Use Permit No. 17-00004

Peninsula Main VA, LLC 16600 North Dallas Parkway Dallas, TX 75248

Conditions

1) Issuance of Permit

The Use Permit boundary applies only to Block 6, Parcel 4 and Merchant Lane extension as depicted on Plat Book 2 Page 180, titled "Block 6, Peninsula Town Center", Hampton, Virginia (see Exhibit A) and is not transferable to another location. The proposed extended stay hotel location is highlighted in red.

2) Permitted Use

This use permit pertains to an extended stay hotel, and does not permit a hotel, which is a separate use category.

3) Site Design

a. Concept Plan

The Property shall be developed in substantial conformance with the concept plan prepared by Woolpert and entitled Peninsula Town Center Macy's Redevelopment Site Plan, Sheet C200-A, revise dated 3/10/17, which is attached hereto and incorporated by reference (see Exhibit B). Any minor changes to the concept plan made necessary by environmental, engineering, architectural, topographic or other development conditions, or site plan and subdivision approval requirements, may be permitted subject to the approval of the Director of Community Development.

b. Vehicular & Pedestrian Circulation

The development shall include pedestrian circulation to the extended stay hotel building on the northern, western, and southern boundaries of the building, including but not limited to sidewalks and crosswalks. In order to provide for vehicular circulation consistent with existing streets in the vicinity, the proposed extension of Merchant Lane shall comply with the Public Works Design and Construction Standards to the maximum extent feasible, including provision of curb and gutter, street trees, and street lighting.

c. Elevations & Building Materials

The development shall be in substantial conformance with the building elevations described below, which have been reviewed by the Community Development Department as being consistent with the "Coliseum Central Design Guidelines." The attached elevations prepared by M+A Architects, entitled **Extended Stay Hotel at Peninsula Town Center**, and **dated 3/16/17** are hereby incorporated by reference (see Exhibit C). Any minor changes to the building elevations and building materials made necessary by environmental, engineering, architectural, topographic or other development conditions, or site plan and subdivision approval requirements, may be permitted subject to the approval of the Director of Community Development.

4) Height & Size

The height of the extended stay hotel shall be a minimum of three (3) stories.

5) Guest Room Count

The extended stay hotel shall have a minimum of one-hundred and twenty (120) guest rooms.

6) Extended Stay Hotel Components

The extended stay hotel shall incorporate at a minimum, the following components: meeting room space containing at least one thousand (1,000) square feet, business center, café, fitness room, and an indoor pool.

7) Capacity

The maximum capacity of places of assembly, determined by the City building official through the issuance of a Certificate of Occupancy, shall not be exceeded.

8) Compliance with Applicable Laws

This Use Permit may be terminated for any violation of applicable federal, state, or local law.

9) 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.

10) 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.

