



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:

Wednesday, May 16, 2018 at 7:00 p.m., at which time a public hearing will commence on the following application:

18-08: This is the application of **Target Corporation**, applicant for the property located at 1495 Old York Road, Abington, Pa. 19001. The applicant has requested a dimensional variance from the sign regulations found within Figure 22.24 of the Zoning Ordinance of the Township. The applicant has requested a dimensional variances to allow for wall signage in excess of 200 square foot limitation. The proposed signage will be located in the same location as the existing signage.

The property is zoned within the Business Center District of Ward #10 of the Township of Abington. A copy of the application and site plan are on file with the Planning & Zoning Office and is available for review during normal business hours.

By Order of the Zoning Hearing Board.

Mark A. Penecale
Planning & Zoning Officer

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:
Target Corporation 612 - 761 - 7051
1000 Nicollet Mall
Minneapolis, MN 55403
2. Name and address of the applicant: Phone number:
Target Corporation 703 - 674 - 1315
c/o Kimley-Horn and Associates
11400 Commerce Park Drive, Suite 400
Reston, VA 20191
3. Name and address of the attorney: Phone number:
Amee Farrell, Esquire 610 - 941 - 2547
Kaplin Stewart Meloff Reiter & Stein, P.C.
910 Harvest Drive
Union Meeting Corporate Center, P.O. Box 3037
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.
Agent, engineer

5. Description of the property:

Address/location 1495 Old York Road, Abington, PA 19001

Present use Commercial Retail - Target

Proposed improvement Facade/exterior signage improvements

Zoning Hearing Board Application

Abington Township, PA

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



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:

The proposed wall signage for the Target exceeds the maximum allowable square footage. Based on Figure 22.24, maximum allowable area for wall signage is 15% of the facade, or 200 SF max. Target is proposing 758 SF of wall signage (measured rectangularly) and two red architectural EIFS areas totaling 1,457 SF.

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

Figure 22.24 BC Business Center District, Joint Use Properties, Signs for Individual Uses with External Access

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.

Based on the Zoning Ordinance, Target is allowed 15% of the facade or 200 SF max of wall signage. 15% of Target's main facade is approximately 1,200 SF. 200 SF is only about 17% of this number. Based on the scale of the building, as well as the fact that the building is surrounded on all sides by road frontage or parking, Target would like to add additional signage to increase visibility. The proposed signage would enable Target to match their national branding standards as well as help drivers to identify the building from all surrounding roads. The proposed "order pickup" and CVS Pharmacy signs are proposed to act as directional signs and guide patrons to pick up online orders and pharmacy orders, respectively.

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.

Application No. 92-02: R.D. Abington Associates, L.P. was granted a variance to increase allowed sign area for the building to 838 square feet. The conditions for approval included 1) that window signs are restricted from use on the premises and 2) that the lighting must be turned off as per the testimony. This decision was rendered on September 21, 1992.

Application No. 90-8: CBM-Old York Associates, Inc. was granted a variance to erect an additional 220 square feet of signage on the west elevation of the building. The conditions for approval included 1) that exterior illuminated wall signs will be turned off within fifteen (15) minutes of closing and 2) that the applicant will agree not to request any additional signage on this property in the future. The decision was rendered on March 21, 1990.

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.

Kimberly [Signature]
Signature of Applicant

[Signature]
Signature of Owner

Internal Validation:

Date Received: 3/23/18

Fee Paid: \$1,500.00

Case: 18-08

LC # 3869

- #

RECEIVED
MAR 23 2018

[Signature]
Signature of the Zoning Officer

BY:

Amee S. Farrell
Direct Dial: (610) 941-2547
Direct Fax: (610) 684-2010
Email: afarrell@kaplaw.com
www.kaplaw.com

April 23, 2018

VIA ELECTRONIC MAIL MPENECAL@ABINGTON.ORG

Mark Penecale
Planning and Zoning Officer
Abington Township
1176 Old York Road
Abington, PA 19001

RE: Application for Zoning Relief – Target – 1495 Old York Road

Dear Mark:

This office represents Target Corporation (“**Target**”), in connection with the proposed elevation and sign modifications to the existing Target retail store at 1495 Old York Road. In connection therewith, representatives from Target submitted an application to the Abington Township Zoning Hearing Board (“**Board**”) for the zoning relief necessary to permit signage in excess of the maximum allowable sign area (“**Application**”). Hearing on the application is currently scheduled for Wednesday, May 16, 2018.

