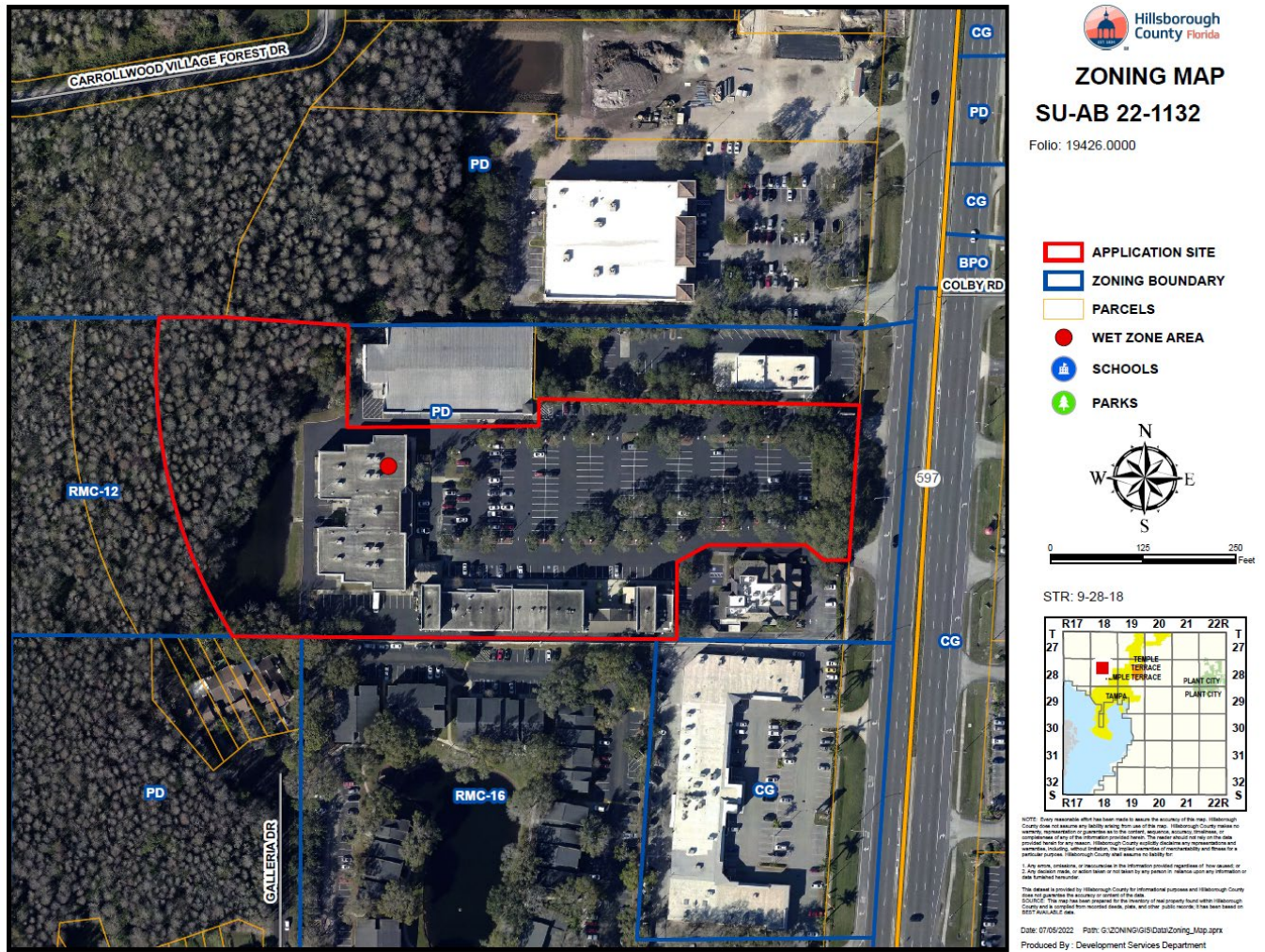




## Land Use Application Summary Report

Application Number:	SU-AB 22-1132	Adjacent Zoning and Land Uses:	
Request:	4-COP-RX AB Permit with Distance Separation Waiver	North:	PD: Multi-Tenant Retail & Financial
		South:	RMC-16: Multi-Family PD: Single-Family, Attached
Comp Plan Designation:	OC20 (Office Commercial)	East:	PD 13-0328/ROW & Single-Family (130 lots)
Service Area:	Urban	West:	RMC-12: County Owned - Vacant



### **Request Summary**

Pursuant to Land Development Code (LDC) Section 6.11.11, the request is for a distance separation waiver for an 4-COP-RX Alcoholic Beverage (AB) Permit for sale and consumption of beer, wine, and liquor on the permitted premises only in connection with a restaurant having a patron seating capacity of at least 100 seats and a gross floor capacity (gross floor area plus covered patio area) of at least 2,500 square feet. Additionally, at least 51 percent of the restaurant's total biannual sales shall be derived from the sale of food and non-alcoholic beverages to be located at 11778 North Dale Mabry Highway.

As shown on the wet zone survey received July 28, 2022, the proposed wet zone footprint is 21,500 square feet in size, all of which is indoor area. The wet zoning is sought for an indoor leisure and entertainment facility with restaurant that is under development in a former dinner theater. According to the applicant, there will be multiple dining areas in the facility with a total of more than 150 patron seats.

The parcel is zoned PD 99-0341 which allows for the host use and consideration of the proposed wet zoning.

### **Distance Separation Requirements for an 11-C AB Permit:**

Per LDC Section 6.11.11.D.5, the following distance separation requirements apply to the proposed wet zoning:

- The distance from the proposed structure to certain community uses shall be 500 feet.  
According to the survey submitted by the applicant, the request **does** comply with this requirement.
- The distance from the proposed structure to residentially zoned property shall be 150 feet.  
According to the survey submitted by the applicant, the request **does not** comply with this requirement. There is a multi-family community zoned RMC-16 located 67 feet south of the proposed wet zoning footprint.

