

## PROVISOS FOR 5330 ST CLAUDE AVENUE

1. The total amount of alcoholic beverages that can be located on or within the premises shall be as follows: alcohol shall not constitute more than 15% percent of the total available stock (including storage areas), and the display of alcoholic beverages for purchase by customers shall be limited to 10% of the total display area.
2. There shall be no “single” sales of alcoholic beverages less than 24 ounces for beer (low content) and 375 ml for liquor (high content).
3. Signage advertising the sale of alcoholic beverages (including neon) shall not be visible from the public right-of-way and shall comply with all applicable provisions of the Comprehensive Zoning Ordinance and City Code.
4. Special event permits shall only be permitted 4 times per calendar year. The events must end at 8:00 p.m., and must a licensed security guard present during the full duration of the special event. Clean up must occur immediately after the event has ended.
5. Tobacco products stocked and displayed on site shall not exceed six (6) percent. These products include but are not limited to: cigarettes, roll your own, pipe tobacco, cigars, chewing tobacco, snuff, spitless, lighters, electronic smoking devices and smoking accessories.
6. The total footprint, stocked and displayed, of fresh fruit and vegetables inside the area of the store accessible to customers shall have a minimum percentage of twelve (12) percent of the overall store area that is accessible to customers. The total footprint, stocked and displayed, of fresh meat, fish and poultry inside the area of the store accessible to

customers shall have a minimum percentage of ten (10) percent of the overall store area that is accessible to customers.

7. The applicant shall provide to the City Planning Commission a loitering abatement program plan and a security enforcement plan. The loitering abatement plan must include at least four “no loitering” signs, at a minimum size of 14” x 14”, and a plan for removing loiterers.
8. The applicant shall provide to the City Planning Commission a litter abatement program letter, approved by the Department of Sanitation, inclusive of the stated location of trash storage, the type and quantity of trash receptacles and the clearing of all litter from the sidewalks and periodic hosing of the street right-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation. In no way shall trash be stored so that it is visible from the public right-of-way.
9. Store hours are limited to Monday through Sunday from 5:30 a.m. to midnight. If the applicant desires to operate between midnight and 5:30 a.m., a paid, licensed security guard must be on premises at all times between midnight and 5:30 a.m.
10. There shall be nine security cameras maintained 24 hours a day, 7 days a week, with footage retained for a minimum of seven days. Five of the nine cameras shall be inside the premises, with four on the exterior, which shall be NOPD approved Crime Cameras.
11. The parking lot shall provide lighting as required by the Comprehensive Zoning Ordinance.
12. A landscaping and maintenance plan shall be submitted and approved by City Planning Commission and Safety and Permits. The Plan shall provide

for the planting and maintenance of trees and shrubberies of a sufficient size to beautify and create a sound buffer for neighbors.

13. Concrete safety pillars shall be installed along the front of the building, subject to the approval of City Planning Staff and Safety and Permits.
14. The grocery store will accept and fulfill requirements to accept EBT (Electronic Benefits Transfer) as a form of payment.
15. In connection with this conditional use, to ensure continued compatibility with the surrounding neighborhood, the following businesses shall not be permitted: payday or title loan agencies, pawn shops, and check cashing establishments; however, check cashing is allowed as part of the grocery store.
16. No off-site betting or slots shall be permitted at the grocery store. Video poker shall only be permitted in retail spaces 2 and 3.