

### CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers 621 West Broad Street Pataskala, Ohio 43062

#### **STAFF REPORT**

June 7, 2023

#### Transportation Corridor Overlay District TCOD-22-003

Applicant:	Chad Doll, National Lime and Stone			
Owner:	George E. Zola Trustee			
Location:	9500 E Broad Street, Pataskala, OH 43062 (PID: 063-148056-00.000)			
Acreage:	+/- 22.41-acres			
Zoning:	M-1 – Light Manufacturing			
Request:	Requesting approval of a Transportation Corridor Overlay District Application pursuant to Section 1259.07 of the Pataskala Code for the construction of a transloading yard for cement and aggregates, with associated site improvements.			

#### **Description of the Request:**

Requesting approval of a Transportation Corridor Overlay District Application pursuant to Section 1259.07 of the Pataskala Code for the construction of a transloading yard for cement and aggregates (stone, sand, gravel), with a railroad spur, and associated site improvements.

#### Staff Summary:

The property located at 9500 E Broad Street SW is currently undeveloped and forested. It is a flag lot, and an existing non-conforming lot of record as the frontage does not meet the minimum required width of 100-feet in the M-1 - Light Manufacturing zoning district. As it exists today, the lot has 61.51-feet of frontage on E Broad Street SW, and the "pole" of the lot extends approximately 768-feet north before opening to the main acreage of the property, the "flag", a roughly 1,200 by 700-foot area (~20-acres). There is an existing wetland and stream in the southeast corner of the "flag".

The Applicant is requesting approval of a TCOD Application to construct and operate a transloading yard for aggregates such as sand, gravel, and stone as well as cement with associated site improvement including a railroad spur into the property.

This use, as identified within the North American Industry Classification System (NAICS 2007) as Use Code 423320 – Brick, Stone, and Related Construction Material Merchant Wholesalers and described as "establishments primarily engaged in the merchant wholesale distribution of stone, cement, lime, construction sand, and gravel; brick; asphalt and concrete mixtures; and/or concrete, stone, and structural clay products" is a permitted use in the M-1 – Light Manufacturing zoning district.

A summary of the proposed site layout begins on the next page.

Site Improvements

- Two (2) railroad spurs south into the property approximately 400-feet (east spur) and 725-feet (west spur).
- Cement power storage silo area next to east spur.
  - Unknown number of, size of, or height of silos.
- Seven (7) material stockpile areas.
  - Unknown size
- 14-foot by 70-foot scale, adjacent storage box
- Unknown size, height of storage box.
- Water well for non-potable water for spraying down stockpile areas.
- No restrooms on site, site to utilize portable restroom units only.
- Existing wetland area and stream(s) to remain on-site. One stream will need to be bridged for interior roadway.
- Retention pond.

<u>Access</u>

- Single 28-foot-wide driveway to E Broad Street, with access gate.
  - The driveway will be concrete for the first approximately 200-feet before changing to gravel.
  - Set back from east and west property lines 16.01-feet at shortest dimension.
- Gravel drive narrows to 15-foot width inside site, except the scale area which widens to a maximum of 85-feet.

#### Landscaping and Screening

- North:
  - 45-foot-wide tree buffer (to retain existing trees) and a fence with privacy slats along north property line, except where railroad spur tracks will be entering property.
    - Unknown fence height.
- East:
  - 50-foot tree buffer along east side property line.
  - No landscaping along east side of access drive (or the "pole" of the flagpole lot).
- South:
  - 20-foot tree buffer and mounding along south side interior lot line.
    - Unknown height of mounding.
  - Shrub row along west side of access drive
    - Unknown height, spacing of shrub screen.
- West:
  - 50-foot tree buffer.

As described by the Applicant in their Narrative, railroad cars will be switched to the new on-site rail spur and moved into the property. Aggregates (gravel, sand, stone) will be unloaded from the open top cars via an excavator and into a truck, which will then take the material to the appropriate on-site location where it will be dumped and stockpiled. Stockpiled aggregates will be sold to customers' trucks and loaded by a front-end loader, then customer trucks will be weighed at the on-site scale and exit onto E Broad Street. Bulk cement cars will be pneumatically unloaded and stored in silos to be sold and loaded directly into customers' trucks from the silo.

## **Staff Review:** The following summary does not constitute recommendations but merely conclusions and suggestions from the Staff Review, the full text of which follows the summary.

#### Planning and Zoning Staff:

Section 1251.05(J) of the Pataskala Code states that for uses within the M-1 – Light Manufacturing district: "All uses in the M-1 District, including operations incidental to the primary use (except those conditional uses permitted otherwise), shall operate entirely within enclosed structures. Uses in the M-1 District shall not create or emit any noise, vibration, smoke, gas, fumes, odor, glare, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions sufficient to create a nuisance beyond the premises". The proposed use would operate entirely outdoors, which would not be in compliance with the above requirement. Staff has serious concerns about the project's ability to meet these requirements. As such, the Applicant, at a minimum, would either need to enclose such uses by structures or apply for and receive a Variance from the Board of Zoning Appeals.

Staff has drafted a list of comments regarding the Application, which is attached to this Staff Report. As part of a Transportation Corridor Overlay District Application, the Planning and Zoning Commission has the ability to approve, approve with modifications, or deny certain aspects of the site layout even if they do not strictly meet Pataskala Code. Those being <u>Setbacks</u> (1259.05(B)), <u>Buffer Zones</u> (Landscaping, 1259.05(G)(2)), and <u>Parking Requirements</u> (1259.05(G)(3)).

