

## **COLLINS RIDGE**

### **CONDITIONS OF APPROVAL (AMENDED 10/11/2021 [& 06/12/2023](#))**

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#### **Statement of Intent Applicable Generally to the Master Plan**

Collins Ridge Master Plan (“Collins Ridge”) is proposed to provide a residential community with a mix of housing styles designed to comply with the Town of Hillsborough’s (“Town”) Future Land Use Plan, respect the visual character of its site, minimize environmental impacts and maximize water and energy conservation principles. This proposal meets the requirements of the Future Land Use Plan, which designates the property subject to the Collins Ridge Master Plan for “Mixed Residential Neighborhood”. Further, Hillsborough Vision 2030 encourages development that is compatible with the special character of Hillsborough. Collins Ridge strives to be an integral part of the unique Town of Hillsborough.

The site is situated between Highway 70 to the north, the North Carolina Railroad to the east and north, I-85 to the south and South Churton Street to the west. The property subject to the Collins Ridge Master Plan is well-located to provide a mix of residential land use designed to support existing and planned retail and other commercial land uses on the Daniel Boone property, and the nearby rail station and community park.

To the extent not specifically addressed in the Collins Ridge Master Plan, or otherwise required by the Town Unified Development Ordinance to be addressed as a part of the Special Use permit process, the developer of the Collins Ridge project, its successors and assigns, shall explain specifically the manner in which the design for improvements on each Parcel address the following issues at the time that application for Special Use Permits are submitted to the Town for each Parcel depicted in Collins Ridge Master Plan: (1) site lighting; (2) whether and how on-street parking should be accommodated; (3) emergency vehicle access to the site; (4) buffering between different land uses; and (5) street design within the parcel; (6) connectivity (vehicular and pedestrian) within the parcel and among neighboring parcels; (7) building and site design on the site; (8) location, specific design, and timing of construction of recreation features and amenities; signage for and within parcels, including location and design; (9) compliance with applicable stormwater regulations applicable to the parcel and/or to the Property as a whole; (1) buffers and setbacks within parcels .

#### **General Conditions Applicable to the Entire Project**

1. Land Uses. The following land uses shall be permitted within Collins Ridge, and all uses shall be permitted on all Parcels:

- Dwelling;
- Dwelling, Attached, including Townhomes and other attached dwellings (all uses in this category may be traditional, age-restricted and age-targeted dwellings);
- Dwelling, Multi-family, including Condominiums and Apartments dwellings (all uses in this category may be traditional, age-restricted and age-targeted dwellings)

- Dwelling, Single-family Detached;
- Attached and detached garages;
- Community Garden;
- Park, Athletic or Community;
- Park, Cultural or Natural;
- Park, Neighborhood;
- Passive Recreation Area;
- Public Utilities;
- Private Utilities, including stormwater and erosion control devices;
- Public and private streets, private alleys, sidewalks, trails, and paths;
- Recreational Facilities;
- Community pool, Community Center, tennis courts, volleyball courts and other recreational amenities generally associated with residential communities;
- Health/Fitness Club for exclusive use of Collins Ridge residents, and operated by developer or one or more homeowner's associations; and
- Any and all other uses ancillary to or supportive of a residential subdivision.

2. Density: No more than 950 dwelling units, plus a minimum of 60 and a maximum of 88 Affordable Housing Units, shall be permitted on the property subject to the Collins Ridge Master Plan.

3. Affordable Housing. The Collins Ridge Master Plan provides for a range of housing types at varying price points. The availability of single-family homes, townhomes and multi-family units is naturally conducive to affordable housing as these varying home types and sizes will appeal to residents with a range of incomes and housing needs.

