16.

Please advise if any additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Gia Biagi".

Gia Biagi
Commissioner

320 South Canal Titleholder LLC

April 6, 2021

Patrick Murphey
Zoning Administrator
Bureau of Zoning
City of Chicago, Department of Planning and Development
121 N. LaSalle St., Room 905
Chicago, IL 60602

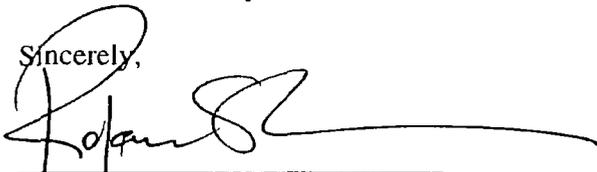
Tom Tunney
Chairman, Committee on Zoning
Room 304, City Hall
Chicago, Illinois 60602

Re: Consent to Proposed Amendment to Business Planned Development No. 376

320 South Canal Titleholder LLC is the owner of 310 S. Canal Street, Chicago, IL 60661 (PIN: 17-16-120-010). 320 South Canal Titleholder LLC consents to National Railroad Passenger Corporation d/b/a Amtrak's application to amend Business Planned Development No. 376 with respect to PD Statement No. 16.

Please advise if any additional information is needed.

Sincerely,



Rafael Carreira
Authorized Signatory
320 South Canal Titleholder LLC

EXHIBIT B

1. List below the full names and titles, if applicable, of: (i) all executive officers and all directors of the entity.

Directors:

- William J. Flynn, Amtrak Chief Executive Officer
- Anthony R. Coscia, Chairman of the Board
- Jeffrey R. Moreland, Vice Chairman of the Board
- Pete Buttigieg, U.S. Secretary of Transportation
- Christopher R. Beall
- Yvonne Brathwaite Burke
- Thomas C. Carper
- Albert DiClemente

Officers:

- William J. Flynn, Chief Executive Officer
- Stephen J. Gardner, President
- Eleanor D. Acheson, Executive Vice President and General Counsel & Corporate Secretary
- Roger Harris, Executive Vice President, Chief Marketing and Revenue Officer
- Scot Naparstek, Executive Vice President, Chief Operations Officer
- Dennis Newman, Executive Vice President, Planning & Strategy
- Steve Predmore, Executive Vice President and Chief Safety Officer
- Qiana Spain, Executive Vice President and Chief Human Resource Officer
- Tracie Winbigler, Executive Vice President and Chief Financial Officer
- Christian Zacariassen, Executive Vice President and Chief Information Officer

**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:

National Railroad Passenger Corporation, a District of Columbia corporation, d/b/a Amtrak

Check ONE of the following three boxes:

Indicate whether the Disclosing Party submitting this EDS is:

1. the Applicant

OR

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

OR

3. a legal entity with a direct or indirect right of control of the Applicant (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: 1 Massachusetts Ave., Office 630
Washington, DC 20001

C. Telephone: 312-519-8346 Fax: _____ Email: suzanne.mosher@amtrak.com

D. Name of contact person: Suzanne Mosher

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

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

Application to amend Business Planned Development Number 376 (PD 376).

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

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

Specification # N/A and Contract # N/A

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

- | | |
|--|--|
| <input type="checkbox"/> Person | <input type="checkbox"/> Limited liability company |
| <input checked="" type="checkbox"/> Publicly registered business corporation | <input type="checkbox"/> Limited liability partnership |
| <input type="checkbox"/> Privately held business corporation | <input type="checkbox"/> Joint venture |
| <input type="checkbox"/> Sole proprietorship | <input type="checkbox"/> Not-for-profit corporation |
| <input type="checkbox"/> General partnership | (Is the not-for-profit corporation also a 501(c)(3))? |
| <input type="checkbox"/> Limited partnership | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Other (please specify) |

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

District of Columbia

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 Organized in Illinois

B. IF THE DISCLOSING PARTY IS A LEGAL ENTITY:

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

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

Name

Title

See Exhibit B attached hereto.

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

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

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

Name	Business Address	Percentage Interest in the Applicant
N/A		

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

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

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

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

N/A

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

Yes No

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

N/A

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

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

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Disclosing Party (subcontractor, attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated.) NOTE: "hourly rate" or "t.b.d." is not an acceptable response.
Lenny Asaro (retained)	311 S. Wacker Dr., Ste 4300, Chicago, IL 60606	Attorney	\$20,000.00

(Add sheets if necessary)

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

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

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

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

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

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

Yes No

B. FURTHER CERTIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

N/A

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

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

N/A

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

N/A

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

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

is is not

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

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

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

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

N/A

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

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

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

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

Yes

No

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

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

Does the Matter involve a City Property Sale?

Yes

No

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

Name

Business Address

Nature of Financial Interest

N/A

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

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

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

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

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

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

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

A. CERTIFICATION REGARDING LOBBYING

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

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

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

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

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

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

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

B. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY

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

Is the Disclosing Party the Applicant?

Yes No

If "Yes," answer the three questions below:

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

Yes No

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

Yes No Reports not required

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

Yes No

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

SECTION VII -- FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

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

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

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

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

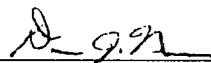
E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must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

CERTIFICATION

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

National Railroad Passenger Corporation

(Print or type exact legal name of Disclosing Party)

By: 
(Sign here)

Dennis J. Newman

(Print or type name of person signing)

Executive Vice President, Planning & Asset Development

(Print or type title of person signing)

Signed and sworn to before me on (date) April 8, 2021,

at District of Columbia County _____ (state).


Notary Public

Commission expires: 12/14/2025



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

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

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

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

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

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

Yes

No

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

N/A

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

BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

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

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

Yes No

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

Yes No The Applicant is not publicly traded on any exchange.

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

N/A

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

PROHIBITION ON WAGE & SALARY HISTORY SCREENING - CERTIFICATION

This Appendix is to be completed only by an Applicant that is completing this EDS as a “contractor” as defined in MCC Section 2-92-385. That section, which should be consulted (www.amlegal.com), generally covers a party to any agreement pursuant to which they: (i) receive City of Chicago funds in consideration for services, work or goods provided (including for legal or other professional services), or (ii) pay the City money for a license, grant or concession allowing them to conduct a business on City premises.

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

Yes

No

N/A – I am not an Applicant that is a “contractor” as defined in MCC Section 2-92-385.

This certification shall serve as the affidavit required by MCC Section 2-92-385(c)(1).

If you checked “no” to the above, please explain.

N/A

EXHIBIT A

307-309 S. Clinton St. (PIN: 17-16-120-011 and 17-16-120-009)

OWNER: City of Chicago

ADDRESS: 2 N. LaSalle Street, Suite 1110

CITY: Chicago

STATE: IL

ZIP CODE: 60602

PHONE:

EMAIL:

CONTACT PERSON: Jeff Sriver, Director of Transportation Planning and Programming

310 S. Canal St. (PIN: 17-16-120-010)

OWNER: 320 South Canal Titleholder, LLC, a Delaware limited liability company

ADDRESS: c/o Riverside Investment and Development Company, 150 N. Riverside Plaza, Suite 1800

CITY: Chicago

STATE: IL

ZIP CODE: 60606

PHONE: (312) 788-1815

EMAIL: tlankey@riversideid.com

CONTACT PERSON: Tyler Lamkey