With the proposed site layout, there are some aspects of the design that do not Pataskala Code, which are listed below (see Staff Review for descriptions of landscaping standard types):

- Perimeter Screening/Buffer Zones:
  - Front (South Interior Property Line and Broad Street):
    - Required: L2
    - Proposed: 25-foot tree buffer (to use existing trees), with mounding of unknown height.
  - Side (East, West):
    - Required: L2 if abutting similar use, L5 if abutting residential, L3 if other than residential.
      - East: L3
      - West, North of Interior Lots: L2
      - West, South of Interior Lots: L5
    - Proposed (East, West)
      - East, North of Interior Lots: 50' Tree Buffer
      - East, South of Interior Lots: None
      - West, North of Interior Lots: 50' Tree Buffer
      - West, South of Interior Lots: Shrub row along gravel section of access drive (unknown height).
    - Rear (North):
      - Required: L5
      - Proposed: 45-foot tree buffer and fence with privacy slats excepting where railroad spur will be located. Unknown height of fence.
- Parking and Loading
  - No on-site parking is proposed. The amount of required parking spaces per Code is based on the square footage of any proposed buildings. As there are no buildings on-site, it is up to the Planning and Zoning Commission to determine the amount of, if any, parking would be required and whether that should be paved, lighted, screened, etc.

In addition, Staff does have questions about the layout and how the site will operate, including:

- Dimensions of the silos? Height?
- Where will employees park on site? Where will equipment such as the excavator and trucks be stored?
- How will the tree buffers be maintained in order to be kept at an acceptable level of screening?
- Will rail cars be disconnected and left on-site or will the engine be kept there idling?
- How loud of the pneumatic pumps for the concrete silos?
- How will compliance with the performance standards of Section 1251.05(J) of the Pataskala Code be maintained?

#### Public Service Department (Full comments attached)

- A stormwater report shall be required.
- A left turn lane on Broad Street shall be required.
- Construction plan review shall be conducted upon submittal of plans, including turn lane, and stormwater report.
- Potential right-of-way dedication for Bristol Drive extension.

#### City Engineer (Full comments attached)

- Construction plans shall be required, including a stormwater report.
- A permit may be required for the stream crossing.
- Turning movement exhibits shall be required to ensure vehicles can safely maneuver the Broad Street entrance/exit.

#### Licking Heights Local Schools (Full comments attached)

Concerned with the possibility of dust floating from site to the west and onto the school's outdoor recreation areas.

#### Other Departments and Agencies

No other comments were received.

#### Surrounding Area:

Direction	Zoning	Land Use		
	M-1 – Light Manufacturing	Railroad		
North	R-87 – Medium-Low Density Residential	Single-Family Homes		
	R-MH – Residential Manufactured Home	Manufactured Home Park		
East	M-1 – Light Manufacturing	Landscaping Business		
South	LB – Local Business	Single-Family Homes		
South	GB – General Business	Misc. Commercial		
West M-1 – Light Manufacturing		Ohio Steel Industries		

#### Department and Agency Review

- Zoning Inspector No comments.
- Public Service See attached.
- City Engineer See attached.

- SWLCWSD No comments.
- Police Department No comments.
- West Licking Joint Fire District No comments.
- Licking Heights School District See attached.

#### **Conditions:**

Should the Board choose to approve the applicant's request, the following conditions may be considered:

- 1. The Applicant shall address all comments from Planning and Zoning Staff, Public Service Department, and the City Engineer.
- 2. All operations shall operate within enclosed structures or receive a variance from the Board of Zoning Appeals.
- 3. All operations on site shall not create or emit any noise, vibration, smoke, gas, fumes, odor, glare, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions sufficient to create a nuisance beyond the premises.
- 4. The Applicant shall submit the Construction Plans Application within one (1) year of the date of approval.

#### **Resolution:**

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

"I move to approve a Transportation Corridor Overlay District Application TCOD-23-001 pursuant to Section 1259.07 of the Pataskala Code ("with the following conditions" if conditions are to be placed on the approval)."



## CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A Pataskala, Ohio 43062

#### TCOD-23-001 Staff Review

June 7, 2023

#### <u>General</u>

- As part of the Transportation Corridor Overlay District (TCOD) the Planning and Zoning Commission (PZC) may approve, approve with modifications, or disapprove the following items regardless of whether or not they strictly meet Pataskala Code:
  - o 1259.05(B): Setbacks
  - 1259.05(G)(2): Buffer Zones
  - 1259.05(G)(3): Parking
- West Licking Joint Fire District will likely require a minimum of two (2) permanent means of access.
   Please contact them for details.
- Will the site be lit at all? If so, will need details on all proposed lighting.
- No on-site parking proposed. Where will employees be parking? Where will equipment such as excavator and trucks be stored?
- Health Department has been contacted about the permanent use of portable toilets as permanent facilities and the ability to dig a well for dust suppression, but has not received a response.

