

# **TOWN RUN COMMONS**

JEFFERSON COUNTY, WEST VIRGINIA

## **COMMUNITY IMPACT STATEMENT**

prepared for

### **Twin Oaks Subdivision, LLC**

PO Box 536  
Shepherdstown, WV 25443  
304-724-4950

prepared by

### **William H. Gordon Associates, Inc.**

301 N. Mildred Street, Suite 1  
Charles Town, WV 25414  
304-725-8456

October 2006

# TOWN RUN COMMONS

## JEFFERSON COUNTY, WEST VIRGINIA COMMUNITY IMPACT STATEMENT

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**TOWN RUN COMMONS**  
JEFFERSON COUNTY, WEST VIRGINIA  
COMMUNITY IMPACT STATEMENT

**1. Name and address of owner/developer:**

Parcel 26.1 and 26.3  
Twin Oaks Subdivision, LLC  
PO Box 536  
Shepherdstown WV 25443  
Tel: (304) 724-4950

Parcel 26.2  
Peter S. Corum\*  
PO Box 536  
Shepherdstown WV 25443  
Tel: (304) 724-4950

Parcel 26.4  
J. Edward Slonaker\*  
PO Box 536  
Shepherdstown WV 25443  
Tel: (304) 724-4950

\*(Member of Twin Oaks Subdivision, LLC)

Developer of all Parcels  
Twin Oaks Subdivision, LLC  
PO Box 536  
Shepherdstown, WV 25443  
Tel: (304) 724-4950

**2. Name and address of contact person:**

William H Gordon Associates Inc  
Attention: Chad Wallen  
322 W. Washington Street Suite 4  
Charles Town, WV 25414  
Tel: 304 725 8456  
Fax: 304 728 0117

**3. Tract size, shape, location and zoning:**

The proposed subdivision is located in Shepherdstown District; Tax Map 13 parcels 26.1, parcel 26.2, parcel 26.3 & parcel 26.4. The original tract acres:

Parcel 26.1	6.69 acres, DB 995 PG 321
Parcel 26.2	2.0 acres, DB 454 PG 445
Parcel 26.3	3.0 acres, DB 992 PG 60
Parcel 26.4	2.0 acres, DB 974 PG 346

The parcels have a total acreage of 13.69 acres.

The subject property is located within a special zoning district as described in a conditional use application for the subject property submitted 8/17/06. A conditional use permit was granted to allow for the proposed density and uses for the site as identified in the "Order Granting Conditional Use Permit Application" letter from the Board of Zoning Appeals dated 11/9/06. Development of the property will be subject to the conditions noted in the Order Granting Conditional Use Permit Application and every item agreed upon, as memorialized in the corrected Staff Report from the Town Run Commons Compatibility Assessment Meeting.

The subject property is roughly rectilinear in nature with the boundary line adjacent to Route 480 being greater in length than the opposite boundary line.

The property will be accessed from Kearneysville Pike (Route 480) and is located adjacent to Morgan's Grove Park, approximately 1 mile southwest of Shepherdstown.

*See Appendix A, Exhibit 1 – Tract Location Map*

*See Appendix C, Exhibit 8 – Order Granting Conditional Use Permit Application*

#### **4. Project Design and Layout:**

"Town Run Commons" – Evolved from a vision based on a planned, mix-use community centered on the arts, with designated living space, working space, and open space. The community is designed specifically for resident artisans, their patrons, and the Shepherdstown community at large. At an introductory meeting in November, 2005, interested local parties representing artists, businesses, educational institutions, government, neighbors and non-profit groups met in an open forum to discuss ideas and alternatives for a 13-acre parcel of land adjacent to Morgan's Grove Park.

By making the community multi-family based, the Town Run Commons HOA will be able to maintain the integrity of the property's exterior. The units are anticipated to maintain a tight physical relationship to increase the amount of open space on site. The existing single-family detached dwelling located on lot 26.4, at the rear of the site will be retained as a residential structure on it's own lot.

The project has been designed to protect the existing character of the surrounding area. Community open space is provided adjacent to all property boundaries and the Route 480 right-of-way. The open space will provide the community with areas for recreational activities. Vegetation preserved within these open spaces will serve as visual buffers between the subject property and the adjoining parcels. As described in the Order Granting Conditional Use Permit Application, a 5' tall berm or equivalent opaque screen will be provided adjacent to Mr. Billmyers property.

Vehicular access will be from Route 480 and may provide frontage improvements, as required by WVDOT and the Jefferson County Subdivision Ordinance.

The applicant will obtain water service and sanitary sewer service from the Corporation of Shepherdstown, and intends to extend the existing sanitary sewer line and water line located approximately 0.7 miles from existing facilities northeast of the site. Both lines are located within Route 480 right of way adjacent to Lowe Drive. Previous letters from Corporation of Shepherdstown dated May 17, 2006, have indicated there is adequate capacity within these systems. The developer may pursue alternative connections for water & sanitary sewer should additional solutions become viable and deemed acceptable by the respective county agencies. As described in the Order Granting Conditional Use Permit Application, a waterline stub out shall be installed on Route 480, to which Ledge Lowe Estates may connect.

*See Appendix A, Exhibit 8 – CIS Sketch Plat*

*See Appendix D, Exhibit 1 – Sewer Availability Letter*

*See Appendix D, Exhibit 2 – Water Availability Letter*

**5. Number, approximate size and location of proposed lots:**

Total Number of Proposed Residential Units	32
Existing Residential Unit	1
Total Commercial Square Footage	20,000

**Approximate Land Use Areas**

Approximate Land Dedicated for Commercial & Residential Uses	8.5+/- ac
Storm Water Management	1.0+/- ac
Parks & Recreation	<u>1.0+/- ac</u>
Total Development Area	10.5+/- ac

Open Space 3.2+/- ac

Area of subject property 13.7+/- ac

**Land for Parks and Recreation (Section 12.0 Jefferson County Subdivision Ordinance)**

Parcel Area	13.7+/- ac
Dwelling Units	33 (includes 1 existing)
Dwelling Units Per Acre	2.5

The Jefferson County Subdivision Ordinance requires 4% of residential land reserved for parks & recreation in developments that have a density between 2 and 5 dwelling units per acre. There is approximately 1 acre or 7% of the subject property reserved for parks & recreation and 3.2 acres or 23% of the subject property reserved for open space.

