

## NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the **Miami Township Board of Trustees** on **Monday, November 2, 2020 at 6:00 p.m.** or thereafter, via public teleconference for the purpose of hearing an application for establishment of a Community Entertainment District for the Dayton Mall and associated properties. The application was filed by Dayton Mall, 2700 Miamisburg-Centerville Road, Dayton, Ohio 45459.

An application has been filed for the creation of the Dayton Mall Community Entertainment District pursuant to Section 4301.80 of the Ohio Revised Code. The proposed community entertainment district will encompass approximately 107.9271 acres of land on Parcel ID K45024010012, K45026040050, K45026040144, K45026040196, K45026040029 [Main Mall Parcel – 75.1776 Acres]; “Macys” Parcel – PPN K45026040176 [15.9326 Acres]; “Seritage” Parcel – PPN K45026040049 and K45024010055 [16.8133 Acres]. The parcels are located on the south side of Miamisburg Centerville Road and the east side of State Route 741, in Sec. 7, T.1, R.6 M.R.S. and Sec. 12, T.2, R5 M.R.S., Miami Township, and Montgomery County, Ohio.

Pursuant to Ohio HB 197, this meeting is being conducted via a Zoom webinar teleconference. **You must register online no later than 4:30PM the day of the meeting** to be provided access to the meeting via computer or phone. The link to register for the meeting is **<http://miamitownship.com/teleconference>**. Or if you do not have access to the internet, you may call our office at 937-433-3426 and we will sign you up and provide you with a call-in phone number to use.

The application noted is on file in the office of the township fiscal officer and available for inspection by the public during regular business hours at 2700 Lyons Road, Miamisburg, OH 45342, from 8:00 a.m. to 4:30 p.m., Monday through Friday or online at **[www.miamitownship.com](http://www.miamitownship.com)**.

Christopher E. Snyder, AICP  
Director  
Miami Township Community Development

Posted in Miamisburg News: 10/15/20 and 10/22/20

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DAYTON MALL II, LLC, a Delaware limited liability company

By:   
Matthew J. Jurkowitz  
Vice President – Development

# Community Entertainment District Application

October 5, 2020

Dayton Mall II, LLC, a Delaware limited liability company and Dayton Mall III LLC, a Delaware limited liability company, both subsidiaries of Washington Prime Group Inc., an Indiana corporation (see Exhibit "A" attached hereto) (hereinafter collectively referred to as "**Dayton Mall**" or "**Applicant**", as the case may be), hereby requests that Miami Township designate the real property described herein below and depicted on the attached Exhibit "B" as a "Community Entertainment District", pursuant to Section 4301.80 of the Ohio Revised Code (hereinafter, the "**ORC**").

The following information is provided to enable creation of the above-proposed Community Entertainment District (the "**Dayton Mall CED**").

## **Applicant Name and Address [ORC §4301.80(B)(1)]**

Dayton Mall

2700 Miamisburg Centerville Road

Dayton, OH 45459

## **Map of Proposed District [ORC §4301.80(B)(2)]**

The boundary of the proposed Dayton Mall CED is depicted on Exhibit "B". The CED contains 107.9271 +/- acres of land, all of which is located within Miami Township and zoned "B-3 Business District".

The current owners of CED land (collectively, the "**Owners**") are as follows:

(A) Applicant (PPN K45024010012, K45026040050, K45026040144, K45026040196, K45026040029 [Main Mall Parcel – 75.1776 Acres]; "Macys" Parcel – PPN K45026040176 [15.9362 Acres]; "Seritage" Parcel – PPN K45026040049 and K45024010055 [16.8133 Acres]);

## **Statement of the Nature and Types of Businesses in the Proposed CED [ORC §4301.80(B)(3)]**

ORC §4301.08(A) defines a "Community Entertainment District" as follows:

*(A) As used in this section, "community entertainment district" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments within the district, or other types of establishments similar to these:*

*(1) Hotels;*

*(2) Restaurants;*

- (3) Retail sales establishments;*
- (4) Enclosed shopping centers;*
- (5) Museums;*
- (6) Performing arts theaters;*
- (7) Motion picture theaters;*
- (8) Night clubs;*
- (9) Convention facilities;*
- (10) Sports facilities;*
- (11) Entertainment facilities or complexes;*
- (12) Any combination of the establishments described in division (A) (1) to (11) of this section that provide similar services to the community.*

The proposed Dayton Mall CED area currently contains an enclosed shopping center (*i.e., Dayton Mall, a regional shopping center that opened in 1971*), and retail sales establishments (*e.g., department store operators Macy's, DSW, JC Penney and Dick's Sporting Goods, and a diverse group of specialty retailers including H&M, Victoria's Secret, American Eagle Outfitters, ULTA, Hollister, etc.*).

Immediately adjacent to Dayton Mall are additional existing restaurants (*e.g., Bravo!, Bonefish Grill, PF Chang's, Rusty Bucket*), specialty retailers (*e.g., Men's Warehouse, Jared Jewelry*), and other complimentary businesses (*e.g., Hampton Inn [hotel]*).

#### **Anticipated Redevelopment within the CED and Timing [ORC §4301.80(B)(4)]**

Applicant is actively engaged in negotiations relating to multiple discrete prospective redevelopment projects that would occur within the Dayton Mall CED during the next twenty-four (24) to forty-eight (48) months. These proposed redevelopments would result in the addition of "entertainment facilities or complexes," new restaurants, and new retail sales establishments.

A lack of available liquor permits in market means the proposed Dayton Mall CED designation is necessary to facilitate entertainment-focused redevelopments at Dayton Mall. The CED designation would allow new businesses entering the CED area to obtain D-5j liquor permits (pursuant to ORC §4303.181(J)(3)) that would be only available to business operating within the CED.

To facilitate the issuance of D5j liquor permits within the proposed Dayton Mall CED,<sup>1</sup> Applicant requests that the ordinance creating the proposed CED affirm that Miami Township is an Ohio township with a population of at least forty thousand residents.

**Evidence that Land Uses in the Proposed CED are in Accord with the Township's Comprehensive Land Use Plan or Zoning Map [ORC §4301.80(B)(5)]**

The land uses in the proposed CED comply with the Township's Comprehensive Land Use Plan and Zoning Maps. The entirety of the proposed CED area is zoned B-3 Business District. As it currently exists, CED tenants engage in various retail segments including: food service, specialty retail, and entertainment. The currently anticipated redevelopment projects in the CED area will house these same business uses. The following zoning materials, which are attached for quick reference, clarify and confirm these existing and proposed land uses are consistent with current zoning:

Exhibit "C" – the current Miami Township Zoning Map, adopted November 7, 1972, last updated December 17, 2019;

Exhibit "D" – Miami Township Comprehensive Land Use Plan: Adopted, Miami Township Board of Trustees: November 10, 2005; Adopted, Montgomery County Planning Commission: March 9, 2006.

**Certificate of Surveyor Licensed under ORC 4733 Confirming the Proposed CED Contains No Less Than 20 Contiguous Acres [ORC §4301.80(B)(6)]**

Attached is a statement by Steven J. Metcalf, of Neff & Associates indicating that the area encompassed by the proposed CED contains no less than 20 acres. His certification and related legal description and map are attached as Exhibit "E".

**Handling and Processing Fee Accompanies Application [ORC §4301.80(B)(7)]**

Accompanying this application is a handling and processing fee payable to Miami Township pursuant to ORC §4301.80(B)(7) in the amount of Nine Hundred Fifty and 00/100 Dollars \$950.00.

**Letters of Consent from the Affected Property Owners**

Attached as Exhibit "F" are letters from the various Owners other than Applicant, which letters provide said Owners' consent to the establishment of a Community Entertainment District as provided for in the Ohio Revised Code section 4301.80. The letters are from all Owners of property in the proposed CED who are listed elsewhere in this application.

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<sup>1</sup> Pursuant to ORC §4303.181(J)(3), a D-5j liquor permit may be issued within a CED if "It is located in a township with a population of at least forty thousand..."

### **Necessary Steps to Designate a CED**

- Step 1: Applicant shall submit its Application to the Miami Township Board of Trustees (“Board of Trustees”).
- Step 2: Within thirty (30) days of receipt of Applicant’s Application, the Board of Trustees, by notice published once a week for two (2) consecutive weeks in the local newspaper, shall notify the public that the Application is on file in the office of the Township Fiscal Officer and is available for inspection. The published notice must include the date and time of any public hearing dates by the Board of Trustees on the Application.
- Step 3: Within seventy-five (75) days of receipt of Applicant’s Application, the Board of Trustees by resolution shall approve or disapprove the Application based on whether or not the proposed CED will substantially contribute to entertainments, retail, education, sporting, social, cultural, or arts opportunities for the community. Any approval of the Application shall be by an affirmative majority vote of the Board of Trustees.
- Step 4 (if applicable): If the Board of Trustees disapproves the Application, Applicant can make changes in order to secure approval.

# Exhibit A

## Ownership Affidavit

## OWNERSHIP AFFIDAVIT

The undersigned, Robert P. Demchak, being duly sworn according to law, and upon information and belief, deposes and says as follows:

1. Affiant is the Executive Vice President, General Counsel and Corporate Secretary of (a) Washington Prime Group Inc., an Indiana corporation (the "**Corporation**"), (b) Dayton Mall II, LLC, a Delaware limited liability company ("**Dayton II**") and (c) Dayton Mall III LLC, a Delaware limited liability company ("**Dayton III**"), and has personal knowledge of the facts that are sworn to in this affidavit, and Affiant is fully authorized and qualified to make this affidavit.

2. The Corporation is the sole general partner of Washington Prime Group, L.P., an Indiana limited partnership, which is (a) the sole member of Dayton III, and (b) the sole member of WPG subsidiary Holdings I, LLC, a Maryland limited liability company, which is the sole member of Glimcher Dayton Mall, LLC, a Delaware limited liability company, which is the managing member of Dayton Mall Venture, LLC, a Delaware limited liability company, which is the sole member of Dayton II.

1. Dayton II is the fee owner of the real property and improvements comprising that certain retail shopping center known as Dayton Mall located in Dayton, Montgomery County, Ohio (the "**Mall**").

2. Dayton III is the fee owner of the real property and improvements comprising that certain redevelopment parcel formerly known as the Elder Beerman Site at Dayton Mall located in Dayton, Montgomery County, Indiana ("**Redevelopment Site**").

3. That the following persons have been duly elected to serve as officers of the Corporation, Dayton II and Dayton III at the pleasure of the board or sole member, as applicable, or until the election, qualification and taking of office of their successors and are the Authorized Officers:

<u>Name</u>	<u>Title</u>
Louis G. Conforti	Chief Executive Officer & Director
Mark E. Yale	Executive Vice President and Chief Financial Officer
Robert P. Demchak	Executive Vice President, General Counsel and Corporate Secretary
Melissa A. Indest	Executive Vice President, Finance and Chief Accounting Officer
Joshua Lindimore	Executive Vice President, Head of Leasing
Pagle M. Helterbrand	Senior Vice President, Human Resources
Cheryl M. VanPatten	Senior Vice President and Chief Information Officer
Jennifer Moretti	Senior Vice President, Marketing
Stephen G. Gerber	Senior Vice President, Head of Property Management
Lisa A. Callahan	Senior Vice President, Development
Dan Scott	Senior Vice President, Development, Anchor Lease

[This space had been intentionally left blank.]

Dated: 5/15/2020

AFFIANT:

Robert P. Demchak, Executive Vice President,  
General Counsel and Corporate Secretary

STATE OF INDIANA )  
                                  ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Robert P. Demchak, to me personally known as the Executive Vice President of Washington Prime Group Inc., Dayton Mall II, LLC and Dayton Mall III LLC, who acknowledged his execution of the foregoing instrument.

WITNESS my hand and notarial seal this 15<sup>th</sup> day of May, 2020.