#### Chapter 1251 – Light Manufacturing District (M-1)

1251.05 – General Requirements of the M-1 District

- 1251.05(A): No structure shall be erected to exceed 45' in height.
  - Appears only structures on site will be silos/storage boxes. What will the dimensions of the silos be?
- 1251.05(C): Setbacks
  - Front = 75, Sides = 25', Rear = 50.
  - No structures on site except silos. Appear to meet setbacks.
- 1251.05(J): All uses in the M-1 District, including operations incidental to the primary use (except those conditional uses permitted otherwise), shall operate entirely within enclosed structures. Uses in the M-1 District shall not create or emit any noise, vibration, smoke, gas, fumes, odor, glare, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions sufficient to create a nuisance beyond the premises.
  - Proposed use conducted entirely outdoors. Will either need to enclose within a structure or receive a Variance from the Board of Zoning Appeals.
  - Staff have serious concerns about the project's ability to meet these requirements.

#### Chapter 1259 – Transportation Corridor Overlay District

1259.05 – Design Standards

- 1259.05(A) Traffic Safety Measures: One or more of the traffic safety measures identified in this section shall be required. Including but not limited to left turn lanes, acceleration/deceleration lanes, right-in/right-out, or other traffic safety measures as approved by the City Engineer.
- 1259.05(E): New or upgraded utility lines shall be located underground.
  - $_{\circ}$   $\,$   $\,$  No utilities being shown to the site. Will there be no electric?
- 1259.05(F): Sidewalks shall be provided along each developed parcel or upon change in use of an existing developed parcel within the TC Overlay District if a sidewalk does not exist at the time of the development or change in use of the parcel.

- If installation of a sidewalk would not be beneficial, ex: if there is no adjacent sidewalk for it to connect to, City Administrator or Designee may determine that a fee-in-lieu should be paid instead.
- 1259.05(G)(5): Any area used for service yards, utility meters, above ground tanks, and other such equipment shall be screened through landscaping (including a berm or opaque fence) so that such facilities are not visible from the highway/road or neighboring properties.
  - Potential issue with silo depending on height.

#### Chapter 1279 - Fences

1279.03 – Height and Location

- 1279.03(2) A fence or wall not exceed 6' in height may be erected in any area of the lot behind the front building setback line.
  - Provide height of fence. If barbed wire or other security measures are place on top of the fence, height of such security measures may not exceed 1', for a maximum of 7' height.

#### Chapter 1283 – Landscaping and Screening

1283.06 – Landscaping and Screening Standards

- 1283.06(3) L2 = enough low shrubs to form a continuous screen three (3) feet high and 95% opaque year-round. In addition, one tree is required per thirty (30) lineal feet of landscaped area. A three-foot high berm, or a three-foot high masonry or stone wall may be substituted for the shrubs.
- 1283.06(4) L3 = enough high shrubs to form a screen six (6) feet high and ninety-five (95) percent opaque year-round. In addition, one tree is required every thirty (30) lineal feet of landscaped area. A six-foot high wall as outlined in L4 may be substituted for the shrubs.
- 1283.06(6) L5 = a berm between four (4) and six (6) feet high. If the berm is less than six feet high, low shrubs that meet the L2 standard shall be planted on top of the berm to assure that the overall screen is six feet high. One tree is required per thirty (30) lineal feet of landscaped area.
- 1283.06(8) Installation and Maintenance
  - 1283.06(8)(b): Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping shall be continuously maintained in a healthy manner.
    - Any required landscaping must be maintained in perpetuity, including any existing buffers that are approved by the Planning and Zoning Commission.
- 1283.06(13) Landscaping for Trash or Waste Disposal Unit
  - 1283.06(13)(a): Any trash or waste disposal unit shall be screened. (Also See Sections 1259.04(D) and 1251.05(G)).
    - No dumpster/trash can/compacter/other shown on site. Will there be none?
- 1283.06(15): Mechanical equipment, such as heating or cooling equipment, pumps, or generators, located on the ground in commercial or industrial zoning districts must be screened from the street and from any abutting residential zones or uses by walls, fences, or vegetation tall enough to screen the equipment.
  - Potential issue with silo depending on height.

1283.07 – Application of Landscaping Standards

- 1283.07(B): For uses in the M-1 Light Manufacturing district, the following landscaping types shall apply:
  - Front Yard (South side lot line fronting Broad Street): L2

- Proposed = 25-foot tree buffer, mounding on unknown height.
- Side Yard: L2 if abutting a similar use; L5 if abutting a residential use or district; L3 if other than residential.
  - West property line north of interior lots abuts similar use = L2
    - Proposed = 50' Tree buffer
  - West property line south of interior lots abuts residential = L5
    - Proposed = Shrub row.
      - Height of shrubs? Spacing?
  - East property line north of interior lots abuts other than residential = L3
    - Proposed = 50' Tree buffer
  - East property line south of interior lots abuts other than residential = L3
     Proposed = none.
- Rear Yard: L2 if abutting a similar use; L5 if abutting a residential use or district; L3 if other than residential.
  - North property line abuts Residential = L5 required
    - 45' tree buffer, fence with privacy slats except at proposed location of railroad spur.
      - Height of fence? Type? Chain-link with inserts? Barbed wire on top?

**NOTE:** Per Section 1259.05(G)(2), PZC may approve buffer zones as proposed. However, recommend including justification as to why the modified buffer zones would perform equally or greater than what is required per Code. Additionally, we will need some details on how the tree buffers will be maintained in order to be kept at an effective level of screening.