In order to provide additional opportunities for housing for Low-Income Households ("Affordable Housing"), as defined by the North Carolina Housing Coalition below, the developer shall offer to donate and convey without charge at least three (3) acres of land available to support eighty-eight (88) multi-family dwellings to CASA or its assignee at a mutually agreeable location with a deed restriction ensuring the property will be used for Affordable Housing for Low-Income Households ("Affordable Housing Property"). Specifically, the deed into CASA for the Affordable Housing Property shall require each of the following: (i) the parcel be used for a minimum of sixty (60) and a maximum of eighty-eight (88) Affordable Housing units, including but not limited to Veterans with Disabilities; (ii) CASA, or its assignee, shall accept all types of rental subsidies; (iii) CASA, or its assignee, will apply for federal and/or state funding for construction within two (2) years of receipt by CASA of fee title to the property; (iv) that CASA will use its best efforts to obtain funding for construction of rental units as described above; and (v) if CASA has not received at least one building, grading or other related construction permit on the fifth (5th) anniversary of the date CASA takes ownership of the Affordable Housing

Property, ownership of the parcel shall, at the Town of Hillsborough's formal written request and at no cost to the town of Hillsborough, be transferred to the Town of

Hillsborough. The Developer shall provide the Town with a copy of the recorded deed of the property conveyed to CASA within thirty (30) of recordation on the deed.

The developer and CASA may agree to a different location (as generally depicted on the attached sketch plan) for the Affordable Housing Property outside the boundary of Collins Ridge as shown on the current Collins Ridge Master Plan if such location better meets the criteria of the Low-Income Housing Tax Credit program. In that event, the declaration of restrictions and covenants for Collins Ridge must specifically and irrevocably include the substitute location so residents of the Affordable Housing Property have full rights as if they were residents within the Collins Ridge. Deed restrictions shall also be applied to the substitute parcel to ensure the conditions listed in paragraph 2 above, the commitment of CASA or its assignee to pay a fair share of the assessments and dues to the association, and the commitment of CASA or its assignee to participate and maintain membership in the association.

The developer of Collins Ridge, and its successors or assigns, shall ensure that the Affordable Housing Property, whether on-site or off-site, has vehicular and pedestrian access to public streets and on-site access to all public utilities that are available to the remainder of the Collins Ridge Community. The design and location of such vehicular and pedestrian access must be approved by the Town under the specified review process at the time of review. CASA or its assigns commits that the design of amenities and landscape features on the Affordable Housing Property shall be consistent with and of quality and quantity equal to all other parcels in Collins Ridge. The Affordable Housing Property shall be conveyed to CASA at no cost by- October 31, 2023. ~~December 31, 2021.~~ (Condition amended 6/12/2023)

The developer of Collins Ridge shall ensure that the Affordable Housing Property to be conveyed to CASA (or its assignee), or to the Town of Hillsborough in the even that CASA has not received its first construction permit by the fifth anniversary date of the date CASA takes ownership of the Affordable Housing Property, shall be fully integrated into the Collins Ridge Community so that residents of Affordable Housing units shall have access to all amenities in Collins Ridge on the same basis and to the same extent as all other residents of Collins Ridge.

CASA, or its assignees, shall be responsible for constructing, managing and maintaining the dwelling units, including submitting and obtaining development approval for development of the site.

The definition of the term “Low-Income Households” is derived from the North Carolina Housing Coalition and set out in its entirety below.

**Low-Income Household(s)** – Household(s) whose income does not exceed Eighty Percent (80%) of the median income for the area as determined by HUD. (Condition amended 10/11/2021)

4. Conservation Measures. The following conservation measures shall apply to the property within the Collins Ridge Master Plan:

- a. All dwelling units shall be constructed with Energy Star Appliances, with the exception of ovens, ranges and microwave ovens which are not rated by Energy Star at this time.
- b. To encourage water conservation, all dwelling units shall be constructed with WaterSense Certified High Efficiency Toilets (1.28 GPF), or equivalent.
- c. To ensure compliance with the North Carolina State Building Code, each application for a certificate of occupancy for a home subject to the One or Two Family Building Code, shall submit a photograph or copy of a certificate confirming that the dwelling unit has passed a blower door test or a duct leakage test.
- d. Solar panels will be offered as an option at the time of purchase for all single-family home and townhomes within Collins Ridge Community. Solar panels will be available to apartment developers at the time of construction.
- e. Landscape materials planted within street rights-of-way, in open space or in common areas shall meet the following requirements:
  - i. Planting shall be made in accordance with the requirements and specifications of the Town's Administrative Manual. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
  - ii. All landscape beds shall provide a 3" layer of mulching material.
  - iii. Plants shall be grouped according to water needs, or "hydrozones," to limit overwatering.
  - iv. All landscaping in the public right-of way shall be maintained by the Developer or by a property owners' association for the Collins Ridge Master Plan Property, and/or for the Parcel within which the landscaping is situated.
  - ~~iv.~~ v. Landscaping shall not be planted within public water or sewer utility easements. Due to an existing utility easement and sewer infrastructure in place along the western boundary of Collins Ridge, the applicant shall be permitted to install a modified Type A1 buffer in Phase 2 between Open Air Lane and Gold Hill Way. The planting rate for the Type A buffer will be modified to include 10 mid-sized or small shrubs per 100 linear feet of buffer. All shrubs used will be of a species that will provide a visually opaque screen of at least six feet and deter pedestrian access through the buffer. (Condition amended 6/12/2023)
- f. Installation of landscaping on residential lots as a part of the initial construction process shall meet the following requirements:
  - i. Planting shall be made in accordance with the Town's Administrative Manual. Plant materials shall be chosen to thrive based on their exposure to

sun, wind, and soil conditions.

- ii. All landscape beds shall provide a 3” layer of mulching material.
- iii. Plants shall be grouped according to water needs, or “hydrozones,” to limit overwatering.

- 5. Open Space. At least ten percent (10%) of the property that is subject to the Collins Ridge Master Plan shall be open space.

6. Community Amenities. The following amenities shall be provided:

a. Town Park. ~~The developer shall offer to dedicate to the Town of Hillsborough at least two (2) acres of land generally as shown on Exhibit 9, entitled Master Plan Collins Ridge, within thirty (30) days of purchase of the property subject to the Collins Ridge Master Plan by Caruso Homes. The developer shall dedicate to the Town of Hillsborough a 12.45 ac tract, south of I-85, and as shown in the Master Plan Amendment Exhibit Map dated 5/26/23 as 'New Park Location' to satisfy the original 2-acre Town Park dedication requirement, within 24 (twenty-four) months from the date of this approved Master Plan amendment.~~

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The developer also shall dedicate to the Town of Hillsborough the remaining .7 ac a portion of the former proposed 2-acre public park site along Gold Hill Way within 24 (twenty-four) months from the date of this approved Master Plan amendment. (Condition amended 6/12/2023)

- b. Community Center. The developer shall construct a community center building at least 3,000 square feet in size, including at least one meeting room, a catering kitchen, an outdoor swimming pool at least 2,500 square feet in size, two tennis courts, restroom/changing rooms and twenty (20) parking spaces to serve the townhome and single-family homes. The Community Center tract shall be at least 3 acres in size. The Community Center shall be completed prior to the issuance of a certificate of occupancy for the 300th townhome and/or single family detached home in Collins Ridge (it being the intent that apartment units are not counted for purposes of this subparagraph because apartment units will have some recreational amenities incorporated into their design as required by subparagraph d below).
- c. Neighborhood Parks. The developer shall construct at least six (6) neighborhood parks one (1) within each of the six Parcels (A-F) in Collins Ridge Community. At least three (3) of the neighborhood parks shall include fenced children's playgrounds. Each park shall be at least one-quarter (1/4) acre in size. The timing of the construction and completion of the required neighborhood park within each parcel shall be determined during the special use permit process that Parcel. Neighborhood parks may be provided in combination with Recreational Amenities in Apartment Complexes. Although the general location of neighborhood parks are shown on Exhibit 9, entitled Proposed Master Plan, the final location of each neighborhood park shall be determined during the Special Use Permit review and approval process for the Parcel in which each park is located.
- d. Additional Recreational Amenities for Apartment Complexes. Each apartment complex shall provide at least one (1) additional recreational amenity, such as a swimming pool, playgrounds, play field or play court, as a part of the apartment complex. Neighborhood Parks may be provided in combination with Recreational Amenities in Apartment Complexes.
- e. Sidewalks. Sidewalks meeting Town of Hillsborough standards shall be provided on

both sides of all public streets. At least 9,600 linear feet (1.8± miles) of public sidewalk shall be provided within Collins Ridge.

