

Conditions

Use Permit Application No. 22-00011

Multifamily Dwellings

Olde Hampton Village Developers, LLC | Properties at the intersections of LaSalle Avenue and West Pembroke Avenue, West Pembroke Avenue and West Queen Street, and West Queen Street and Michigan Drive [LSRNs: 2000370, 2000404, 2000402, 2000369, 2000403, 2000401, 2000368, 2000400, 2000385, 2000386, 2000229, 2000230, 2000231, 2000232, 2000233, 2000234]

1) Issuance of Permit

The Use Permit applies only to the location at the intersections of LaSalle Avenue and West Pembroke Avenue, West Pembroke Avenue and West Queen Street, and West Queen Street and Michigan Drive [LSRNs: 2000370, 2000404, 2000402, 2000369, 2000403, 2000401, 2000368, 2000400, 2000385, 2000386, 2000229, 2000230, 2000231, 2000232, 2000233, 2000234], as shown on Exhibit A, and is not transferable to another location.

2) Compliance

The development project shall comply with all the proffered conditions of the approved rezoning case: RZ 22-00008.

3) Conversion of Commercial Spaces

The conversion of the commercial spaces, as shown on Exhibit A, into multifamily dwellings shall require an amendment to this use permit.

4) Age-Restricted Development

Occupancy of the residential units developed upon the property within Building 4 shall be age-restricted to persons at least fifty-five (55) years of age or older, in accordance with all federal and state fair housing laws. Upon request of the Zoning Administrator, the responsible party shall provide such data or information as may be necessary to verify compliance with this condition.

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

- a) The use permit shall automatically expire and become null and void under any of the following conditions:
 - i. 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;
 - ii. 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

Exhibit A

- iii. 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.