#### Chapter 1291 – Parking and Loading

1291.02 – General Requirements

- 1291.02(A)(1): No building, structure, or use shall be established, developed, erected or substantially altered, unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this Code.
- 1291.02(A)(4): All off-street parking shall be hard-surfaced with asphaltic cement, concrete, pavers
  to provide a durable and dust-free surface that meets the minimum requirements and specifications
  of the City Engineer.

1291.15 – Width of Access Driveway

- For one-way traffic, 14-feet. For two-way traffic, 28-feet.
- Initial access from Broad meets code. Interior driveway only 15-feet wide. Will it be one-way only?
- 1291.16 Required Number of Off-Street Parking Spaces
- 1291.16(Industrial)(1): 1 per 750sf of gross floor area for the first 3,000sf, plus 1 per 2,000sf of gross floor area thereafter.
  - No building on-site.

**NOTE:** Per Section 1259.05(G)(3). The PZC has the authority to determine if off-street parking is required, what form it should take, amount of parking required.

From:	Antonio Anzalone
То:	<u>Scott Fulton; Felix Dellibovi; Jim Roberts; Scott Haines; Bruce Brooks; Doug White; Kevin Miller;</u> <u>laitken@lhschools.org; kperkins@laca.org; "Chris Gilcher"; Alan Haines; Trent Howell; Chris Sharrock</u>
Cc:	<u>Jack Kuntzman; Lisa Paxton</u>
Subject:	RE: Pataskala PZC Review Memo for 06-07-2023
Date:	Tuesday, May 30, 2023 11:11:16 AM
Attachments:	image001.png

Scott,

Please see the Public Service Department's comments below:

Thank you,

#### **Antonio Anzalone**

Assistant City Engineer City of Pataskala 621 W. Broad Street, Suite 2B Pataskala, Ohio 43062 Office: 740.927.3873 Cell: 740.652.0685 Email: <u>aanzalone@ci.pataskala.oh.us</u>

From: Jack Kuntzman < jkuntzman@ci.pataskala.oh.us>

Sent: Thursday, May 11, 2023 9:19 AM

To: Felix Dellibovi <fdellibovi@ci.pataskala.oh.us>; Jim Roberts <jroberts@verdantas.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Kevin Miller <kevin.miller@lhschools.org>; laitken@lhschools.org; kperkins@laca.org; 'Chris Gilcher' <cgilcher@swlcws.com>; Alan Haines <ahaines@ci.pataskala.oh.us>; Antonio Anzalone <aanzalone@ci.pataskala.oh.us>; Trent Howell <thowell@ci.pataskala.oh.us>; Chris Sharrock <csharrock@ci.pataskala.oh.us>
Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>
Subject: Pataskala PZC Review Memo for 06-07-2023

Good Morning Everyone,

You are receiving this email because one or more of the Application(s) submitted for the **June 7th**, **2023**, Planning and Zoning Commission are within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

**TCOD-22-002 (Revised Plans)\*:** Felix Dellibovi, Trent Howell, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, Pubic Service Department.

- a. Stormwater control
  - i. A stormwater report will need to be submitted as part of the construction plan application process.
  - ii. The site will presumably drain to the existing retention pond adjacent to this property, and the report will need to verify that the existing pond is sized to accommodate the additional load.
  - iii. Some improvements may be needed to the existing pond/outlet structure.

- b. Existing retention pond is currently on private property
  - i. As part of this development, the existing basin should be deeded to the City for operation and maintenance, as there is not currently an entity having responsibility, nor is there a specific entity that should have responsibility. Specifically, please have P&G Pataskala deed the pond area to the City. The Deed received does not state this.
  - ii. As part of this process, and for the City to accept responsibility of the pond, clearing, grubbing and grading around the pond is requested to be completed to start fresh and make this a usable and maintainable area.
- c. Future Development

i. The Future Development site located in the southwest corner of the site (northeast corner of Heron Avenue and Broad Street) must use the two proposed access points (RI/RO on Broad and the connection to Heron Avenue) and will not be allowed to construct a new access on either Heron Avenue or Broad.

**TCOD-23-001:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department

- a. Stormwater Control
  - ii. Any drainage offsite, not routed through the storm basin, shall be controlled by permanent erosion protection.
  - iii. Storm report will be required for a plan review.
- b. Traffic
  - iv. Left turn lane will be required on Broad Street.
  - v. Turn Lane plans will be required for a plan review.
- c. Plan Review
  - vi. Full Plan Review shall be conducted upon submittal of the Turn Lane plans and Stormwater Report.
  - vii. As part of this process, and for the City to accept responsibility of the pond, clearing, grubbing and grading around the pond is requested to be completed to start fresh and make this a usable and maintainable area.
- d. Right-Of-Way Dedication
  - viii. The City is pursuing the idea of obtaining right-of-way through the middle of several lots between Broad Street and the railroad tracks to construct a road in the future that will provide better access and use to these properties.
    - ix. Requesting that the property owner provide ROW to the City across their property to obtain this goal.

**REP-23-002:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department

#### No comments.

Please review the applications, and if you have any comments or concerns regarding them they may be submitted to me in writing <u>no later than Monday</u>, <u>May 29<sup>th</sup></u>.

And if you have any questions about the Applications themselves, feel free to contact me.