Access points into Morgan Grove Park will be negotiated with the Men's Club of Shepherdstown and included if acceptable to the park. This would allow for an extension of the existing trail in Morgan's Grove along Town Run.

This development will generate an estimated \$16,768.00 in Parks & Recreation impact fees.

*See Appendix A, Exhibit 8 – CIS Sketch Plat*

*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

## **6. General description of surface conditions (topography):**

A gently rolling ridgeline runs perpendicular to Route 480 and generally divides the property, so it slopes to the northeast and southwest. Slopes on the subject property generally range from 3% to 10% with a few isolated areas of steeper slopes adjacent to the existing building pad. This pad and surrounding asphalt areas are the remnants of a restaurant that was previously located on the subject property. The majority of the property has been cleared and is open lawn, however mature trees are located around the two existing houses, adjacent to Town Run and along the property boundaries.

The area adjacent to Route 480 is the highest and flattest point on the property with an approximate elevation of 485'. The lowest point on the property is located where Town Run exits the subject property with an elevation of approximately 440'.

Field investigation, correspondence with the Natural Resource Conservation Service & a review of the approximate sinkhole locations map in the Jefferson County Comprehensive Plan has identified no known sinkholes for the subject property.

*See Appendix A, Exhibit 7 – Existing Conditions Map*  
*See Appendix D, Exhibit 5 – NCRS Letter*

## **7. Soil and drainage characteristics:**

The subject property contains the following soil types, approximate acreage and associated characteristics, which were obtained from the Soil Survey of Jefferson County, West Virginia.

### Soils

- Am – Alluvial Land, Nearly level
- DgB – Duffield silt loam, 2 to 6% slope
- HgC – Hagerstown & Frederick very rocky silt loam, severely eroded, 6 to 12% slope

Am – 1.51 acres: Alluvial Land, Marl Substratum, nearly level. This land is well drained to poorly drained, 1 to 3 feet thick on bottom lands along many small streams mostly spring feed that drain limestone uplands.

DgB – 7.54 acres: Duffield Silt Loam, 2 to 6% slopes. The Duffield series consists of deep, well-drained soil. They formed from material weathered mainly from limestone that contained some silty shale. Slopes are smooth and contain a few limestone outcrops.

HgC – 4.64 acres: Hagerstown and Frederick very rocky silt loams, 6 to 12% slopes. Limestone outcrops exist on one-tenth to one-fourth of the surface area. Both Hagerstown and Frederick are similar and exist in narrow bands around hillsides or on fairly large rolling areas.

### Drainage

The subject property generally slopes toward Town Run with isolated areas throughout the subject property draining towards the adjacent properties to the northeast & southwest. One distinct swale exists in the northwest corner of the property; the drainage associated with this swale originates primarily from a culvert that enters from under Route 480 and exits the property on the northeast border. All drainage appears to enter Town Run by sheet or channelized flow directly from the subject property or by way of adjacent properties to the northeast or southwest.

*See Appendix A, Exhibit 3 – Preliminary Soils Survey and Delineation*  
*See Appendix A, Exhibit 7 – Existing Conditions Map*

### **8. Existing natural features including vegetative cover, water bodies, quarries and rock outcroppings:**

The subject property consists of open fields, tree groves and a riparian area associated with the Town Run stream.

The most significant stands of trees occur along the properties perimeter. Individual trees can be found in the vicinity of the existing structure along Kearneysille Pike and the existing structure adjacent to Town Run.

Town Run, is a perennial stream and is located on the eastern most section of the property running adjacent to the railroad.

There are no other known water bodies located on the subject property.

A visual inspection of the subject property revealed no known rock outcroppings or quarries on the subject property.

*See Appendix A, Exhibit 7– Existing Conditions Map*  
*See Appendix A, Exhibit 6 – Surface Water Resource Map*

### **9. General location and description of existing structures:**

Two existing homes are located on the subject properties. One house is located adjacent to Route 480, with the remaining house being located at the rear of the property between the existing overhead power lines and Town Run. Both structures are single-family detached brick homes and have individual driveways connecting to Route 480. The home closest to Route 480 will be removed.

Located within the existing vegetation, adjacent to the southwest boundary, towards the front of the property is a shed and pavilion. A septic field and well are sited just behind the front house. The house in the rear of the property has a well, septic field and an in-ground swimming pool located in the back. Both drainfield and well may be abandoned once sewer and water have been extended to the subject property

A concrete building pad and associated asphalt parking lot are located at the front northeast corner of the property adjacent to Route 480. This area is unsightly and will be removed as part of the proposed development.

Local and major power distribution lines and poles are located within the existing 100 foot Potomac Edison Utility Easement that crosses through the site in a north/south direction. No



buildings are proposed within this area and a 75' setback will be required for all buildings adjacent to the major power distribution lines. The easement area may be used for surface parking or stormwater management areas. For further information concerning development adjacent to power lines see the attached study conducted by the National Institute of Environmental Health Sciences (NIEHS) titled "Health Effects from Exposure to Power-Line Frequency Electric & Magnetic Fields".

All structures appear to be in good condition with the exception of the asphalt parking lot and the concrete building pad, which are unsightly and in a poor condition. No structures on the property are known to have any historic value.

The development of the site will retain the rear house and swimming pool as a residential home. The front house and associated septic field, shed, asphalt parking lot, concrete building pad and both existing driveways are to be demolished during the construction of the proposed development. The existing home may serve as a temporary base for construction management.