Commission Expiration: 12/28/2023  
County of Residence: Boone

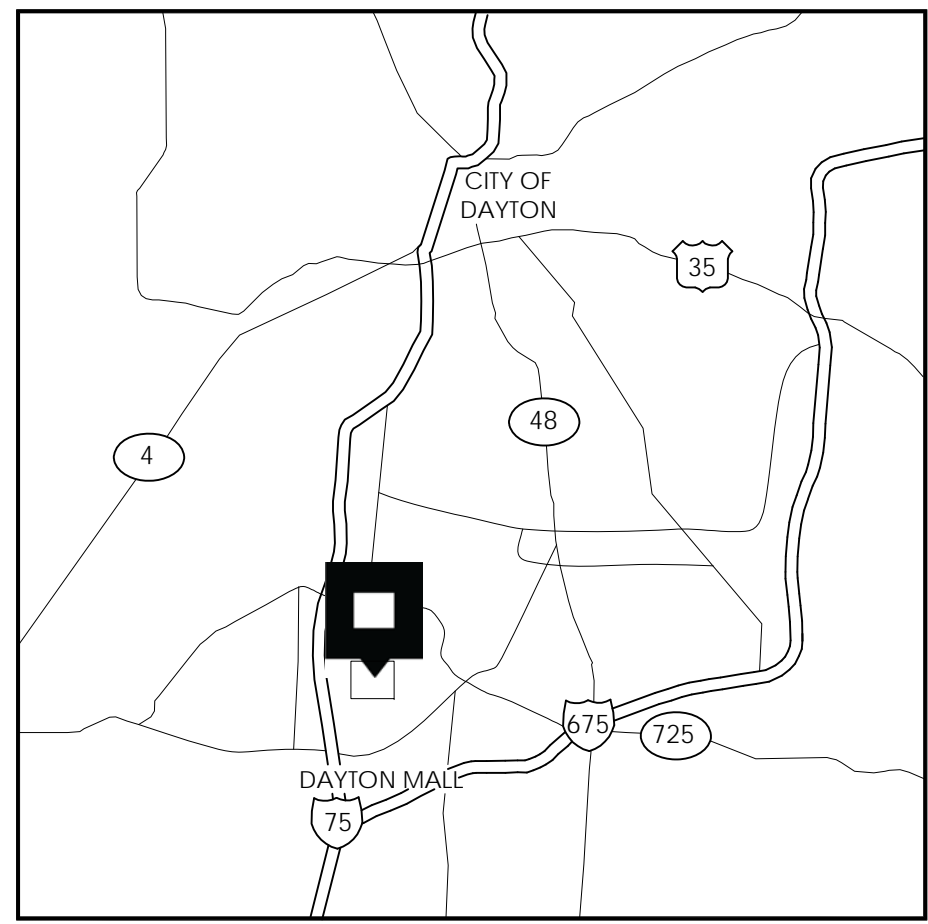
Tracy L. Reinholt  
Notary Public



# Exhibit B

## Boundary of Proposed Dayton Mall CED

# DAYTON MALL



VICINITY MAP

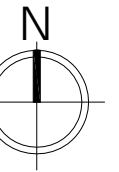
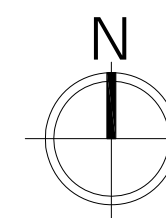


EXHIBIT "B"  
BOUNDARY OF PROPOSED DAYTON MALL CED



EXHIBIT "B"  
BOUNDARY OF PROPOSED DAYTON MALL CED



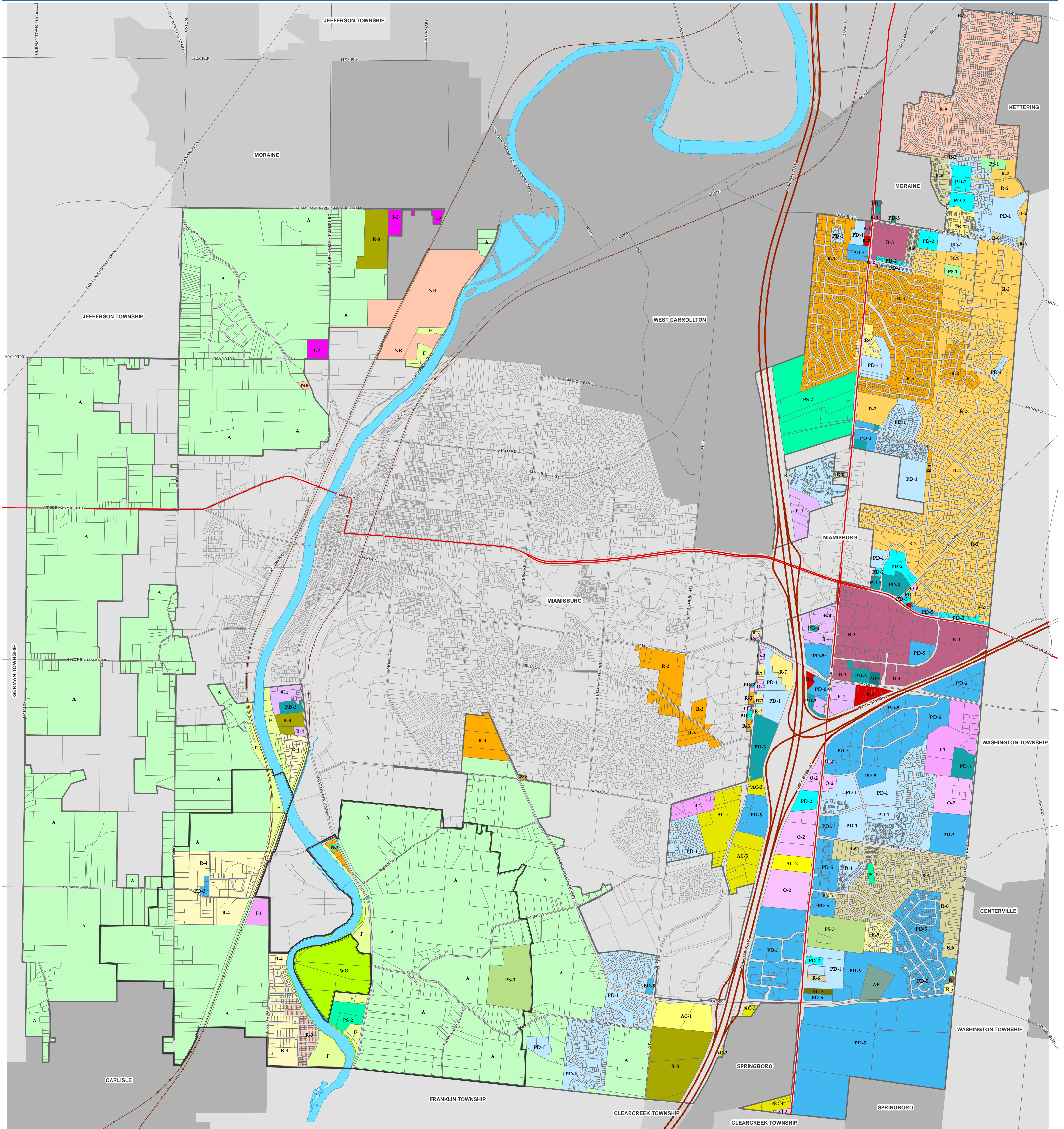
This drawing may have been prepared from architectural and engineering plans and may not have been field verified. This exhibit is provided for illustrative and informational purposes only and may not be relied upon by you, your affiliates, representatives, agents, successors and/or assigns. Furthermore, Landlord is not making an express or implied warranty, representation or agreement that the actual property, common areas and/or improvements will be as shown on this drawing, or that any tenants that may be referenced on this drawing will at any time occupy the property. Landlord reserves all rights to modify, among other things, the size, configuration and occupants of the property at any time in its sole and absolute discretion.

# Exhibit C

## Miami Township Zoning Map

# MIAMI TOWNSHIP

## ZONING MAP



### Zoning Districts

A Agriculture	O-2 General Office District	AC-3 Austin Center Business Park District
R-1 Single Family Residential District (20,000 Sq.Ft. Min. Lot Size)*	B-1 Neighborhood Business District (Facilitating Restricted Business Uses)	AC-4 Austin Center Professional Office District
R-2 Single Family Residential District (15,000 Sq.Ft. Min. Lot Size)*	B-2 Business District (Facilitating Light Indoor Commercial Type Uses)	AC-5 Austin Center Convenience Commercial District
R-3 Single Family Residential District (10,000 Sq.Ft. Min. Lot Size)*	B-3 Business District	PD-1 Planned Residential District
R-4 Single Family Residential District (7,500 Sq.Ft. Min. Lot Size)*	B-4 Business District (Facilitating Outdoor Commercial & Recreational Uses)	PD-2 Planned Office District
R-5 Two Family Residential District (8,000 Sq.Ft. Min. Lot Size)*	F Flood Plain District	PD-3 Planned Business District
R-6 Multiple Family Residential District (3,000 Sq.Ft. per Dwelling Unit)*	AP Airport District	PD-4 Planned Industrial District
R-7 Multiple Family Residential District (10,000 Sq.Ft. Min. Lot Size)*	I-1 Light Industrial District	PD-5 Planned Mixed Use District
R-8 Mobile Home Residential District	I-2 General Industrial District	PS-1 Active Open Space & Recreation District
R-9 Single Family Residential District (Existing Neighborhoods)	I-3 Heavy Industrial District	PS-2 Passive Open Space & Recreation District
RO Residential Office District	NR Natural Resources District	PS-3 Nature & Wildlife Reserve District
O-1 Architecturally Preserved Office District	AC-1 Austin Center Hospitality District	WO Wellhead Operation District
	AC-2 Austin Center Corporate Office District	Wellfield Protection Overlay

\* Or as Otherwise Designated

# Exhibit D

## Miami Township Comprehensive Land Use Plan

# Miami Township Comprehensive Land Use Plan



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## **Maps**

Miami Township Development Constraints Map\*

Miami Township Existing Land Uses Map\*

Miami Township Comprehensive Land Use Map\*

***\* All maps are located in the pockets at the end of the document.***

**Acknowledgments**

The assistance, contributions, and participation of the following individuals and organizations were invaluable in the creation of this document:

- Carlisle School District
- Crain’s Run Water & Sewer District
- Dayton Mall
- Five Rivers MetroParks – Cox Arboretum and Gardens
- Greater Dayton Regional Transit Authority
- Jefferson Regional Water Authority
- Miamisburg Planning & Zoning Department
- Miamisburg High School
- Miamisburg School District
- Miami Township Police Department
- Miami Valley Regional Planning Commission
- Montgomery County Planning Commission
- Montgomery County Water & Sewer District
- West Carrollton School District
- Zengel Construction

The Steering Committee would like to especially thank the residents and business owners of Miami Township for participating in the creation of this plan.

The Steering Committee would also like to thank the many adjoining jurisdictions that supplied planning maps and documents for their areas.

Adopted by Resolution #210-2005 on November 10, 2005 by the Miami Township Board of Trustees.

Adopted by Resolution #3 on March 9, 2006 by the Montgomery County Planning Commission.

**Miami Township Board of Trustees**

David Coffey  
Trustee President

Douglas Zink  
Trustee Vice President

Charles Lewis  
Trustee

**Miami Township Zoning Commission**

Cynthia Griffith  
John Kolberg  
Karen Kreusch

Katrina BK Miller  
Dennis Smith

**Steering Committee Members**

Brent Anslinger  
Joseph Idzakovich  
Mark Keilholz  
Charles Lewis

Dan Mayberry  
Katrina BK Miller  
Dennis Smith  
Larry Weissman

**Staff**

Greg Rogers  
Planning  
Director

Chris  
Snyder  
Senior  
Planner

Steve Yaney  
Planner

Theresa Smith  
Administrative  
Assistant

Orena Shelton  
Data Research  
Technician

**Volunteer Staff**

Beth Tucker

A special thank you to Joseph Klosterman, and his staff, with the Montgomery County Planning Commission for their assistance throughout the planning process.

**● Message from the Steering Committee ●**

This land use plan has been created through the careful thought and attention of the residents of Miami Township. This document is meant to provide guidance to the staff, Board of Trustees, Zoning Commission, residents, school districts, and future applicants for development in Miami Township. The Steering Committee created this document to be an evolving guide for the future. It is the goal of the committee that this document be reviewed in its entirety every five years. Each area within the document has been provided with a list of benchmarks for achievement of specific policies within the document. It is the goal of the committee that once a year these benchmarks be reviewed by Miami Township and, where necessary, be revised or amended in order to gauge the progress toward achieving the overall vision that has been laid out within this plan.

This document has been written and organized on the basis that the most important aspect is the description of the future land use goals for Miami Township and how those goals will be achieved. With this concept in mind, the policies and goals for each area of the township have been placed toward the front of the land use plan. The land use plan begins with a brief history and identification of Miami Township because it is important to assess the past in order to place in better context the township's destination.

The data and maps that have been used to facilitate the creation of the policies in this document are important and are included in the latter part of the document, but data and maps are only part of the story being told about this community. The real story is the voice of the township community, and this plan is meant to document that voice. The story of this plan is meant to be transitional. It is to be used and amended and is designed to change with the community, but, at the same time, this land use plan must provide a steady hand as change occurs.

## **Community Perspective**

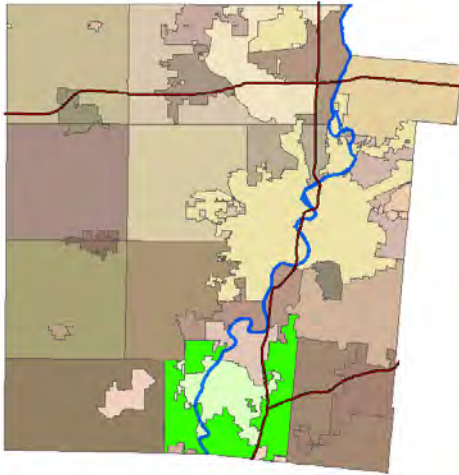
The following message has been compiled from the hundreds of responses received through the community surveys and from the various public meetings held during the creation of this document. It is meant to serve as guidance to those using this document in the future, so that they may have some sense of what the community expressed as being some of the fundamental aspects of Miami Township.

### **“A Community of Contrasts”**

Miami Township is a community of contrasts. It is both rural and urban, with the convenience of city life and the openness of the country still within view.

This plan is presented to the community as an outline of where the community is going and how the community intends to maintain the contrasts that have long characterized Miami Township. The community voices that assisted in creating this plan and establishing its direction were not unanimous; there were disagreements. This plan does not dwell on the disagreements, but rather emphasizes the consensus and cooperation of the community. This community has been built one achievement at a time, and while no plan can predict the future, it is hoped that the future of Miami Township will continue to be built, in part, upon the foundation continued in this plan.

