

IN RE: APPEAL OF MITSUBISHI	:	BEFORE THE ZONING HEARING
CHEMICAL ADVANCED MATERIALS,	:	BOARD OF THE CITY OF READING,
INC., RELATIVE TO A PROPERTY	:	PENNSYLVANIA
LOCATED AT 2120 FAIRMONT	:	
AVENUE A/K/A 500 BRUCKMAN	:	APPEAL NO. 2023-26
AVENUE, CITY OF READING, BERKS	:	
COUNTY, PENNSYLVANIA	:	VARIANCE, INTERPRETATION
	:	AND/OR SPECIAL EXCEPTION

**DECISION OF THE ZONING HEARING
BOARD OF THE CITY OF READING**

AND NOW, this 11th day of October, 2023, a hearing having been held on September 13, 2023, upon the application of Mitsubishi Chemical Advanced Materials, Inc., notice of such hearing having been first sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the “Zoning Board”) renders the following decision:

FINDINGS OF FACT

The Zoning Board finds the following facts:

1. Applicant is Mitsubishi Chemical Advanced Materials, Inc., with a principal mailing address of P.O. Box 14235, Reading, Pennsylvania 19612 (hereinafter referred to as the “Applicant”).
2. Applicant has a leasehold interest in the property located at 2120 Fairmont Avenue a/k/a 500 Bruckman Avenue, City of Reading, Berks County, Pennsylvania 19611 (hereinafter referred to as “Subject Property”).
3. The fee simple owners of the Subject Property, The Polymer Corporation and DSM Engineering Plastic, have granted Applicant permission to seek the requested relief.

4. The Subject Property is located in the M-C Manufacturing Commercial Zoning District as that term and district is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).

5. Applicant was represented at the hearing by Mark H. Koch, Esquire.

6. Applicant seeks a dimensional variance for maximum allowed building coverage and variances for shade tree requirements, urban renewal projects, screening, sidewalks and relief for the distance permitted from the use for off-street parking requirements at the Subject Property.

7. Applicant seeks relief from the following sections of the Zoning Ordinance:

a. 600-811 to allow maximum building coverage of 39,386 feet which is 66% coverage where only 50% is permitted;

b. 600-813 to the extent necessary after a landscaping plan is submitted;

c. 600-914 to the extent urban renewal projects in the section has any applicability to the proposed manufacturing facility;

d. 600-913, 600-914 and 600-1402 as they relate to screening;

e. 600-1603 in that Applicant will provide adequate numbers of parking spaces, however, location of those parking spaces may be located more than 500 feet away from the manufacturing facility.

f. Section 600-1505 to not require sidewalks on any frontage, except Alton Avenue, and not require curbing except on Fairmont Avenue, Alton Avenue, and depressed curb on Belmont Avenue.

8. Applicant controls the properties identified as 2040 Fairmont Avenue (UPI 17530875816340) and 500 Bruckman Avenue (UPI 17530875814622) as well as a portion of an unnamed 14 foot +/- wide alley.

9. Applicant desires to consolidate the foregoing properties and construct a 39,422.9 foot manufacturing building that will complement its existing manufacturing facilities in the immediate area.

10. Applicant submitted sketch plans at the hearing of the proposed structure and improvements.

11. There were no objections to the requested relief.

12. The requested relief will not be detrimental to the health, safety or welfare of the neighborhood.

DISCUSSION

Applicant seeks a dimensional variance for maximum allowed building coverage and variances for shade tree requirements, urban renewal projects, screening, sidewalks and relief for the distance permitted from the use for off-street parking requirements at the Subject Property. The Board finds the proposed expansion will not be detrimental to the health, safety or welfare of the neighborhood. The Board finds the proposed relief will be a benefit to the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is Mitsubishi Chemical Advanced Materials, Inc.

2. The Subject Property is located at 2120 Fairmont Avenue a/k/a 500 Bruckman Avenue, City of Reading, Berks County, Pennsylvania.

3. The Subject Property is located in the M-C Manufacturing Commercial Zoning District.

4. Applicant seeks a dimensional variance for maximum allowed building coverage and variances for shade tree requirements, urban renewal projects, screening, sidewalks and relief for the distance permitted from the use for off-street parking requirements at the Subject Property.

5. The Zoning Board incorporates the findings of fact and conclusions of law as though fully set forth at length herein.

6. The Zoning Board is permitted to grant applications for variances and/or special exceptions and other relief as set forth in the Zoning Ordinance.

7. In order to grant the relief, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.

8. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:

a. Applicant is hereby granted the variance and any other associated relief subject to the following conditions:

(1) A final land development plan, if necessary, must be recorded which depicts all screening, landscaping, buffer and parking areas which comply with all relevant provisions of the Zoning Ordinance for which relief has not been granted and which is duly approved by the City of Reading Planning Commission.

(2) A lighting plan must be submitted to the Zoning Administrator which demonstrates compliance with Sections 600-1602.M. and 600-912 of the Zoning Ordinance.

(3) Signage shall comply with Section 600-1707 of the Zoning Ordinance. If Applicant does not provide sign drawings and specifications as part of this application, then a separate zoning permit is required prior to the installation of signage.

(4) Applicant shall apply for all required building, trades and fire permits and submit to all required inspections deemed necessary.

(5) Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.

(6) Applicant may not use, expand, alter or otherwise use the Subject Property inconsistently with the contents of this Decision without making application requesting further relief from the Zoning Board.

(7) Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

The decision of this Board is by a vote of 5 to 0 .

**ZONING HEARING BOARD OF THE
CITY OF READING**

/s/ Philip Rabena

PHILIP RABENA, CHAIRMAN

/s/ Thomas Fox

THOMAS FOX

/s/ Jeffrey Gattone

JEFFREY GATTONE

/s/ William Harst

WILLIAM HARST

/s/ Jared Barcz

JARED BARCZ