*See Appendix A, Exhibit 7 – Existing Conditions Map*

*See Appendix C, Exhibit 5 –NIEHS Report on Health Effects from Exposure to Power-Line Frequency Electric & Magnetic Fields Study*

#### **10. General location and description of existing easements or rights-of-way:**

The property fronts on to West Virginia Route 480. This right-of-way contains a secondary road, as identified in the Jefferson County Comprehensive Plan and is maintained by the West Virginia Department of Highways. Three easements and/or right-of-ways exist on the property:

- An existing 100 foot Potomac Edison Utility Easement crosses the rear of the property in a north, south direction (Deed book 974 page 346 and book 129 page 313). Refer to the existing conditions map for the approximate location of this easement.
- A 20-foot non-exclusive ingress and egress easement exists along the northeastern boundary to provide access to the rear house from route 480 (Deed book 974 page 346 and book 129 page 313).
- A 40-foot right-of-way for the use of the lot 26.1 and the existing power lines is located adjacent to the southwestern boundary.

The development proposes to vacate the existing 20-foot and 40-foot ingress and egress easements and provide ingress and egress to the rear house and the Potomac Edison Utility easement via the right-of-ways associated with the proposed vehicular circulation of the development. The minor overhead power lines that exist on the subject property currently provided service to the existing structures. These existing minor overhead facilities will be removed or placed underground during the development process.

*See Appendix C, Exhibit 1 – Deed of Record*

*See Appendix A, Exhibit 7 – Existing Conditions Map*

#### **11. Existing covenants and restrictions on the land:**

A search of the existing deeds identified no existing covenants and restrictions on the land.

*See Appendix C, Exhibit 1 – Deed of Record*

**12. Approximate size, location and purpose of areas to be dedicated:**

Commercial & Residential Use	+/- 8.5 acres
Storm Water Management	+/- 1.0 acres
Parks & Recreation	+/- 1.0 acres
Open Space	+/- 3.2 acres

*-Areas for planning purposes only, areas subject to modification with final engineering.*

Stormwater management areas will be in accordance with section 8.2.c of the Jefferson County Subdivision Ordinance. If practical, and supported by staff, the Applicant may seek cooperation from Jefferson County engineering staff to utilize low impact design techniques for stormwater management. These facilities will be designed during the preparation of the preliminary plat.

*See Appendix A, Exhibit 8 – CIS Sketch Plat*

**13. Intended improvements:**

In keeping with the streetscape of Route 480, building locations will be set back from Route 480 and the adjoining properties boundaries. Community open space can be located throughout the development and adjacent to all property boundaries, to provide recreational areas for the proposed community and to provide a buffer to the neighboring properties.

Improvements will be those associated with the buildings noted on the sketch plat, which will include roads, utilities (including water, sanitary, storm water management, power, telephone and cable television) and other improvements as required by Jefferson County Ordinance. The improvements will establish a strong architectural character along Route 480 and remove the unsightly asphalt parking lot and concrete building pad that currently front Route 480.

As described in the Order Granting Conditional Use Permit Application, signage will be low and mounted on brick or stone monuments. No pole signs or other strip mall type signage will be permitted. Fascia signage or other main street type signage, internal to the property will be permitted. Only down lighting will be permitted for signage. Restrictions on signage can be found in the covenants and restrictions for the Town run Business Community.

*See Appendix C, Exhibit 2 – Proposed Declaration of Town Run Commons Business Community*  
*See Appendix C, Exhibit 8, – Order Granting Conditional Use Permit Application*

**14. Intended land use:**

The intended land use for Town Run Commons is a mixed-use community focusing on the promotion of the arts, while providing artisans and others with a place to live and work. The development will consist of approximately 32 multi-family units, 10,000 s.f. of commercial space, 10,000 s.f. of flex use space, interior roadways, open space and storm water management facilities.

As described in the Order Granting Conditional Use Permit Application, the hours for business operations will be limited to 6:00 a.m. to midnight.

*See Appendix A, Exhibit 8 – CIS Sketch Plat*  
*See Appendix C, Exhibit 8 – Order Granting Conditional Use Permit Application*

**15. Earthwork that will alter topography:**

Earthwork for the project will include construction of roads, utilities, storm water management facilities and grading associated with construction of structures. Additional alteration may occur to optimize building locations and the collection of suitable on site fill material for the construction of the associated improvements. Erosion and sediment control measures will be constructed for all areas disturbed during the construction process as required by the Jefferson County Subdivision Ordinance.

Approximately 80% of the site may be altered during site construction. This estimate is subject to modification with final engineering.

**16. Proposed covenants and restrictions:**

*See Appendix C, Exhibit 2 – Proposed Declaration of Town Run Commons Business Community*  
*See Appendix C, Exhibit 3 – Proposed Declaration of Town Run Commons*

**17. Tentative schedule:**

As determined by market conditions the Developer intends to develop the project in 3 phases. This schedule would result in a 3-year build-out, however this schedule reflects an approximate rate of development and the proposed schedule may vary.

- 2007 - 12 condo units, 5,000 sq ft of flex use and 5,000 sq ft of commercial
- 2008 - 12 condo units, 5,000 sq ft of flex use and 5,000 sq ft of commercial
- 2009 - 8 condo units

**18. Market surveys and feasibility studies:**

Jefferson County is a growing area with a strong market base that will continue to grow with the surrounding regions. Town Run Common's will cater to the local and artisan community that is common in the Shepherdstown area. Artisan based development's are currently unique to Jefferson County and will capitalize, for both the residential & commercial component, on this underdeveloped market. Attached you will find the 2006 West Virginia County Data Profiles, by the Bureau of Economic Analysis, which explores the Jefferson County market.

*See Appendix C, Exhibit 7 – 2006 WV County Data Profiles*

**19. Anticipated project costs:**

Anticipated cost of preparing the land to the point of building construction is approximately \$450,000.

**20. Anticipated funding sources:**

Private sources will be used for project funding.