Enclosed herewith for distribution to the Board is an updated elevation, dated March 29, 2017, depicting a slight modification to the secondary entrance sign on the western building elevation.

Per our telephone discussion of this afternoon, the enclosed does not modify the relief requested as advertised, and accordingly, the Application will not require re-advertisement.

Kindly circulate the within updated elevation to the pending Application to the necessary parties.

If you have any questions or require any further information, please do not hesitate to contact me. I thank you for your attention to this matter.

Sincerely,



Amee S. Farrell

REALTY TRANS. TAX PAID	
STATE	115,000.00
LOCAL	115,000.00
PER	75

8-385

001792



COMMONWEALTH LAND
TITLE INSURANCE COMPANY
DLA5746A

CONDOMINIUM DEED

②

17250
17150
500
500
150

THIS INDENTURE made this 11th day of December, 2000, between RD ABINGTON ASSOCIATES LIMITED PARTNERSHIP, a Delaware limited partnership ("Grantor") and TARGET CORPORATION, a Minnesota corporation ("Grantee").

WITNESSETH, that the said Grantor, for and in consideration of the sum of \$100, and other good and valuable consideration truly paid by the said Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm unto the said Grantee, its successors and assigns:

ALL THAT CERTAIN Unit designated as Unit "III" of Abington Towne Center, situate in Abington, Montgomery County, Pennsylvania as more particularly described herein on Schedule A attached hereto and made a part hereof.

UNDER AND SUBJECT to all existing covenants, agreements, conditions, easements, restrictions, reservations, rights of record and covenants as contained in the Declaration of Condominium and the Plats and Plans, to the extent valid and enforceable and applicable to the above-described premises.

AND the Grantee, for and on behalf of itself and its successors and assigns, by the acceptance of this Deed, covenants and agrees to pay such charges for the operation, maintenance, repairs, replacements and other expenses in connection with the Common Elements, including any Limited Common Elements appurtenant to said Unit, as may in accordance with the Declaration of Condominium and the Uniform Condominium Act of Pennsylvania, be assessed against said Unit from time to time during the period of time such Unit is owned by Grantee, and further covenants and agrees that the Unit conveyed by this Deed shall be subject to a lien for all amounts so assessed except insofar as Section 3407(c) of the said Uniform Condominium Act may relieve subsequent unit owners of liability for prior unpaid assessments. this covenant shall run with and bind the land or Unit hereby conveyed, and all subsequent owners thereof.

TOGETHER, with the appurtenant undivided percentage interest of, in and to the Common Elements, and all rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, the said Grantor, as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD the said Unit above described together with the appurtenant undivided percentage interest of, in and to the Common Elements, with the hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, to and for the necessary and proper use of the said Grantee, its successors and assigns forever.

[Handwritten signature]

UI JAN 23 PM 1:33

UNDER AND SUBJECT as aforesaid.

AND the said Grantor, for itself and its successors and assigns, does covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it the said Grantor and its successors and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against the said Grantor and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it, them, or any of them, shall and will, SUBJECT as aforesaid, WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the party of the first part has caused this Indenture to be executed as of the day and year first above written.

