

MEMORANDUM

TO: David A. Hulseberg, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development

DATE: May 7, 2009

**SUBJECT: FRENCH MARKET AGREEMENT – NORTH PARK AVENUE
RIGHT-OF-WAY**

BACKGROUND

The French Market has been successfully operating since its inception at various locations in the downtown. The corner of St. Charles Road and Elizabeth, specifically 229-241 St. Charles Road, was the most recent site used. Due to the unwillingness of the property owner to keep the Farmer's Market on his site, a concern was raised to Lombard Town Centre (LTC) that there was a serious possibility that the French Market would not occur this year, absent a new location.

Village staff entertained a number of possible sites including 117 W. St. Charles Road and the Hammerschmidt lots. As these locations nor others would meet the requirements for the event without significant expenditures or other operational or logistical issues, the North Park Avenue right-of-way was suggested. This location is still in the downtown area but removed from the train station so there would be minimal impact on commuter's vehicles.

In order to determine if the North Park Avenue right-of-way location was a viable choice, staff surveyed the Village department heads in an attempt to secure any comments or concerns they might have regarding this proposed location. Hearing none, the concept was then introduced to LTC. The LTC Executive Board voted to support the North Park concept. Staff then held a logistics meeting at North Park Avenue to confirm the location was doable.

The property owners in the North Park Avenue location were notified by LTC of this proposed location. The proprietor of 20 West Liquors had certain concerns with the hours of operation. Dan Whittington of LTC and staff met with him and noted that the French Market would cease operations by 1:00 p.m. on Tuesdays. The proprietor has since expressed that he no longer has concerns about the new location.

RECOMMENDATION:

To facilitate the French Market's operation in the public right-of-way, a License Agreement is attached. The Agreement is similar in structure to an agreement that was previously entered into by the parties when it operated on the Hammerschmidt property. Staff recommends that the Village Board authorize the Village President and Village Clerk to sign the License Agreement with Bensidoun USA, Inc. to use the North Park Avenue Right-of-Way.

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