



## MEMORANDUM

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

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

**DATE:** March 23, 2011

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

### **BACKGROUND**

On April 15, 2010, the Village Board approved an Ordinance granting a Conditional Use for a Farmers Market on the Hammerschmidt parking to be held on Saturdays from May 1 to October 31. Last year, the market operated from 2PM to 7PM at this location. At the request of the market operator, Bensidoun USA, the market for this year will run from 8AM to 2PM.

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 last year. 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.