



Township of Abington

Engineering & Code Department

Wayne C. Luker, President
Steven N. Kline, Vice President

Richard J. Manfredi, *Manager*
Amy R. Montgomery, *P.E., Director*

Zoning Hearing Notice

Notice is hereby given that the Zoning Hearing Board of the Township of Abington will hold a meeting as required by the Township's Zoning Ordinance at the Abington Township Administration Building, 1176 Old York Road, Abington, Pennsylvania, on:

Tuesday, November 19, 2019 at 7:00 p.m., at which time a public hearing will commence on the following application:

19-13: This is the application of **Duke Real Estate Partners, LLC**, owners of the property located at 361 Highland Avenue, Glenside, Pa. 19038. The applicants have requested a dimensional variance from Ordinance #1987, Section 603.5.J of the Township of Abington. The applicants seek approval to install five wall and/or canopy signs, instead of the three permitted signs. The applicant seeks a variance from Section 2210.A.1 of the Zoning Ordinance of the Township of Abington to allow directional signage to contain the business logo and exceed the 4 square foot size limitation by 1.825 square feet.

The property is zoned within the Suburban Industrial District of Ward #12 of the Township of Abington. A copy of the application and plans are on file with the Planning & Zoning Office and are available for review during normal business hours.

By Order of the Zoning Hearing Board.

Mark A. Penecale
Planning & Zoning Officer
Township of Abington

Note: There is a 30 day period after the date the decision is rendered for any and all aggrieved persons to file an appeal in the appropriate court to contest the actions of the Zoning Hearing Board. Applicants that take action on a Zoning Hearing Board Approval during the 30 day appeal period, do so at their own risk. If there are questions that you may have, please feel free to contact the Zoning Officer at 267-536-1010. If you are unable to attend the hearing, written comment may be entered into the record by submitting them in advance of the hearing to the Planning & Zoning Officer.

Zoning Hearing Board Application

Abington Township, PA

1176 Old York Road, Abington PA 19001, Fax: 215-884-8271, Telephone: 267-536-1000



This application must be accompanied by a minimum of ten (10) copies of the plot plan of the property, prepared and signed by a registered land surveyor or professional engineer. The plan must include lot area, lot dimensions, coverage percentages, existing structures, other improvements, proposed improvements, off-street parking, buffers and all characteristics on the site.

The Undersigned herein makes application for:

- Request for Variance from the Zoning Ordinance.
- Request for a Special Exception as provided by the Zoning Ordinance.
- Appeal from the actions of the Zoning Officer.

1. Name and address of the owner of the land: Phone number:
 Duke Real Estate Partners LLC
 2010 County Line Rd.
 Huntingdon Valley PA 19006

2. Name and address of the applicant: Phone number:
 Same as above.

3. Name and address of the attorney: Phone number: (215) 345-7000
 Marc D. Jonas, Esq.
 Eastburn and Gray, P.C.
 470 Norristown Rd.
 Blue Bell, PA 19422

4. If the applicant is not the owner of the property, list the applicant's interest in filing this application.
 Example: equitable owner, agent, lessee, etc.
 N/A

5. Description of the property:

Address/location 361 Highland Ave., Bldg. 3, Glenside, PA 19038

Present use office building

Proposed improvement Please see attached addendum.

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- 6. State briefly the reasons for which the proposed improvements or use does not meet the requirements of the Zoning Ordinance, and the nature of relief you are seeking:
Please see attached addendum.

- 7. List the specific section of the Zoning Ordinance upon which the application for a variance or special exception is based:
Please see attached addendum.

- 8. Describe in detail the grounds for the appeal, or the reasons both in law and in fact for the granting of the variance or special exception, describing in detail the nature of the unique circumstances, and the specific hardship justifying your request for approval of the application.
Please see attached addendum.

- 9. List any and all prior Zoning Hearing Board action regarding the property. List the date, case number and the nature of the zoning relief granted.
Please see attached addendum.

- 10. List any and all additional information, records, transcripts which may be helpful to the Zoning Hearing Board in rendering a decision: A minimum of eight (8) copies are required to be submitted.
Please see attached addendum.