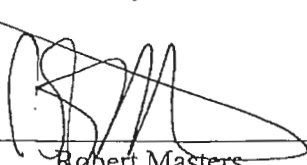
RD ABINGTON ASSOCIATES LIMITED PARTNERSHIP

By: Acadia Property Holdings, LLC, its General Partner

By: Acadia Realty Limited Partnership, its sole member

By: Acadia Realty Trust, its General Partner

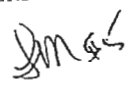
By:



Robert Masters
Senior Vice President

agree\condodeed6/26/00

MONTGOMERY COUNTY COMMISSIONERS REGISTRY
30-00-49884-00-9 ABINGTON
1495 OLD YORK RD
RD ABINGTON ASSOCIATES L P
B 008 U 037 L 4547 DATE: 01/23/01



STATE OF NEW YORK)
 : SS:
COUNTY OF NASSAU)

On this, the 11th day of December, 2000, before me, a Notary Public of the State and County aforesated, the undersigned officer, personally appeared Robert Masters who acknowledged himself to be the Senior Vice President/Secretary of Acadia Realty Trust, General Partner of Acadia Realty Limited Partnership, sole member of Acadia Property Holdings, LLC, General Partner of RD Abington Associates Limited Partnership, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself as President.

WITNESS my hand and Notarial Seal the day and year first above written.

Mollyann Milius

Notary Public

MOLLYANN MILIUS
Notary Public, State of New York
No. 30-4898994
Qualified in Nassau County
Commission Expires April 4, 2002

REGISTERED
ABINGTON TOWNSHIP
DATE 1/17/00 BY SM
MICHAEL E. POWERS
TOWNSHIP ENGINEER

*I certify that the address
of the Grantee is:
1000 Nicolett Mall
Minneapolis, MN 55403
1/2000*

11792	
ABINGTON TWP.	115000.00
STATE STAMP	115000.00
TOTAL	230000.00
CHECK	115000.00
CHECK	115000.00
ITEM 2	
01-23-01 TUE #1	CASH-10 2347 14:23AM

13 July, 2000
2510901

Exhibit –

Part 1 of Unit III Abington Towne Center Condominium – Abington Township,
Montgomery County, Commonwealth of Pennsylvania

ALL THAT CERTAIN lot or piece of ground known as Part 1 of Unit III of "Abington Towne Center Condominium", situate in Abington Township, Montgomery County, Commonwealth of Pennsylvania bounded and described according to a plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium", prepared by Langan Engineering and Environmental Services, Inc., dated 6 June 2000, revised 13 July, 2000, being more particularly described as follows:

BEGINNING at a point on the easterly side of Old York Road (a.k.a. S.R. 0611) (80' wide), at the northerly end of a radius round corner formed by the intersection of the northerly side of London Road (60' wide) and the easterly side of Old York Road (80' wide) thence extending along the easterly side of Old York Road North $01^{\circ} 24' 40''$ East, 377.06 feet to a point; thence leaving said side of Old York Road and extending along the southerly line of Part 2 of Unit II the 5 following courses and distances:

- (1.) South $88^{\circ} 38' 59''$ East, 30.94 feet to a point; thence
- (2.) South $29^{\circ} 28' 58''$ East, 46.85 feet to a point; thence
- (3.) South $88^{\circ} 39' 56''$ East, 165.67 feet to a point; thence
- (4.) North $72^{\circ} 39' 56''$ East, 31.97 feet to a point, thence
- (5.) South $88^{\circ} 50' 27''$ East, 9.20 feet to a point on the westerly perimeter wall of the main building; thence extending in a southerly direction along the westerly perimeter wall of the main building approximately 28.91 feet to a point on the southwesterly corner of the main building; thence extending along the westerly line of Part 1 of Unit II and the westerly line of Unit 1 South $01^{\circ} 09' 33''$ West, 349.40 feet to a point on the northerly line of the aforementioned London Road (60' wide); thence extending along the northerly side of said London Road North $88^{\circ} 35' 20''$ West, 232.08 feet to a point of curvature; thence extending along the arc of a circle curving to the right at the intersection of the northerly side of London Road (60' wide) and the easterly side of Old York Road (80' wide) having a radius of 30 feet the arc distance of 47.12 feet to the first mentioned point and place of BEGINNING.

