

Exhibit C

Notice of Public Hearing in Regard to the Proposed Heinen Business District

PUBLIC NOTICE **PURSUANT TO 65 ILCS 5/11-74.3-2(b)**

The Mayor and City Council of the City of Naperville (the "City") will hold a public hearing on October 4, 2022 at 7:00 p.m., at the Naperville Municipal Center, Council Chambers, 400 S. Eagle, Naperville, Illinois 60540 (the "Hearing"), to consider whether to designate the following-described property (the "Proposed Business District No. 1") as a business district with a finding and determination that the Proposed Business District No. 1 is a blighted area as set forth in the Illinois Business District Development and Redevelopment Law, 65 ILCS 5/11-74.3-1, *et seq.* (the "Law"), and whether to approve the business district plan for the Proposed Business District No. 1 (the "Business District Plan") as set forth in the Law.

Legal Description of Proposed Area

Lot 1 in Eagle Crest Plaza Subdivision, being a Subdivision in the South 1/2 of Section 17, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded July 16, 1974 as document [R74-36120](#), in DuPage County, Illinois.

All interested persons will be given an opportunity to be heard at the Hearing. The Business District Plan for the Proposed Business District No. 1 under consideration at the Hearing provides, generally, as follows:

I. City Goals and Objectives

The 2022 City's Land Use Master Plan designates the Future Land Use for the Study Area as a Neighborhood Center. The City's stated goals and objectives for this use include:

- Encourage commercial businesses that offer goods and services catering to adjacent residential neighborhoods.
- Require necessary buffering and screening to ensure an appropriate transition between neighborhood centers and adjacent lower-intensity place types.
- Allow an appropriate mix of uses that creates an active district and serves the needs of adjacent neighborhoods.
- Provide parking through surface parking lots.

To further the above-stated general goals of the City, certain objectives have been specified for the proposed Business District and are outlined below:

- To support the redevelopment of vacant or underutilized properties within the proposed Business District, and to stabilize occupancy and usage;
- To provide for the necessary rehabilitation of retail space required to support the proposed uses within the proposed Business District and to facilitate redevelopment of the proposed Business District as a whole;
- To provide for the necessary public improvements to support the proposed uses within the proposed Business District and facilitate redevelopment of the proposed Business District as a whole;
- To improve pedestrian and vehicular traffic safety and circulation throughout the proposed Business District as a whole;
- To undertake selected public street, utility and other site improvement projects that are essential to the continuation of the proposed Business District for use in accordance with this Plan; and
- To ensure that redevelopment within the proposed Business District is both coordinated and comprehensive.

A. City Objectives

- (1) Stabilize retail operations in the spaces located in the Eagle Crest Shopping Center;
- (2) Improve stormwater retention characteristics within the Proposed Business District No. 1;

II. City Policy Criteria

The City has established the following policy criteria to guide development activities within the Proposed Business District No. 1:

- A. Preserve and create an environment within the Proposed Business District No. 1 which will promote the economic and social welfare of the City, including opportunities for new retail/commercial growth and for retention of existing commercial activities.
- B. Exercise powers provided for under the Law in the promotion of the public interest and enhancement of the tax base and tax revenues to the City.
- C. Enhance the economic well-being and strengthen the retail/commercial sector within the Proposed Business District No. 1 by encouraging private investment and reinvestment through public financing vehicles, if necessary, to increase business activity, attract sound and stable commercial growth, create and retain job opportunities, and enhance and diversify the tax base.
- D. Provide necessary public infrastructure that enhances the Proposed Business District No. 1 to create an attractive service and/or shopping environment to encourage and support private investment.

III. General Project Descriptions

The City intends to provide or enter into agreements with developers or other private sector interests to provide certain public and private improvements in the Proposed Business District No. 1 to enhance the immediate area and to serve the needs of development.

Potential projects include, but are not limited to:

- A. The redevelopment of the certain spaces within the Eagle Crest Shopping Center, and the adjacent areas, into modern, renovated retail/commercial uses, or other recreation, entertainment or other land uses that may stimulate additional business activity within the Proposed Business District No. 1 or the City as a whole;
- B. The improvement of public utilities, including construction or replacement of the public utility mains, service lines and related system improvements;
- C. The installation, repair, construction, reconstruction and/or development of storm water management and other public site improvements that are essential to the preparation of the Proposed Business District No. 1 for use in accordance with the Business District Plan;
- D. The rehabilitation of structures and construction of site improvements, including parking improvements; and
- E. Entering into agreements with one or more developers or other private sector interests in order to implement the foregoing.

IV. **Sales Tax**

The City intends to impose a one-half percent (0.5%) business district retailers' occupation tax and a one-half percent (0.5%) business district service occupation tax, as permitted by the Law, in the Proposed Business District No. 1 for the planning, execution and implementation of the Business District Plan, and to pay for Proposed Business District No. 1 project costs as set forth in the Business District Plan. Said taxes to be imposed for no more than 23 years.

Any party interested in submitting an alternative proposal or bid for any proposed conveyance, lease, mortgage or other disposition by the City of land or rights in land owned by the City and located within the Proposed Business District No. 1, or who would like further information in regard to the Proposed Business District No. 1, should contact Naperville City Engineer Bill Novack at (630) 420-6704. Any alternative proposals or bids must be addressed to and submitted to Mr. Novack at the above-listed Municipal Center address, no later than the Monday before the Hearing (on or before October 4, 2022, at 4:00 p.m.).

All persons who wish to be heard in support of or in opposition to the matters to be considered at the public hearing shall be afforded an opportunity to do so at the public hearing. Statements may be submitted orally, or in writing, or both. For more details regarding the Proposed Business District No. 1, please contact Naperville City Engineer Bill Novack at (630) 420-6074 or novackw@naperville.il.us. The hearing may be recessed to another date if not concluded on the scheduled date.

City of Naperville

Pam Gallahue

Pam Gallahue
City Clerk