Per LDC Section 6.11.11.E, waivers to the required distance separations may be requested by the applicant at a noticed public hearing. The hearing officer may consider such requests on the basis of whether special or unique circumstances exist such that the proposed alcoholic beverage use does not pose significant impacts on the surrounding uses, and whether certain circumstances exist such that the necessity for the separation requirement(s) is negated.

### **Required Separation from Residentially Zoned Property**

As shown on the wet-zone survey provided, there is a residentially zoned property developed with multi-family dwellings 67 feet to the south of the proposed wet zoning. The applicant requests an 83-foot distance separation waiver to the required 150-foot distance separation. The applicant has submitted the following justification for the waiver:

Special or unique circumstances that make the specified distance requirements unnecessary.

- The establishment will be a family entertainment center.
- The structure maintained a liquor license since 2013 (or earlier) without any disruption to the community.
- The structure is not within 500 feet of “community uses”.

### **Staff Findings:**

LDC Section 6.11.11.E.3 provides for the approval of separation waivers where there are “special or unique circumstances where the alcoholic beverage use applied for does not have significant impacts on surrounding land uses and certain circumstances negate the necessity for the specified distance requirements.”

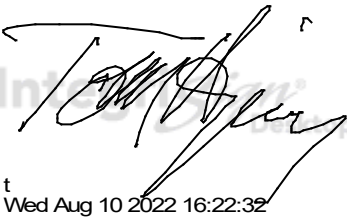
- The host use for the proposed wet zoning is located at the west end of a shopping center on North Dale Mabry Highway. The pedestrian and vehicular route of travel from the entrance of the facility to the

nearest entrance to the multi-family property, located to the south of the shopping center, is approximately 1,150 feet in length.

- The host use for the proposed wet zoning is oriented to the east, away from the multi-family community to the south, and there are no public entrances or windows facing the multi-family dwellings. Furthermore, the multi-family site is screened from the proposed wet zoning by a 6-foot-high PVC fence.
- The premises for which the proposed wet zoning is sought has been licensed in past years for 4-COP-RX use due to in part to a County mapping error which incorrectly identified the premises as being wet zoned 4-COP-RX, when in fact the premises has no wet zoning. The proposed wet zoning reflects the alcohol use that has operated on the premises and will rectify the mapping error.
- Staff has received no objections to the proposed wet zoning from residents of the multi-family community or other parties.
- For the reasons discussed above, staff finds the proposed wet zoning does not pose significant impacts on the surrounding area and the necessity for the required separation from the subdivision is negated.

**Recommendation:**

Staff finds the proposed 4-COP-RX Alcoholic Beverage Permit to be **APPROVABLE**. Approval is based upon the revised wet zone survey reflecting a total wet zone footprint of 21,500 square feet, as shown on the revised wet zone survey received July 28, 2022.

Staff's Recommendation	<b>Approvable</b>
Zoning Administrator's Sign-Off	

SHEET NO. 1 OF 5  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
( NOT A BOUNDARY SURVEY )  
**4-COP-RX**  
**11778 North Dale Mabry Highway**

PARCEL TO BE WET ZONED 4-COP

DESCRIPTION: A parcel of land lying in the Southeast 1/4 of Section 9, Township 28 South, Range 18 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the intersection of the South boundary of said Southeast 1/4 of Section 9 and the West right-of-way line of NORTH DALE MABRY HIGHWAY (State Road No. 597), run thence along the aforesaid South boundary of the Southeast 1/4 of Section 9, N.89°56'28"W., a distance of 594.50 feet; thence N.00°03'32"E., a distance of 66.69 feet, to the POINT OF BEGINNING; thence N.89°24'50"W., a distance of 44.51 feet; thence N.00°35'10"E., a distance of 9.47 feet; thence N.89°24'50"W., a distance of 43.53 feet; thence N.00°35'10"E., a distance of 10.03 feet; thence N.89°24'50"W., a distance of 31.96 feet; thence N.00°35'10"E., a distance of 63.56 feet; thence S.89°24'50"E., a distance of 39.69 feet; thence N.00°35'10"E., a distance of 40.58 feet; thence N.89°24'50"W., a distance of 39.70 feet; thence N.00°35'10"E., a distance of 63.63 feet; thence S.89°24'50"E., a distance of 31.97 feet; thence N.00°35'10"E., a distance of 10.05 feet; thence S.89°24'50"E., a distance of 43.55 feet; thence N.00°35'10"E., a distance of 9.47 feet; thence S.89°24'50"E., a distance of 44.50 feet; thence S.00°35'10"W., a distance of 76.00 feet; thence S.89°24'50"E., a distance of 6.67 feet; thence S.00°35'10"W., a distance of 54.96 feet; thence N.89°24'50"W., a distance of 6.66 feet; thence S.00°35'10"W., a distance of 75.84 feet, to the POINT OF BEGINNING.

Containing 21,500 square feet, more or less.

"This is to certify that a visual inspection has been made of all property for the following existing community uses: church/synagogues, schools, child care centers, public libraries, community recreational facilities, and parks within 500 feet straight-line distance from the proposed site. A visual inspection of the apparent proposed special use permitted site from residentially zoned property has been made and is indicated in a straight line distance as required for the specific Alcoholic Beverage Permit classification. In the case where an Alcoholic Beverage Permit classification requires that certain types of existing alcoholic beverage uses within a 1000 straight-line distance from the proposed site be indicated as defined in the Land Development Code, a visual inspection has been made and the findings indicated on the survey."

NOTE:

See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail;  
See Sheet No. 4 for Measurement Locations; See Sheet  
No. 5 for Measurements

This Survey Prepared For *Alex Segui*

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.

