

April 1, 2010

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

**Subject: PC 10-03: 115 E. St. Charles Road (French Market -
Hammerschmidt Parking Lot)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard and the Lombard Town Centre, requests approval of a conditional use for a Farmer's Market (French Market) in the B5 Central Business District.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 15, 2010. Christopher Stilling, Assistant Director of Community Development, presented the petition.

The Village of Lombard and the Lombard Town Centre (LTC) requests conditional use approval for a Farmer's Market (French Market) to be held Saturday mornings, from 9 a.m. to 1 p.m. in the existing Village of Lombard commuter parking lot of the retail strip center located at 115 E. St. Charles Road. The Bentsidoun Company has been contracted by Lombard Town Centre to operate the market and will provide all staff, equipment and necessary marketing.

The Comprehensive Plan denotes this area as Central Business District Mixed Use Area. The French Market concept is clearly appropriate to a Central Business District and is considered as an enhancement to downtown development and activities. With regard to compatibility with the surrounding land uses, the subject property is bounded by commercial and railroad uses. The proposed French Market is compatible with such downtown uses. With regard to compatibility with the Zoning Ordinance and a conditional use for a Farmer's Market, the LTC wishes to operate a Farmers (French) Market on the Hammerschmidt parking lot on Saturday mornings. The market used to be located here on Saturdays in 2004 & 2005 (PC 04-06), however it was moved to 102 W.

St. Charles in 2007 and 2008 (PC 07-22) on Tuesdays to accommodate more vendors. Last year, the market was also held on Tuesday, but was relocated to North Park Avenue right-of-way. The LTC and its operator, Bensidoun, were not satisfied with the North Park Avenue location and therefore the LTC is requesting to move the market back to the Hammerschmidt lot. They will be working with the same operator, who has indicated that having the market on Saturday should not impede their ability to get quality vendors.

Relative to the site plan, the market will be located on the eastern half of the existing Hammerschmidt parking lot. In consideration of the site for the market, staff noted many benefits of this site over the existing site including:

1. Greater visibility to pass-by traffic on St. Charles Road and visibility from riders on the Metra Union Pacific West Line.
2. Greater parking options.
3. Greater flexibility in site operations. As the site will not be shared with other land-uses, conflicts with garbage disposal and set-up operations will be diminished.
4. Additional space for expansion. The subject property will have space for 47 tents.
5. No need for Village barricades. Last year, the Village spent approximately \$7,000 for barricades.

As with the existing market, it will be operated according to a License Agreement that will ensure that it will not endanger the public health or safety. The market will meet all code requirements which will assure that all requirements for public utilities and safety concerns will be met during its limited hours and days of operation in a manner consistent with their existing site. As staff believes that the subject property can more adequately meet the needs of the market, it supports the conditional use request.

The existing Hammerschmidt parking lot has 113 parking spaces. Based on the representations made by the LTC and Bensidoun, approximately 27 parking spaces will be used for the tents leaving 86 spaces for customer parking.

Staff finds that the request for a conditional use for this property meets the conditional use standards set by the Zoning Ordinance. Any potential negative impacts of the activity (i.e., trash, noise, etc.) will be continually overseen and managed. The market use will not impact overall redevelopment activity along St. Charles Road. In fact, the use could be considered an asset to the corridor. The use serves as an enhancement to the downtown area as it is an attraction for visitors to the area and is consistent with the retail objectives in the Comprehensive Plan.

In order for any conditional use to be approved, the standards for conditional uses must be affirmed. Mr. Stilling recited the seven standards as well as staff's response to each. Staff believes the standards have been met and recommends approval of the conditional use subject to the three conditions noted in the staff report.

Chairperson Ryan asked if anyone was present to speak in favor or against the petition.

Dan Whittington, 39 North Elizabeth, Lombard, and President of Lombard Town Centre stated that while he felt the various vendors were happy on Park Avenue, the Village encountered some expenses with the barricades. We felt it would be best to relocate some place else and this was the best place for it. He indicated they have had success working with Bensidoun and that having the market on Saturdays would not deter vendors. We will be meeting with Bensidoun on Wednesday if everything goes well tonight.

Chairperson Ryan then opened the meeting for comments among the Commissioners.

Commissioner Olbrysh indicated that he had no problem with the French Market at the Hammerschmidt lot as the parking situation is better. He questioned who would be obtaining the vendors. Mr. Whittington answered that Bensidoun would. Commissioner Olbrysh asked if that is the same company that operates the Wheaton French Market. Mr. Whittington answered yes. Commissioner Olbrysh asked if Lombard had any vendors signed up yet. Mr. Whittington answered that they have some vendors signed up and they hoped to have 10-12. He didn't know who they were and will find out when they meet on Wednesday to finalize documents.

Commissioner Olbrysh asked if the operation dates for the market were May 1 through October 31. Mr. Whittington answered yes.

On a motion by Commissioner Olbrysh and a second by Commissioner Sweetser, the Plan Commission voted 4 to 0 that the Village Board approve the petition based on the finding that the petition had met the required Standards as set forth in the Zoning Ordinance.

Based on the submitted petition and the testimony presented, the proposal does comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission adopt the findings included within the Inter-departmental Review Report as the findings of the Lombard Plan Commission and recommend to the Corporate Authorities approval of PC 10-03, subject to the following conditions:

1. The Farmer's/French Market shall operate in accordance with the site plan prepared by Village staff, dated March 9, 2010 and included as part of this petition.
2. That the Farmer's/French Market shall be operated in accordance with a Market Operator's Agreement approved by the Village of Lombard Board of Trustees.
3. The conditional use for the operation of a Farmer's/French Market shall be on Saturdays between May 1 and October 31. Moreover, the operator shall designate four (4) spaces for temporary accessible parking during the hours that the French Market is operating.

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Respectfully,

VILLAGE OF LOMBARD

Donald Ryan, Chairperson
Lombard Plan Commission

c. Petitioner
Lombard Plan Commission

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