

Prohibited Uses

1. Any coffee or tea purveyor, pastry store, or convenience store, including, without limitation, Starbuck's Coffee Company, Seattle's Best Coffee, Tim Horton's Krispy Kreme Doughnuts, Caribou Coffee, Peets Coffee & Tea, Einstein Bros. Bagels, McDonalds, Bruegger's Bagels, Panera, Coffee Beanery, Manhattan Bagels, WaWa's, Community Coffee, and/or 7-Eleven.
2. Any (i) restaurant with a winery, an extensive wine offering or wine themed restaurant; (ii) restaurant or bar that has the word "wine", "winery" or "grape" in its trade name in addition to the name of any variety of wine (e.g., "Cabernet," "Pinot," "Chardonnay"); (iii) restaurant having wine sales that comprise more than 20% of its gross sales; or (iv) business (other than a grocery store) that includes an area for the retail sale of wine in excess of one hundred (100) square feet of floor area or five percent (5%) of the total floor area of the business, whichever is less. As used herein, an "extensive wine offering" means offering 30 or more different wines by the glass.
3. Any self-storage or mini-warehouse facility.
4. Any residential use.
5. Any restaurant or car rental agency.
6. Bingo parlor; adult theater or 'strip-tease' establishment; any center for medical procedures, counseling, or activities related to abortion, birth control or euthanasia; any church, synagogue, mosque, temple or other place of worship; a temporary placement service; a drug or alcohol recovery or treatment facility; marijuana dispensary; tattoo parlor; facility for the sale of paraphernalia for use with illicit drugs; funeral home; blood bank or mortuary; gambling establishment; gun range; karate center; central laundry or dry cleaning plants to the extent the same have onsite processing (provided, however, onsite collection without processing shall be permitted); or any facility which is illegal, or consistently emits noxious odors, fumes, or vapors.
7. Any veterinary clinic.
8. Any hotel or motel or any transient lodging establishment.
9. Any ambulatory or non-ambulatory urgent care medical clinic, walk-in medical clinic, occupational medicine practice, medical training/clinical research, school/sports physicals, chiropractor office, or dentist.
10. Any group fitness studio utilizing high intensity interval training.
11. Any nail salon.
12. A Tex-Mex, Mexican or taco themed restaurant, or a restaurant primarily offering Tex-Mex cuisine. For purposes of this Section "primarily" shall mean more than thirty percent (30%) of such tenant's menu offering is traditional Tex-Mex cuisine.
13. Any bar-only use, exclusively serving alcoholic and non-alcoholic beverages.
14. A retail/fast-casual food service operation that primarily sells handcrafted lemonade, smoothies, fruit drinks or acai bowls.

15. Any other use that constitutes a nuisance, in Lessor's sole discretion or that competes with other users in Fruitville Commons, as determined by Lessor from time to time, so long as Lessor owns any portion of Fruitville Commons.