JACK M. GREENE  
LICENSE NUMBER 6506


SURVEYOR'S CERTIFICATE

This certifies that a survey of the hereon described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

STATE OF  
FLORIDA

Jack M. Greene  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6506

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



**GeoPoint**  
Surveying, Inc.

213 Hobbs Street Phone: (813) 248-8888  
Tampa, Florida 33619 Fax: (813) 248-2266  
www.geopointsurvey.com Licensed Business Number LB 7788

Drawn: JMG	Checked: SEC	P.C.: BR	11778.txt
Date: 6/22/22	Dwg: 11778 AB	Order No.: 00000000	

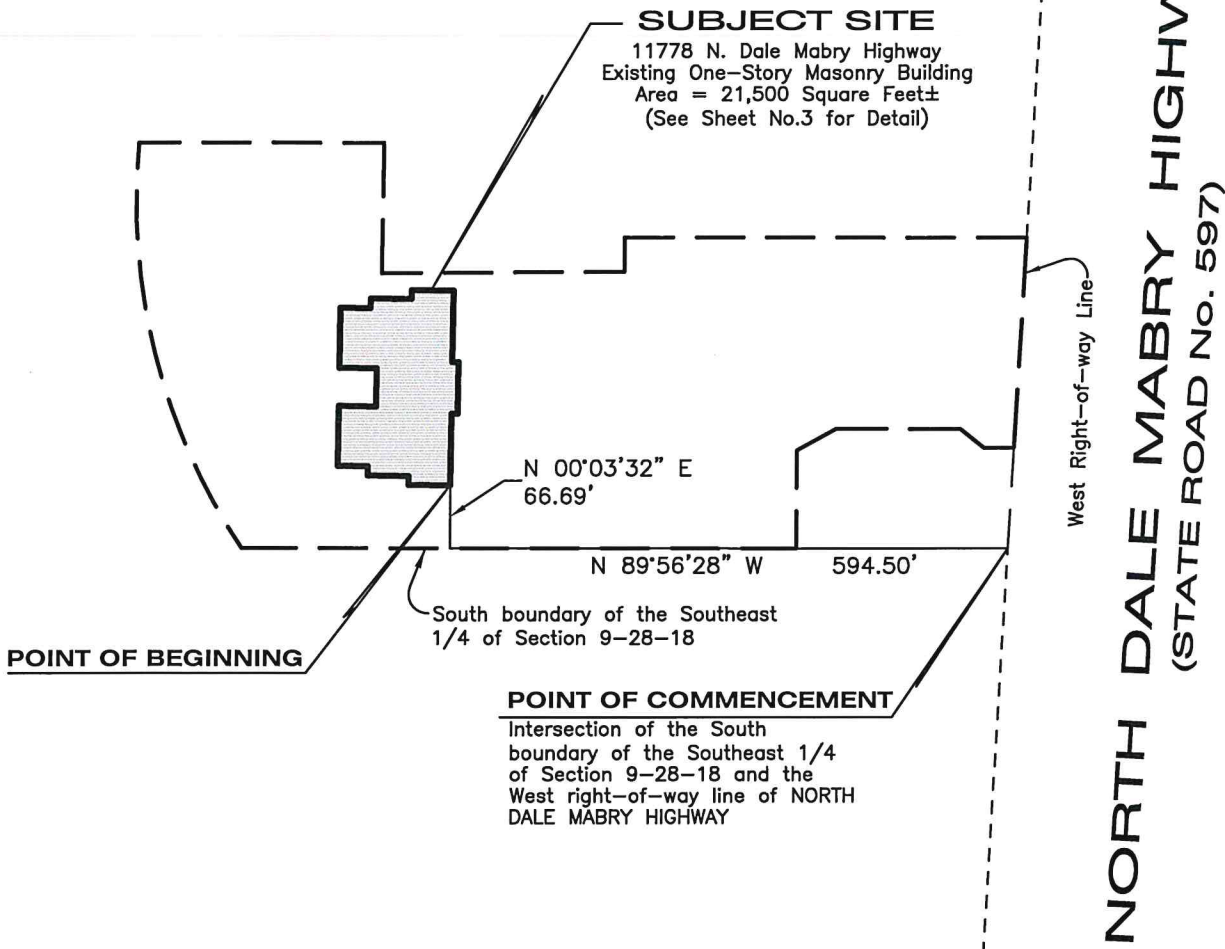
Section 9, Township 28 South, Range 18 East

SHEET NO. 2 OF 5  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
( NOT A BOUNDARY SURVEY )  
4-COP-RX  
11778 North Dale Mabry Highway

Scale: 1" = 200'



BASIS OF BEARINGS: For the purposes of this Survey, the South boundary of the Southeast ¼ of Section 9, Township 28 South, Range 18 East, has an assumed bearing of N.89°56'28"W.



**NOTE:**

See Sheet No. 1 for Legal Description and Certificate,  
See Sheet No. 3 Detail; See Sheet No. 4 for for  
Measurement Locations; See Sheet No. 5 for  
Measurements

This Survey Prepared For *Alex Segui*

REVISIONS				
Description	Date	Dwn.	Ck'd	P.C. Order No.

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6506

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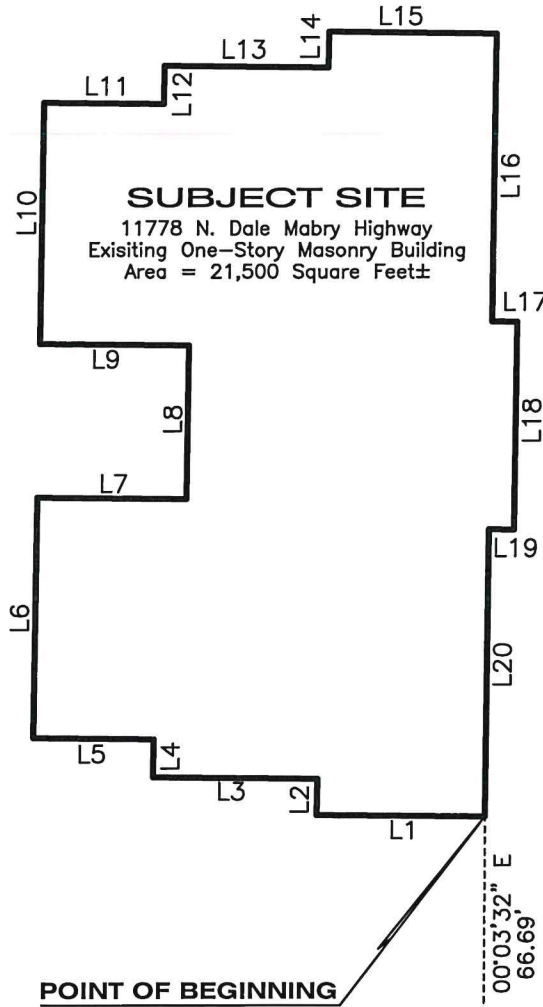
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Date: 8/22/22	Dwg: 11778 AB	Order No.: 00000000	
Section 9, Township 28 South, Range 18 East			