**21. Impact Fee Summary:**

**1. Residential**

Type of Dwelling: Multi-Family  
 Tax District: Shepherdstown (09)  
 Number of Dwellings: 32

	<u>Impact Fee</u> <u>Per Dwelling</u>		<u># of Units</u>		<u>Impact Fees for</u> <u>Development</u>
School Impact Fee:	\$5,484.00	x	32	=	\$175,488.00
Law Enforcement Impact Fee:	\$105.00	x	32	=	\$3,360.00
Parks & Recreation Impact Fee:	\$524.00	x	32	=	\$16,768.00
Fire & EMS Impact Fee:	<u>\$426.00</u>	x	32	=	<u>\$13,632.00</u>
<b>Total Residential Impact Fees</b>	<b><u>\$6,539.00</u></b>	x	32	=	<b><u>\$209,248.00</u></b>

**2. Commercial**

Type/Size of Commercial Use: Comm/Retail/Shopping Center 25,000 SF or Less  
 Usable Square Footage: 20,000  
 Tax District: Shepherdstown (09)

	<u>Impact Fee</u>
School Impact Fee:	\$0.00
Law Enforcement Impact Fee:	\$4,520.00
Parks & Recreation Impact Fee:	\$0.00
Fire & EMS Impact Fee:	<u>\$38,100.00</u>
<b>Total Commercial Impact Fees</b>	<b><u>\$42,700.00</u></b>

**3. Town Run Commons Development (Residential & Commercial)**

	<u>Impact Fee</u>
School Impact Fee:	\$175,488.00
Law Enforcement Impact Fee:	\$7,880.00
Parks & Recreation Impact Fee:	\$16,768.00
Fire & EMS Impact Fee:	<u>\$56,332.00</u>

**Total Impact Fees: \$256,468.00**

\*Impact fee calculations were generated during October of 2006. Impact fees will be updated, if required, to reflect fee requirements at time of payment.

*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

## **Physical, Social and Economic Impacts**

### **1. Earthwork: Will project strip entire site? Will blasting be extensive? Will the project be a borrow or a waste job? Will drainage be affected? Will terrain be altered?**

Stripping – Any stripping proposed within this subdivision will be completed as an initial step in the construction process to remove and stockpile topsoil and will be conducted under an approved NPDES permit. Topsoil generally has too high of an organic content to be used for structural fill and needs to be removed from all areas scheduled for construction. Topsoil stockpiles will be re-spread or used to create berms later in the construction process. Approximately 80% of the site may be stripped. Stripping of topsoil will generally not occur outside of those areas being graded as part of the construction and home building program.

Blasting – Soils descriptions for the subject property indicate shallow depth to bedrock in isolated areas of the subject property. Although the development will be designed to reduce blasting, some blasting may be required for the construction of foundations, roads and underground utilities. Blasting operations will be carefully monitored and undertaken in accordance with applicable local and state codes. As needed, the neighbors to the proposed subdivision will be notified prior to blasting.

Per the Conditional Use Permit granted for the subject property, the following conditions as it pertains to blasting shall be met:

- The developer will provide pre-blast surveys within five hundred feet of the construction site. In addition the developer will also conduct pre-blast surveys of the Rose Break, Falling Spring, Old Stone House at Morgan Springs, and Head Water Spring House. The inspections will be limited to buildings, wells (if recommended by the geotechnical engineer) and other structures as recommended by the geotechnical engineer.
- The developer will ensure that the blasting subcontractor has insurance for all work. Further, it will be a condition of the contract that should damage be caused offsite by onsite blasting, that the contractor will be responsible for all damages caused by blasting activity. Liability will be limited to those homes on which a pre-blast survey was undertaken, homeowners who refuse a pre-blast survey will not be covered.
- The developer will provide all adjacent properties and those included in the pre-blast survey 24 hours notice for any blasting. For blasting activities that occur on consecutive days, a single notice identifying the time period shall be provided.
- The developer will provide a pre- and post-blast survey subject to the property owner's approval for the Rose Break, Falling Spring, Old Stone House at Morgan Springs, and Head Water Springhouse properties.

Borrow or Waste – The design intent is to balance the site to the extent practical. Upon final engineering it is possible that either excess cut will be generated for disposal on or offsite, or additional fill will be required on site.

Drainage – The subject property generally slopes toward Town Run with isolated areas throughout the subject property draining towards the adjacent properties to the northeast & southwest. One distinct swale exists in the northwest corner of the property; the drainage associated with this swale originates primarily from a culvert that enters from under Route 480 and exits the property on the northeast border. All drainage appears to enter Town Run by sheet or channelized flow directly from the subject property or by way of adjacent properties to the northeast or southwest. Current drainage patterns for the subject property will be altered during and upon completion of the proposed development and will be determined at final engineering. Storm water management is to be provided pursuant to Table 8.c.1 of the Jefferson County Subdivision Ordinance. It is anticipated that a storm water management pond located within the

open space will be required. The project will have a curb and gutter road section that will channel surface drainage to catch basins. The catch basins will be connected to an underground pipe system that will convey the runoff to the storm water management ponds. Storm water management facilities will provide extended detention for the one year post developed runoff to be released over a 24 hour period and will detain post developed runoff for the 2 and 10 year storm events per the Subdivision Ordinance.

Terrain Alterations –During the preliminary plat stage, the road and lot grading on the proposed subdivision will be designed to reduce the impact on the existing site terrain. Although some terrain alteration will occur, the roads will follow the existing topography, as design requirements permit, to minimize these changes.

*See Appendix C, Exhibit 8 – Order Granting Conditional Use Permit Application*

## **2. Conversion of farmland to urban uses:**

The subject property has not been cultivated within the last twenty-five (25) years and as such will not result in the conversion of active farmland to urban use.

## **3. Wildlife populations and DNR endangered species check:**

To establish the impact on effected wildlife populations, the value of habitat within the site must be evaluated. Habitat can be broken down into two primary elements - food/water and shelter. Areas in which either of these two elements are found, benefit from being connected with green corridors that allow wildlife to access separate areas of high habitat value. The combined value of these elements, the degree to which they are enhanced or degraded and the property's ability to function as a green corridor will determine the impact on wildlife populations. The review of the site and its evaluation as habitat is based upon site observation, information provided by the property owner and a general understanding of local wildlife populations.

### **Site Description**

Apart from the existing vegetation located along the property boundaries and Town Run, the site has been cleared of vegetation and been converted to housing, lawn areas, and a former restaurant. The only areas of habitat in which significant shelter is available for the majority of animal species would be Town Run and the hedgerows along the perimeter of the property.

