

EXHIBIT "A"

CONDITIONS FOR INCLUSION IN PLANNING BOARD RESOLUTION GRANTING A CONDITIONAL USE APPROVAL FOR A WINE BAR LOCATED AT 1128-1130_DUVAL STREET

Conditions to be completed prior to issuance of a certificate of occupancy:

1. ADA bathroom access is provided and maintained
2. If the applicant proposes to provide prerecorded background music, the applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinance, and shall include a computerized sound monitoring system with real time monitoring access to be provided to the City.
3. The approved size and location of the bar and consumption area shall be as shown on the revised floor plans submitted on March 7, 2012.

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22. Conditions subject to an associated annual inspection:

4. The hours of operation of the bar are limited to 10:00 am to 10:00 pm.
5. The use is approved for the sale of beer and wine only.
6. There will be no live amplified music on the premises.
7. There shall be no more than 1,065 square feet of consumption area, inclusive of the bar area allowed without further City approvals.
8. If there is to be amplified music, the applicant expressly agrees to provide the City's agents with unfettered access to the computer-generated reports and full, real-time, web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with condition 2 herein. The playing of any music (amplified or otherwise) outside of the premises is not permitted without further City approvals.
9. The bar shall be operated as accessory to and in conjunction with the principal retail operation at 1130 Duval Street. At least sixty percent (60%) of the consumption area shown on the revised floor plan submitted on March 7, 2012, shall contain clothing racks, shelving, cases and/or other displays of merchandise for retail sale. Displays of beer and wine for retail package sales, if any, shall occupy no more than twenty percent (20%) of the consumption area. The bar shall not be open if the retail operation is closed.
10. Applicant is limited to a maximum of ten (10) seats. Additional seating of any kind is not permitted without further City approvals.
11. The bar use is limited to the interior of the property. The expansion or relocation of the consumption area outside of the building is not permitted without further City approvals.