There is a belief that Miami Township is heading toward a future that is hopefully not too far removed from its past. Future visitors to Miami Township will hopefully still remark on the contrast between urban and rural lifestyles, where clean streets, good services, quality open spaces, and a sense of pride (reflected in the designs of our stores, offices, and homes) are the distinctive marks of our community. The desire is to achieve a future that maintains our community’s sense of pride and tells visitors they have arrived somewhere special.



**Township Location & History**

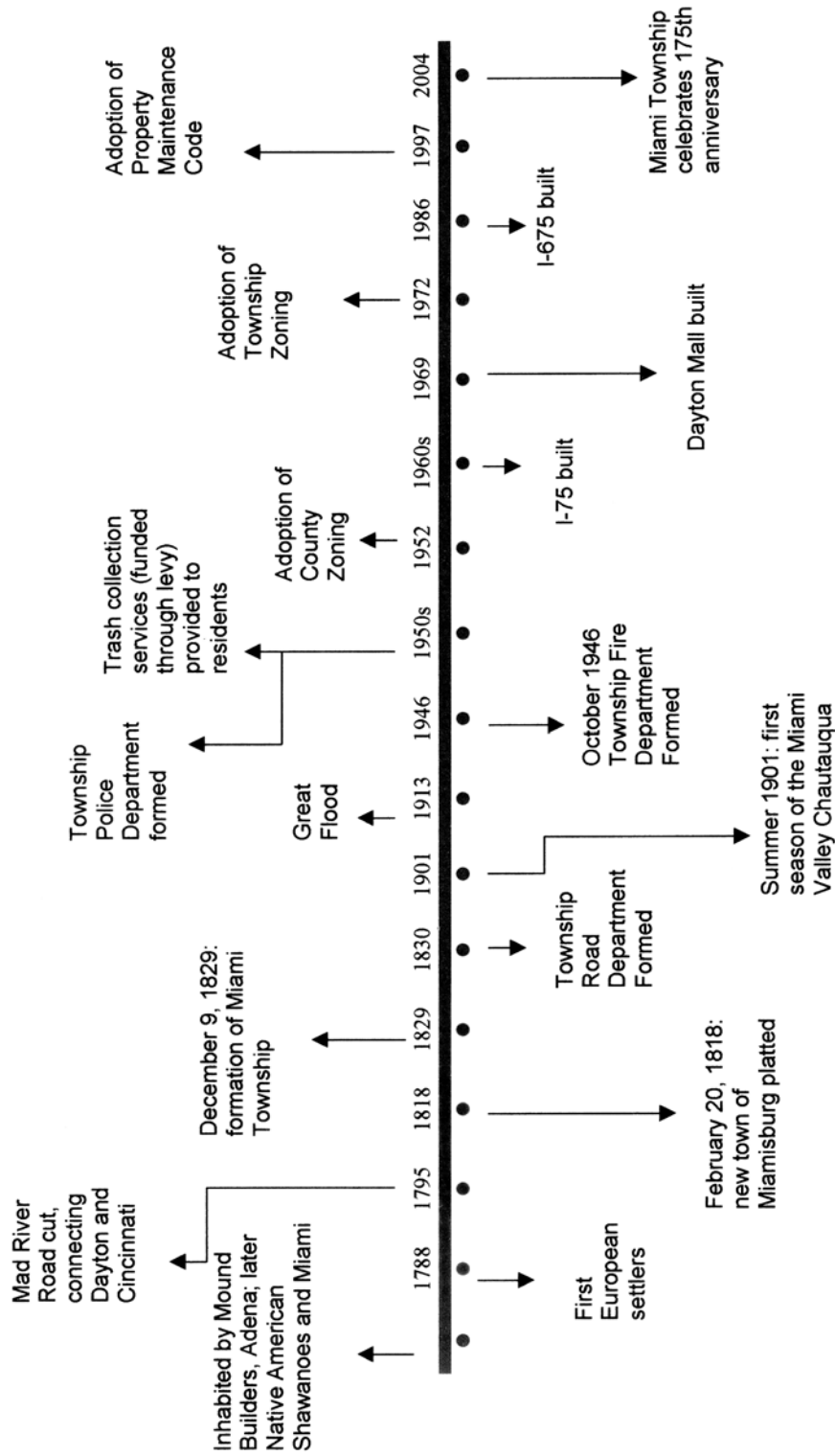
Miami Township is located in the extreme south-central portion of Montgomery County, Ohio. The City of Miamisburg is located within Miami Township and occupies approximately 11 square miles. The unincorporated portion of Miami Township contains approximately 22 square miles of land. Miami Township is located just 11 miles from downtown Dayton and 41 miles from downtown Cincinnati.

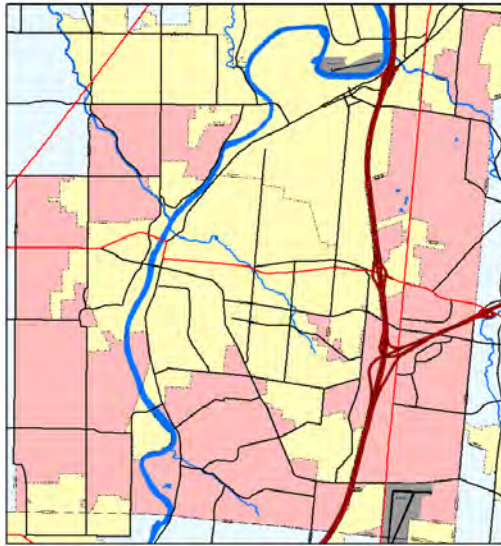
The central natural identifier of Miami Township is the Great Miami River, flowing from north to south through the western portion of the township. The eastern portion of the township can be readily identified by the location of Interstate Route 75 and the junction of Interstate 75 and Interstate 675. These two transportation corridors meet at the hub of the township’s commercial district, which is well known as the location of the Dayton Mall.

Residents often cite the convenience to destinations as a prime benefit of living here, and the number of jurisdictions that share a border with Miami Township highlights this convenience.

<p><b>Northern Neighbors</b></p> <ul style="list-style-type: none"><li>▪ City of West Carrollton</li><li>▪ City of Moraine</li><li>▪ City of Kettering</li></ul>	<p><b>Southern Neighbors</b></p> <ul style="list-style-type: none"><li>▪ Warren County</li><li>▪ City of Springboro</li><li>▪ Clearcreek Township</li><li>▪ Franklin Township</li><li>▪ Village of Carlisle</li></ul>
<p><b>Eastern Neighbors</b></p> <ul style="list-style-type: none"><li>▪ Washington Township</li><li>▪ City of Centerville</li></ul>	<p><b>Western Neighbors</b></p> <ul style="list-style-type: none"><li>▪ German Township</li><li>▪ Jefferson Township</li></ul>

**Timeline of Significant Dates in Township History**





**Miami Township Profile**

Miami Township is a diverse community that has long been at the crossroads of activity. Today, Miami Township sits firmly at the heart of one of Montgomery County’s most economically vibrant areas. This provides Miami Township with great opportunity and many challenges. The data below shows that Miami Township is a growing and changing community. The median age continues to increase; it was 31.4 years in 1980 and 32.9 years in 1990. The community is becoming an older society

both locally and nationally, with fewer people per household, going from 2.68 persons per household in 1980 to 2.23 persons per household in 2000 in the township. The township has also continued to become more ethnically diverse, with the African-American, Hispanic, and Asian portion of the population increasing from 4% of the population in 1990 to 8% in 2000. The population of Miamisburg in 2000 was 19,489, for a combined township population of 45,195. Specific census information can be found at the end of this document.

<b>Township Population In 2000</b>	<b>Population Density</b>	<b>Area In 2005</b>
25,706 13.7 % increase since 1990	~1,190 persons per square mile	21.6 square miles
<b>Median Household Income In 2000</b>	<b>Number of Housing Units</b>	<b>Median Age In 2000</b>
\$46,087	13,377 units	34.7 years
<b>Parcels</b>	<b>Parks</b>	<b>Largest Employers</b>
~ 10,600 individual parcels	9 township parks 1 MetroPark	National City Mortgage LexisNexis Dayton Mall
<b>Tree Coverage In 2000</b>	<b>% of Residents 65 and Over</b>	<b>Percentage of Owner-Occupied Units In 2000</b>
3,878 acres 28% of the township	9% in 1990 12.3% in 2000	64%

Miami Township is served by a number of major transportation routes, and it has a number of major commercial features that provide employment and drive the local economy.

### **Major Road Corridors**

Interstate 75 - Interstate 675 - State Route 741 - State Route 725 - State Route 4

This plan does not focus solely on economic data and characteristics that are easy to quantify. Miami Township's greatest assets can be argued to be its large open areas, parks, rural atmosphere, general convenience, and the dedication of residents, employers, and others to calling Miami Township home. This section provides a brief profile of the township but is devoted primarily to outlining the general goals identified throughout the planning process, providing recommendations for achievement of goals, and describing the proposed land use classifications.

### **Community Priorities**

**The residents of Miami Township identified the following goals (in 2005) as priorities for the entire township:**

- Preserve the rural/urban contrast in Miami Township through the management of growth in the agricultural portions of the township.
- Limit additional residential growth to single-family residences.
- Redevelop the Dayton Mall retail district with emphasis placed on beautification, pedestrian access, traffic improvements, and creation of public areas within the district.
- Continue to use zoning and property maintenance standards in established neighborhoods to preserve neighborhood integrity.
- Create park corridors and preserve the natural heritage of the township.
- Provide more accessible pedestrian connections across major traffic corridors and between open space areas and neighborhoods.
- Improve entryways into the township.

### **Benchmarks & Implementation Strategies**

**The following benchmarks and implementation strategies are recommended to assist in the ongoing review, refinement, and implementation of the policies proposed for the township:**

- Create a master plan for township parks. (Coordinated by Service and Zoning Departments)
- Identify potential corridors for bikeways and pedestrian routes. (Coordinated by Zoning Department)
- Create a township beautification plan. (Coordinated by Zoning Department)
- Place a requirement in the Zoning Resolution that the Zoning Commission devotes one meeting a year to reviewing the Comprehensive Land Use Plan. (Coordinated by Zoning Department)
- Identify and implement ways to achieve greater regional cooperation, such as the Business First Program and establishment of Joint Economic Development Districts. (Coordinated by Administration and Zoning Departments)

**Highlights of Land Use Maps**

The majority of the land use issues are discussed in greater detail in each sub-area, but the following notes are pertinent to the entire township:

**Breakdown of Existing & Proposed Land Uses by Category\***

<b>Land Use</b>	<b>Existing (~Acres)</b>	<b>Proposed (~Acres)</b>
Agriculture & Rural Residential	6,444	6,228
Residential	2,909	3,105
Commercial	497	484
Office	206	1,270
Commercial/Office	36	132
Industrial	150	196
Recreation	511	744
Gravel Mining	176	176
Road Right-of-Way	1,281	1,281
Other Land Use – Government, Utilities, Religious, Vacant	1,607	578

\*Note: Acreages are approximate and meant to give a general impression of the land use trend only. Right-of-ways will increase as development occurs and it is anticipated that more of the commercial and office space will be in mixed-use developments in the future than is currently the case.

The map of existing land uses shows very clearly the contrast between urban and rural settings in the township. Only a few large vacant parcels remain east of Interstate 75 and, of those parcels, the majority are currently zoned and planned for office or some mix of office and commercial use. The vast

majority of land on the west side of the river and in the south central portion of the township is currently used for agriculture and large single-family home lots, or is in areas not easily developed or is otherwise used for farming.

The following notes are pertinent to the map of proposed land uses:

- Land uses from the Austin Interchange Land Use and Development Plan have been incorporated into the township Comprehensive Land Use Plan. The boundary of the Austin Interchange Land Use Plan is noted on the map.
- A new Live/Work district is proposed for the north end of the Byers Road Corridor.
- Stream buffers are shown on Bear Creek, Crain's Run Creek, Holes Creek, and Owl Creek.
- A number of areas are proposed for expansion of mixed-use style zoning and land use.
- The urban service boundary has been revised to reflect the fact that water and sewer service extensions will most likely occur only within currently incorporated areas.

### **District Categories and Explanations**

**The following is a description of each land use category shown on the map of Proposed Land Uses.**

#### **Agriculture**

Areas of the township that are meant to remain under agricultural use. Rural single-family lots may be permitted to the extent allowed under the regulations governing the agricultural district. It is not the intent of this designation to allow for additional platted subdivisions on lots with an agricultural zoning. Areas that are developed as platted subdivisions should be developed utilizing the Planned Development Agriculture (PDA) standards as a first consideration.

#### **Planned Development Agriculture (PDA) Residential Priority Areas**

Areas of the township that should be priorities for development under the standards of the PDA District.

#### **Suburban Single-Family Detached Residential**

Areas of the township that should be developed under the various single-family residential districts available in the township. These are areas that have or should have public sewer and water service prior to large-scale development. The Planned Residential District (PD-1) should be utilized as

the primary means for development of these areas. These areas are intended for detached single-family homes.

**Planned Single-Family Zero Lot Line Residential**

Areas that should be developed utilizing planned development regulations to allow greater density under a zero lot line style of development. Planned development regulations should be utilized to control impacts on nearby single-family detached neighborhoods.