Said above described parcel of land CONTAINING within said bounds 2.24 acres more or less, including all restrictions and easements as shown on a plan entitled "ALTA/ ACSM Survey Plan", dated 15 April, 2000, prepared by TEI Consulting Engineers Inc., and also including certain rights to areas designated as "Service Drives" as shown on the plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium".

13 July, 2000
2510901

Exhibit -

Part 2 of Unit III Abington Towne Center Condominium - Abington Township, Montgomery County, Commonwealth of Pennsylvania

ALL THAT CERTAIN lot or piece of ground known as "Abington Towne Center Condominium", situate in Abington Township, Montgomery County, Commonwealth of Pennsylvania bounded and described according to a plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium", prepared by Langan Engineering and Environmental Services, Inc., dated 6 June 2000, revised 13 July, 2000, being more particularly described as follows:

COMMENCING at a point on the easterly side of Old York Road (a.k.a. S.R. 0611) (80' wide), said point being measured the following courses and distances from the northerly end of a radius round corner at the intersection of the northerly side of London Road (60' wide) and the easterly side of Old York Road (80' wide), said radius round corner having a radius of 30 feet and an arc distance of 47.12 feet; thence extending along the easterly side of Old York Road North $01^{\circ} 24' 40''$ East, 444.0 feet to a point of curvature thence extending along the arc of a circle curving to the right having a radius of 2824.93 feet, the arc distance of 13.04 feet to the point of BEGINNING thence extending from said point of beginning and still along the arc of a circle curving to the right having a radius of 2824.93 feet, the arc distance of 224.25 feet to a point; thence leaving the easterly side of Old York Road and extending along lands now or formerly of Old York Road Associates North $71^{\circ} 05' 55''$ East, 179.69 feet to a point; thence still along the same, and crossing a certain 20 foot wide sanitary sewer easement North $24^{\circ} 27' 05''$ West, 140.86 feet to a point; thence extending along lands now or formerly of Anthony D. Baker, and along the northerly side of a certain 20 foot wide sanitary sewer easement North $57^{\circ} 06' 25''$ East, 197.37 feet to a point; thence extending along lands now or formerly of Joseph A. & Joan. A. Duden, and along the northerly side of a certain 20 foot wide sanitary sewer easement North $84^{\circ} 26' 09''$ East, 94.15 feet to a point on the southwesterly side of Davidson Road (50' wide); thence extending along the southwesterly side of the said Davidson Road, and crossing a certain 20 foot wide sanitary sewer easement, along the arc of a circle curving to the left having a radius of 300 feet, the arc distance of 119.28 feet to a point; thence extending along the southwesterly side of the said Davidson Road South $28^{\circ} 20' 44''$ East, 329.04 feet to a point; thence extending along the northerly line of Part 3 of Unit III South $61^{\circ} 39' 16''$ West, 23.05 feet to a point; thence still along the same, North $88^{\circ} 30' 03''$ West, 54.61 feet to a point on the northeasterly corner of the main building, thence extending along the perimeter of the main building in a counter-clockwise direction approximately 510.03 feet to a point on the northwesterly face of the building; thence extending along the northerly line of Part 2 of Unit II North $88^{\circ} 36' 33''$ West, 260.34 feet to the point and place of BEGINNING.

Said above described parcel of land CONTAINING within said bounds, 3.75 acres more or less, including all restrictions and easements as shown on a plan entitled "ALTA/ ACSM Survey Plan", dated 15 April, 2000, prepared by TEI Consulting Engineers Inc., and also including certain rights to areas designated as "Service Drives" as shown on the plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium".