- f. Walking/Biking Trails. The developer shall construct at least 6,000 linear feet (1.1± miles) of walking/biking trails, in addition to sidewalks. Walking/biking trails shall be constructed generally as shown on the "Collins Ridge Multi-Use Path Map", dated October 1, 2021 and part of the October 11, 2021 amendment to the master plan. The final path alignment shall be shown on construction drawings reviewed and approved by the Town of Hillsborough prior to trail development. The developer and the Town

- may agree to minor trail location modifications that provide a superior product for the town prior to development. Walking/biking trails shall be at least ten feet (10') wide and constructed of asphalt in accordance with Town of Hillsborough greenway standards, including the Access Board Guidelines. Walking/biking trails located within the perimeter buffer of Collins Ridge shall be dedicated to the Town of Hillsborough and accepted by the Town of Hillsborough for maintenance. This trail shall be constructed and ready for dedication prior December 31, 2027. (Condition amended 10/11/2021) In order to provide the required walking/biking trails the developer shall be permitted to grade and clear within the 100' perimeter buffer as needed to facilitate construction of the proposed multiuse path, including construction of retaining walls and boardwalks needed due to grade and topography. Developer shall still be responsible for the adherence to all applicable buffer planting requirements. (Condition amended 6/12/2023)
- g. Bicycle Racks. In order to encourage the use of bicycles within the community, the developer shall provide at least twelve (12) total Bike Rack Stations located at the community center, apartment complexes, parks and transit stops throughout the Collins Ridge Community. Each Bike Rack Station shall contain parking for at least six (6) bicycles.
  - h. Transit/Bus Stops. The developer shall provide easements to the Town of Hillsborough, or to Go Triangle or another public entity which provides public transportation services in the area, for at least three (3) transit stops measuring at least twenty feet by fifteen feet (20' x 15') (the specific design and location of each transit stop shall be determined during the Special Use Permit review and approval process for the Parcel within which, or adjacent to which, the transit stop is to be located) prior to issuance of the first certificate of occupancy for the first dwelling unit in the Parcel associated with the transit stop. The developer shall install a bench (to be designed and installed in accordance with approved Town of Hillsborough standards) at each transit stop location. Although the general location of transit stops are shown on Exhibit 9, entitled Proposed Master Plan, the transit stops may be relocated during the Special Use Permit process for that Parcel to another location along the main spine road.
- 7. Public Water and Sewer. All property subject to the Collins Ridge Master Plan shall be served by public water and sewer subject to availability of capacity in accordance with the terms of a Water and Sewer Agreement to be negotiated between Collins Ridge and the Town.
  - 8. Street and Pedestrian Circulation. The following streets and pedestrian walkways shall be provided within the Collins Ridge Master Plan:
    - a. Streets within the Collins Ridge Master Plan shall be built to the standards shown on Exhibit 13 of the Collins Ridge Master Plan, entitled "Proposed Street Sections". Developer shall be permitted to apply alternative street cross sections to match those that were approved as part of the 'Collins Ridge Revision to Special Use Permit Drawings- Phase 1' dated December 8, 2017 (SUP 1) along Open Air Lane, -and Lightfoot Lane, Gold Hill Way, Poet Pointe, and Flat Ford Road as shown in the Master



- b. The street network shall be designed to provide interconnection between and among the various parcels that make up the Collins Ridge Master Plan.

c. Cul-de-sacs shall not be permitted on the public streets within the Collins Ridge Master Plan except for “stub” streets and any town required turn-arounds. Open Air Lane shall be permitted to “stub” short of the Collins Ridge western property boundary (but shall be constructed as closely as feasible without requiring off-site easements) with a payment in lieu of construction paid to the Town of Hillsborough for the unconstructed portion of Open Air Lane if the following steps are taken:

- The developer shall reach out to the adjacent property owner (Boone Square Incorporated) to negotiate purchase of easements needed to support construction of Open Air Lane to the Collins Ridge western property boundary.
- If said negotiations do not result in an agreement for easement acquisition (negating the need for a payment in lieu request), the developer shall obtain a Third-Party appraisal for the fair market value of the easements and provide the Town with evidence of their easement purchase offer (meeting or exceeding fair market value), a copy of the appraiser’s report, and an engineer’s estimate of the construction cost to complete the unconstructed portion of Open Air Lane.
- A fee in lieu payment in the amount of 150% of the engineer’s construction estimate (to be reviewed and verified by Town of Hillsborough staff) shall be provided prior to final plat approval of this phase. The acceptance of this fee in lieu payment does not negate the developer’s responsibility to dedicate necessary Right-of-way to the property line and provide any necessary construction easements within Collins Ridge to support the future connection of Open Air Lane.

~~c. The developer shall provide an engineer’s estimate for the unconstructed portion of Open Air Lane and shall pay a fee in lieu in the amount of 125% of the engineers estimate to the Town of Hillsborough prior to platting. Furthermore, the developer shall dedicate right of way to the property line and any construction easement (within the developer’s property) necessary to support the future connection of Open Air Lane at the time of development by the adjacent property owner. These easements shall be provided via the recorded plat for this phase.~~

~~d.c.~~ Prior to the issuance of the first Special Use Permit in the Collins Ridge Master Plan property, the developer shall secure an irrevocable legal right to provide a second permanent vehicular and pedestrian access point in a location acceptable to the Town's consulting traffic/transportation consultant and to NCDOT, connecting the main north-south "spine" road on Collins Ridge Master Plan property to Churton Street in Phase 2 of the Collins Ridge Master Plan generally as shown on Exhibit 11, entitled Phasing Plan, in addition to the primary access shown on Proposed Collins Ridge Master Plan map from Orange Grove Road. The second permanent access does not need to be constructed at the time of issuance of the first special use permit in Collins Ridge. The second permanent access must be constructed and available for use prior to the issuance of a zoning compliance permit for the first dwelling unit within SUP 2/Phase 2. of the certificate of occupancy for the 451<sup>st</sup> dwelling unit within Collins Ridge.

~~e.d.~~ The developer shall be permitted to construct 450 dwelling units within Phase I of Collins Ridge Master Plan generally as shown on Exhibit 11, entitled Phasing Plan, provided that the following access points are constructed: a permanent access from Orange Grove Road into Collins Ridge (as currently contemplated by NCDOT TIP Project No. U-5848) and a second temporary access through the power line easement to Churton Street at least twenty feet (20') wide and graveled in accordance with Town Standards. The developer shall be required to maintain the secondary temporary access easement in good condition, satisfactory to the Town of Hillsborough Fire Marshall, the Town of Hillsborough Police Department and the Fire Department serving the Collins Ridge Master Plan property. Should the Developer fail to adequately maintain the easement, then the Town may suspend the issuance of permits or certificates of occupancy for new dwelling units until the condition of the temporary access easement is restored or until another secondary access acceptable to the Town has been provided.

~~f.e.~~ Prior to the issuance of the zoning compliance permit for the ~~751<sup>st</sup>~~first dwelling unit in SUP 2/Phase 2, the developer shall install the 2018 road improvement recommended in Section X entitled "Recommendations" of the CRTIA unless these improvements are required to be installed earlier by the North Carolina Department of Transportation. (Condition amended 6/12/2023)

~~f.~~ Prior to the issuance of the ~~final 5 (five) Certificates of Occupancy for SUP 2/Phase 2 zoning permit for 950<sup>th</sup> dwelling unit~~, the developer shall install the 2022 road improvements recommended in Section X entitled "Recommendations" of the CRTIA unless these improvements are required to be installed earlier by the North Carolina Department of Transportation.

