

**Use Permit Application No. 18-00011**  
**Barrett Peake Educational and Cultural Center**  
**123 E. Pembroke Avenue**

**1. Location**

The Use Permit boundary applies only to 123 Pembroke Ave. [LRSN 2003496] and is not transferable to another location.

**2. Operation**

The sole use of the property shall be an educational and cultural center as described in the Narrative for Use Permit Application dated October 16th, 2018 and made a part of this use permit.

**3. Parking**

Parking for 123 E. Pembroke Ave. shall be restricted to the improved surface parking lot in the rear yard.

**4. Capacity**

The Center's capacity shall not exceed the number listed on the capacity certificate.

**5. Events**

Events may be conducted inside the building only.

**6. Third Party Events**

If the facility is leased, let, or used by any third party for any event, the owner/operator, or his or her employees, shall be present at all times during the event and shall be responsible for compliance with all conditions of this use permit regardless of any contract or agreement with any third party regarding the facility. Any cover charges or tickets shall be collected directly by the owner/operator.

**7. Sound**

Events located at 123 E. Pembroke Avenue [LRSN 2003496] shall comply with City Code section 22-9, as amended with respect to any sound or noise.

**8. Dancing**

The property owner shall comply with section 4-16 of the Hampton City Code, as amended, with respect to dancing on the premises and dance floor area.

**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.