SHEET NO. 3 OF 5  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
( NOT A BOUNDARY SURVEY )

4-COP-RX  
11778 North Dale Mabry Highway

Scale: 1" = 50'



LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N 89°24'50" W	44.51'
L2	N 00°35'10" E	9.47'
L3	N 89°24'50" W	43.53'
L4	N 00°35'10" E	10.03'
L5	N 89°24'50" W	31.96'
L6	N 00°35'10" E	63.56'
L7	S 89°24'50" E	39.69'
L8	N 00°35'10" E	40.58'
L9	N 89°24'50" W	39.70'
L10	N 00°35'10" E	63.63'
L11	S 89°24'50" E	31.97'
L12	N 00°35'10" E	10.05'
L13	S 89°24'50" E	43.55'
L14	N 00°35'10" E	9.47'
L15	S 89°24'50" E	44.50'
L16	S 00°35'10" W	76.00'
L17	S 89°24'50" E	6.67'
L18	S 00°35'10" W	54.96'
L19	N 89°24'50" W	6.66'
L20	S 00°35'10" W	75.84'

POINT OF BEGINNING

N 00°03'32" E  
66.69'

N 89°56'28" W 594.50'

South boundary of the Southeast  
1/4 of Section 9-28-18

NOTE:

See Sheet No. 1 for Legal Description and Certificate;  
See Sheet No. 2 for Sketch; See Sheet No. 4 for  
Measurement Locations; Sheet No. 5 for Measurements.

This Survey Prepared For *Alex Segui*

REVISIONS				
Description	Date	Dwn.	Ck'd	P.C. Order No.

JACK M. GREENE  
LICENSE NUMBER

**SURVEYOR'S CERTIFICATE**  
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JACK M. GREENE  
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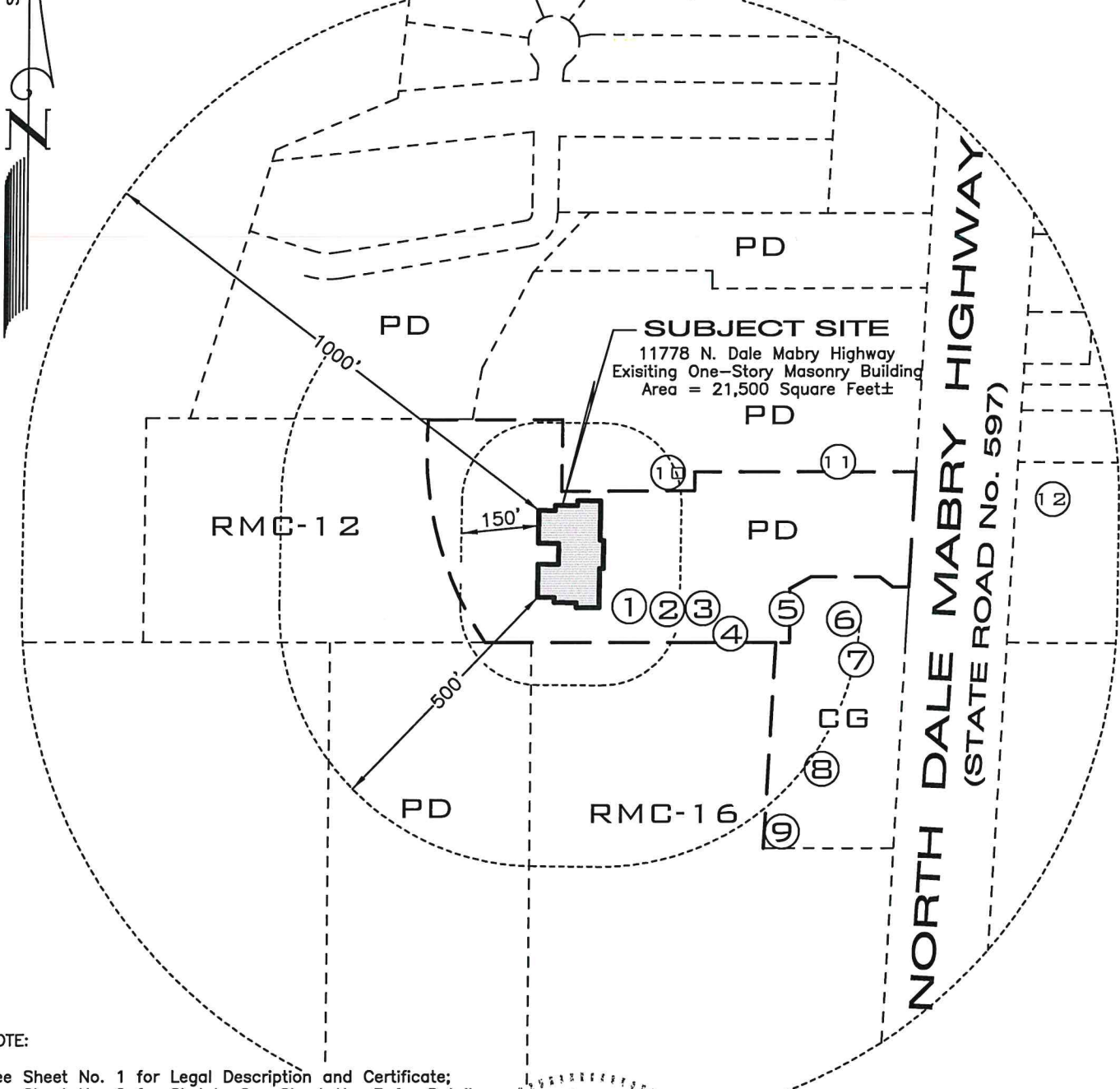
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Date: 6/22/22 Dwg: 11778 AB Order No.: 0000000000  
Section 9, Township 28 South, Range 18 East

SHEET NO. 4 OF 5  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
(NOT A BOUNDARY SURVEY)

4-COP-RX

11778 North Dale Mabry Highway

Scale: 1" = 300'



NOTE:

See Sheet No. 1 for Legal Description and Certificate;  
See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail;  
See Sheet No. 5 for Measurements

JACK M. GREENE  
LICENSE NUMBER

This Survey Prepared For *Alex Segui*

REVISIONS				
Description	Date	Dwn.	Ck'd	P.C. Order No.