**Single-Family Zero Lot Line Residential**

Areas of existing single-family zero lot line residential housing.

**Chautauqua Residential**

Areas containing the original and immediately adjacent residential homes that comprise the Chautauqua neighborhood in the southwest portion of the township. Regulations concerning the reconstruction of homes and placement of homes on lots should be flexible to meet the unique lot and home configurations within this neighborhood. This area is not intended for expansion beyond its existing boundaries.

**Manufactured Home Park Residential**

Areas to be utilized for placement of manufactured homes and mobile homes as governed by the manufactured home park regulations.

**Multiple-Family Residential**

Areas that currently contain or should allow for placement of multiple family residential developments. These developments should typically be created utilizing the Planned Residential (PD-1) or Planned Mixed-Use (PD-5) standards.

**Low Intensity Office/Hospitality**

Areas that should utilize existing residential development for either a variety of office uses, care facilities, or other low-impact uses that would serve the surrounding community. Priority should be given to uses that can utilize the existing structure in this area.

**Mixed Office/Neighborhood Commercial**

Areas that should allow for placement of offices and commercial uses that primarily serve surrounding residential neighborhoods within mixed developments.

**Planned Office/Retail**

Areas that specifically utilize planned development regulations to create retail, office, or mixed office/retail developments. These areas are identified as areas that can sustain higher intensity uses than are allowed under office

development, but have factors, such as their proximity to existing residential areas, that need to be mitigated.

**Live/Work Office**

Areas that should allow for both residential and office within the same building or site. This area is meant to be devoted to residents who would like to operate a full-service business from the same property on which they reside.

**Office**

Areas for professional offices such as medical, dental, accounting, real estate, managerial, etc., that primarily support the corporate offices and surrounding community. Manufacturing and sales should not typically be allowed unless approved under the provisions of a planned development.

**Corporate Office**

Areas to be used for regional and national corporate headquarters typically developed under planned development regulations.

**Office/Light Manufacturing**

Areas to be used for a mixture of office and light manufacturing uses developed within master planned business park settings. Heavy industrial users such as refineries, warehouse and distribution centers, salvage yards, bulk chemical storage, etc., are not intended for these areas. The uses and goals of this land use category are further outlined in the Austin Interchange Land Use and Development Plan.

**Neighborhood Commercial**

Areas to be used for neighborhood-scale convenience uses serving the immediate surrounding area. Big box-style retail and fast food restaurants are not appropriate land uses within these areas.

**Hospitality Commercial**

Areas as defined under the Austin Interchange Land Use and Development Plan for hotels, conference centers, sit-down restaurants without drive-thru windows, and complementary retail that are designed as part of an overall master planned development.

**General Retail**

Areas designated for general retail uses under the business district regulations of Miami Township. These areas may contain regional shopping centers and big box-style retail, fast food and convenience shopping areas. Office uses and other business uses may be allowed as defined under the business regulations or as permitted as part of a planned development district.

**Extraction/Open Space**

Areas for the extraction of gravel or other natural resources. These areas should ultimately be reclaimed for use as part of a river buffer and as natural open space areas.

**Industrial**

Areas designated for light- to medium-intensity industrial use based upon the restrictions of the applicable zoning standards.

**Open Space**

Areas designated as current or future open space. These areas may be under private or public control and may be restricted as part of a planned development. These areas primarily represent public open space as part of the Miami Township and MetroParks park systems. These areas are in addition to open space provided on individual development lots and other privately held open space areas.

**Airport**

Areas designated to support and continue operations of the Dayton-Wright Brothers Airport.

**River and Stream Corridor Buffers**

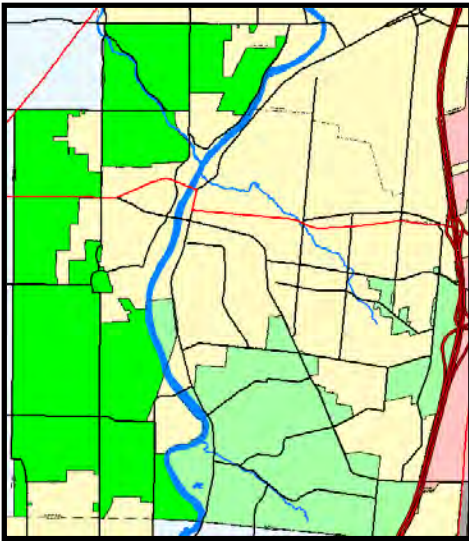
Corridors along the Great Miami River, Bear Creek, Crain's Run Creek, Holes Creek, and Owl Creek where future building should be restricted. These corridors are not meant to specifically remove structures that are already within the buffer areas, but to promote establishment of a natural buffer over time as areas are redeveloped. All buffers except the Owl Creek buffer are 100 feet on either side of the existing stream banks. The Owl Creek buffer is shown as a 50-foot buffer on either side of the banks due to the heavily urbanized nature of this corridor. Buffer widths are meant only as guidelines, not minimum standards.

**Austin Interchange Land Use and Development Plan**

Areas to be governed primarily through the provisions of the Austin Interchange Land Use and Development Plan are within the designated boundary.

**Planned Development (PD) Regulations**

PD regulations are to be encouraged in areas specifically denoted for planned development and in any area that requires special mitigation of factors such as the proximity to residential neighborhoods. PD regulations are meant to be used in areas that create mixed-use developments and are meant to allow for greater creativity in the development process.



**West & South Central — Sub Area Profiles**

<u>West Side</u>	
Housing Units	Area
1,054	8.07 square miles
<b>Percentage of Soils Classified as Prime</b>	
75% Class I or II	
<u>South Central</u>	
Housing Units	Area
2,277	4.96 square miles
<b>Percentage of Soils Classified as Prime</b>	
63% Class I or II	

**West Side**

The west side of Miami Township is characterized by the large amount of land still in agricultural production and by the relatively low density of homes as compared to other areas of the township. This area is bounded on the east by the Great Miami River and on the west by Jamaica Road. The land use plan calls for very limited development on the west side, with additional growth coming primarily in the form of minor subdivisions (lot splits) of individual parcels.

Large tracts of land immediately adjacent to incorporated areas are to be developed only under the allowance for the planned agriculture district, or are otherwise to remain in the standard agricultural district. This is due primarily to the lack of public water and sewer services and the need to stage residential expansion in areas closer to the existing urbanized areas of the east side. Staged and orderly development is particularly critical to the Miami Township Service, Police, and Fire Departments, which will have to expand over time to accommodate future growth.

**South Central**

The south central portion of the township exemplifies the contrasts of the community both in terms of its natural features and residential patterns. The area contains a few large swaths of relatively flat land, but these rapidly give way to steep slopes and stream valleys that lead west to the Great Miami River. Much of this area lacks public sewer services, but most of the area does have access to public water service through the Crain’s Run Water and Sewer District.

Higher density residential developments anchor either end of this portion of the township. To the east are the Crain's Run and Oakwood Village residential developments and to the northwest are the Hillview, Ideal, and R&S Reck residential developments. The interior portion of the south central area is devoted to large lot single-family homes and a few agricultural fields. Five Rivers MetroParks also maintains a large number of acres within the center of this area.

**Community Priorities — West Side & South Central**

**The following broad goals were identified in 2005 by the residents of Miami Township as the priorities that should be pursued for the western and south central portions of the township:**

**Joint Priorities**

- Preserve the rural characteristics of the west side and south central areas.
- Allow additional but controlled minor subdivisions of property that do not involve large-scale platting or multiple home sites.
- Protect sensitive natural areas such as river and stream corridors, steep slopes, etc.
- Promote the use of private initiatives for land preservation, such as private land trusts.
- Protect traffic routes and promote safe standards for driveway placement.
- Promote agricultural activity on prime farmland.

**West Side Priorities**

- Use the Planned Agriculture District for sites adjoining incorporated areas in order to preserve rural character and allow for phased residential growth.
- Maintain the west side as a non-retail area.

**South Central Priorities**

- Emphasize the use of Planned Development Agriculture district regulations for new residential development in areas that do not have central sewer service.
- Encourage future development to take place in the south central area, where public water service is available.
- Limit commercial areas to properties in close proximity to the Austin Road Interchange.
- Continue to work with MetroParks to preserve environmentally significant portions of the south central area. Emphasis should be

placed on the long-term preservation of Crain's Run Creek and its tributaries.

- Encourage the expansion of local recreational trail networks.
- Limit the use of urban street profiles outside of the vicinity of the Austin Road Interchange.

### Benchmarks & Implementation Strategies — West Side & South Central

**The following benchmarks and implementation strategies are recommended to assist in the ongoing review, refinement, and implementation of the policies proposed for the west side and south central portions of the township:**

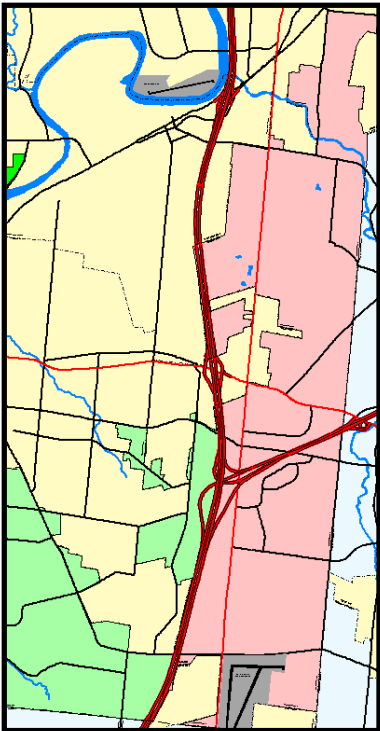
#### **Priority Strategies**

- Provide an informational forum for those interested in establishing a land trust. (Coordinated by Zoning Department)
- Revise regulations governing minor subdivisions (lot splits) in the Miami Township Zoning Resolution. This should be coordinated with the Montgomery County Engineer's Office and the Ohio Department of Transportation to ensure traffic safety. (Coordinated by Zoning Department)
- Maintain open lines of communication with individual property owners to encourage discussion prior to development or annexation. (Coordinated by Administration & Zoning Departments)
- Create an agricultural economic development plan. (Coordinated by Zoning Department)
- Update Zoning Resolution to incorporate new agricultural policies. (Coordinated by Zoning Department)
- Require significant emphasis on open space preservation for lands that have sewer and water and are ultimately placed into residential development. (Coordinated by Zoning Department)

#### **Further Recommendations**

- Hold a public forum for farmers and other agricultural landowners to discuss alternative uses or crops that could be viable in this area to increase productivity and value of agricultural lands. These strategies should look at alternative rural uses of land such as riding stables, orchards, landscape suppliers, etc.
- Hold a yearly meeting with various sewer and water entities to gauge capacity and discuss any planned expansions.
- Continue mapping of natural features and other environmentally sensitive areas in the western portion of the township.
- Create an updatable list of areas for potential lot splits.

- Examine river protection and stream bank preservation needs in the Chautauqua area.



**East Side — Sub Area Profile**

Number of Housing Units	Area
9,710	8.41 square miles

The east side of the township has become primarily an urban environment. The majority of residents live east of Interstate 75, and the majority of commercial activity and employers are located in this area. The east side faces a number of challenges including traffic congestion, aging buildings, and a lack of pedestrian accessibility both internally and with other areas of the township.

The east side is served by a relatively large number of public parks, but currently lacks recreational trails and connectivity between open space areas and urban areas. The top priorities for the east side are the continued redevelopment of the commercial districts and strengthening of the environmental and recreational opportunities for the most urbanized areas. Degradation of stream corridors has caused localized flooding in portions of the northeast part of the township, particularly along Owl Creek, and the restoration of more natural stream corridors has been identified as a priority issue.

**Community Priorities — East Side**

**The following broad goals were identified in 2005 by the residents of Miami Township as the priorities that should be pursued for the east side of the township:**

- Redevelop older commercial areas and utilize mixed-use development patterns, where possible, to diversify the core retail district.
- Improve pedestrian access across major roads and throughout the Dayton Mall area.
- Improve traffic flow and safety along major roads and in commercial areas.
- Restore natural stream corridors as redevelopment occurs in areas that have been particularly susceptible to flooding and where restoration would provide significant environmental and recreational benefits.

- Improve and increase landscaping regulations within commercial districts.

**Benchmarks & Implementation Strategies — East Side**

**The following benchmarks have been established by the Steering Committee to assist in the continued review, refinement, and ultimate updating of the policies proposed for the east side of the township:**

- Construct interchange at Austin Pike and Miamisburg-Springboro Road. (Coordinated by Administration and Zoning Departments and Montgomery County Transportation Improvement District)
- Improve Austin Pike through realignment and widening. (Coordinated by Administration and Zoning Departments and Montgomery County Transportation Improvement District)
- Improve Washington Church Road to provide improved secondary access to Lyons Road and alleviate traffic congestion on State Route 741. (Coordinated by Administration and Zoning Departments)
- Utilize Clean Ohio funds and other grant programs to fund stream and open space restoration. (Coordinated by Administration and Zoning Departments)

<b>TOWNSHIP PARKS</b>	<b>~ SIZE</b>
<b>Community Parks</b>	<b>(Acres)</b>
Crains Run Nature Park	149
Layer Park	7
Miami View Park	32
Waldruhe Park	54
<b>Neighborhood Walk-In Parks</b>	
Cromer Park	0.6
Eighth Avenue Park	0.9
Omiotanski Nature Park	3
Reeder Park	1
Zengel Park	5
<b>Five Rivers MetroParks</b>	
Cox Arboretum and Gardens	156
<b>Park Reservations – Township Shelters</b>	
300 per year for 5 shelter locations	

**Parks & Open Space Planning**

Miami Township is located in the lower portion of the Great Miami River watershed. This watershed stretches north of Piqua and continues southeast to the point where the Miami River empties into the Ohio River.