### **Habitat Overview**

The subject property fronts Route 480 and is bordered by Morgan's Grove Park and residential dwellings. It can be assumed that the land is frequented by wildlife typically found in Jefferson County which would include raccoons, opossums, foxes, white tail deer, groundhogs, skunks, squirrels and other species readily adapted to extensive contact with people in an urban environment. Primary habitat areas on the subject property will be retained, specifically the hedgerows on the perimeter of the property and the vegetation along Town Run. As appropriate, Town Run and the associated vegetation will be cleaned up to enhance existing habitat and its use as a passive recreational amenity.

Attached to this report is a letter from the West Virginia Department of Natural Resources (DNR). This letter states, "We have no known records of any RTE (rare, threatened or endangered) species or sensitive habitats within the project area."

*See Appendix D, Exhibit 6 – DNR Letter*

**4. Groundwater and surface water resources: Number of reported water contamination problems within 1,320 feet, major surface water sensitive areas, i.e. wetlands, marshes and existing ponds within one mile of the site. Describe the storm water management concept:**

A small spring on the adjoining upstream property creates the headwaters of Town Run. Town Run crosses the rear of the site, adjacent to the railway and the rear property boundary.

A review of the FEMA map community panel number 540065 0020 B, effective date Oct. 15, 1980 indicates that Town Run is located in Zone A and designated as a 100 year floodplain area. No development is proposed within this area.

Town Run, its spring source and the springhouse at Morgan's Grove Park are the only known significant surface water resource found within 1320 feet of the property. This assessment was based upon a review of USGS maps, which identify these features. No other ponds, wetlands or marshes are located on the subject property. Exhibits have been attached to this report identifying surface waters and wetlands in the vicinity of the subject property.

A summary of groundwater recharge is as follows. Ground water depth and flow characteristics through the limestone can be variable and unpredictable. Typically though, the ground water regime is characterized by an upper water table that develops when runoff infiltrating the overburden becomes trapped on the shallow rock. Ground water seepage from the water table into the lower rock aquifer moves along joints, bedding planes and larger open conduits in the rock. Ground water flow patterns are generally influenced by topography with recharge occurring at higher elevations between outcrops with discharge to springs, creeks and similar outlets.

Storm water management is to be provided pursuant to Table 8.c.1 of the Jefferson County Subdivision Ordinance. It is anticipated that a storm water management pond located within the open space will be required. The project will have a curb and gutter road section that will channel surface drainage to catch basins. The catch basins will be connected to an underground pipe system that will convey the runoff to the storm water management ponds. Storm water management facilities will provide extended detention for the one year post developed runoff to be released over a 24 hour period and will detain post developed runoff for the 2 and 10 year storm events per the Subdivision Ordinance.

*See Appendix D, Exhibit 3 – Jefferson County Health Department Letter*

*See Appendix A, Exhibit 4 – FEMA Map*

*See Appendix A, Exhibit 5 – National Wetlands Inventory Map*

*See Appendix A, Exhibit 6 – Surface Water Resource Map*

**5. Compatibility of the project with the surrounding area in the terms of land use and visual appearance:**

Adjacent Uses - *The subject property is adjacent to:*

North: Morgan's Grove Park  
East: Railroad & Morgan's Grove Heights Subdivision  
South: Rural Residential  
South: Route 480 & Ledgelowe Estates Subdivision

The proposed development underwent a neighborhood compatibility meeting in which a conditional use permit was granted. The approval of said conditional use permit signifies that

Town Run Commons is considered compatible with the surrounding community, as determined by the Board of Zoning Appeals.

The northwestern boundary of the property adjoins a Residential Growth district in Jefferson County. The business district of Shepherdstown and Shepherd University is within 1.3 miles of the site.

The project has been designed to protect the existing character of the surrounding area. Community open space is provided adjacent to all property boundaries and the Route 480 right-of-way.

Existing Roadway Network - Traffic will enter the proposed mixed-use subdivision via one or more entrances on Route 480 / Kearneysville Pike, a designated secondary route by the Jefferson County Comprehensive Plan. Route 480 will provide access from the subject property to Shepherdstown and the current & future Route 9, which will distribute the traffic generated from Town Run Commons throughout the region. As a condition of the conditional use permit, a traffic impact analysis has been provided in Appendix C.

**6. Impact on sensitive natural areas such as sinkholes, water recharge areas, stream and riverbanks, hillsides, forests, wetlands, and water bodies will be described. A sinkhole inventory check has been requested and obtained from the local office of the Natural Resource Conservation Service. The applicant will describe the condition of channel and banks of streams on property or within 500 feet of discharge point from property:**

Sinkholes – The Natural Resource Conservation Service, the Jefferson County Comprehensive Plan and a field investigation revealed no known sinkholes within the subject property. If karst features or sinkholes are found during the engineering process, the applicant may engage a geotechnical professional to conduct field reconnaissance. Additional studies such as resistivity testing may occur if recommended by the geotechnical professional.

*See Appendix D, Exhibit 5 – NRCS Letter*  
*See Appendix B, Exhibit 2 – Approximate Sinkhole Locations*

Water Recharge Areas – Groundwater recharge on the subject property occurs through the percolation of runoff water through the residual soils and into the fractures within the underlying geology. A summary of groundwater recharge is as follows: Ground water depth and flow characteristics through the limestone can be variable and unpredictable. Typically though, the ground water regime is characterized by an upper water table that develops when runoff infiltrating the overburden becomes trapped on the shallow rock. Ground water seepage from the water table into the lower rock aquifer moves along joints, bedding planes and larger open conduits in the rock. Ground water flow patterns are generally influenced by topography with recharge occurring at higher elevations between outcrops with discharge to springs, creeks and similar outlets.

Streams and Streambanks – A small spring on the adjoining upstream property creates the headwaters of Town Run. Town Run crosses the rear of the site, adjacent to the railway lines and the rear property boundary. Approximately 400 linear feet of Town Run flows southwest to northeast through the subject property. A review of the FEMA map community panel number 540065 0020 B Effective Date Oct. 15, 1980 indicates that Town Run is located in Zone A and designated as a 100 year floodplain area. No development is proposed within this area. The stream banks of Town Run consist of various forms of vegetation on slopes ranging from



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relatively flat to isolated areas of greater than 20%. Town Run drains into the Potomac River approximately 2 miles from the subject property.