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Date: 8/22/22 | Dwg: 11778 AB | Order No.: 00000000  
Section 9, Township 28 South, Range 18 East

**SHEET NO. 5 OF 5**  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
**( NOT A BOUNDARY SURVEY )**  
**4-COP-RX**  
**11778 North Dale Mabry Highway**

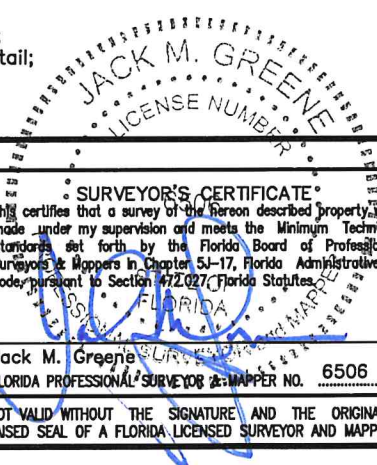
**MEASUREMENT LIST**  
(See Sheet No. 4 for Locations)

SUBJECT SITE  
11778 N. Dale Mabry Highway  
4-COP-RX  
0 (zero) feet

- |  |   |
|--|---|
| <p>1) Cayman's Cove<br/>11742 N. Dale Mabry Highway<br/>4-COP<br/>66 feet</p> <p>2) Main Street Medical<br/>11732 N. Dale Mabry Highway<br/>2-COP-R<br/>154 feet</p> <p>3) Yoga Bar<br/>11734 N. Dale Mabry Highway<br/>2-COP-R<br/>179 feet</p> <p>4) The Wine Shop<br/>11724 N. Dale Mabry Highway<br/>2-COP<br/>273 feet</p> <p>5) Michael Grill<br/>11500 N. Dale Mabry Highway<br/>4-COP-RX<br/>341 feet</p> <p>6) Black Rock Bat &amp; Grill<br/>11702 N. Dale Mabry Highway<br/>4-COP-RX<br/>480 feet</p> | <p>7) Cupcake Shop<br/>11638-A N. Dale Mabry Highway<br/>2-COP-R<br/>516 feet</p> <p>88) Noble Crust<br/>11618 N. Dale Mabry Highway<br/>4-COP-SRX<br/>534 feet</p> <p>9) VACANT<br/>111612 N. Dale Mabry Highway<br/>2-COP-R<br/>563 feet</p> <p>10) Multiple Businesses<br/>11790 N. Dale Mabry Highway<br/>4-COP<br/>142 feet</p> <p>11) Cadence Bank<br/>11790 N. Dale Mabry Highway<br/>4-COP<br/>470 feet</p> <p>Nearest Residential Zoning is<br/>67 feet to RMC-16.</p> |
|--|---|

**NOTE:**

See Sheet No. 1 for Legal Description and Certificate;  
See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail;  
See Sheet No. 3 for Measurement Locations



This Survey Prepared For *Alex Segui*

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.

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Date: 6/22/22	Dwg: 11778 AB	Order No.: 11778	

Section 9, Township 28 South, Range 18 East



# Part B. 1. - Written Description

## 1UP Entertainment Partners, Inc., DBA, 1UP Entertainment + Social

### A. Business Location Intended USE and Operating Concept

# OPERATING CONCEPT

1UP Entertainment Partners, Inc. is a leading provider of entertainment and social experiences. Our concept is designed to be a premier destination for entertainment and social experiences. We offer a variety of activities and services that cater to a wide range of interests and preferences. Our goal is to provide a unique and memorable experience for every customer. Today's FUN becomes tomorrow's memories. We are committed to providing the highest quality entertainment and social experiences. Our concept is designed to be a premier destination for entertainment and social experiences. We offer a variety of activities and services that cater to a wide range of interests and preferences. Our goal is to provide a unique and memorable experience for every customer. Today's FUN becomes tomorrow's memories. We are committed to providing the highest quality entertainment and social experiences.

- ❖ **Boutique bowling**
- ❖ **7D XD VR Theatre**
- ❖ **Golf Simulators**
- ❖ **OmniVerse Arena/Esports Gaming**
- ❖ **Amusement Games**
- ❖ **6 Axe Throwing**

- ❖ **Chef-inspired menu**
- ❖ **Bar**
- ❖ **corporate event space**
- ❖ **Birthday and celebration**

□ □ □ □

□

□

□

## VISION

Be a positive catalyst in the community and premiere social destination that brings people together + enables them to have fun + create memories that they tell others about.

□

## MISSION

+

Deliver the highest quality entertainment and social experiences.

Deliver the highest quality entertainment and social experiences.

**B. Business Location QUESTIONS and ANSWERS**

**For all Wetzone questions, please see response below or refer to document “Part B. 2 Site Plan” which includes both visual and written wetzone details.**

The proposed site is located within the Wetland Buffer Zone (WBZ) and is subject to the Wetland Buffer Zone Ordinance (WBZO). The proposed site is located within the Wetland Buffer Zone (WBZ) and is subject to the Wetland Buffer Zone Ordinance (WBZO).

