

CONDITIONS

Use Permit Application No. 21-00007

Veterinarian Hospital

1123 W Mercury Blvd Hampton, VA 23666

CONDITIONS

1. Issuance of Permit

The Use Permit applies only to 1123 W Mercury Blvd [LRSN 7001212] (the "Property") and is not transferable to another location.

2. Site Development and Concept Plan

- a. The Property shall be developed in substantial conformance with the portion of the conceptual site plan entitled "COMMERCIAL DEVELOPMENT," dated April 26, 2021, prepared by Moseley Real Estate Advisors (the "Conceptual Site Plan"), which is shown as "Boundary of Conditioned Design," and which is attached hereto as **Exhibit A**. All parking on the Property shall comply with all requirements of the Zoning Ordinance and shall not be governed by the Conceptual Site Plan. Changes in the Conceptual Site Plan may be made to accommodate environmental, engineering, architectural, topographical, or other development conditions, or site plan and subdivision approval requirements as required by law and subject to the approval of the Director of Community Development. A copy of the final approved Conceptual Site Plan shall be placed in the file with the Planning Division of the Department of Community Development and shall supersede any previously filed conceptual site plan.
- b. The Property shall be developed in substantial conformance with the building elevations entitled, "Hampton Retail Center," dated April 26, 2021, prepared by Bartlett, Hartley & Mulkey (the "Building Elevations"), and attached as **Exhibit B**.

3. Operation of Use

- a. The use shall be conducted wholly within the enclosed building as shown on Exhibit A and Exhibit B. There shall be no outdoor runs, kennels, play areas, or similar outdoor spaces for the keeping of animals.
- b. There shall be no overnight boarding of animals except for stays in conjunction with medical care.
- c. The use shall comply with all applicable provisions of Chapter 5 of the Hampton City Code, as amended, including but not limited to the provision of adequate care, food, shelter, space, and water for animals. The operator shall cooperate with the City of Hampton Animal Response Team, during relevant investigations, including but not limited to by sharing documentation and by providing access to the building, when necessary to verify compliance with this condition.

d. Hours of Operation shall be limited to:

- Monday through Saturday: 7:00AM – 10:00PM
- Sunday: 7:00AM – 6:00PM

4. Certificate of Occupancy

The applicant must obtain a certificate of Occupancy prior to commencing operations and shall comply at all times with the maximum capacity listed on the certificate.

5. Licensing

The Use Permit may be terminated for any violation of federal, state, or local law, or any licensing requirements of the Virginia Board of Veterinary Medicine.

6. Revocation

Failure to comply with any conditions of Use Permit Application No. 21-00007 shall constitute a violation of the provisions of Chapter 20 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

7. Nullification

a. The Use Permit shall become null and void if no building permit to construct the authorized improvements has been issued within 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 12 months of the date of approval by the City Council; or

b. 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.

Exhibit A

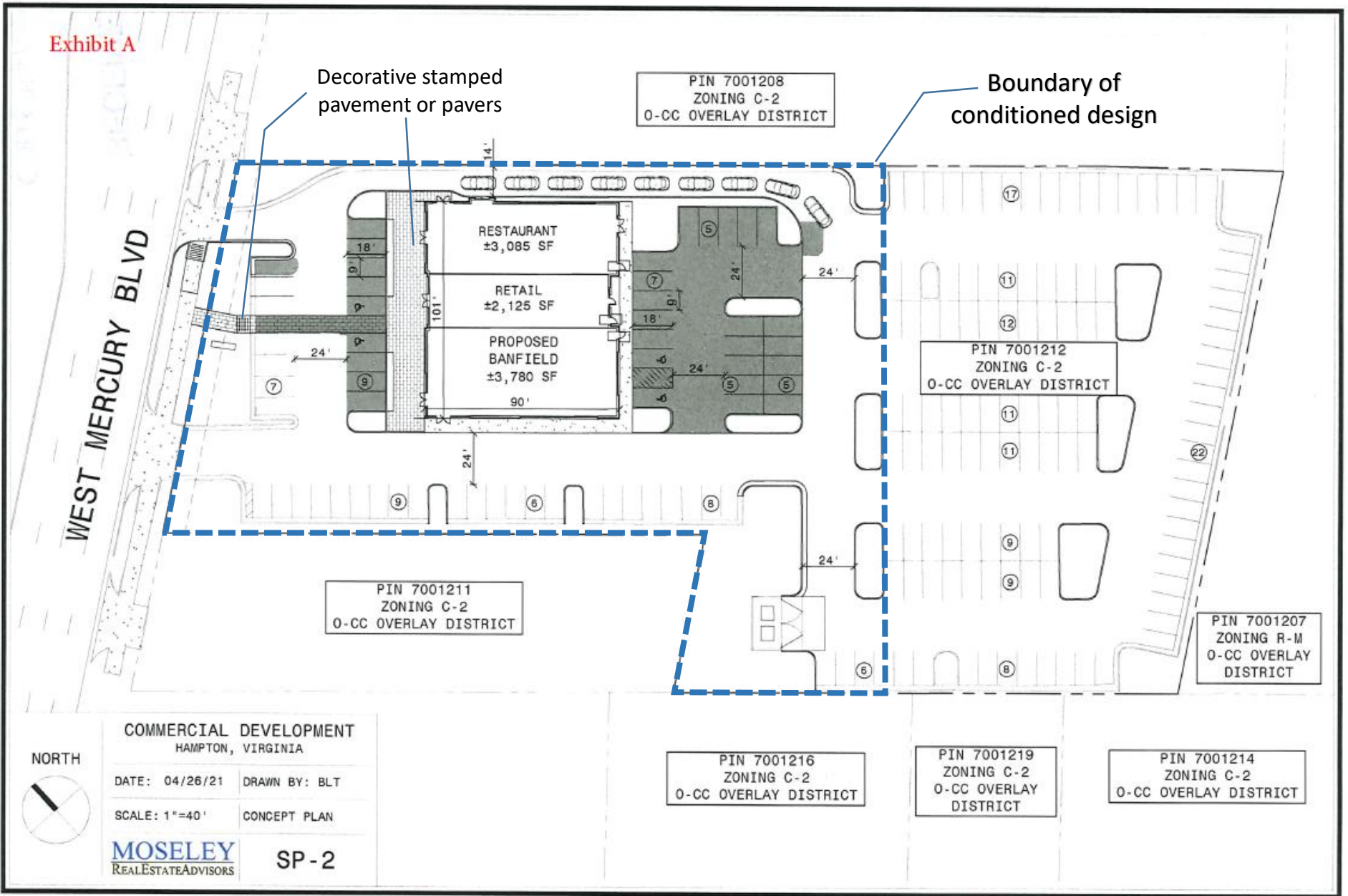


Exhibit B



1 North Elevation
1/8" = 1'-0" REF SHEET



Hampton Retail Center

| No. | Description | Date |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |

| North Elevation | |
|--------------------|----------------|
| Project number | BHMMR009 |
| Date | 04/26/21 |
| Drawn by | BHM Architects |
| Checked by | Checker |
| EX2 | |
| Scale 1/8" = 1'-0" | |

FOOT
TRAIL
UNDEVELOPED

HAMPTON RETAIL CENTER