Hillsides –The subject property is not within 1,000' of the Potomac River and is therefore not subject to hillside regulations. There are no large areas containing slopes greater than 20% located on the subject property.

Forests – Wooded areas on the subject property are as follows:

- Adjacent to Morgan's Grove Park.
- Adjacent to the southern property line.
- Adjacent to the railroad.

Individual trees can be found sporadically throughout the site and were likely planted with the landscaping of the existing residences.

*See Appendix A, Exhibit 2 – Aerial Photo*

Wetlands – the National Wetland Inventory map identifies no known wetlands within the subject property.

*See Appendix A, Exhibit 5 – National Wetlands Inventory Map*

Water Bodies – as shown on USGS mapping, Town Run flows southwest to northeast across the rear of the subject property adjacent to the existing railroad. No ponds or other bodies of water were identified on the subject property.

*See Appendix A, Exhibit 6 – Surface Water Resource Map*

Channel and Banks of Streams – The banks of Town Run appear stable and fully vegetated within the subject property & adjacent properties. No development is proposed for the banks of Town Run within the subject property.

## **7. Demand for schools and educational facilities:**

It is anticipated that this development will be age targeted to buyers 55 years of age and above. There is likely to be limited additional school enrollments generated by the proposed targeted community. However since it is typically requested that a Community Impact Statement provide the student generation calculations and since there are no accepted numbers for student generation for the targeted community the standard calculations have been provided below. Please note that these do not accurately represent the likely impact on the schools.

The estimated number of students that will be generated by the development using both the figures from the 2000 U.S.Census and the Jefferson County Public School Standards have been provided as follows.

2000 U.S. Census

	<u>Students Per Household</u>	<u>Total Students</u>
32 lots	0.55	18 students (rounded up)

Jefferson County Public School Standards

The Jefferson County School Impact report identifies an average number of students per household and does not break the numbers down into school age categories. The figure used is 0.644 children per household.

	<u>Students Per Household</u>	<u>Total Students (rounded up)</u>
32 lots	0.644	21 students (rounded up)

The closest schools to the site that students would attend (if there was a demand) are listed below and enrollment figures are taken from "State of the Schools Report" Jefferson County 2005:

- Shepherdstown Elementary School (+/-1.1 miles), current student enrollment of 351 and a total capacity 399.
- Shepherdstown Middle School (+/-1.0 miles), current student enrollment of 414 and a total capacity 420.
- \*Jefferson HS-9<sup>th</sup> Grade Complex (+/-7.0 miles), current student enrollment of 655 and a total capacity 600.
- \*Jefferson High School (+/-7.0 miles), current student enrollment 1646 and a total capacity 1349.

\*A new High School is currently under construction in Jefferson County, with an approximate completion date of Fall 2007 (date obtained from the 2005 State of the Schools Report). A reduction in enrollment for Jefferson High School and Jefferson HS-9<sup>th</sup> Grade complex will occur with the new High School's opening.

The development will generate approximately \$175,488.00 in school impact fees.

*See Appendix C, Exhibit 6 – 2000 Census Data*

*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

**8. Traffic:**

As a condition of the Conditional Use Permit, a traffic study has been provided in Appendix C, Exhibit 9.

The West Virginia Department of Transportation has provided the following traffic counts for State Roads located within Jefferson County, WV that are within the vicinity of the subject property.

- Route 480 between Ridge Rd. & Persimmon Ln. – 4,700 VPD
- Route 480 west of intersection with Van Clevesville Rd. – 5,400 VPD
- Route 480 west of Shepherdstown – 5,000 VPD
- Morgan Grove Rd. south of intersection with Route 480 – 800 VPD
- Van Clevesville Road north of intersection with Route 480 – 1,200 VPD
- Persimmon Lane north of intersection with Route 480 – 450 VPD

**Residential Traffic Calculations:**

As a condition of the Conditional Use Permit, a traffic study has been provided in Appendix C, Exhibit 9. The following average daily trips are based on the Traffic Impact Analysis prepared by PHR&A and can be found in Appendix C, Exhibit 9.

Daily trips generated by the proposed residential development are as follows:

- Friday = 244 average daily trips
- Saturday = 544 average daily trips

Peak hour trips generated by the proposed residential development are as follows:

- AM Friday = 21 average trips
- PM Friday = 24 average trips
- Midday Saturday = 52 average trips

**Commercial Traffic Calculations:**

As a condition of the Conditional Use Permit, a traffic study has been provided in Appendix C, Exhibit 9. The following average daily trips are based on the Traffic Impact Analysis prepared by PHR&A and can be found in Appendix C, Exhibit 9.

Daily trips generated by the proposed commercial development are as follows:

- Friday = 2,386 average daily trips
- Saturday = 3,352 average daily trips

Peak hour trips generated by the proposed commercial development are as follows:

- AM Friday = 60 average trips
- PM Friday = 216 average trips
- Midday Saturday = 304 average trips

**Total Town Run Commons Traffic Generation:**

Daily trips generated by Town Run Commons are as follows:

- Friday = 2,630 average daily trips
- Saturday = 3,896 average daily trips

Peak hour trips generated by Town Run Commons are as follows:

- AM Friday = 81 average trips
- PM Friday = 240 average trips
- Midday Saturday = 356 average trips

**Closest Key Intersection**

The nearest key intersection for the subject property would be the intersection of Route 480 and Morgan Grove Road / Potomac Farms Road.

**Highway Problem Areas**

A review of the Jefferson County, WV Highway Problem Areas Map in the Jefferson County Comprehensive Plan has identified one problem area within a one-mile radius of the subject property. The "Highway Problem Area" identified in the Comprehensive Plan is a "Bad Intersection" that appears to be approximately 1 mile from the subject property at the intersection of Martinsburg Pike (Route 45) & Potomac Farms Road (Alternate Route 45).

Traffic generated by the proposed development will be mitigated by service from the Eastern Panhandle Transit Authority service area. This service is an additional resource for the proposed residents and businesses.

