

IN RE: APPEAL OF NEWCOLD READING, : BEFORE THE ZONING HEARING
LLC, RELATIVE TO A PROPERTY : BOARD OF THE CITY OF READING,
LOCATED AT 1 BERKSHIRE PLACE, CITY : PENNSYLVANIA
OF READING, BERKS COUNTY, :
PENNSYLVANIA : APPEAL NO. 2402-0004
:
: VARIANCE, INTERPRETATION
: AND/OR SPECIAL EXCEPTION

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

AND NOW, this 10th day of April, 2024, a hearing having been held on March 13, 2024, upon the application of NewCold Reading, LLC, 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 NewCold Reading, LLC, with a principal mailing address of 500 W. Madison Avenue, Suite 1500, Chicago, IL 60661 (hereinafter referred to as the “Applicant”).
2. Applicant has an equitable interest in the property located at 1 Berkshire Place, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as “Subject Property”).
3. The fee simple owner of the Subject Property, the City of Reading, has granted Applicant permission to seek the requested relief.
4. Applicant and the City of Reading have entered into an Agreement of Sale for the sale of the Subject Property which is contingent upon the granting of the requested zoning relief.
5. The Subject Property is located in the Manufacturing Commercial (MC) Zoning District, Riverfront Redevelopment Overlay Zone, Airport Overlay, and Steep Slope and Floodplain Overlays as those terms and districts are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).

6. Applicant was represented by Kelsey Frankowski, Esquire.
7. Applicant seeks a dimensional variance from Section 600-811.A. of the Zoning Ordinance regarding building height and the height of construction equipment on site as a 150 foot building is proposed.
8. If necessary, Applicant also seeks a variance from Section 600-2011 of the Zoning Ordinance regarding building height issues related to the Airport.
9. Warehouse use is permitted in the MC Zoning District and Applicant is only seeking a dimensional variance for the project.
10. The Subject Property consists of approximately 49.17 acres.
11. The Subject Property is currently vacant and was previously used for manufacturing and warehousing.
12. Applicant seeks the above relief to construct a 416,587 square foot cold storage warehouse on the Subject Property, which will include 52 loading dock spaces, 329 truck parking spaces, 85 employee parking spaces and other site improvements.
13. Section 600-811.A. prohibits buildings in the MC District from exceeding 60 feet in height and Applicant is proposing to build a warehouse facility that would be approximately 150 feet in height.
14. The construction equipment being used would also exceed 150 feet in height.
15. Section 600-2011 relates to the Airport Overlay District and certain airport variances and permits that may be necessary depending on requirements established by the Federal Aviation Administration and the Reading Regional Airport.
16. Applicant stated it has been in communication with the FAA and Reading Airport to insure compliance with the requirements.
17. Applicant operates five other cold storage warehouse facilities across the United States and is experienced in developing these types of properties to build the warehouse facility.
18. The project will create approximately 175 well-paying jobs within the community and

would create tax revenue for the City of Reading once the sale of the Subject Property from the City of Reading to the Applicant is completed.

19. There is sufficient on-site parking at the Subject Property.
20. Applicant has the full support of the City of Reading for the warehouse facility.
21. Applicant understands it has to go through the land development process and intends to comply with any and all requirements set forth in the city subdivision and land development ordinance, including environmental assessments, traffic impact studies, landscaping plans, stormwater assessments, and anything else the city might require.
22. There were no objections to the requested relief presented at the hearing.

DISCUSSION

Applicant seeks a dimensional variance from Section 600-811.A. of the Zoning Ordinance regarding building height and the height of construction equipment on site as a 150 foot building is proposed. If necessary, Applicant also seeks a variance from Section 600-2011 of the Zoning Ordinance regarding building height issues related to the Airport. The Board finds the requested relief will not be detrimental to the health, safety or welfare of the neighborhood.

CONCLUSIONS OF LAW

1. Applicant is NewCold Reading, LLC.
2. The Subject Property is located at 1 Berkshire Place, City of Reading, Berks County, Pennsylvania 19601.
3. The Subject Property is located in the Manufacturing Commercial (MC) Zoning District, Riverfront Redevelopment Overlay Zone, Airport Overlay, and Steep Slope and Floodplain Overlays.
4. Applicant seeks a dimensional variance from Section 600-811.A. of the Zoning Ordinance regarding building height and the height of construction equipment on site as a 150 foot building is proposed; and if necessary, Applicant also seeks a variance from Section 600-2011 of the Zoning Ordinance regarding building height issues related to the Airport.
5. The Zoning Board is permitted to grant applications for variances and/or special

exceptions and other relief as set forth in the Zoning Ordinance.

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

7. In order to grant the relief, Applicant must show it has satisfied the relevant sections 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) Applicant must obtain approval from the FAA/Reading Airport.

(2) A Preliminary Land Development Plan, if necessary, shall be prepared to address the provisions required by the Subdivision and Land Development Ordinance (Chapter 515 of the City of Reading Code).

(3) A final land development 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.

(4) All sanitary sewage disposal issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required sanitary sewage disposal improvements.

(5) All water supply issues shall be resolved to the satisfaction of the City of Reading, including the reservation, permitting, installation and connection of the required water supply improvements.

(6) 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.

(7) 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.

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

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

(10) 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.

(11) 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