Here is a link to download the review memo:

PZC Review Memo for 06-07-2023

Thank you,

JACK **R. KUNTZMAN** City Planner City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062

From:	Scott Haines
То:	Scott Fulton; Jack Kuntzman; Lisa Paxton
Subject:	RE: Pataskala PZC Review Memo for 06-07-2023
Date:	Monday, May 29, 2023 8:31:31 PM
Attachments:	image001.png

# <u>CAUTION:</u> This email message came from an external (non-city) email account. Do not click on any links within the message or attachments to the message unless you recognize the sender's email account and trust the content.

Jack,

Verdantas has reviewed the PZC applications and offer the following comments:

#### TCOD-22-002 (Revised Plans)

Previous comments apply.

#### TCOD-23-001

- 1. Project will be subject to Construction Plan Review and Submittal.
- 2. Depending on the method of Stream Crossing a permit will be required.
- 3. Project will require a stormwater report submitted with the construction plans
- 4. Turning movement exhibits will need provided to ensure vehicles can safely maneuver the Broad Street entrance/exit.

#### REP-23-002

Need to ensure the proper setbacks are maintained for the existing garage.

Thank You

#### Scott Haines Senior Project Manager

O. 740.344.5451 | D. 740.224.0839 1555 W. Main Street, Newark, Ohio 43055

From: Jack Kuntzman

Sent: Thursday, May 11, 2023 9:19 AM

To: Felix Dellibovi <<u>fdellibovi@ci.pataskala.oh.us</u>>; Jim Roberts <<u>jroberts@verdantas.com</u>>; Scott Haines <<u>shaines@hullinc.com</u>>; Bruce Brooks <<u>bbrooks@pataskalapolice.net</u>>; Doug White <<u>DWhite@westlickingfire.org</u>>; Kevin Miller <<u>kevin.miller@lhschools.org</u>>; <u>laitken@lhschools.org</u>; kperkins@laca.org; 'Chris Gilcher' <<u>cgilcher@swlcws.com</u>>; Alan Haines <<u>ahaines@ci.pataskala.oh.us</u>>; Antonio Anzalone <<u>aanzalone@ci.pataskala.oh.us</u>>; Trent Howell <<u>thowell@ci.pataskala.oh.us</u>>; Chris Sharrock <<u>csharrock@ci.pataskala.oh.us</u>>; Trent Howell <<u>thowell@ci.pataskala.oh.us</u>>; Chris Sharrock <<u>csharrock@ci.pataskala.oh.us</u>> **Cc:** Scott Fulton <<u>sfulton@ci.pataskala.oh.us</u>>; Lisa Paxton <<u>lpaxton@ci.pataskala.oh.us</u>> **Subject:** Pataskala PZC Review Memo for 06-07-2023

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You are receiving this email because one or more of the Application(s) submitted for the **June 7th**, **2023**, Planning and Zoning Commission are within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

**TCOD-22-002 (Revised Plans)\*:** Felix Dellibovi, Trent Howell, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, Pubic Service Department.

**TCOD-23-001:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department

**REP-23-002:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department

Please review the applications, and if you have any comments or concerns regarding them they may be submitted to me in writing <u>no later than Monday</u>, <u>May 29<sup>th</sup></u>.

And if you have any questions about the Applications themselves, feel free to contact me.

Here is a link to download the review memo:

PZC Review Memo for 06-07-2023

Thank you,

JACK **R. K**UNTZMAN City Planner City of Pataskala 621 West Broad Street, Suite 2-A Pataskala, Ohio 43062

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From:	Kevin Miller
To:	Jack Kuntzman
Cc:	Felix Dellibovi; Jim Roberts; Scott Haines; Bruce Brooks; Doug White; laitken@lhschools.org; kperkins@laca.org; Chris Gilcher; Alan Haines; Antonio Anzalone; Trent Howell; Chris Sharrock; Scott Fulton; Lisa Paxton
Subject:	Re: Pataskala PZC Review Memo for 06-07-2023
Date:	Tuesday, May 16, 2023 8:27:58 AM
Attachments:	image001.png

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Jack,

As you can see, there is no comment on REWP-23-002. As far as TCOD-23-001, our concern would be: is there a possibility or likelihood of cement dust floating across from the facility to the school yard, impacting students as they are on the football field or playground areas, etc. Thank you.

**TCOD-23-001:** (Transportation Corridor Overlay District Application) National Lime and Stone would like to have a trans loading yard for crushed concrete, cement and stone.

**REP-23-002:** (replat application) Homeowners are requesting a replat of their property to include additional land for building their home. – No Comment

Dr. Kevin S. Miller Superintendent Licking Heights Local Schools 740-963-3961

On Thu, May 11, 2023 at 9:19 AM Jack Kuntzman <<u>jkuntzman@ci.pataskala.oh.us</u>> wrote:

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**REP-23-002:** Felix Dellibovi, Verdantas, Bruce Brooks, Doug White, Kevin Miller, CJ Gilcher, Public Service Department

Please review the applications, and if you have any comments or concerns regarding them they may be submitted to me in writing <u>no later than Monday, May 29<sup>th</sup>.</u>

And if you have any questions about the Applications themselves, feel free to contact me.