Signature of Applicant

Signature of Owner

Internal Validation:

Date Received: 10/24/19

Fee Paid: \$1,500.00

Case: 19-13

check # 906

Rec # 457472

RECEIVED
OCT 24 2019

Signature of the Zoning Officer

**ZONING HEARING BOARD APPLICATION
ADDENDUM**

Applicant: Duke Real Estate Partners LLC

Property: 361 Highland Avenue

This application requests signage variances related to a 40,500 sq. ft. office building in the Switchville Crossing commercial development. This building was previously granted conditional use approval by the Board of Supervisors on February 3, 2015 and land development approval on March 12, 2008, amended on January 8, 2015 (collectively the "Approvals"). By written agreement, the Township has confirmed that the zoning ordinance applicable to the office building is the zoning ordinance in effect at the time of the Approvals. The sign regulations in effect at the time of the Approvals was **Ordinance No. 1987,** enacted November 16, 2009, which modified certain sign regulations applicable to an SI Mixed Development in the Suburban Industrial District.

Pursuant to Ordinance No. 1987:

- canopy signs may be submitted for a wall sign
- 1 identification sign is permitted per building with a maximum sign area of 80 sq. ft. and a sign height equal to the building height
- a total of 3 individual user/tenant signs are permitted per building with a maximum aggregate square footage for all wall signs being 200 sq. ft.

The proposed signage will primarily be for Lightbridge Academy, an early-childhood education daycare and development center that will occupy a portion of Building 3. The proposed signage is as follows:

- a 31 sq. ft. identification wall sign for Lightbridge Academy located on the 3rd story of the northeastern façade of Building 3 facing into the Switchville Crossing development and parking lot;
- an awning sign for Lightbridge Academy on a canopy over the building entrance on the southeastern building façade;
- 4 square wall signs depicting the names and logos of tenants in Building 3, located adjacent to the main entrance to the building;
- 3 directional signs with the Lightbridge Academy name and logo located along the internal drives accessing from Highland Avenue and Wharton Road; and

Per the township zoning officer the following are not considered regulated signs requiring zoning relief:

- 2 door pulls depicting the icon for Lightbridge Academy located on the doors below the covering
- 2 door graphics for Lightbridge Academy located on the glass doors below the protruding covering; and
- 4 tenant signs for Lightbridge Academy to be installed on each face of the existing monument signs located at the entrances on Highland Avenue and Wharton Road.

Applicant requires the following relief from the requirements of Ordinance No. 1987 to install the proposed signs:

- a variance from section 603.5.J.2.b(ii) to permit a total of 5 wall/canopy signs on Building where 3 individual user/tenant signs are permitted per building; and
- a variance from section 2210.A.1 to permit information signs that include a business name and logo where information signs are not permitted to contain advertising for a for-profit entity.

The proposed signage is necessary to assist patrons of Lightbridge Academy to locate, identify, and safely navigate to the Building 3 to drop off their children. The interior location of the building makes this location difficult to find for those not familiar with the development.

The additional signage will permit a reasonable use of the property and will have no negative or otherwise detrimental impact on surrounding properties because the signage for which variance relief is requested is primarily visible from within the shopping center.

ORDINANCE NO. 1987

AN ORDINANCE AMENDING ORDINANCE 1753 OF THE TOWNSHIP OF ABINGTON, KNOWN AS THE ZONING ORDINANCE OF THE TOWNSHIP OF ABINGTON, AMENDING ARTICLE VI, SECTION 603 THE SUBURBAN INDUSTRIAL MIXED DEVELOPMENT OVERLAY DISTRICT

Whereas, the Board of Commissioners of the Township of Abington has the authority pursuant to section 1502.1 of The First Class Township Code, 53 P.S. § 56502.1, and section 601 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10601, to enact and amend ordinances as the Township shall deem beneficial to the Township; and

Whereas, the Township enacted Ordinance 1962 creating the SI Suburban Industrial Mixed Development Overlay District to expand the list of permitted uses in certain circumstances consistent with its long term objective of maintaining the economic vitality of Abington Township; and

Whereas, the Township has determined that certain amendments of the SI Suburban Industrial Mixed Development Overlay District are warranted to enhance development within that district.

NOW, THEREFORE, the Board of Commissioners does hereby enact and ordain as follows:

Section 1: Section 603.4.B.1(a) of the Zoning Ordinance, Dimensional Regulations, is amended by changing the maximum building height from fifty-five (55) feet to fifty (50) feet for any building devoted to F-1, F-2, and F-3 uses.

Section 2: Section 603.4.B.2 of the Zoning Ordinance, Dimensional Regulations, is amended by changing the maximum building length or width from two hundred (200) feet to two hundred thirty (230) feet, and by deleting all references to the parking garage. This section shall read as follows:

Maximum building length or width shall be two hundred thirty (230) feet.