BLOCK 9 UNIT 385

13 July, 2000
2510901

Exhibit -

Part 3 of Unit III Abington Towne Center Condominium - Abington Township, Montgomery County, Commonwealth of Pennsylvania

ALL THAT CERTAIN lot or piece of ground known as Part 3 of Unit III of "Abington Towne Center Condominium", situate in Abington Township, Montgomery County, Commonwealth of Pennsylvania bounded and described according to a plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium", prepared by Langan Engineering and Environmental Services, Inc., dated 6 June 2000, revised 13 July, 2000, being more particularly described as follows:

BEGINNING at a point of curvature on the northeasterly end of a radius round corner formed at the intersection of the westerly side of Davidson Road (50' wide) and the northerly side of London Road (60' wide), thence extending along the westerly side of Davidson Road (50' wide) along the arc of a circle curving to the right having a radius of 30 feet, the arc distance of 47.12 feet to a point of tangency on the northerly side of the aforementioned London Road (60' wide); thence extending along the easterly line of Unit I North $01^{\circ} 24' 40''$ East, 392.15 feet to a point; thence extending along the northerly line of Part 1 of Unit II North $88^{\circ} 42' 20''$ West 23.41 feet to a point on the southeastern corner of the main building; thence extending in a northerly direction along the easterly perimeter wall of the main building in a counter-clockwise direction approximately 260.15 feet to a point on the easterly face of the main building; thence extending along the southerly line of Part 3 of Unit II South $88^{\circ} 42' 20''$ East, 87.91 feet to a point on the westerly side of Davidson Road; thence extending along said westerly side of Davidson Road on the arc of a circle to the right having a radius of 125 feet, the arc distance of 39.14 feet to a point; thence still along the same, South $01^{\circ} 24' 40''$ West, 516.36 feet to the first mentioned point and place of BEGINNING.

Said above described parcel of land CONTAINING within said bounds, 0.59 acres more or less, including all restrictions and easements as shown on a plan entitled "ALTA/ ACSM Survey Plan", dated 15 April, 2000, prepared by TEI Consulting Engineers Inc., and also including certain rights to areas designated as "Service Drives" as shown on the plan entitled "Exhibit X Plats and Plans, Abington Towne Center Condominium".



Margaret Beckenbach



REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

RECORDER'S USE ONLY
State Tax Paid 115,000.00
Book Number 53207
Page Number 1748
Date Recorded 11/23/01

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name: Edward J. Rose c/o Commonwealth Land Title Insurance Company
Telephone Number:
Area Code: 215-241-6326
Street Address: 2 Logan Square
City: Philadelphia
State: PA
Zip Code: 19103

B TRANSFER DATA

Grantor(s)/Lessor(s): RD Abington Associates Limited Partnership
Grantee(s)/Lessee(s): Target Corporation
Street Address: 20 Soundview Marketplace
Street Address: 1000 Nicolett Mall
City: Port Washington NY Zip Code: 11050
City: Minneapolis MN Zip Code: 55403

C PROPERTY LOCATION

Street Address: 1495 Old York Road
City, Township, Borough: Abington Township
County: Montgomery
School District: Abington
Tax Parcel Number: PART OF 30-00-49884-00-9

D VALUATION DATA

1. Actual Cash Consideration: \$11,500,000.00
2. Other Consideration: + 200,000.00
3. Total Consideration: = \$11,500,000.00
4. County Assessed Value: \$14,326,810.00
5. Common Level Ratio Factor: x 1.07
6. Fair Market Value: = \$15,329,686.70

E EXEMPTION DATA

1a. Amount of Exemption Claimed: 0%
1b. Percentage of Interest Conveyed: 100%

2. Check Appropriate Box Below for Exemption Claimed

- Will or intestate succession
Transfer to Industrial Development Agency.
Transfer to a trust.
Transfer between principal and agent.
Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation.
Transfer from mortgagor to a holder of a mortgage in default.
Corrective or confirmatory deed.
Statutory corporate consolidation, merger or division.
Other (Please explain exemption claimed, if other than listed above.)

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party: Edward J. Rose
Date: 12-04-00