Creating and renewing connections with open spaces both internally and externally is one focus of this plan. Rivers, streams, and open spaces are connected to, impacted by, and affect the rivers, streams, and

open spaces around Miami Township. Open spaces are much more than just an amenity, and in a developed community they should be managed as a vital component of the community’s infrastructure.

The overall health and welfare of a community, with regard to open space, is affected by the level and quality of open space provided. Open space benefits fall into three primary areas:

- Open space can provide an aesthetic benefit. It can enhance community pride, provide screening of particular areas, add color and contrast to building and site designs, and provide habitat for birds and other wildlife.
- Open space can improve the physical and mental health of residents by providing areas for physical activity, social gatherings, physical connectivity between areas, and even just a place to escape the stresses of daily life. Open space trails can be especially beneficial to children and senior adults who may not be able, or may not desire, to drive to various destinations. The aging population within Miami Township will benefit from the expansion of open space corridors that link one area to the next.
- Open space is part of the environmental system of the community, providing purification of water and air, drainage, temperature regulation, and other important environmental functions.

**Open Space Categories**

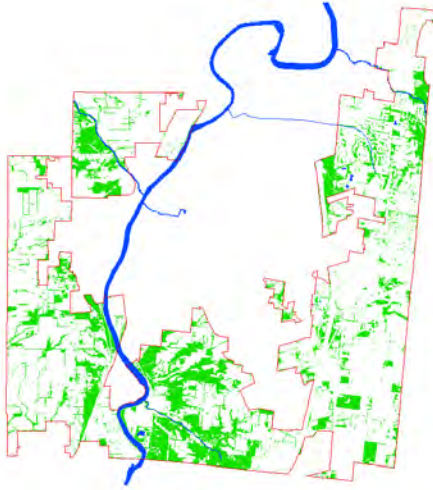
Open space means many different things to many people, but it can be loosely grouped into four major categories, as seen below:

- Public parks – Township parks, MetroParks.
- Landscaped areas – Typically privately owned and managed on commercial, office, and industrial sites, but can also include yards within residential areas.
- Natural areas along hillsides, streams, wetlands, etc. – These may be on private or public lands. The majority of the township tree cover falls into this category and is located on private land.
- Farm or agricultural open space – This may include active and inactive farm fields, pastures, fencerows, etc.

Creation and preservation of open space in Miami Township has always required a number of different methods. For most of the township's history, open space has been readily available in the form of large agricultural areas maintained by private landowners. As farmland has changed into housing and commercial uses, this "free" open space has been transformed. The township has acquired properties for parkland over time, but there is a limit to how much land can be purchased for parks. This plan proposes a number of strategies that should be pursued to create and maintain open space. The community will have to work with agricultural landowners to assist them in maintaining an agricultural lifestyle, if their open space is to be preserved. Private landowners cannot be expected to preserve farmlands if there is no viable benefit to them individually. As areas are developed, the emphasis should shift to increasing the quality, intensity, and priority of open space within developed areas.

The environmental infrastructure of Miami Township represents the various environmental features involved in the regulation of drainage, temperature control, and other physical factors within the developed and undeveloped portions of the community. Maintenance of our environmental infrastructure is important throughout the township, but becomes even more critical in heavily urbanized areas. The disruption of the environmental controls of the community can result in localized flooding, heat islands over heavily urbanized areas, degradation of water quality, and even localized changes in weather patterns. Just as Miami Township would not build a community without proper utility lines and roads, neither does this plan propose it be built without maintenance of the environmental features that regulate factors protecting the public health, safety, and welfare.

**Significant Tree Stands**



The loss of tree cover and the removal of natural drainage systems can cause the most significant disruption to the proper functioning of Miami Township’s environment. Requirements for landscaping and preservation of drainage channels are intended to address both aesthetic concerns and physical issues, such as reducing the heating effect of pavement and reducing soil erosion along drainage channels. The need for maintenance, and in some cases installation of additional environmental components, should be evaluated on each development site.

Source: Miami Township GIS

**Flood Hazard Areas (Flood Plains)**

Miami Township contains a number of areas that lie within the 100-year and 500-year flood hazard areas. The primary flood hazard areas are in the southwest part of the township along the Great Miami River, the northwest part of the township along Bear Creek, and the northeast part of the township along Holes Creek. It is generally desirable to limit activities within flood hazard areas to nonstructural uses such as farmland, pasture, recreational areas, and other uses that do not involve placement of significant structures within the flood plains. The Federal Emergency Management Agency (FEMA) regulates construction activity within designated flood hazard areas. These regulations are typically enforced and monitored at the county level. This plan calls for the preservation of flood hazard areas as open space, farming, or other uses that do not involve placing structures in the hazard area. In areas that contain existing structures, this plan simply notes that these areas should be examined as redevelopment occurs, and the township may want to target some areas for parkland acquisition.

Changes to Holes Creek within the last few years have altered portions of the 100-year flood plain in the northeast part of the township. These changes have removed some properties from the requirement to maintain flood insurance. This change primarily affects areas already developed.

**Community Priorities — Parks & Open Space Planning**

**The following community priorities for parks and open space planning have been identified:**

- Establish specific goals for landscaping in commercial areas.
- Encourage the placement and creation of community open space.
- Expand the types of activities and uses available to residents in our community open spaces.
- Create functional landscaping that provides aesthetic, physical, and recreational benefits.
- Place a greater emphasis on creation of corridors linking existing open spaces and other amenities, such as bikeways, public sidewalks, and individual commercial developments.
- Encourage greater use and establishment of native trees and vegetation in the township.
- Preserve river and stream corridors.
- Expand pedestrian and bike corridors throughout the township.
- Continue protection of wellhead areas and those areas, such as the Miami River, and streams that provide or link to drinking water supplies.
- Create a master park plan for the township.
- Create greater accessibility of parks and trails to individual neighborhoods.

**Benchmarks & Implementation Strategies — Parks & Open Space Planning**

**The following benchmarks and implementation strategies are recommended to assist in the ongoing review, refinement, and implementation of the policies proposed for parks and open space planning in the township:**

**Priority Strategies**

- Create a master park plan for the township that includes an evaluation of Service Department needs if additional park services are provided. (Coordinated by Service and Zoning Departments)
- Modify landscaping regulations in the Miami Township Zoning Resolution to address attainable goals. (Coordinated by Zoning Department)
- Create a Parks and Recreation Department for Miami Township to coordinate activities and goals for community parks and events. (Coordinated by Administration and Service Departments)
- Create a list of native tree species acceptable for planting under redefined landscaping regulations. (Coordinated by Zoning Department)

**Further Recommendations**

- Work with environmental agencies to identify water quality issues that could be improved through planning and development modifications in Miami Township.

## **Community & Economic Development Planning**

This section has been divided into two areas of focus: Community Planning and Economic Development. These areas involve different techniques, but in many cases the goals are the same, and in most cases one cannot be accomplished without the other.

Community planning, for the purpose of this document, refers to events, displays, beautification, and other strategies that can be used to increase pride and awareness in the community and generally improve the quality of life for residents, visitors, and workers.

Economic development refers to the ongoing process of improving and maintaining a strong economic balance in the township. This will be accomplished primarily through the retention and improvement of existing businesses and a focus on providing an attractive community for clean industries, corporate offices, and strong retailers. The primary focus of this plan, however, is providing for improvements in the quality of life of the existing residents and businesses. The economic development plan also calls for increased attention to the economic contribution of the agricultural sector, and identifying ways to allow this sector to continue to adapt in order to maintain the rural character of the west side.

The continued revitalization of older commercial areas has been identified as one of the top priorities of this plan. Redevelopment of older commercial areas provides a number of opportunities to address other issues such as walkability, building designs, signage, landscaping, and a host of items that will help to refine the identity of Miami Township. The commercial areas are often the only areas that many people see when they visit Miami Township or for those who work but do not live in the township. The Dayton Mall area has become a cornerstone of the township, and the plan identifies that it should remain the primary focus of retail activity. The Austin Interchange Land Use and Development Plan ties into this concept by limiting retail growth around the new interchange.

Good urban design is something easy to disagree on, but the township has increasingly focused on design issues over the years on the east side and, in particular, in the commercial areas. One person's good design can easily be someone else's failed design; however, the township has recommended some basic standards that it feels will continue to promote Miami Township as a well-planned area that will ultimately encourage investment in the community. Many residents of the township do not feel that a "downtown" or community identity should be created or perhaps imposed. This plan attempts to recognize that Miami Township is already identified for many

different attributes and does not propose the specific creation of a downtown or a specific community identity. This plan is written on the basis that people should ultimately identify Miami Township because of the clear attention to detail that has been paid to its developed and undeveloped areas.

**Urban Design Standards**

- Encourage the use of durable materials such as brick and stone that have a natural appearance and are less likely to create dated architecture over time. Materials that require minimal maintenance, i.e., painting, can also reduce aesthetic deterioration of projects.
- Promote and encourage some modern designs and materials that can be intermixed with natural materials to provide unique qualities to various projects. Projects should not be clones of each other, but they should transition from one area to the next while maintaining the overall design standard principles.
- Pedestrian activity should be built into project designs, through the use of outdoor seating areas, mini parks, benches, paved and unique walkways, etc. Pedestrians should be invited into the commercial areas and provided with safe passages and links to their destinations.
- Signage should not be allowed to create visual clutter along the roadways, but it should be designed to be informative and to minimize safety issues. The township should continue to examine signage issues and make use of the planned development regulations to allow flexibility in sign designs.
- Roof equipment and mechanicals should always be shielded from view, as well as trash receptacles and other site equipment.
- Open spaces and natural areas should be connected from one development project to the next and should be designed to serve multiple purposes on each site.
- Lighting should be minimized to the degree needed for safety and accessibility at night. Lighting should be shielded to minimize the amount of light directed skyward.
- Architectural features should be used to break up large facades and maintain human scales in most cases. Elements that achieve occasional non-human scales should be used to promote uniqueness and visual interest, but should be located or designed to be inviting to pedestrians.

**Community Priorities — Community & Economic Development Planning**

**The following community priorities for community and economic development planning have been identified:**

- Encourage revitalization of existing commercial areas over development of new retail areas.
- Create and expand pedestrian-friendly areas within and around the commercial districts.
- Enhance our community identity primarily through increased urban design standards, but also through some active promotion.
- Develop defined public areas within individual commercial districts.
- Encourage the preservation of natural features within commercial developments.
- Utilize the Dayton-Wright Brothers Airport for both new businesses and community events.
- Enhance opportunities for cultural events.
- Encourage well-designed mixed-use developments that meet the needs of local areas.
- Identify needs of youth in our community and ways to provide modern activities and facilities for them when school is not in session.

**Benchmarks & Implementation Strategies — Community & Economic Development Planning**

**The following benchmarks and implementation strategies are recommended to assist in the ongoing review, refinement, and implementation of the policies proposed for community and economic development planning in the township:**

**Priority Strategies**

- Fund a pedestrian study for the Dayton Mall Commercial District. (Coordinated by Administration and Zoning Departments)
- Use innovative financing options such as Tax Increment Financing and Joint Economic Development Districts to provide infrastructure funding for targeted areas. (Coordinated by Township Administration)
- Improve investment in the physical appearance of offices located along the north side of State Route 725, commonly known as “Doctor’s Row.”
- Fund items to promote and beautify Miami Township, i.e., decorative flags, sidewalk markers, new entryway signage, etc. (Coordinated by Township Administration)
- Revise landscaping regulations to require more landscaping and allow greater creativity in landscape designs. (Coordinated by Zoning Department)
- Replace and install new entryway markers into the township, particularly around commercial and residential districts. (Coordinated by Service Department)

- Promote use of “Urban Design Standards” through planned development requirements and code changes. (Coordinated by Zoning Department)

**Further Recommendations**

- Host forums for those wishing to start a business in Miami Township and those already operating small- or medium-size businesses in order to bring banks, realtors, other business owners, and start-ups together to discuss issues specific to doing business in the township.
- Identify community facilities and possible locations for facilities, such as convention centers, outdoor theaters, and public plazas that may be needed or desired by the community.
- Hold a public forum on new types of agricultural activities and ways current landowners can diversify and increase profits in agricultural areas.
- Find ways to better link schools and the local business community on a regular basis to provide mentoring and ongoing training programs that follow youth throughout their school years.

<b>Major Transportation Routes in Miami Township</b>	
<b>Interstate Routes</b>	I-75 I-675
<b>State Routes</b>	S.R. 725 S.R. 741 S.R. 4
<b>Rail Lines (Freight)</b>	Baltimore & Ohio Railroad
<b>Bike/Pedestrian Routes</b>	Great Miami River Recreation Trail
<b>Public Transit</b>	Greater Dayton Regional Transit Authority (RTA)
<b>Air Transportation</b>	Dayton-Wright Brothers Airport

**Transportation Planning**

Transportation in Miami Township has been focused for much of the last century upon development and reliance on an ever-expanding road network. Miami Township has a well-developed local road network, as well as being located along several regional and national road networks.