As part of these improvements the stormwater system at Churton Street and James J. Freeland Memorial Drive shall be evaluated for correct sizing and brought up to

~~g.~~ Town standards along with the requirements of the TIA Phasing Letter from NCDOT dated February 4, 2017 for Phase 2 (2022- full build out). (Condition amended 6/12/2023)

~~h.g.~~ The developer shall submit construction drawings to the Town for review and approval prior to commencement of construction of the public spine street for Collins Ridge which is generally depicted on Exhibit 12 ("Connectivity Plan – Collins Ridge"). The

spine street shall be completed up to the point of secondary temporary access easement as described in Section 8(e) prior to the issuance of any certificate of occupancy in Collins Ridge. The timing of construction and completion of the remainder of the spine street shall be determined during the special use permit process for each Parcel located south of the temporary access easement (Parcels B, C, D and E). The public spine street generally as shown on Exhibit 12, entitled Connectivity Plan Collins Ridge, shall be constructed within at least a fifty-nine foot (59') right-of-way along the common

boundary line of Parcels D and E ending in a stub one hundred feet (100') from the right-of-way for Interstate 85 for the purpose of construction by the Town of Hillsborough of a public street to the south and across Interstate 85 connecting to the existing street network prior to the issuance of a building permit in Parcel D. In addition, the developer shall reserve a strip of land at least fifty-nine (59') feet wide from the end of the public spine street to the right-of-way for Interstate 85 until the issuance of a building permit in Parcel D for the Town of Hillsborough to be used as right-of-way for a possible crossing of Interstate 85. The applicant shall not be required to construct a street within this reserved strip of land, nor shall the applicant be required to install a bridge, tunnel or other crossing over or under Interstate 85.

- ~~i. The developer is the owner of an approximately 12 acre parcel of land (the "Southern Parcel") on the south side of Interstate 85, lying generally between Interstate 85 and the Old Mill Business Park and the Beckett's Ridge development. The developer agrees to reserve and to make available to the Town at no cost for a period of ten (10) years from the date of issuance of the first certificate of occupancy in Collins Ridge, a sufficient area of land on the Southern Parcel to accommodate pedestrian and bicycle connectivity to the strip of land reserved by the developer at the southern end of the "spine street" referred to in subparagraph h above. The Town may extend the reservation period by up to five (5) additional years at no cost provided that (i) the Town has a plan in place to connect the bicycle and/or pedestrian amenities in Collins Ridge with the Southern Parcel within said five (5) year extension period, and (ii) the Town notifies the developer in writing of the Town's intention to extend the reservation term prior to expiration of the initial ten (10) year period.~~

~~The developer shall work with the Town to determine the location and specific design details of the area reserved pursuant to this condition, toward the end of facilitating pedestrian and bicycle connectivity between development south of Interstate 85 and the public rights of way, sidewalks, greenways and trails in Collins Ridge.~~

- ~~j. The developer acknowledges that the North Carolina Department of Transportation ("NCDOT") engaged in redesign is currently in the process of reviewing/designing projects along South Churton Street and along the North Carolina Railroad line adjacent to, and running generally north and east of, the Collins Ridge property. ~~The developer shall coordinate its development plans to the maximum extent practicable with the NCDOT to facilitate compatible design and construction. Nothing in this condition shall be deemed a requirement by the Town for the developer to convey any right of way to NCDOT or to the North Carolina Railroad. This design process resulted in additional ROW dedication along the eastern boundary of POD E and POD F, effectively reducing the boundary of each POD from what was originally planned and represented in Exhibit 9. (Condition amended 6/12/23)~~~~

9. Voluntary Annual Contributions. The developer shall make the following voluntary contributions to equitably offset the initial impact of the Collins Ridge project upon the Town's obligation to provide public utilities, police and fire protection, taking into account the improvements and other benefits provided by the Collins Ridge project:

**Public Safety Capital Contribution:** Three (3) annual contributions totaling \$235,440.00 shall be made to the Town of Hillsborough to defray the cost of providing public safety services to the property subject to the Collins Ridge Master Plan. The developer shall make

an initial contribution of \$78,480.00 within thirty (30) days of approval of the first Special Use Permit on property subject to the Colling Ridge Master Plan. Thereafter, contributions of \$78,480.00 shall be made annually on the anniversary date of the initial contribution for a total contribution of \$235,440.00.