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**REFERENCE A: an excerpt from Part B 3. Wetzone Survey :**

SHEET NO. 5 OF 5  
**SPECIFIC PURPOSE SURVEY**  
**ALCOHOLIC BEVERAGE SURVEY**  
 ( NOT A BOUNDARY SURVEY )  
 4-COP  
 11778 North Dale Mabry Highway

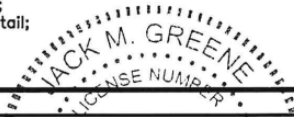
**MEASUREMENT LIST**  
 (See Sheet No. 4 for Locations)

SUBJECT SITE  
 11778 N. Dale Mabry Highway  
 4-COP-RX  
 0 (zero) feet

- |  |   |
|--|---|
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|--|---|

NOTE:

See Sheet No. 1 for Legal Description and Certificate;  
 See Sheet No. 2 for Sketch; See Sheet No. 3 for Detail;  
 See Sheet No. 3 for Measurement Locations



This Survey Prepared For *Alex Segui*

REVISIONS					
Description	Date	Dwn.	Ck'd	P.C.	Order No.

**SURVEYOR'S CERTIFICATE**

This certifies that a survey of the herein described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code.





## Alcoholic Beverage Special Use Distance Waiver Request

Land Development Code Section 6.11.11.D prescribes separation requirements for proposed Alcoholic Beverage Permits, which are:

- (1) 1-APS and 2-APS
  - A. The distance from the “permitted” structure to certain community uses<sup>2</sup> shall be at least 500 feet.
  - B. The distance from the “permitted” structure to residentially zoned property shall be at least 50 feet from the side yard(s) and 20 feet from the functional rear yard.
- (2) 1-APS-IS and 2-APS-IS
  - A. The distance from the proposed structure to schools shall be 500 feet.
- (3) 2-COP-R, 2-COP-RX, 4-COP-RX, AND 11C (Golf Clubs, Tennis and Racquetball Clubs, Wedding and Special Occasion Reception Halls)
  - A. The distance from the “permitted” structure to certain community uses shall be at least 500 feet.
  - B. The distance from the “permitted” structure to residentially zoned property shall be at least 150 feet.
- (4) 3-P S, 2-COP, 2-COP-X, 4-COP, 4-COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Clubs) and Bottle Clubs
  - A. The distance from the “permitted” structure to certain community uses shall be at least 500 feet.
  - B. The distance from the “permitted” structure to residentially zoned property shall be at least 250 feet.
  - C. There shall be no more than three approved 3-PS, 2-COP, 2-COP-X, 4-COP, 4- COP-X, 4-COP-SX, 4-COP-SBX, 11-C (Social Club) or Bottle Club Alcoholic Beverage Use Permits within 1,000 feet of the proposed Special Use as measured from the “permitted” structure to the existing Alcoholic Beverage Conditional Use or wet-zoning approved under previous zoning regulations as well as nonconforming wet-zoned establishments.

<sup>2</sup>“Certain community uses” shall include churches/synagogues, schools, child care centers, public libraries, community recreational facilities and parks.



## Alcoholic Beverage Special Use Distance Waiver Request

The Land Use Hearing Officer shall consider a waiver of the distance requirements from certain existing community uses and residentially zoned property, and/or from the maximum number of alcoholic beverage establishments within 1000 feet of the proposed Alcoholic Beverage Special Use. The Land Use Hearing Officer shall consider in connection with each waiver whether special or unique circumstances exist such that the proposed use does not have significant negative impacts on surrounding land uses and whether certain circumstances exist such that the necessity for the specified distance requirement is negated.

This request does not meet the following locational requirements:

- Distance to residentially zoned property.

The special or unique circumstances that cause the proposed use to not have a significant negative impact on surrounding land uses are:

- New establishment will be a Family Entertainment Center
- Structure maintained liquor license since 2013 (operator) without any disruption to the community
- Structure is not within 500 feet of "community uses"

The circumstances that negate the need for the specified distance requirement are:

- prior use without any disruption
- "No community uses" within specified radius

If more than one waiver is required the applicant shall provide a separate Attachment B for each waiver

Prepared by and Return to upon recording:

Meridian Partners Law P.A.  
4923 W. Cypress Street  
Tampa, FL 33607

Folio Number: 019426-0000

Consideration: \$7,680,000.00

SPACE ABOVE RESERVED FOR RECORDING INFORMATION

### SPECIAL WARRANTY DEED

This **SPECIAL WARRANTY DEED** is executed this 5<sup>th</sup> day of November, 2021, by **11720 MAIN STREET PLAZA LLC**, a Florida limited liability company, having an address of 4805 W. Laurel Street, Suite 100, Tampa, Florida 33607 (hereinafter called "Grantor"), to **MAIN STREET PLAZA HOLDINGS, LLC**, a Florida limited liability company, having an address of 1003 West Cleveland Street, Tampa, Florida 33606 (hereinafter called "Grantee"), the foregoing sometimes being referred to herein as the "Parties".

**WITNESSETH**, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and/or other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land lying and situate in Hillsborough County, Florida, to-wit:

**SEE ATTACHED EXHIBIT A.**

Subject to taxes in subsequent years and all easements, restrictions, reservations, and limitations of record, if any, existing as of the date of this conveyance and those permitted exceptions set forth on **Exhibit B** hereof.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever. Grantor hereby covenants with Grantee that Grantor is lawfully seized of the aforesaid land in fee simple, that Grantor has good right and lawful authority to sell and convey said land and Grantor hereby warrants title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

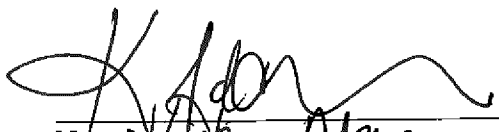
**SIGNATURE PAGE IMMEDIATELY FOLLOWS THIS PAGE**

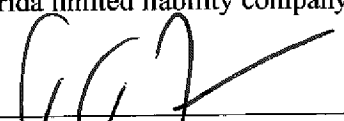
IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.