The feedback provided during the planning process to create this document highlighted the need to plan for a variety of forms

of transportation. Traditionally, pedestrian traffic has not been viewed as a primary form of transportation; however, as the area becomes more urbanized, greater pedestrian traffic can alleviate congestion in certain areas. The creation of this plan took into account many suggestions for making Miami Township a more walkable community while, at the same time, addressing very real traffic issues on the main vehicular routes.

**Community Priorities — Transportation Planning**

**The following goals were identified as priority transportation issues in Miami Township:**

- Construct an interchange on Interstate 75 at Miamisburg-Springboro Pike to provide alleviation of traffic congestion at the State Route 725 and State Route 741 intersection.
- Improve roads and intersections throughout the Dayton Mall commercial district.
- Establish additional bikeway and trail linkages with local and regional bikeway and trail systems to provide additional recreational opportunities and to reduce reliance on road networks.
- Expand pedestrian walkways along major thoroughfares and promote dedicated pedestrian areas within development projects.
- Provide a local shuttle service between the Dayton Mall retail area and adjoining offices, hotels, and care facilities.

- Continue to support access control measures throughout the Township and in cooperation with ODOT and the County Engineer’s Office.
- Continue to promote the use of the Dayton-Wright Brothers Airport.
- Support county policy with regard to right-of-way dedication for new development.
  - Right-of-way necessary to implement a development plan shall be dedicated to the county at the time of property development.
  - In cases where there are missing segments in the traffic circulation system or new thoroughfares are to be constructed, a land developer shall construct and dedicate to Montgomery County that portion of the thoroughfare that lies within or abuts the boundary lines of the development.
  - If, for reasons of safety or system continuity, the County Engineer deems the improvement of the thoroughfare unfeasible at the time of development, the developer shall provide funds or other security for his/her share of the costs in lieu of undertaking construction at that time.
- Limit the use of private roads in new developments.

**Benchmarks & Implementation Strategies — Transportation Planning**

**The following benchmarks and implementation strategies are recommended to assist in the ongoing review, refinement, and implementation of the policies proposed for transportation planning in the township:**

**Priority Strategies**

- Adoption of a street profile incorporating a pedestrian walkway for the area around the Austin Road Interchange. (Coordinated by Administration and Zoning Departments)
- Installation of sidewalks along interior portions of the Dayton Mall commercial district. (Coordinated by Administration and Zoning Departments)
- Creation of pedestrian linkage from Dayton Mall area to the Great Miami River. (Coordinated by Zoning Department)
- Work with State and County traffic officials to develop a plan for safe driveway spacing and road frontage requirements. (Coordinated by Zoning Departments)
- Improve Washington Church Road from Lyons Road to Austin Pike. (Coordinated by Administration and Zoning Departments)

**Further Recommendations**

- Study viability of a public/private shuttle service to serve the Dayton Mall commercial district.

- Study the needs of seniors and how a shuttle service and other pedestrian amenities could improve their accessibility to commercial areas and within residential areas.
- Monitor and participate in discussions looking at establishing commuter or high-speed rail service in the vicinity of Miami Township.

**Traffic Count Information**

Traffic volume data is shown in the table on the following page for the years 1994, 1999, and 2003. The traffic data show an increase in traffic volume along the interstate routes and along State Route 741 in the southern portion of the township. The data show that other portions of major state routes have generally leveled off in terms of additional traffic volume. This may be due in part to the relative lack of additional development in the State Route 741/725 area since 1990, aside from the occasional redevelopment of select parcels. The differences in some cases are small enough that any fluctuation may be due to variations in the timing of the counts themselves rather than any significant change in traffic volume. Another possible conclusion reached from the traffic data is that the State Route 741/725 area has become saturated and that motorists are finding alternative routes in order to avoid congestion. Congestion has become a significant factor for this area, particularly during the evening rush hour.

**Average Daily Traffic Volume for Select Years and Locations**

<b>Thoroughfare</b>	1994	1999	2003
<u>Interstate 75 at:</u>			
I-675	71,980	83,160	89,720
SR-725	82,980	92,900	95,700
<u>Interstate 675 overpass at:</u>			
SR-741	38,580	45,070	53,850
<u>State Route 725 at:</u>			
I-75	42,470	44,730	42,750
SR-741	28,900	31,380	28,690
<u>State Route 741 at:</u>			
Warren County line	18,890	17,360	20,420
Spring Valley Pike	25,710	27,980	31,890
Lyons Road	31,450	34,330	33,510
SR-725	22,580	24,640	24,420
Near Cox Arboretum	22,580	24,640	24,420
Eckley Blvd.	27,280	25,040	26,260
<u>State Route 4 at:</u>			
NE corp. of Germantown	5,410	5,590	5,330

Source: Ohio Dept. of Transportation

## **Development Constraints & Issues**

### **Urban Service Boundary**

The Urban Service Boundary represents the most likely limits for the extension of public water and/or sewer systems within Miami Township. These areas are based upon land topography and known capacity issues with each system that currently limit their expansion. These capacity issues may be resolved over time as new equipment is added or lines are upgraded, but these capacity issues are not seen as being readily eliminated within the next five years. It is recommended that new developments requiring public water and sewer not be placed outside the urban service boundary due to the cost of upgrading current systems and the availability of land within the urban service boundary.

### **Growth and Township Services**

It is important to stage growth in order to allow for orderly extension of not only water and sewer lines but also other services provided by the township. The Service, Fire, Police, and Zoning Departments are tasked with serving any residential area within Miami Township. Additional residential growth will require additional equipment and manpower over time, but the placement of growth at the edges of the service areas can disproportionately increase costs and time spent to serve these areas. The Service Department provides leaf pickup, snow removal, street surface repairs, road right-of-way tree trimming, storm system repairs, and collection of roadside litter. Many of these activities are very time-consuming, and growth that is not near existing residential areas requires that more time be spent traveling to and from an area. This in turn increases labor costs and places additional strain on vehicles. The west side of the river is unique in terms of township maintenance because the majority of roads are county or state roads. This means that the Township does not need to utilize the Service Department staff for many of these areas, except in cases where a residential development with township roads exists or would be located. Miami Township currently maintains approximately 84 miles of roadway.

The growth in the Police and Fire Departments ultimately requires adding labor and purchasing additional vehicles to provide service coverage. Again, time spent simply traveling between areas increases labor costs because more people are required to be available to ensure coverage. Increasing the number of vehicles in turn increases the needs of the vehicle maintenance department, both in terms of labor and space.

Growth and changes in the way that Miami Township develops can have very acute impacts on the Police Department. The ways that open space and

pedestrian areas are designed must be carefully thought out in order to maximize safety. A perception that corridors are unsafe will ultimately defeat the intent of providing open space and increase the need for additional policing that could otherwise be used in other areas.

The Police and Fire Departments are also heavily involved whenever an accident occurs in the township, whether it is between automobiles or involves pedestrians. It is critical that traffic conflicts be minimized and pedestrians be provided with safe corridors to avoid accidents and reduce the demand on emergency services.

The types of community activities that the township promotes can also place demands on emergency personnel, and these demands need to be considered as new community areas are created and events planned.

### **Growth and Schools**

Miami Township is served by four local school districts. The majority of the township is served by the Miamisburg School District. The northeast portion of the township is served by the West Carrollton School District, and the southwest portion is served by the Carlisle School District. One lot along Jamaica Road is served by the Valley View School District. Planning for township growth is heavily monitored by local school districts in order for them to plan for building and staff needs in the future. The majority of land that would generate growth in the school districts is typically located in unincorporated areas. The ability to manage growth and stage its progress is vitally important to the school districts, not only in terms of planning for building construction but also in terms of daily operations, such as bus routes. Adjustments or deviations from the adopted Comprehensive Land Use Plan should be done in consultation with the school districts to ensure that they are kept aware of potential growth issues within their service area. The northeast portion of the township is largely developed and is not expected to generate any significant additions to the West Carrollton School District over the coming years.

It is anticipated that the majority of new residential development will occur in the Miamisburg School District. While a large amount of land remains available within the Carlisle School District, the lack of sewer capacity is anticipated to limit growth in this area over the next five years.

### **Public Sewer Service**

Discussions with Carlisle indicate significant constraints on the future expansion of sewer lines north of their current corporation boundary. An 8-inch line extends a short distance along Jamaica Road in Miami Township; however, Carlisle indicates that this line is at or near capacity. The railroad tracks further to the east create another significant obstacle to sewer

extension for lines southeast of the tracks. An existing sewer line along Chautauqua Road represents the only immediate possibility for sewer service extension in the southwest portion of the township, but it would eventually be constrained again by the railroad tracks. This line is also an 8-inch line that ends at the intersection of Chautauqua Road and Cedar Lane.

The City of Miamisburg has indicated that significant constraints exist for sewer extension on the west side of the township. An existing line runs from the Overland Trail area off Linden Avenue down to Riverview Avenue. This line cannot easily be extended further west due to terrain changes west of Overland Trail. The area west of Overland Trail slopes to the west, and any sewer service would have to be pumped upslope to the ridgeline near Overland Trail. Overall capacity is also constrained by the need to pump sewage across the river and again down to the sewage treatment plant.

Montgomery County has an existing sewer line along Wood Road in the south central portion of the township. This line serves the Crain's Run subdivision immediately to the west of Wood Road but does not extend past this area.

### **Slopes and Soils**

The lack of public sewer service throughout most of the west and south central portions of the township is severely limiting for development. Miami Township soils are not ideally suited to septic systems, and current minimum standards for septic leach beds essentially establish a 1.5-acre or greater minimum lot size. Systems can be installed on less acreage; however, this usually requires some type of alternative system or exceptionally suitable soils and drainage that often do not exist in Miami Township. The existence of easements, swales, and other human and natural constraints can further diminish the amount of land on a site suitable for placement of a septic system. Slopes over 25% can also severely limit the ability to both install and support an adequate septic system. Many of these factors can be overcome, but this may require additional land, alternative systems that may also require variances or special approvals, and additional costs. The ability to provide adequate drainage is perhaps one of the most important factors determining whether or not a system can be installed on any given lot. The Montgomery County Combined Health District regulates installation of residential septic systems in Miami Township and provides much of the information concerning septic system viability.

### **Public Water Service**

The majority of the township is currently served by or is located within a planned service area of one or more water authorities. The east side of the township is primarily served by systems operated by Montgomery County. The south central portion of the township is within the water service area of Crain's Run Water and Sewer District. Crain's Run does not currently provide

water service to many of the individual lots within this area, but the main lines are in place, and Crain's Run does service the entire Crain's Run subdivision plat. The west side of the township is primarily located within the service area of Jefferson Regional Water Authority (JRWA). JRWA does not have existing lines throughout most of the planned service area, but proposals do exist to eventually service Farmersville-West Carrollton Road in the north to just south of Farmington Road in the south. JRWA currently has a 6-inch water line running from the north along South Union Road to a point about one-half mile north of Farmington Road.

Water service is a much less limiting factor to development in Miami Township than the availability of sewer service. The primary factors with well systems in Miami Township are age and contamination. Agriculture, livestock, and residential groundwater contamination can affect public health and may ultimately require new wells or extensions of public water systems.

**Comprehensive Land Use Plan**  
**Public Forums & Steering Committee Meetings**



**Public Forums & Steering Committee Meetings**

Miami Township held a series of public participation meetings during January and February of 2005 to seek input on land use issues and to involve residents and other interested individuals in the township.

These meetings were held at Miamisburg High School and at the Cox Arboretum and Gardens MetroPark. The dates and attendance for each meeting were as follows:

Date	January 24, 2005	January 26, 2005	February 1, 2005	February 22, 2005
Location	Miamisburg High School	Cox Arboretum	Miamisburg High School	Miami Township offices
Attendance	36	18	47	18

The format for the four public forums was designed to encourage direct interaction with individual Steering Committee members and the staff in small group settings. A brief introductory presentation was made at each meeting, and then the group was given time to browse the map displays before heading into three separate small group discussion areas. The final meeting on February 22, 2005, provided a similar introductory presentation, but a single roundtable discussion was held with the committee for the majority of the evening.

The three discussion groups consisted of an agricultural/residential group, a Dayton Mall/commercial area group, and a general land use discussion group. Each discussion group was given a series of questions, maps, and photos to help spur comments and discussion within the group. A committee member and a staff member sat in on each group to record comments and facilitate discussion.

**Agriculture Group Comments**

- Planned Development Agriculture District (PD-A) – Hard to pull off.
- Don't like long and narrow lots. Uniform lots would be better.
- Lot splits have taken road frontage.
- Don't like someone with 100 acres being able to annex and do what they want.

## **Comprehensive Land Use Plan**

### **Public Forums & Steering Committee Meetings**

- School issues – impact fees.
- Absolute change needs to happen with 15% rural and frontage requirement.
- Would like to see parks in south central agriculture district.
- Some believe south central agriculture district will all develop after interchange is built.
- Maybe change rules for road frontage requirement.
- How do we set up barrier in PD-A to keep people from annexing?
- How would PD-A cap off annexation?
- Want to see Miami Township stay just as it is today.
- Do we want to allow for more lot splits?
- Some negatives to opening up road frontage requirements, may allow more large-scale development.
- How do we create conservation and land trusts?
- People who want green space should buy the green space.
- Want agricultural uses to be regulated less.
- Some like cluster development proposal.
- Would move rather than restrict development on neighbor's property.