Here is a link to download the review memo:

<u>PZC Review Memo for 06-07-2023</u>

Thank you,

JACK R. KUNTZMAN

City Planner

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062



## CITY OF PATASKALA PLANNING AND ZONING COMMISSION

City Hall, Council Chambers 621 West Broad Street Pataskala, Ohio 43062

## TRANSPORTATION CORRIDOR OVERLAY DISTRICT APPLICATION

(Pataskala Codified Ordinances Chapter 1259)

Property Information			Staff Use
Address: 9500 &. Brow	Application Number:		
Parcel Number: 063-148056-00.000			TCOD-23-001
Coning: M-1 Light Manufacturing Acres: 22.41 +/- acres			Fee: ELF
Water Supply:           City of Pataskala         Image: South West I	icking	On Site	Filing Date:
Wastewater Treatment: City of Pataskala No potable	icking water or sewer neede	On Site	5-2-23 Hearing Date: 6-7-23
Applicant Information			Receipt Number:
Name: National Lime and Stone Attention: Cha	d Doll		# 001105-30 # 21929-25
Address: 551 Lake Cascades Parkway			# 21929 -25
City: Findlay	State: OH	Zip: 45839	Documents
Phone: 419-422-4341 x1361	Email: CDoll@natlime.com		Application
			Fee
Property Owner Information			🗹 Site Plan
Name: George E. Zola Trustee			🗭 Development Plan
Address: 418 Wewoka Circle			🎔 Deed
City: Loudon	State: TN	Zip: 37774	Area Map
Phone	Email:		

Transportation Corridor Overlay District Information	
Describe the Project:	
Transloading yard for crushed concrete, cement and stone	

Revised March 21, 2018

Phone:

#### **Documents to Submit**

Transportation Corridor Overlay District Application: Submit one (1) copy of the Transportation Corridor Overlay District application.

Site Plan: Submit one (1) copy (unless otherwise directed by staff) of a site plan to scale including the following:

- The boundaries and dimensions of the lot.
- The size and location of existing and proposed structures.
- The proposed use of all parts of the lot and structures.
- All reserve parcels and anticipated development phases.
- The use of land and location of structures on adjacent property within 100 feet of the property line.
- Existing trees that are six (6) inches or greater in diameter measured five (5) feet above the ground located within the setback.

Development Plan: Submit one (1) copy (unless staff requests additional) of a development plan including the following:

- Structures: All proposed structures shall be located, showing square footage for each structure, expected entrance(s), service, and pedestrian areas for each phase of the development.
- Traffic concept: All points of ingress and egress onto public roadways and the overall traffic distribution scheme shall be shown, indicating traffic flow patterns and traffic control points. The requirements for a traffic study and the need for "Traffic Safety Measures" shall be at the discretion of the City Engineer and approved, approved with modifications or disapproved by the Planning and Zoning Commission.
- Parking layout: A parking layout must be shown to include access points and expected movement for all transportation
  modes through and between separate parking lot areas and expected pedestrian access routes from parking areas and
  bus stops to structures.
- Landscaping: All proposed site landscaping, screening, and buffering shall be indicated as to type and size of material to be used, proposed locations, berming and other features in accordance with Section 1259.05(G).
- Proposed location, dimensions, and design of signs.
- Elevations of proposed structures or expansion of existing structures including dimensions and materials.

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at www.lcounty.com/rec.

Area Map: Submit one (1) copy of an area map from the Licking County Engineer's office showing the property and surrounding area. Area maps can be obtained at <u>www.lcounty.com/taxparcelviewer/default</u>.

#### Signatures

I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this Transportation Corridor Overlay District request.

Date: Applicant (required): 4.27.23 Property Owner (required): George E Zola Justee 4/3/23

#### **OPERATIONAL DESCRIPTION (Transloading of Products)**

Aggregates (crushed stone, sand and gravel) and bulk cement will be transported to the site via railroad cars. These cars will enter the site from the mainline railroad located adjacent to the north side of the property. From the mainline railroad, the cars will be "switched" onto newly constructed on-site railroad spurs.

The aggregates will be delivered to the site in flat bottom "gondola" style railroad cars while the cement will be shipped to the site in covered hopper railroad cars. These types of cars are depicted below.

#### Flat Bottomed Gondola Car for Aggregates:



**Covered Hopper Car for Bulk Cement:** 



Once the cars are brought onto the private spurs located on the property, the product will be unloaded and stored on-site for future loadout to third-party customers.

The aggregates will be unloaded with an excavator from the top of the railroad car (top unloading). The excavator will be positioned atop the car and excavate the material from the car, placing it into trucks. These trucks will haul the material to the appropriate on-site location where it will be dumped and stockpiled.

The stockpiled aggregates will be sold and loaded into customer trucks via a front-end loader. These customer trucks are weighed across a certified platform scale, ticketed with a bill of lading and the material is delivered into the local market for use in a wide array of public and private construction projects.

