



## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

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

**DATE:** April 15, 2010

**SUBJECT: FRENCH MARKET OPERATORS' AGREEMENT – 115 E. ST. CHARLES (HAMMERSCHIMDT PARKING LOT)**

### **BACKGROUND**

On April 1, 2010, the Village Board approved the first reading of an Ordinance granting a Conditional Use for a Farmers Market on the Hammerschmidt parking to be held on Saturdays from 2PM to 7PM. This was a request made by the Lombard Town Centre (LTC). 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. The market will be in operation from 2PM to 7PM.

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

As with the existing market, it will be operated according to an Operators' 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.

### **RECOMMENDATION:**

To facilitate the French Market's operation on the Hammerschmidt parking lot, an Operators' Agreement is attached for approval by the Village Board. The Agreement is similar in structure to an agreement that was previously entered into by the parties when it operated on the property back in 2004 & 2005. Staff recommends that the Village Board authorize the Village President and Village Clerk to sign the Operators' Agreement with the LTC to use the Hammerschmidt parking lot.