To secure payment of the voluntary contributions described above, the property owner shall provide an irrevocable letter of credit issued by a financial institution acceptable by Town of Hillsborough in a form acceptable to the Town of Hillsborough in the amount of \$156,960.00 simultaneously with the first annual payment of \$78,480.00. The amount of this letter of credit shall be reduced in an amount equal to each contribution made by the property owner to Town of Hillsborough within thirty (30) days after each contribution is received by the Town.

~~Utility Meter Reading Antennae: To defray the cost of reading utility meters in the property subject to Colling Ridge Master Plan, the developer shall make a contribution of \$15,000.00 to the Town of Hillsborough within thirty (30) days of formal application for the first special use permit within the Collins Ridge Master Plan. The developer shall also cooperate and coordinate with the Town to incorporate a location (or locations) within Collins Ridge for the utility meter reading antennae during the special use permit process for each parcel in Collins Ridge. Sewer Flow Monitoring: To defray the cost of sewer flow monitoring, the developer shall make a contribution of \$15,000 toward sewer flow monitoring equipment within thirty (30) days of approval of this Master Plan Amendment (brought before the Town of Hillsborough Board of Commissioners on 6/12/23). Utilities proposes allocation of the \$15,000 toward sewer flow monitoring equipment instead. Developer approval or denial is needed before a condition can be crafted.~~

10. Stormwater Facilities. All stormwater control devices to be located on the property subject to the Collins Ridge Master Plan shall be reviewed and approved by the Town prior to construction, but shall remain the property and maintenance responsibility of the developer, or in its sole discretion, a property owner and/or tenants' association to be established by the developer. In addition, the developer shall comply with all Federal, state and local stormwater regulations, including riparian buffer regulations. The developer shall submit to the Town for its prior approval proposed conditions and covenants addressing continuing operation and maintenance of all stormwater control measures. The conditions and covenant shall include provisions authorizing the Town to perform maintenance of such facilities and to charge the cost thereof against the developer or property owners' or tenants' association(s) in the event that they fail to properly and timely maintain the stormwater control measures.
11. Informal Concept Plan Submission. The developer shall submit to the Town a concept plan for informal review by the Planning Director or her designee prior to submitting a formal application for Special Use Permit for any Parcel as shown on the Collins Ridge Master Plan.
12. Assignment of Rights and Obligations. The developer shall be entitled to assign the rights and obligations contained in Collins Ridge Master Plan and these Conditions of Approval to subsequent purchasers of any portion of the property subject to the Collins Ridge Master

Plan, provided that any subsequent purchasers must acknowledge in writing to the Town that they have acquired the property, or any portion thereof, subject to the obligations and conditions stated in the Collins Ridge Master Plan and these Conditions of Approval and that they agreed to be bound by them.