Top Unloading Rail Car of Aggregates Into a Truck for On-site Stockpiling:



Aerial View of Typical On-Site Stockpiling of Aggregates:





Front-End Loader Used to Load Aggregates into Customer Trucks:

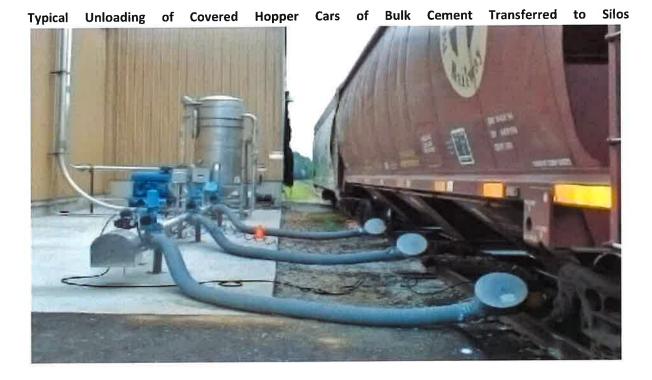
Platform Truck Scale for Weighing Trucks Loaded with Aggregates:



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The bulk cement cars will be unloaded pneumatically, and the product sent to storage silos. The cement will be sold and loaded into customer trucks from the silo storage and ticketed with a bill of lading. The product will be used in the production of ready-mix concrete throughout the area.



Cement Storage Silos:





Covered Hopper Customer Trucking Loaded with Cement from Silo Storage:

#### **OPERATIONAL DESCRIPTION (Hours):**

Normal business hours for the facility are anticipated to be 7:00 am and 5:00 pm Monday through Friday 7:00 am until noon on Saturdays. However, most of the products are used in public works projects, and on a rare occasion, these projects may require shipments outside of normal business hours, typically to minimize traffic congestion associated caused by the public works project itself.

#### **OPERATIONAL DESCRIPTION (Customer Parking):**

The facility will not be open to the public. Rather, approximately 50% of the products are sold either directly to political subdivisions or to contractors performing public works projects (streets, water and sewer lines etc.) while the remaining half of the sales are typically to private commercial and residential construction projects.

#### **OPERATION DESCRIPTION (Employees):**

There is typically one to two full-time employees on-site. These employees' primary task is to load customer trucks and maintain the site. During days that rail car shipments are delivered to the site, a small group (3-5) will mobilize into the site temporarily to unload the rail cars. Once the cars are unloaded (typically in the same day) this group will mobilize out of the site. It is anticipated that cars will be delivered once every few weeks during the summer season with shipments slowing significantly during the "non-construction" winter months due to inclement weather.

#### **OPERATION DESCRIPTION (Water and Sewer):**

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Given the minimal full-time employee(s) and no general public sales, access to public sewer and water will not be required. Potable water will be supplied via bottles while a portable toilet will be utilized in lieu of a sewer tap. However, it is anticipated that a water well may need drilled to access non-potable water for roadway and potential stockpile dust suppression during summer months.

TRANSFER NOT NECESSARY Date Licking County Auditor





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201804260008032 Fgs:5 552.00 T20180005872 4/26/2018 10:56 AM MEPCARLILE PA Bryan A. Long Licking County Recorder

AFFIDAVIT OF SUCCESSOR TRUSTEE Pursuant to O.R.C. §5302.171

STATE OF TENNESSEE COUNTY OF LOUDON, ss:

Before me, a Notary Public in and for said state, personally appeared, George E. Zola, who by me duly sworn (or affirmed) deposes and says that:

- I am the Successor Trustee of The W. Frank Morris Trust dated February 10, 1986 (the "Trust"), as the result of the resignation of the Co-Trustee, Donald L. Beckett (aka Donald R. Beckett), and the death of the Co-Trustee, Sally Wells Morris (aka Sally Morris Price), who died on July 17, 2002. A copy of the Resignation and Acceptance is attached as Exhibit "A" and a certified death certificate of Sally Morris Price is attached as Exhibit "B".
- 2. My mailing address is 418 Wewoka Circle, Loudon, Tennessee 37774.
- The immediately preceding Trustees held legal title to the real property described in the attached Exhibit "C" by deed recorded in Official Record Volume 142, Page 29, Recorder's Office Licking County, Ohio.

Further affiant sayeth naught.



Here Z George Z. Zola, Supcessor Trustee of The

W. Frank Morris Trust dated February 10, 1986

Sworm to (or affirmed) before me and signed in my presence by George E. Zola this <u>3rd</u> day of 2018.

Nigail Butter

Notary Public

This Instrument Prepared By: CARLILE PATCHEN & MURPHY LLP 366 East Broad Street Columbus, Ohio 43215

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## 201804260008032 Page 2 of 5

#### RESIGNATION

The undersigned, Donald L. Beckett, hereby resigns as Trustee of The W. Frank Morris Trust dated February 10, 1986.

<u>Imald 1 Beckett</u> Donald L. Beckett

DMD/TLB/01937B30.1 025576.000002

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#### EXHIBIT "C"

#### Parcel One: 22.405 Acres

Situate in the State of Ohio, the County of Licking, the City of Pataskala, being part of Lot No. 12, 13 and 21 in the Third Quarter of Township No. 1, Range No. 15, U.S.M. Lands, also being part of a 54.16 acre tract (Parcel No. 2) conveyed to the C.E. Morris Company, as the same is shown of record in Deed Book No. 529, Page 273 and all of a 4.202 acre tract conveyed to the C.E. Morris Company, as the same is shown of record in Deed Book No. 594, page no. 609 in the records of the Recorder's Office, Licking County, Ohio and being more particularly described as follows:

Beginning at a point in the centerline of State Route No. 16 (Broad Street) and at the Southwesterly corner of the above mentioned 4.202 acre tract, said point being North 75° 33' 23" East, a distance of 219.71 feet from a point where the Westerly line of Lot No. 13 intersects the centerline of State Route No. 16; thence from said point of beginning, North 01° 37' 58" West and along the Westerly line of said 4.202 acre tract and passing an iron pin on line at 46.73 feet, a distance of 721.12 feet to an iron pin; thence North 88° 56' 49" West and along a Southerly line of said 4.202 acre tract, a distance of 192.16 feet to an iron pin; thence North 89° 20' 41" West and along the Southerly line of the above mentioned 54.16 acre tract, a distance of 464.43 feet to an iron pin; thence North 00° 45' 06" West, a distance of 1209.25 feet to an iron pin; thence North 63° 16' 58" East, a distance of 109.79 feet to an iron pin in the Southerly right-of-way line of the Baltimore and Ohio Railroad; thence North 89° 01' 09" East and along said right-of-way line, a distance of 652.75 feet to a point; thence South 00° 48' 19" West and along the Easterly line of said 54.16 acre tract and passing a Nail in the top of a Post at 7.90 feet, a distance of 293.16 feet to a point; thence South 32° 12' 51" West and continuing along the Easterly line of said 54.16 acre tract, a distance of 27.80 feet to a Nail in a Post; thence South 04° 04' 07" East and continuing along the Easterly line of said 54.16 acre tract, a distance of 423.03 feet to an iron pin; thence South 04° 09' 39" West and along the Easterly line of said 4.202 acre tract, a distance of 439.76 feet to an iron pin; thence South 01° 36' 19" East and along the Easterly line of said 4.202 acre tract and passing an iron pin on line at 760.97 feet, a distance of 807.11 feet to a point in the centerline of State Route No. 16 (Broad Street); thence South 75° 33' 23" West and along the centerline of State Route No. 16 (Broad Street), a distance of 61.51 feet to the place of beginning and containing 22.405 acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way.

Parcel Nos. 063-148056-00.000 Address: 9500 Broad Street, Pataskala, Ohio 43062

#### Parcel Two: 14.637 Acres

Situate in the State of Ohio, the County of Licking, the City of Pataskala, being part of Lot No. 21 in the Third Quarter of Township No. 1, Range No. 15, U.S. M. Lands, also being part of a 54.85 acre tract (Parcel No. 2) conveyed to the C.E. Morris Company, as the same is shown of record in Deed Book No. 529, page no. 273 in the records of the Recorder's Office, Licking County, Ohio and being more particularly described as follows:

#### 201804260008032 Page 4 of 5

Beginning at a point where the centerline of County Road No. 26 (Summit Road) intersects the Southerly right-of-way line of the Baltimore and Ohio Railroad; thence from said point of beginning, North 89° 01' 09" East and along the Southerly right-of-way line of the Baltimore and Ohio Railroad, a distance of 1397.96 feet to an iron pin; thence South 00° 45' 06" East, a distance of 697.93 feet to an iron pin; thence South 89° 22' 09" West and along a Southerly line of said 54.85 acre tract and along the Northerly line of a 17.72 acre tract conveyed to the Board of Education, Licking Heights Local School District, as the same is shown of record in Deed Book No. 568, page no. 19, a distance of 536.66 feet to an iron pin; thence North 01° 01' 15" East and along a Westerly line of said 54.85 acre tract and along the Easterly line of a 6.01 acre tract conveyed to the Board of Education, Lima Township, as the same is shown of record in Deed Book No. 428, page no. 161, a distance of 327.00 feet to an iron pin; thence South 89° 29' 15" West and along a Southerly line of said 54.85 acre tract and along the Northerly line of said 6.01 acre tract, a distance of 689.52 feet to an iron pin; thence North 01° 20' 49" East and along a Westerly line of said 54.85 acre tract, a distance of 92.83 feet to a point; thence South 88° 55' 07" East, a distance of 3.50 feet to a point; thence North 01° 20' 59" East, a distance of 59.00 feet to a point; thence North 88° 55' 07" West, a distance of 3.50 feet to an iron pin; thence North 01° 18' 25" East, a distance of 103.03 feet to an iron pin; thence North 88° 55' 07" West and passing an iron pin on line at 168.51 feet, a distance of 193.51 feet to a point in the centerline of County Road No. 26 (Summit Road); thence North 00° 32' 21" East and along the centerline of County Road No. 26 (Summit Road), a distance of 100.62 feet to the place of beginning and containing 14.637 acres, subject to all easements and/or restrictions shown of record, also subject to all legal right-of-way, together with an easement for ingress and egress from the above described 14.637 acre tract to County Road No. 26 and lying 5 1/2 feet each side of the following described centerline.

Beginning at a point in the centerline of County Road No. 26 (Summit Road) said point being, South 00° 32' 21" West, a distance of 198.15 feet from a point where the centerline of County Road No. 26 intersects the Southerly right-of-way line of the Baltimore and Ohio Railroad; thence from said point of beginning, South 88° 55' 07" West and along the centerline of said easement (11 feet in width), a distance of 192.20 feet to a point and the terminus.

Parcel Nos. 063-142056-00.002 Address: Summit, Pataskala, Ohio 43062

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Judy Nagy State Registrar FEB 21 2018

I HEREBY CERTIFY THIS DOCUMENT IS AN EXACT COPY OF THE RECORD ON FILE WITH THE OHIO DEPARTMENT OF HEALTH.

VERIFY PRESENCE OF ODH WATERMARK HOLD TO LIGHT TO VIEW

OnTrac Property Map