*See Appendix B, Exhibit 5 –Highway Problem Areas*  
*See Appendix C, Exhibit 9 – Traffic Impact Analysis by PHR&A*

#### **9. Demographic impact:**

The following information was obtained from the U.S. Bureau of the Census, 2000 Census of Population, Profiles of General Demographic Characteristics. The 2000 Census is the most current Census available as the Census is updated every 10 years.

2000 Census data indicates the average dwelling unit occupancy is approximately 2.62 people.

Thirty-two (32) dwelling units x 2.54 people = 82 people (rounded up)

*See Appendix C, Exhibit 6 – 2000 Census Data*

#### **10. Health and Emergency Medical Services:**

The nearest center for medical and emergency services is on 5<sup>th</sup> Avenue in Ranson at Jefferson Memorial Hospital. This facility is located approximately 11 miles from the subject property.

This development will generate an estimated \$51,732.00 in Fire & EMS impact fees.

*See Appendix D, Exhibit 7 –Hospital Letter of Service*  
*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

#### **11. Fire Protection and Emergency Rescue Services:**

Shepherdstown Fire Department has been contacted regarding the subject property and will provide primary response for fire protection and emergency rescue. The Department is located approximately 2 miles from the subject property.

Sharpsburg Volunteer Fire Company, Co. 1, and Sharpsburg Area Emergency Medical Services, Co. 19, will provide secondary response for fire protection and emergency rescue.

This development will generate an estimated \$51,732.00 in Fire & EMS impact fees.

*See Appendix D, Exhibit 8 – Primary Fire & EMS Letter of Service*  
*See Appendix D, Exhibit 9 – Secondary EMS Letter of Service*  
*See Appendix D, Exhibit 10 – Secondary Fire Letter of Service*  
*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

## **12. Police Protection:**

The primary law enforcement agencies for the subject property will be the West Virginia State Police and the Jefferson County Sheriff's Department. The Shepherdstown Police Department is located within four miles of the subject property.

This development will generate an estimated \$7,880.00 in Law Enforcement impact fees.

*See Appendix D, Exhibit 11 – Jefferson County Sheriff Letter of Service*

*See Appendix D, Exhibit 12 – WV State Police Letter of Service*

*See Appendix C, Exhibit 4 – Online Impact Fee Calculator*

## **13. Trash removal:**

Waste Management Inc. will provide trash removal for the commercial component of the proposed development and Apple Valley Waste Services will provide services for the residential component. Letters received from the aforementioned companies indicate they are willing to provide waste removal services for the subject property and currently have the capacity to do so.

*See Appendix D, Exhibit 14 – Apple Valley Waste Letter of Service*

*See Appendix D, Exhibit 15 – Waste Management Letter of Service*

## **14. Electric power service:**

Allegheny Power Inc. will provide electrical service for Town Run Commons. A letter from Allegheny Power indicates they are willing to provide their services for the subject property and currently have the capacity to do so.

*See Appendix D, Exhibit 13 – Allegheny Power Letter of Service*

## **15. Telephone:**

Frontier, a Citizens Communications Company, provides telephone service in this area.

## **16. Water and sewer services:**

The applicant will obtain water service and sanitary sewer service from the Corporation of Shepherdstown, and intends to extend the existing sanitary sewer and water line located approximately 0.7 miles from existing facilities northeast of the site. Both lines are located within Route 480 right of way adjacent to Lowe Drive. Previous letters from Corporation of Shepherdstown dated May 17, 2006 (sanitary sewer) & March 10, 2006 (water), have indicated there is adequate capacity within these systems. The developer may pursue alternative connections for water & sanitary sewer should additional solutions become viable and deemed acceptable by the respective county agencies. As described in the Order Granting Conditional Use Permit Application, a waterline stub out shall be installed on Route 480, to which Ledge Lowe Estates may connect.

*See Appendix D, Exhibit 1 – Corporation of Shepherdstown Sanitary Sewer Availability Letter*

*See Appendix D, Exhibit 2 – Corporation of Shepherdstown Water Availability Letter*

## 17. Relationship to the Comprehensive Plan:

The Comprehensive Plan states a number of goals, which are applicable to the subject property as follows.

**Goal: Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without excessive cost to the community.**

The subject site is located in the immediate vicinity of Shepherdstown along WV Route 480. Shepherdstown is a substantial municipality and the third largest residential growth and mixed-use area in Jefferson County. The northeastern boundary of the property adjoins the Growth Area of Shepherdstown and the site is located within the Shepherdstown Study Areas identified in the Comprehensive Plan.

Public sewer will serve the site via the extension of the Corporation of Shepherdstown Public Sewer facilities along Route 480 from Lowe Drive. Domestic water will also be provided via the extension of the Corporation of Shepherdstown Public Water facilities along Route 480 from Lowe Drive.

**Goal: Insure that growth and development are both economically and environmentally sound.**

Jefferson County has implemented impact fees to offset the cost of new construction. Impact fees would address the economic effects on public facilities associated with this proposal.

Local construction and supply companies will be given the opportunity to bid on portions of the project. A local developer is undertaking the project and it is possible that many construction workers will be hired locally. The residents will likely purchase local goods and services and support the economy of Jefferson County.

The fact that this is a profession-targeted community makes it likely that many of the residents may be retired. It is possible that these retirees may supplement their income with part time employment. It is likely this demographic will find employment locally.

The community plan has been designed to respect and reduce the impact to environmentally sensitive areas. The land plan incorporates clustering of the proposed buildings with much of the site to remain in natural open space or park/recreation areas. While the subject property could produce a yield of up to 79 lots, the density of 32 lots total as proposed with an average area per dwelling unit of approximately 0.34 acres (14908 Square feet) is consistent with existing residential development being proposed within the Growth Area of Shepherdstown. Lower densities would not permit extension of water and sanitary sewer facilities from an economic standpoint. The use of individual well and septic systems with a lower density plan could result in a negative environmental impact to ground water resources.

**Goal: Advocate the maintenance and improvement of the transportation system so that people and goods can move safely and efficiently throughout the County.**

The site's immediate proximity to the existing Route 480, Pantran service and the Shepherdstown residential growth and mixed used municipality make its location ideal in furthering this goal.