Witnesses:

GRANTOR:

11720 MAIN STREET PLAZA LLC,  
a Florida limited liability company

  
Name: Kristina Adams

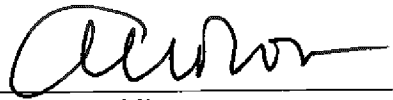
By:   
Thomas T. Frederick, Manager

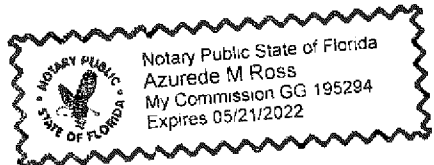
  
Name: Azurede M. Ross

STATE OF Florida  
COUNTY OF Hillsborough

Executed and acknowledged before me by means of  physical presence; or  online notarization  
this 18<sup>th</sup> day of November, 2021, by Thomas T. Frederick, in his capacity as Manager of **11720 MAIN  
STREET PLAZA LLC**, a Florida limited liability company. He (check one):  is personally known to  
me; or  produced \_\_\_\_\_ as identification.

(seal)

  
Notary Public  
State of Florida





**Exhibit A**  
Legal Description

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9, AND WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE NORTH 89° 56' 28" WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHEAST 1/4, 816.14 FEET TO THE EAST BOUNDARY OF CHANNEL "G" OF THE UPPER TAMPA BAY WATERSHED; THENCE NORTHERLY ALONG THE EASTERLY OF SAID CHANNEL "G", 453.34 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 661.78 (A CHORD OF 444.53 FEET BEARING NORTH 14° 38' 06" WEST, DELTA OF 39° 14' 59"); THENCE SOUTH 89° 56' 28" EAST, 511.82 FEET; THENCE SOUTH 00° 10' 32" WEST, 100.00 FEET, THENCE SOUTH 89° 56' 28" EAST; 435.60 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE SOUTH 03° 13' 14" WEST, ALONG THE SAID WEST RIGHT-OF-WAY, 330.50 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING: A PORTION OF LAND IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9 AND WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE NORTH 89° 56' 28" WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHEAST 1/4, 225.00 FEET; THENCE NORTH 00° 03' 32" EAST, 104.00 FEET; THENCE NORTH 61° 24' 20" EAST, 47.97 FEET; THENCE SOUTH 89° 56' 28" EAST; 132.00 FEET; THENCE SOUTH 50° 50' 24" EAST, 31.97 FEET; THENCE SOUTH 89° 56' 28" EAST, 32.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 597 (DALE MABRY HIGHWAY); THENCE SOUTH 03° 13' 14" WEST, ALONG THE SAID WEST RIGHT-OF-WAY LINE. 107.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT: LOT 1, RMC MAIN STREET, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 102, PAGE 133, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH NON-EXCLUSIVE EASEMENTS AS CREATED BY THE FOLLOWING:

A) MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT BETWEEN MAINDALE SC COMPANY, LTD., AND BRINKER FLORIDA, INC., DATED MARCH 15, 1994, AND RECORDED IN OFFICIAL RECORDS BOOK 7328, PAGE 1106, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

B) GRANTS OF EASEMENT BETWEEN MAINDALE SC COMPANY, LTD., CARROLL W. GLEATON, AS TRUSTEE OF THE CARROLL W. GLEATON 1996 TRUST DATED OCTOBER 15, 1996, AND GULF FLA. DOUGHNUTS HILLSBOROUGH DATED MAY 17, 2002, AND RECORDED IN OFFICIAL RECORDS BOOK 11685, PAGE 955, AS AMENDED BY FIRST AMENDMENT TO GRANT OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 14187, PAGE 838, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

C) DRIVE ISLE EASEMENT DATED OCTOBER 7, 2004, AND RECORDED OCTOBER 8, 2004, IN OFFICIAL RECORDS BOOK 14286, PAGE 296, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

D) MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT BETWEEN MAINDALE SC COMPANY, LTD., AND RMC MAIN STREET, L.L.C., DATED DECEMBER 2, 2004, AND RECORDED IN OFFICIAL RECORDS BOOK 14459, PAGE 1390, AS AMENDED BY FIRST AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 16732, PAGE 517, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AS AMENDED BY CORRECTIVE AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED AUGUST 8, 2008, IN OFFICIAL RECORDS BOOK 18799, PAGE 69, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AS AMENDED BY THIRD AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED OCTOBER 15, 2010, IN OFFICIAL RECORDS BOOK 20142, PAGE 1904 AND AS AMENDED BY FOURTH AMENDMENT TO MAINTENANCE AND RECIPROCAL EASEMENT AGREEMENT RECORDED MARCH 3, 2021 IN INSTRUMENT # 2021105355, ALL OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

**Exhibit B**  
Permitted Exceptions

1. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
2. Terms and conditions of the Declaration of Easement, which provides a non-exclusive easement for ingress and egress, recorded August 25, 1983 in Official Records Book 4170, Page 2000.
3. Easement in favor of Tampa Electric Company, recorded November 29, 1983 in Official Records Book 4226, Page 16.
4. Terms and conditions of that certain Maintenance and Reciprocal Easement Agreement between Maindale SC Company, Ltd., a Florida limited partnership, and Brinker Florida, Inc., a Delaware corporation, recorded March 18, 1994 in Official Records Book 7328, Page 1106.
5. Terms and conditions of the Grant of Easements between Maindale SC Company, Ltd., a Florida limited partnership, and Carroll W. Gleaton, as Trustee of the Carroll Gleaton 1996 Trust dated October 15, 1996, recorded in Official Records Book 11685, Page 955, as amended by First Amendment to Grant of Easements recorded in Official Records Book 14187, Page 838.
6. Terms and conditions of Drive Isle Easement recorded October 8, 2004 in Official Records Book 14286, Page 296.
7. Terms and conditions of that certain Maintenance and Reciprocal Easement Agreement between Maindale SC Company, Ltd., and RMC Main Street, L.L.C., dated December 2, 2004 and recorded in Official Records Book 14459, Page 1390, as amended by First Amendment to Maintenance and Reciprocal Easement Agreement recorded in Official Records Book 16732, Page 517, as amended by Corrective Amendment to Maintenance and Reciprocal Easement Agreement recorded August 8, 2008, in Official Records Book 18799, Page 69, as amended by Third Amendment to Maintenance and Reciprocal Easement Agreement recorded October 15, 2010, in Official Records Book 20142, Page 1904 and as amended by Fourth Amendment to Maintenance and Reciprocal Easement Agreement recorded March 3, 2021 in Instrument # 2021105355.
8. Rights of tenants in possession, as tenants only, pursuant to written but unrecorded lease agreement, without rights or options to purchase.