Section 3: Section 603.5.F of the Zoning Ordinance, Parking and Loading, is amended by deleting section 603.5.F in its entirety, and replacing this section as follows:

1. The parking space requirement of SI Mixed Developments shall be calculated at the ratio of one (1) off-street parking space for every two hundred fifty (250) square feet of gross leasable floor area. All parking spaces for vehicles shall be a minimum of 9 feet wide by 18 feet in length.
2. Off-street Loading Requirements.
 - a. No building in an SI Mixed Development used for anything other than purely industrial purposes shall be required to have more than two (2) off-street loading berths.
 - b. One (1) off-street loading berth is required for a G-3 Athletic/Health Club use.
 - c. An off-street loading berth is not required for a C-3 Bank use.

- d. The loading berths for an F-3 Medical Office use may co-occupy the area designed for pedestrian drop-off/waiting.

Section 4: Section 603.5.1.1. of the Zoning Ordinance, Special Development Regulations for Uses C-3 Bank, C- 19 Professional Service Business, C-23 Restaurant and C-25 Retail Shop, is amended to read as follows:

- a. Use C-3 Bank shall have a maximum of 3,000 square feet, in a single bank; only one bank per development tract. Where a drive-in window is proposed, whether for contact with bank personnel, or with an automated teller machine, a stacking lane shall be provided for each window, sufficient to serve a minimum of four (4) cars.

Section 5: Section 603 .5.J of the Zoning Ordinance, Signage, is amended by deleting Section 603.5.J in its entirety, and replacing this section as follows:

J. Signs. Signs for an SI Mixed Development shall comply with regulations applicable to signs in all zoning districts and with section 1008.2.C.2, regulating signs in the Suburban Industrial Districts, except as follows:

1. Monument signs.

- a. The maximum area of a monument sign shall be 75 square feet. The supporting base shall not be counted in the calculation of permitted area of a sign.
- b. The maximum height of a monument sign shall be 15 feet.
- c. No more than one (1) monument sign shall be erected on any single complex, unless such property fronts onto more than one (1) street. If a property fronts onto more than one (1) street, one (1) such sign shall be permitted along each street frontage.

2. Wall signs.

a. General regulations.

- (i) Roof signs are not permitted.
- (ii) Canopy signs may be substituted for wall signs.
- (iii) Box-type interior illuminated signs larger than 30 square feet are not permitted.

b. Identification signs.

(i) Building identification signs.

Max. number of signs per building	1
Max. square footage of signage	80 sq. ft.
Max. height	building height
Illumination	direct or indirect

(ii) Individual user/tenant signs.

Building Size	36,000+ sq. ft. (G-3 Athletic/ Health Club Only)	15,000 + sq. ft.	≤ 15,000 sq. ft.
max. number of signs per bldg.	3	3	3
max. aggregate sq. ft.	530 sq. ft.	200 sq. ft.	120 sq. ft. max.
any one sign	200/330 sq. ft.*	200 sq. ft.	80 sq. ft.
location	front yard façade	any façade	any façade
max. height	building height	building height	building height
illumination type	direct/indirect	direct/indirect	direct/indirect

[* 200 sq. ft. maximum can be increased to 330 sq. ft. for the sign facing the main parking field.]

Section 6 The Zoning Map is amended by the inclusion of Montgomery County tax parcel number 30-00-71980-00-8, as shown on the re-delineation of the SI Suburban Industrial Mixed Development Overlay District, attached as Appendix A.

Section 7: All other sections, parts, and provisions of Section 603, Suburban Industrial Mixed Development Overlay District shall remain in full force and effect as previously enacted.

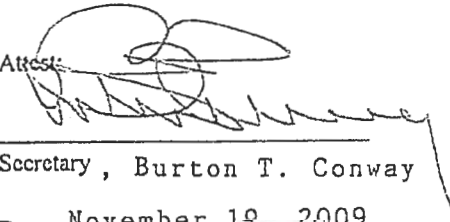
Section 8: Severability. The various parts, sections and clauses of this Ordinance area hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 9: Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 10: Effective Date. This Ordinance shall take effect on November 16, 2009.

BOARD OF COMMISSIONERS OF ABINGTON TOWNSHIP

By: 
President of the Board of Commissioners
Carol T. DiJoseph

Attest: 
Secretary, Burton T. Conway
Date: November 19, 2009