#### **Dayton Mall/Commercial Group Comments**

- Beautification – Like idea of signs on posts to identify Miami Township.
- Dayton Mall – Keep it simple – easily accessible.
- Like idea of a pedestrian-friendly mall area.
- Uniform signage is good.
- Too many jewelry stores.
- Don't like loss of old trees on recent development site.
- Concern over vacant buildings.
- Can we demand insurance to require demolition of abandoned buildings?
- Need green space near Kroger and Alex-Bell area.
- Want small retail mixed uses and no more big commercial stores.
- Don't want large commercial stores near residential areas.
- Concern over traffic flow on south S.R. 741.
- Want to improve appearance of offices on north side of S.R. 725.
- Like the idea of more public areas within the business and commercial district, similar to Hills and Dales area.
- Need trash cans for RTA; concern over vandalism.
- Improve sidewalks and trees.
- Concern over parking lot and internal security at the mall.
- Concern over S.R. 741 and S.R. 725 intersection.
- Would like a local mass transit system.
- Want more trees in parking lots.
- Would like more sidewalks in and around Kingsridge Drive and possibly a cut through to the RTA hub.
- Need a post office or booth in the mall area.

## **Comprehensive Land Use Plan**

### **Public Forums & Steering Committee Meetings**

- People divided on whether we have too much or too little code enforcement.
- Perception is that mall is unsafe, dirty, etc.
- Want to change name of mall.
- Want traffic lights on Lyons Ridge Drive.
- Want more organized commercial areas.
- Concern over RTA/mall foot traffic.
- Worried about traffic on S.R. 741 near Cox Arboretum and cars turning around on side streets to use traffic light.
- Concern over growth and number of apartments.
- Do not favor more retail development north of S.R. 725.
- Need more uniform signage at offices on north side of S.R. 725.
- Want distinct lines for residential and commercial on S.R. 741.
- Mixed use is a good alternative, but worried about the types of renters at the mall, etc.
- Concern over traffic flow around mall.
- Neighborhood commercial in urban areas would depend on architecture.

### **General Land Use Group Comments**

- Concerns about future of farmland and the mall.
- Bike paths are good and bring life to a community.
- Need something to define identity and need something to define Miami Township.
- Need a walkable community.
- The township should adopt more stringent controls along rivers and streams and keep bike path and river scenic.
- Allow small areas of commercial to be intermixed in new residential, i.e., stores.
- Sidewalks are an asset in future development.
- There are lighting issues in the plats.
- Develop Lyons Road further for commercial use near Newmark Drive. Allow restaurants, landscape and give it a village feel.
- Have commercial areas built into plats, so that you can walk to stores.
- Property maintenance issues in older plats.
- Speeding problems in plats.
- General traffic issues around mall and major roads.

### **Roundtable Discussion Comments from February 22, 2005**

- Existing gas stations along S.R. 741 are close enough, no need to build any closer to Villages of Miami.
- Concern about how widening of Austin Pike may impact homes.
- Concern over potential noise or expansion of airport.

## **Comprehensive Land Use Plan**

### **Public Forums & Steering Committee Meetings**

- Concern that any development on north side of Austin Pike be a quiet use.
- Feeling that we should allow additional office users, especially corporate users, to locate in the township to provide jobs and maintain tax base.
- Feeling that interchange is needed, but support limitations on retail development outside of the Dayton Mall area.

#### **Steering Committee Meetings**

The Steering Committee held a total of 12 meetings from October 2004 to July 2005. The Steering Committee had a number of guest speakers attend its meetings to discuss the various planning issues facing the community. These speakers included representatives from the Miamisburg School District, the City of Miamisburg, the Dayton Mall, Miami Valley Regional Planning Commission, Zengel Construction, and the Miami Township Police Department. Staff members from the Montgomery County Planning Commission and the Miami Township Service Department served on the committee. The Miami Township staff solicited information from many of the surrounding jurisdictions concerning current zoning and land use plans. These plans were then provided to the committee for their discussions. Staff also contacted officials of the Montgomery County Planning Commission, Montgomery County Engineer's Office, Miami Valley Regional Planning Commission, Montgomery County Sanitation Department, Jefferson Regional Water Authority, Village of Carlisle, City of Franklin, Crain's Run Water and Sewer District, and Five Rivers MetroParks to gather information for this plan.

The Spring 2005 Miami Township newsletter highlighted the land use meetings that had been held earlier in the year and noted that a draft would be placed on the township web site as soon as it was available.

The availability of the draft version of the plan was announced in the Summer 2005 Miami Township newsletter. The draft plan was made available at the Dayton-Montgomery County branch library and at the Miami Township Planning & Zoning office. The draft was also placed on the township web site for review.

**Community Survey**

A community survey was conducted during the winter of 2004-2005 to acquire additional citizen input regarding some specific areas of discussion. A survey card was placed in the Winter 2004-05 Miami Township newsletter. The card consisted of five multiple-choice questions and two write-in questions. Respondents were also asked to circle one of five areas of the township to indicate approximately where they lived. A longer survey form was placed on the township web site. The number of responses received from the web site was insufficient to utilize as a basis for planning in this document. The results of the newsletter survey are shown in the following tables:

**Multiple Choice Questions**

**What residential density do you think should exist in the western and south central portions of the township?**

<b>20 Acre Lots or Greater</b>	<b>5 to 20 Acre Lots</b>	<b>1 to 5 Acre Lots</b>	<b>Less than 1 Acre Lots</b>
49	107	172	60

**How important is preserving existing farmland or rural areas of the township?**

<b>Very Important</b>	<b>Somewhat Important</b>	<b>Not Important</b>
245	113	36

**Which of the following best represents your view towards apartments in Miami Township:**

<b>Have Too Many</b>	<b>Need More</b>	<b>Too Dense</b>	<b>Not Dense Enough</b>	<b>No Opinion</b>
292	7	29	4	62

**Would you like to see more areas in the township that mix uses together, such as apartments above commercial uses, or offices within or near residential areas?**

<b>No, keep uses separate</b>	<b>Allow more mixing</b>	<b>Yes, depending on the uses</b>	<b>Don't know</b>
261	26	93	14

**Do you think Miami Township should work to create a focal point or downtown area somewhere in the Township?**

<b>Yes</b>	<b>No</b>	<b>Would like this issue to be discussed further</b>
83	195	116

**Write-In Questions**

**Why do you like living in or owning a business in Miami Township?**

<b>Top Five Comments</b>	<b>No. of Times Comment Mentioned on Responses</b>
Convenience of the area. Area is close to shops, work, schools, family, etc.	109
Good Township services	73
No income tax and low or reasonable taxes	54
Like living in rural area/country setting	38
Like the open space/parks	24

**What would you like to change or keep the same about the land uses in Miami Township?**

<b>Top Five Comments</b>	<b>No. of Times Comment Mentioned on Responses</b>
Keep or increase green space	48
No more apartments	38
Keep farmland/rural areas	36
Keep the same	31
No more development	19

**General Trends and Census Information**

Miami Township has nearly doubled its population over the last 45 years. Staff estimates place the current township population in 2005 between 26,000 and 30,000 residents. The township experienced relatively rapid growth after 1980. This may be attributed in large part to the completion of Interstate 675, which placed Miami Township at the juncture of two major transportation corridors. The completion of the Dayton Mall around 1970 had already begun the transformation of Miami Township's east side from a relatively rural residential setting to its current urbanized commercial core. The 1980s and 1990s also saw significant expansion of the stock of multiple-family housing in Miami Township.

In 2005, Miami Township predicts some leveling off of the recent population growth, as many developing subdivisions are reaching their build-out stages and land for additional residential expansion becomes scarce. Greater demand for elderly assisted and independent living situations will exist in the area, as well as the nation as a whole. The desirability of the township for retirees and those requiring assisted living situations will depend in part on the types of amenities the township provides to these groups, such as pedestrian areas and public transportation options.

The percentage of the population 65 and older in Miami Township has increased from 9% of the population in 1990 to 12.3% in 2000. The percentage of the population under 35 has decreased from 55% in 1990 to 50.6% in 2000.

The number of persons per household in Miami Township continues to decline. Factors such as the tendency for people to have fewer children and the aging population affect this statistic.

Miami Township continues to become more ethnically diverse, and this trend is expected to continue. Miami Township should explore ways to incorporate its growing diversity into public events, public artwork, and other community features.

<b>Population Growth</b>						
Miami Township (Unincorporated)	1960	1970	1980	1990	2000	% Change
	17,440	17,952	18,076	22,610	25,706	
	1960-70 2.9%		1970-80 0.7%		1980-90 25.0%	
1960-2000 47.4%						
Miamisburg	1960	1970	1980	1990	2000	% Change
	9,893	14,797	15,304	17,834	19,489	
	1960-70 49.6%		1970-80 3.4%		1980-90 16.5%	
1960-2000 97%						
Montgomery County	1960	1970	1980	1990	2000	% Change
	527,080	608,413	571,697	573,809	559,062	
	1960-70 15.4%		1970-80 -6.0%		1980-90 0.4%	
1960-2000 6.1%						

<b>Median Age of Population</b>			
	1980	1990	2000
Miami Township	31.4	32.9	34.7
Montgomery County	30.3	33.3	36.4

<b>Percentage of Families with Incomes Below Poverty Level</b>		
	1990	2000
Miami Township	3%	4.5%
Montgomery County	10%	8.3%

<b>Age Composition: 2000</b>					
Age in Years	0-19	20-34	35-54	55-64	65+
Miami Township	6168 (24%)	6821 (26.6%)	7188 (27.9%)	2366 (9.2%)	3161 (12.3%)
Montgomery County	27.5%	20.3%	29.1%	9.2%	14.9%

<b>Persons per Household</b>			
	1980	1990	2000
Miami Township	2.68	2.32	2.23
Montgomery County	2.65	2.49	2.37

<b>Number of Households</b>				
	1980	1990	2000	% Change
Miami Township	6,739	9,730	11,419	17.3%
Montgomery County	211,857	226,192	229,229	1.60%

<b>Number of Housing Units</b>			
	1980	1990	2000
Miami Township	7,124	10,318	11,419
% Change		45%	10.6%
Montgomery County	227,582	240,820	248,443
% Change		6%	3.2%

<b>Median Contract Rent</b>			
	1980	1990	2000
Miami Township	\$244	\$512	\$562
Montgomery County	\$162	\$316	\$427

<b>Median Housing Unit Value</b>			
	1980	1990	2000
Miami Township	\$53,600	\$79,600	\$114,400
% Change		48.5%	43.7%
Montgomery County	\$42,200	\$65,000	\$95,900
% Change		54%	47.5%

<b>Tenure of Housing Units: 2000</b>			
	Owner Occupied	Rented	Vacant (% of All Units)
Miami Township	64%	36%	8.3%
Montgomery County	64.7%	35.3%	7.7%

<b>Racial Composition: 1990-2000</b>				
Miami Township	Asian/Pacific Islander	Black	Hispanic	White
1990	1.5%	1.4%	0.8%	96.2%
2000	3.3%	4.4%	1.3%	91.1%
Montgomery County				
2000	0.26%	19.9%	0.38%	76.6%

Census Data Source: 2000 U.S. Census, U.S. Census Bureau; Montgomery County Planning Commission

# Exhibit E

Legal Description and Survey of Dayton  
Mall Certified by Steven J. Metcalf, P.S.,  
of Neff & Associates



Civil Engineers + Landscape Architects + Planners + Surveyors

### Legal Description

Entertainment District – Dayton Mall

May 14, 2020 - revised

File No. 13970A-LD004

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Situated in the Township of Miami, County of Montgomery and State of Ohio and known as being part of Section 7, township 1, Range 6 M.R.S. and Section 12, Township 2, Range 5 M.R.S. and is further bounded and described as follows:

Beginning at a 5/8" iron pin found at the Southeasterly corner of an Easement for Highway Purposes as recorded in Deed Book 2497, Page 393 of Montgomery County Records and the Northwesterly corner of a parcel of land conveyed to Dayton Outparcel, LLC by deed recorded in Instrument No. 2015-00057454 of Montgomery County Records.

