

CONDITIONS

Use Permit Application 26-0123

The Hampton's Head Spa & Wellness Sanctuary
15 S. Hope St., Hampton, VA 23663 | **LRSN: 12001357**

1. Issuance of Permit

This is a Use Permit to operate a Private School, as such use is defined in the Hampton Zoning Ordinance (the "Private School"). This Use Permit shall apply only to the second floor of 15 S Hope St. **[LRSN: 12001357]** as depicted on Exhibit A (the "Premises"), and is not transferable to another location. All private school activities and permitted accessory uses, including but not limited to teaching, training, classroom demonstrations, services to the public, etc., shall be conducted inside the building within the designated areas (per the floor plan, Exhibit B).

2. License

The Private School and school instructors shall maintain all licenses and comply with all applicable requirements of any licensing or regulatory agency governing the uses herein permitted, including (without limitation) certification requirements of the State Council of Higher Education for Virginia for vocational non-college degree schools and requirements set by the Department of Professional and Occupational Regulation for cosmetologists or day spa operators.

3. Hours of Operation

The Private School may operate between the hours of 9:00 a.m. and 2:00 p.m. each Monday through Friday, as well as 4:00 p.m. to 9:00 p.m. each Wednesday and Thursday (the "Private School Hours"). Private School may offer "day spa" services (as such term is defined in the Zoning Ordinance) as an accessory use of the Premises by appointment only from 3:00 p.m. to 7:00 p.m. each Monday, Tuesday, and Friday, and from 10:00 a.m. to 4:00 p.m. each Saturday. In no case may Private School engage in any accessory use, including (without limitation) day spa services, during the Private School Hours.

4. Certificate of Occupancy

The Private School must obtain a capacity certificate or certificate of occupancy, whichever is applicable, prior to commencing the private school operation. The maximum capacity of the Private School shall not exceed the number of listed on such certificate.

5. Parking

The Private School has been awarded a parking credit for five (5) off-site parking spaces in the public parking lot located on 8 S. Hope Street (LRSN: 12001367) pursuant to that Memorandum executed by the Zoning Administrator, Melvion V. Fulgham, on March 27, 2026 in accordance with Section 11-8(2) of the Hampton Zoning Ordinance (the "Parking Credit"). Said Parking Credit is incorporated into this Use Permit as if laid out fully herein. The Private School acknowledges that the Parking Credit is necessary to meet minimum parking requirements imposed on this use by the Zoning Ordinance. Any violation of the Parking Credit, or the expiration or revocation of the Parking Credit for any reason, shall constitute a violation of the Use Permit.

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6. Compliance with all Applicable Laws

If the Private School is a legal entity other than a natural person, including (without limitation) a corporation or limited liability company, the Private School shall be authorized to transact business in the Commonwealth of Virginia as a domestic or foreign business entity, and shall provide proof of such authorization to the Zoning Administrator upon request. The Private School shall not allow its corporate existence to lapse or its authorization to transact business in the Commonwealth to be revoked or cancelled at any time while this Permit is in effect.

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

7. Nullification

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

- (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 this Use Permit;
- (b) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval of this Use Permit 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.

8. Revocation

Notwithstanding any condition or provision of this Use Permit to the contrary, this Use Permit may be revoked for violation of any terms or conditions of this Use Permit as set forth in chapter 14 of the zoning ordinance.

Exhibit A



Exhibit B