13. Restrictive Covenants. Prior to recording any restrictive covenants or any other document intended to affect development on any portion of the property subject to the Collins Ridge Master Plan (the “Restrictive Covenants”), the developer or any other subsequent owner of any portion of the property subject to the Collins Ridge Master Plan shall first submit the Restrictive Covenants to the Town for review.
14. Vested Rights. A vested right pursuant to G. S. 160A-385.1 and Section 1.8 of the Town of Hillsborough Unified Development Ordinance is established as of the date hereof. The vested right arising from the approval of this Collins Ridge Master Plan shall be valid for five years from the date of approval, unless such date is formally extended by the Town Board prior to its expiration.
15. Compliance with Unified Development Ordinance. The Collins Ridge Master Plan was submitted to the Town in compliance with the requirements of Section 3.7 of the Town of Hillsborough’s Unified Development Ordinance. Prior to development of any specific Parcel shown on Collins Ridge Master Plan, a Special Use Permit Application for that Parcel shown on the Collins Ridge Master Plan will be submitted to Town in accordance with the applicable provisions of the Town Unified Development Ordinance in effect at the time the application is made; provided, however, that in the event that there are inconsistencies between the Town Unified Development Ordinance and the Collins Ridge Master Plan at the time any Special Use Permit application is submitted, the terms of the Collins Ridge Master Plan shall control. The requirements of section 3.8.3 of the Town Unified Development Ordinance shall be addressed in detail for each specific Parcel shown on the Collins Ridge Master Plan at the time a Special Use Permit application for each parcel is submitted to the Town for approval.
16. Lot Width Variation.  
Within the Collins Ridge Master Plan each block of single-family homes longer than 400 feet shall have atleast 2 (two) different lot widths on each street section. Every third lot must contain a lot width variation of at least 10 feet from it’s adjacent lots. Lots shall  
have  
~~15.~~ a minimum width of 30 feet. (*Condition added 6/12/2023*)
17. Developer shall complete, certify and make submittals for town acceptance of all public sidewalk, street, greenways built to this point, and utility infrastructure, and shall install all landscaping, street trees and stormwater conveyances in Phase 1A before a zoning compliance permit will be issued for the first 30 9th dwelling unit in SUP 2/Phase 2. (*Condition added 6/12/2023*)
18. Developer shall complete, certify and make submittals for town acceptance of all public sidewalk, street, greenway and utility infrastructure, and shall install all landscaping, street trees and stormwater conveyances in all sections and phases before the zoning compliance permits will be issued for the final 5 (five) lots in SUP 2/Phase 2. (*Condition added 6/12/2023*)
- ~~16-18.~~ These Conditions of Approval shall supersede the terms of the Collins Ridge Master Plan application to the extent these Conditions of Approval are inconsistent with the terms of



the Collins Ridge Master Plan Application. The Summary of Conditions of Approval Chart below is a reference and shall not supersede this Conditions of Approval document.

**Summary of Conditions of Approval Applicable to Specific Parcels Identified on the Collins Ridge Master Plan:**

<u>POD<del>Pa</del></u>	<u>Anticipated Land Use</u>	<u>Conditions &amp; Other Information</u>
A	Apartments, <a href="#">Single Family Detached</a> , Townhomes and/or other Attached Dwellings	<ul style="list-style-type: none"> <li>• The developer shall be entitled to be built to a maximum density of 24 units per acre. Provided, however, that the maximum number of dwelling units allowed on the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B)</li> <li>• A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”.</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• No building shall exceed four (4) stories above grade.</li> </ul>
B	Apartments, <a href="#">Single Family Detached</a> , Townhomes and/or other Attached Dwellings	<ul style="list-style-type: none"> <li>• The developer shall be entitled to build to a maximum density of 30 units per acre. Provided, however, that the maximum number of dwelling units allowed on the entire Collins Ridge Master Plan property shall not exceed 950 units. At least 60, and no more than 88, Affordable Housing units shall be built on Parcel B, and the Affordable Housing units shall be in addition to the 950 dwelling unit maximum otherwise applicable to the Collins Ridge property.</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”.</li> <li>• No building shall exceed four (4) stories above grade.</li> </ul>

C	Single-family Detached	<ul style="list-style-type: none"> <li>• The developer shall be entitled to build to a maximum density of 8 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B).</li> <li>• No lot for a single-family detached dwelling shall exceed 10,000 square feet in size.</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• No building shall exceed three (3) stories above grade.</li> </ul>
D	Apartments	<ul style="list-style-type: none"> <li>• The developer shall be entitled to build to a maximum density of 24 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B).</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”.</li> <li>• No building shall exceed four (4) stories above grade.</li> </ul>

E	Townhomes and other Attached Dwellings, Single-family homes detached and/or Community Center	<ul style="list-style-type: none"> <li>• The developer shall be entitled to build to a maximum density of 16 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B).</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• No building shall exceed three (3) stories above grade.</li> </ul>
F	Townhomes and other Attached Dwellings, and/or Single-family homes detached	<ul style="list-style-type: none"> <li>• The developer shall be entitled to build to a maximum density of 16 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B).</li> <li>• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”</li> <li>• No building shall exceed three (3) stories above grade.</li> </ul>