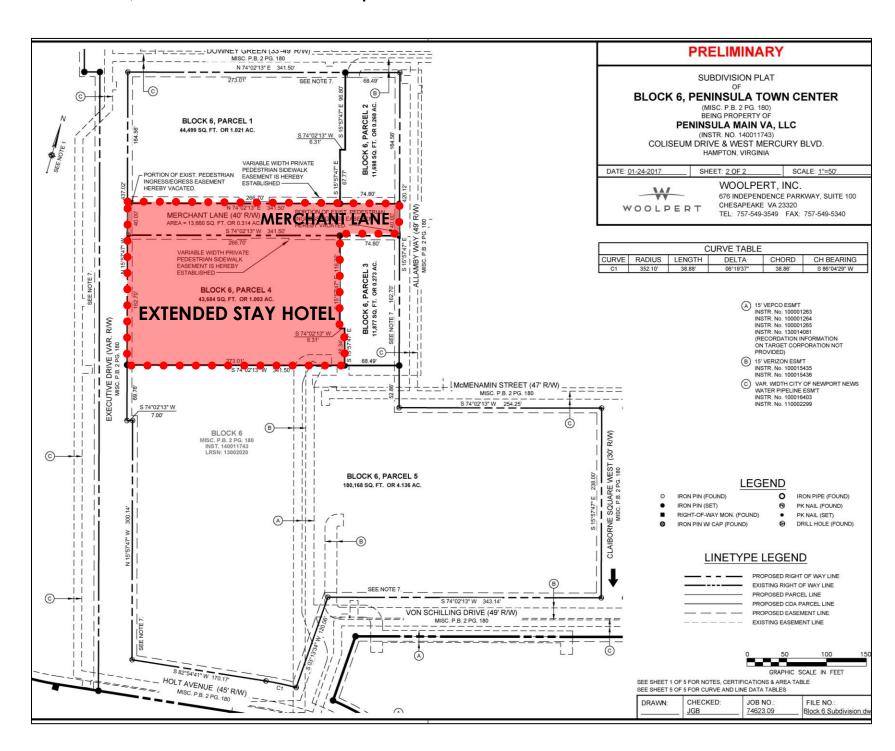


Exhibit B: Concept Plan

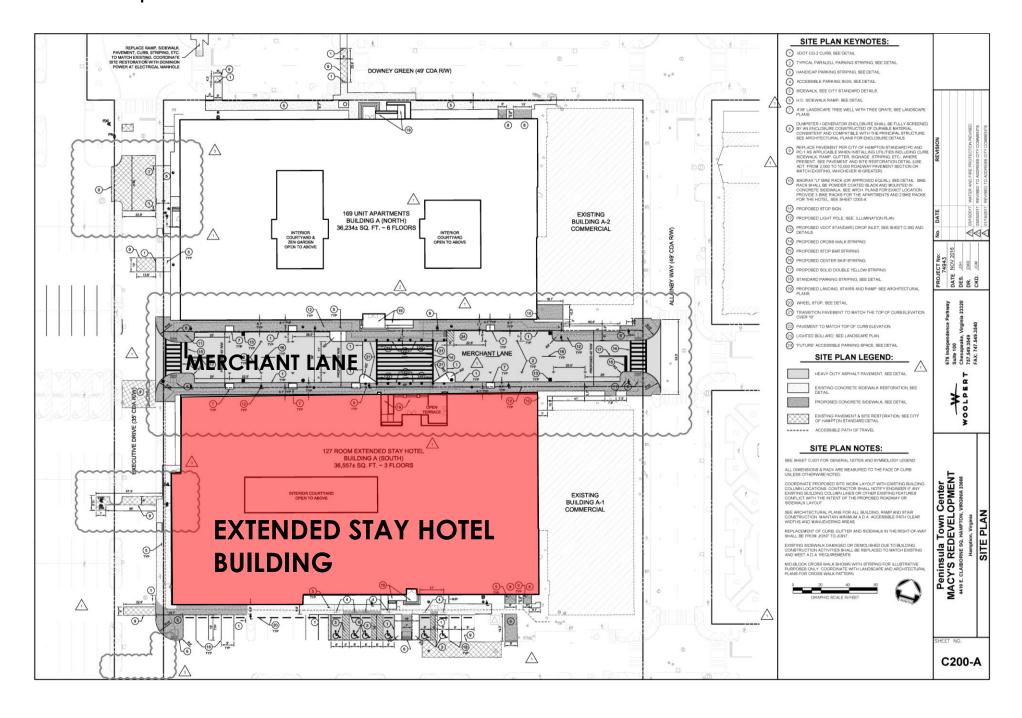


Exhibit A: Elevations