**Goal: Provide safe, sound, decent housing for all residents of the County.**

It is anticipated that this development will be profession targeted. The development of an artisan community providing affordable housing close to core public areas within Shepherdstown will provide a much-needed housing type within Jefferson County and will be in keeping with this goal.

**18. Housing supply and demand:**

Town Run Common's will contain a mixed use of commercial and multi-family artisan residential units. This mix will provide an opportunity for artist and others to live and work within the same community. This type of development is under-represented in Jefferson County and thus is in high demand. The demand for affordable housing product in the \$200,000 range, that is within easy commuting distance from employment centers located in the DC metro area, is being driven by housing prices in Fairfax, Loudoun, and Montgomery Counties. The proposed subdivision amenities and its proximity to the Shepherdstown area will drive the value of the residential units up.

**19. Proximity and relationship to known historic features within 200' and vicinity:**

There are no historic structures on the subject property and a review of the National Register of Historic Places and the Jefferson County Windshield Survey identified the following in proximity of the subject property:

- Morgan's Grove Park bordering north of the subject property.
- Balling Spring – Morgan's Grove located along Route 480 northeast of the subject property.
- Rockland located approximately 1.5 miles south of subject property on Route 480.
- Falling Spring Morgan's Grove located along Route 480.
- Morgan's Bedinger Dandridge House located southwest of Shepherdstown on Route 480
- Elmwood Cemetery is within 1 mile from the subject property. The Elmwood Cemetery includes the graves of several Confederate veterans.
- Elmwood (Building) located approximately 1.5 miles from subject property south of Shepherdstown off of Route 17.
- Cold Spring located approximately 1.5 miles from subject property south of Shepherdstown off of Route 17.
- Halper House, no details provided
- Rosebrake, constructed in the early 1800's Owned by the Morgan family.
- Marker Number 3, Marks no particular battle but records some incidents worthy of notice.
- Shepherdstown Historic District is approximately 1.2 miles north of the subject property.

*See Appendix B, Exhibit 4 – National Register of Historic Places*

**20. Recreation:**

The sketch plan proposes extensive open space areas within the development. The Home Owners Association would manage the park areas. These areas, offer a variety of both active and passive recreational opportunities within the development.

In addition to onsite amenities, the following public facilities, as identified in the Jefferson County Comprehensive Plan, are located near to the subject property.

<b>Name</b>	<b>Distance</b>	<b>Type of Amenities</b>
Cress Creek Golf Course	2 miles	Private golf course
C & O Canal National Historical Park	1.7 miles	Historic walking and bicycle trails
Morgan's Grove Park	0 miles	Community park, soccer fields, playground equipment, picnic facilities, walking trails, stream
Yankaver Preserve	6.7 miles	Native Wildlife observation
Bane-Harris Park	1.5 mile	Community park
James Rumsey Park & Cullison Park	1.7 mile	Community park, river views, playground equipment
Viola Devonshire Park	1.5 mile	Community park
Potomac River dam 4	4.7 miles	Public boat ramp
Shepherd University	1.7 mile	Various recreational and cultural activities

*See Appendix B, Exhibit 3 – Parks & Recreation Areas*

**21. Property Tax Evaluation:**

**Residential Property**

- Jefferson County Property Tax Guide, Class II Rates
- Assumed appraised value of project: 32 units x \$200,000 per lot - \$6,400,000 after construction
- Assessed value: (60% of above figure) \$3,840,000
- Total County Tax Rate: \$1.206/\$100
- Property taxes: \$3,840,000 divided by \$100 times 1.206 equals \$46,310.40

**Commercial Property**

- Jefferson County Property Tax Guide, Class III Rates
- Assumed appraised value of project: 20,000 s.f. x \$300 per s.f - \$6,000,000 after construction
- Assessed value: (60% of above figure) \$3,840,000
- Total County Tax Rate: \$2.412/\$100
- Property taxes: \$3,840,000 divided by \$100 times 2.412 equals \$92,620.80



## **22. Anticipated bank deposits and loans:**

It can be anticipated that the new residents will likely use local banks for their banking needs.

## **23. Anticipated local spending (construction, retail, services, etc.):**

Local construction and supply companies will be given the opportunity to bid on portions of the project. A local developer is undertaking the project and it is possible that most construction workers will be hired locally. The residents will likely purchase local goods and services and support the economy of Jefferson County.

The construction industry is one of the primary economic engines in Jefferson County. Without this activity a significant number of local jobs would be lost. The development of projects such as Town Run Commons contributes to the local economy in many ways.

- Purchase of raw materials for the construction process including timber and building materials. These businesses in turn employ local residents to provide customer service and management services. As local residents they input their salaries back into the local economy.
- Employment of local contractors and subcontractors. Construction jobs provide some of the highest paying employment available in the Eastern Panhandle. These businesses are constantly advertising in the local papers for new employees. These people support the economic health of Jefferson County.
- Professional services are required for the design and sale of the proposed subdivision. Professionals involved in the project will include engineers, architects, real estate professionals, attorneys, surveyors, soils consultants, geotechnical engineers and more.

The effect of a construction project expands from here. The workers support the local restaurants and grocery stores. They buy goods from local businesses and use the service industries. The positive impact in terms of local spending generated from construction is considerable.

## **24. Local employment implications:**

Prospective residents of Town Run Commons may work within the on-site commercial/flex-use areas, in surrounding neighborhoods or may be commuter oriented.

It is the vision of Town Run Commons to have artisan/workforce housing, in which the artist may live, work and display their craft within the limits of the subject property. It is also anticipated that a portion of the prospective residents will be of senior status and may provide a part time work force for the surrounding communities.

The commercial/flex use aspect of the development will provide various levels of employment opportunities to both the residents within Town Run Commons and the surrounding communities.

Town Run Commons will be a mixed-use community that will provide for both a residential/employee and a commercial/employer component.

**25. Expected changes in property values:**

Town Run Commons is to be a mixed-use / artisan community which is compatible with the local Shepherdstown environment. This unique development will prove highly desirable and will be a destination point within the county. The design, in addition to the removal of remnants from a previous commercial establishment along Route 480, will enhance the visual appearance of the property and add value to surrounding properties.