

Use Permit Application No. 16-00006
Hampton University Satellite Facility
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1. Location

The Use Permit applies only to 1414 N. Mallory Street [LRSN 12006101] and is not transferable to another location.

2. Operation

- a. Educational space associated with a private university shall be the principal use of the property. The principal use shall occupy more than 50% of the total square footage of the principal structure.
- b. Prior to issuance of a temporary Certificate of Occupancy, a building floor plan shall be submitted that stipulates the square footage and location allocated to each proposed use in the building. At the discretion of the Zoning Administrator, the floor plan shall provide sufficient detail to determine the type of use proposed. The required floor plan shall be prepared by a duly licensed professional.

3. Site Development

- a. A site plan shall be submitted for review for any new parking or development exceeding 10,000 square feet of land disturbance in accordance with Ch. 35.1 of the Hampton City Code.
- b. No additional impervious area, other than improvements to the drive aisle as required by the Director of Public Works, or designee, or the Hampton Fire Marshall, shall be located in the 100-foot Resource Protection Area buffer of Chesapeake Bay Preservation Overlay district.

4. Parking

- a. All required parking shall be constructed prior to the issuance of the final Certificate of Occupancy.
- b. At any time, pursuant to Ch. 11 Section 11-8 of the Zoning Ordinance, the applicant may apply for a parking credit to reduce the minimum number of parking spaces needed to be maintained on site.
- c. In the event that the parking requirements set forth in condition 4(a) above are not met prior to the issuance of a temporary certificate of occupancy, the applicant shall submit an alternate temporary parking plan in accordance with the requirements of Ch. 11 Section 11-8 of the Zoning Ordinance which shall be reviewed for approval by the Zoning Administrator.

- d. A site plan or zoning permit application shall be submitted prior to issuance of a temporary Certificate of Occupancy.

5. Lighting

All outdoor lighting shall be focused downward and inward in a way that prevents spillover onto adjacent parcels.

6. Occupancy

Prior to issuance of a temporary Certificate of Occupancy, all codes and ordinances, except as specified in condition 4 of this use permit, must be met.

7. Nullification

The use permit shall automatically expire and become null and void under any of the following conditions:

- (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;
- (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

8. Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 14 of the zoning ordinance.