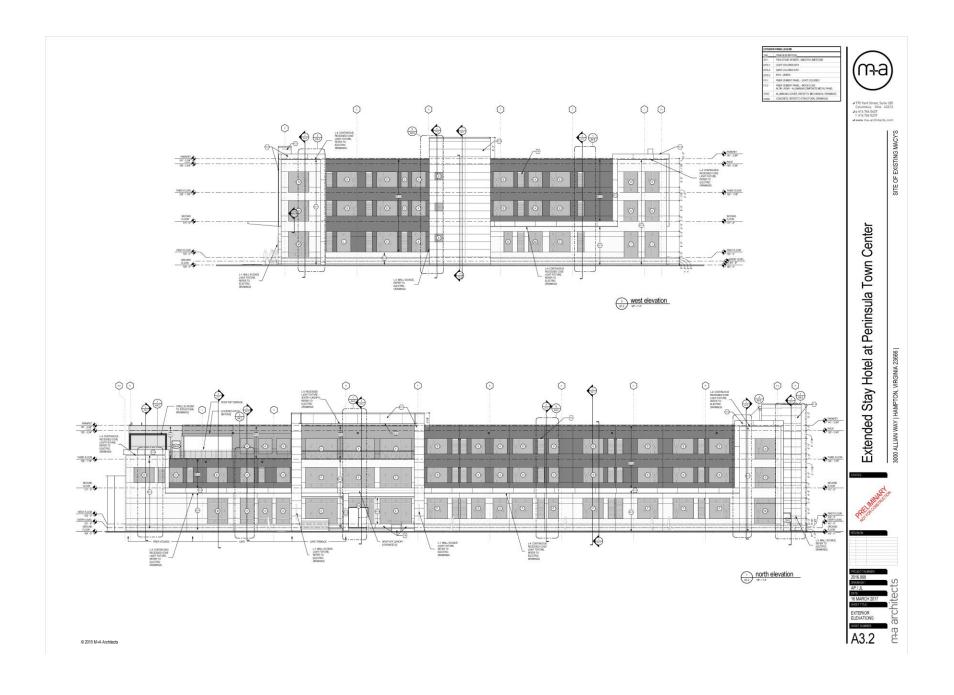


Exhibit B: Elevations

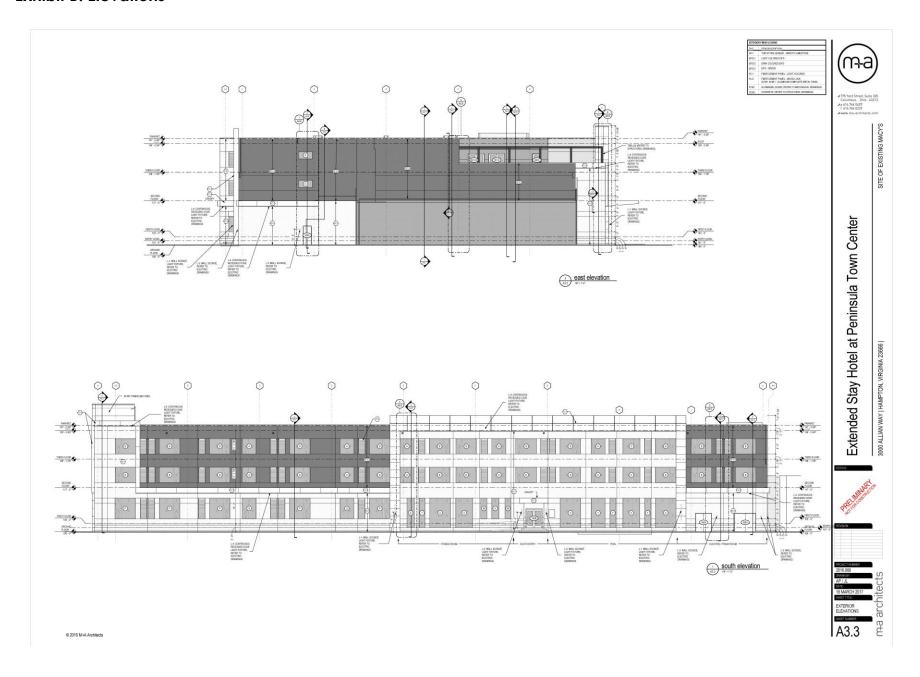


Exhibit C: Elevations