- Course 1 Thence South  $05^{\circ}57'29''$  West, along the Westerly line of said Dayton Outparcel, LLC parcel and continuing along a parcel of land conveyed to Dayton-Beer Associates Ltd by deed recorded in Deed Book 93-0606, Page B12 and a parcel of land conveyed to WBCMT 2007-C31 Kingsridge Drive, LLC by deed recorded in Instrument No. 2012-00031324 of Montgomery County Records, a distance of 1510.54 feet to the Southeasterly corner of a parcel of land conveyed to Sears, Roebuck and Co. by deed recorded in Instrument No. 2015-00039492 of Montgomery County Records;
- Course 2 Thence North  $81^{\circ}06'05''$  West, along the Southerly line of said Sears, Roebuck and Co. parcel and continuing along the Southerly line of a parcel of land conveyed to Dayton Mall II, LLC by deed recorded in Instrument No. 2012-00053944 of Montgomery County Records, a distance of 1199.99 feet to the Southeasterly corner of a parcel of land conveyed to Visamo Hospitality, LLC by deed recorded in Instrument No. 2010-064415 of Montgomery County Records;
- Course 3 Thence North  $83^{\circ}28'08''$  East, along the Easterly line of said Visamo Hospitality, LLC parcel, a distance of 30.34 feet to the Northeasterly corner of said parcel;
- Course 4 Thence North  $83^{\circ}02'38''$  West, along the Northerly line of said Visamo Hospitality, LLC parcel, a distance of 58.45 feet to a point of curvature of on said line and parcel;
- Course 5 Thence Northwesterly, by the arc of a curve along the Northerly line of said Visamo Hospitality, LLC parcel, deflecting to the right, a distance of 170.44 feet to a point of tangency. Said arc having a radius of 465.00 feet, a central angle of  $21^{\circ}00'05''$  and a chord which bears North  $72^{\circ}32'35''$  West, a distance of 169.49 feet;

Legal Description

Entertainment District – Dayton Mall

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- Course 6 Thence North 62°02'31" West, continuing along the Northerly line of said Visamo Hospitality, LLC parcel, a distance of 895.33 feet to an interior corner of said parcel;
- Course 7 Thence South 07°57'29" West, continuing along the Northerly line of said Visamo Hospitality, LLC parcel, a distance of 5.93 feet to an interior corner of said parcel;
- Course 8 Thence North 62°01'11" West, continuing along the Northerly line of said Visamo Hospitality, LLC parcel and the extension of said line, a distance of 102.30 feet to an angle point;
- Course 9 Thence North 82°01'11" West, a distance of 388.62 feet a point on the Easterly right of way for Springboro Pike (State Route 741) (Width Varies);
- Course 10 Thence North 05°11'01" East, along the Easterly right of way for said Springboro Pike, a distance of 1171.84 feet to a point on the Northerly line for Section Line 12-T2-R5MRS;
- Course 11 Thence South 80°46'01" East, along the Northerly line for Section Line 12-T2-R5MRS, a distance of 426.94 feet to an interior corner of a parcel of land conveyed to Dayton Mall II, LLC by deed recorded in Instrument 2012-00053944 of Montgomery County Records;
- Course 12 Thence North 04°46'59" East, along a Westerly line of said Dayton Mall II, LLC parcel, a distance of 102.00 feet to an angle point;
- Course 13 Thence North 04°45'19" East, continuing along a Westerly line of said Dayton Mall II, LLC parcel, a distance of 278.64 feet to an interior corner of said parcel;
- Course 14 Thence South 78°00'21" East, continuing along a Westerly line of said Dayton Mall II, LLC parcel, a distance of 151.75 feet to another interior corner of said parcel;
- Course 15 Thence North 04°23'59" East, continuing along a Westerly line of said Dayton Mall II, LLC parcel, a distance of 222.07 feet to a point on the Southerly right of way for Miamisburg-Centerville Road (State Route 725) (Width Varies) as established by State of Ohio Department of Highways Plans, MOT-725-14.65, Dated August 21, 1970;

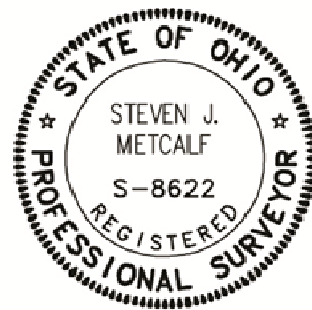
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Thence along the Southerly right of way for said Miamisburg-Centerville Road (State Route 725) for the following ten (10) courses;

- Course 16 Thence South 88°10'22" East, a distance of 77.36 feet;
- Course 17 Thence South 76°21'01" East, a distance of 200.00 feet;
- Course 18 Thence South 71°12'27" East, a distance of 200.81 feet;
- Course 19 Thence South 73°17'34" East, a distance of 281.23 feet;
- Course 20 Thence South 78°29'51" East, a distance of 133.45 feet;
- Course 21 Thence South 73°28'26" East, a distance of 254.35 feet;
- Course 22 Thence South 64°03'01" East, a distance of 202.05 feet;
- Course 23 Thence South 52°58'00" East, a distance of 603.83 feet;
- Course 24 Thence South 59°10'42" East, a distance of 355.10 feet to the place of beginning and containing 107.9271 Acres (4,701,304 Square Feet) of land as surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates. Field work performed on November 2019.

Be the same more or less, but subject to all legal highways and easements of record.

  
\_\_\_\_\_  
Steven J. Metcalf  
Registered Surveyor No. 8622-Ohio





## Exhibit F

Letters of Consent from Macy's  
and Seritage

# WASHINGTON PRIME GROUP

## VIA EMAIL

September 29, 2020

Macy's Retail Holdings, LLC.  
7 West Seventh Street  
Cincinnati, Ohio 45202  
Attn: Jason Williams, Director Real Estate  
[Jason.williams@macys.com](mailto:Jason.williams@macys.com)

RE: Dayton Mall, Dayton, Ohio – Formation of Community Entertainment District

Dear Jason:

The undersigned, as developer ("Developer") of the enclosed shopping mall commonly known as Dayton Mall, located in Dayton, Ohio (the "Shopping Center") has undertaken efforts to revitalize the Shopping Center to increase foot traffic and bring in new tenants and amenities for its customers. Macy's Retail Holdings, LLC. ("Macy's") is the current owner of the following parcel within the Shopping Center: PPN K45026040176 [15.9362 +/- acres] (the "Macy's Parcel").

In connection with its revitalization efforts, Developer intends to seek to create a "Community Entertainment District" covering portions of the Shopping Center, pursuant to Section 4301.80 of the Ohio Revised Code (the "Community Entertainment District" or "CED"). Subject to obtaining all parties' consent, Developer intends to include a total of 107.9271 +/- acres of real property in the CED, which includes the property owned by Developer, the Macy's Parcel and the property owned by Seritage/Sears. If successful, the real property included within the boundaries of the Community Entertainment District will be entitled to obtain category D-5J liquor licenses as a matter of right, available at the price set forth in the above-referenced Code section. These liquor licenses may be utilized only within the boundaries of the Community Entertainment District, per Code.

A copy of the CED application is enclosed for your reference. To the extent any party chooses not to participate in the CED, the application will be revised accordingly, and the number of liquor licenses granted to the CED will be reduced on an acreage basis, per Code.

Developer desires to include the Macy's Parcel within the boundaries of the Community Entertainment District, at no cost to Macy's (other than the cost to apply for and maintain any of the D-5J liquor licenses). The parties participating in the Community Entertainment District shall agree to allocate the CED liquor licenses on a pro rata basis, based on acreage of each party's parcel(s) (one (1) license per every 7.1951 acres).

Assuming each of Developer, Macy's and Seritage participate in the CED, the licenses will be allocated as follows:

Developer – 10 licenses [75.1776 acres]

Macy's – 2 licenses [15.9362 acres]

Seritage – 2 licenses [16.8133 acres]

Additionally, there will be one (1) "at-large" license that will be available on a first-come, first-serve basis, provided no participating party may apply for the "at large" license until it has fully exhausted its allocated number of licenses.

By executing this letter where indicated below, Macy's hereby consents to the inclusion of the Macy's Parcels within the boundaries of the Community Entertainment District and agrees that Developer may file the applications and documents necessary to pursue the creation of the CED. Macy's further agrees to the allocation of CED liquor licenses among the parties as set forth above, subject to re-allocation on an acreage basis if any of the listed parties elect not to participate in the CED.

For the avoidance of doubt, Developer and Macy's acknowledge and agree that neither the creation of the CED nor Macy's consent to WPG including the Macy's Parcels within the CED area, nor the inclusion of Developer's or Sears'/Seritage's property within the CED area, shall be deemed to amend, modify, limit, alter or otherwise impact the terms, conditions and restrictions of the Operating Agreement, dated August 21, 1968, as amended (the "OA"). Developer's, Macy's, and Sears'/Seritage's rights and obligations under the OA, including – without limitation – those relating to redevelopment activities or use restrictions, remain in full force and effect.

Macy's acknowledges and agrees that this letter may be attached to Developer's Community Entertainment District formation application package and otherwise furnished to the necessary authorities as evidence of Macy's consent to the inclusion of the Macy's Parcels in the proposed Community Entertainment District. Macy's consent herein is limited to the matters expressly addressed in this letter.

Very truly yours,

DAYTON MALL II, LLC, a Delaware limited liability company

By:   
Matthew J. Jurkowitz  
Vice President - Development

**ACKNOWLEDGED AND AGREED:**

MACY'S RETAIL HOLDINGS, LLC.,  
an Ohio limited liability company

By:   
Name: Charles P. DiGiovanna  
Title: Vice President

DAYTON MALL II, LLC,  
a Delaware limited liability company

By:   
Name: MATTHEW JURKOWITZ  
TITLE: VICE PRESIDENT - DEVELOPMENT

# WASHINGTON PRIME GROUP

## VIA EMAIL

August 11, 2020

Seritage Growth Properties  
500 Fifth Ave., Ste. 1530  
New York, New York 10110  
Attention: Barbara Ioannidis, Sr. Director of Development  
E-Mail: [bioannidis@seritage.com](mailto:bioannidis@seritage.com)

RE: Dayton Mall, Dayton, Ohio – Formation of Community Entertainment District

Dear Barbara:

The undersigned, as developer (“Developer”) of the enclosed shopping mall commonly known as Dayton Mall, located in Dayton, Ohio (the “Shopping Center”) has undertaken efforts to revitalize the Shopping Center to increase foot traffic and bring in new tenants and amenities for its customers. Seritage Growth Properties (“Seritage”) is the current owner of the following parcels within the Shopping Center: PPN K45026040049 and K45024010055 [16.8133+/- Acres]; (the “Seritage Parcels”).

In connection with its revitalization efforts, Developer intends to seek to create a “Community Entertainment District” covering portions of the Shopping Center, pursuant to Section 4301.80 of the Ohio Revised Code (the “Community Entertainment District” or “CED”). Subject to obtaining all parties’ consent, Developer intends to include a total of 107.9271+/- acres of real property in the CED, which includes the property owned by Developer, the property owned by Macy’s and the property owned by Seritage. If successful, the real property included within the boundaries of the Community Entertainment District will be entitled to obtain category D-5J liquor licenses as a matter of right, available at the price set forth in the above-referenced Code section. These liquor licenses may be utilized only within the boundaries of the Community Entertainment District, per Code.

A copy of the CED application is enclosed for your reference. To the extent any party chooses not to participate in the CED, the application will be revised accordingly, and the number of liquor licenses granted to the CED will be reduced on an acreage basis, per Code.

Developer desires to include the Seritage Parcels within the boundaries of the Community Entertainment District, at no cost to Seritage (other than the cost to apply for and maintain any of the D-5J liquor licenses). The parties participating in the Community Entertainment District shall agree to allocate the CED liquor licenses on a pro rata basis, based on acreage of each party’s parcel(s) (one (1) license per every 7.1951 acres).

Assuming each of Developer, Macy’s and Seritage participate in the CED, the licenses will be allocated as follows:

Developer – 10 licenses [75.1776 acres]

Macy’s – 2 licenses [15.9362 acres]

Seritage – 2 licenses [16.8133 acres]

Additionally, there will be one (1) “at-large” license that will be available on a first-come, first-serve basis, provided no participating party may apply for the “at large” license until it has fully exhausted its allocated number of licenses.

By executing this letter where indicated below, Seritage hereby consents to the inclusion of the Seritage Parcels within the boundaries of the Community Entertainment District and agrees that Developer may file the applications and documents necessary to pursue the creation of the CED. Seritage further agrees to the allocation of CED liquor licenses among the parties as set forth above, subject to re-allocation on an acreage basis if any of the listed parties elect not to participate in the CED.

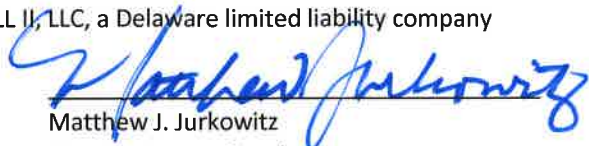
Seritage acknowledges and agrees that this letter may be attached to Developer’s Community Entertainment District formation application package and otherwise furnished to the necessary authorities as evidence of Seritage’s consent to the inclusion of the Seritage Parcels in the proposed Community Entertainment District.

Seritage’s consent herein is limited to the matters expressly addressed in this letter. Nothing in this letter shall be construed or deemed to otherwise limit or supersede the provisions of the Real Estate Sale and Purchase Agreement dated November 30, 1994, as amended. Seritage’s consent herein is limited to the matters expressly addressed in this letter and is not an approval by Seritage for a specific redevelopment plan of the Shopping Center at this time. Nothing in this letter shall be construed or deemed to otherwise limit or supersede the provisions of the Real Estate Sale and Purchase Agreement dated November 30, 1994, as amended.

Very truly yours,

DAYTON MALL II, LLC, a Delaware limited liability company

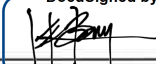
By:



Matthew J. Jurkowitz  
Vice President - Development

**ACKNOWLEDGED AND AGREED:**

Seritage SRC Finance, LLC,  
a Delaware limited liability company

DocuSigned by:  
By:   
Name: James Bry  
Title: VP