Note: All recording references shall refer to the public records of Hillsborough County, Florida, unless otherwise noted.



Hillsborough  
County Florida  
Development Services

# Property/Applicant/Owner Information Form

### Official Use Only

Application No: 0001100  
Hearing(s) and type: Date: 00000000  
Date: \_\_\_\_\_

Type: 0000  
Type: \_\_\_\_\_

Intake Date: 60000000  
Receipt Number: 174766  
Intake Staff Signature: Clare Odell

### Property Information

Address: 11778 N Dale Mabry Hwy City/State/Zip: TPA, FL 33618  
TWN-RN-SEC: \_\_\_\_\_ Folio(s): 019426-0000 Zoning: PD Future Land Use: OC-20 Property Size: 27104

### Property Owner Information

Name: MAIN Street PLAZA Holdings, LLC Daytime Phone: 813 559-9500  
Address: 1003 W Cleveland St. City/State/Zip: TPA, FL 33606  
Email: CKennedy@Gainmanagement.com Fax Number: N/A

### Applicant Information

Name: IUP ENTERTAINMENT PARTNERS, INC Daytime Phone: 813 760-5971  
Address: 4914 Lowell Rd City/State/Zip: TPA FL 33624  
Email: Segui122699@yahoo.com Fax Number: N/A

### Applicant's Representative (if different than above)

Name: N/A Daytime Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Fax Number: \_\_\_\_\_

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Signature of the Applicant: [Signature]  
Type or print name: Trent Goss / Alexander Segui

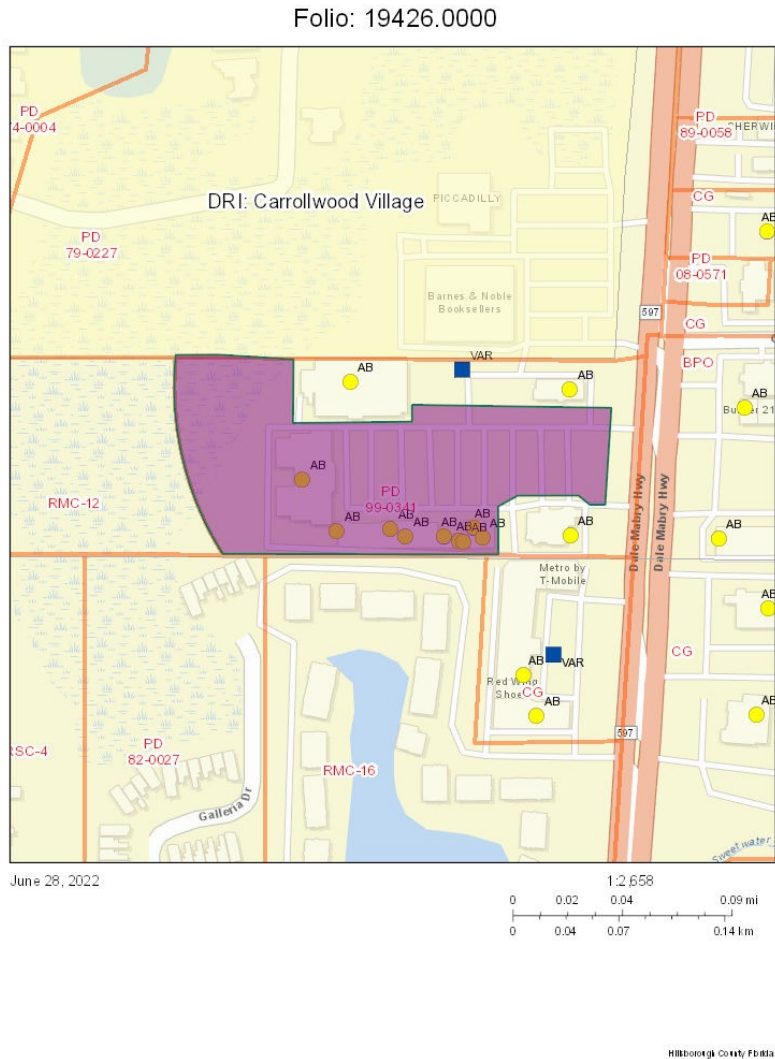
I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Signature of the Owner(s) - (All parties on the deed must sign): [Signature]  
Type or print name: Trent Goss



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	99-0341
Zoning Category	Planned Development
Zoning	PD
Description	Planned Development
RZ	79-0227
Flood Zone:AE	BFE = 40.3 ft
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0192H
FIRM Panel	12057C0192H
Suffix	H
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120192D
County Wide Planning Area	Greater Carrollwood Northdale
Community Base Planning Area	Greater Carrollwood Northdale
Planned Development	PD
Re-zoning	null
Planned Development	PD
Re-zoning	null
Major Modifications	01-0635 WD, 18-0584, 18-0584, 19-1462
Personal Appearances	08-1166,12-0766
Census Data	Tract: 011409 Block: 2007
Census Data	Tract: 011409 Block: 2002
Future Landuse	OC-20
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	1
Fire Impact Fee	Northwest
Parks/Schools Impact Fee	NORTHWEST
ROW/Transportation Impact Fee	ZONE 1
Wind Borne Debris Area	140 MPH Area
Aviation Authority Height Restrictions	180' AMSL
Competitive Sites	NO
Redevelopment Area	NO



**Folio:** 19426.0000  
**PIN:** U-09-28-18-ZZZ-000000-83950.0  
**MAIN STREET PLAZA HOLDINGS LLC**  
**Mailing Address:**  
 1003 W CLEVELAND ST  
 TAMPA, FL 33606  
**Site Address:**  
 11720 N DALE MABRY HWY  
 TAMPA, FL 33618  
**SEC-TWN-RNG:** 09-28-18  
**Acreage:** 6.40317011  
**Market Value:** \$6,004,000.00  
**Landuse Code:** 1630 STORE/SHP CENTE

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

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