

CONDITIONS

Use Permit Application No. 24-0435
Community Center | 112 Research Dr [LRSN 6000988]
Virginia Peninsula Foodbank

1) Issuance of Permit

The Use Permit is for a community center, as that use is defined in the Hampton Zoning Ordinance, applies only to the location defined as a ± 4.5 acre portion of property at 112 Research Drive [LRSN: 6000988] ("the Property") as identified on "Exhibit A" attached hereto.

2) Association with Warehouse and Distribution of Food

The community center use shall only be permitted in conjunction with the use of the Property as a warehouse/distribution center, specifically for food. The community center use may not be established until the operation of a warehouse and distribution of food is established on the Property. Should the warehousing and distribution of food cease for 90 days, this use permit for a community center shall become null and void.

3) Extent of Community Center Operations

At no point shall the office, meeting, and similar spaces for the community center operation exceed fifty percent (50%) of any building on the property.

4) Compliance with Laws

- a. If the applicant is a legal entity, other than an individual person or persons, including, but not limited to a limited liability company or corporation, applicant shall also be authorized to transact business in Virginia as a domestic or foreign business entity prior to engaging in the permitted use; and shall provide proof of registration to the Zoning Administrator, upon request. Applicant shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect.
- b. This Use Permit may be terminated for any violation of federal, state, or local law.

5) 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 Hampton Zoning Ordinance (as amended).

6) Nullification

The Use Permit shall automatically expire and become null and void under any of the following conditions:

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- a. 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;
- b. 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
- c. 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.

