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**DATE:** May 3, 2023

**TO:** Planning Commission Chair and Commissioners

**FROM:** Jessica Jagoe, Community Development Director

**SUBJECT:** **Planning Case #23-009 – No Public Hearing Required**  
**Applicant:** CathX Medical, Inc.  
**Property Location:** 1275 Red Fox Road  
**Request:** Sign Standard Adjustment (Site Plan Review)

Budgeted Amount:	Actual Amount:	Funding Source:
N/A	N/A	N/A

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**Requested Action**

CathX Medical, Inc. (“The Applicant”) has submitted a land use application for Sign Standard Adjustment through the Site Plan Review process for the property located at 1275 Red Fox Road (“Subject Property”). The Applicant is seeking flexibility on the size and lighting of signage in order to install an 89.05 square foot wall sign on the south side of the building and an internally illuminated monument sign on the southeast corner of the property. The Subject Property is located in Sign District 7, which allows wall signs with a maximum sign copy area of 45 square feet and monument signs that are externally illuminated. The Subject Property is located in the I-FLEX Zoning District and is guided as Mixed Business in the Land Use Plan.

**Background**

**1. Overview of Request**

The Applicant has submitted a land use application for a Site Plan Review, seeking flexibility on the size of a proposed wall sign and the lighting style of a proposed monument sign. The Subject Property is located in Sign District 7, which allows a wall sign with a maximum size of 45 square feet and externally illuminated monument signs. The Applicant is proposing an 89.05 square foot wall sign on the southern elevation of the building. A second 89.05 square foot wall sign will also be installed as permitted on the northern elevation of the building previously approved in Planning Case #04-09. The proposed wall sign will comply with all other requirements of Sign District 7. The Applicant is also proposing an internally illuminated

monument sign to replace the existing monument sign on the property. Sign District 7 only allows for externally illuminated monument signs. The proposed monument sign will comply with all other requirements of Sign District 7.

## 2. Planning Case Background

In 2004, the City Council approved Planning Case #04-09—a Sign Standard Adjustment for a 90 square foot wall sign on the northern elevation of the Subject Property. The Applicant is now requesting a second Sign Standard Adjustment for an 89.05 square foot wall sign on the southern elevation of the Subject Property to match the wall sign allowed on the northern elevation. In 2004, the property owner requested flexibility from the sign code due to the building’s setback from Interstate 694 and Snelling Avenue—approximately 250 yards. The property owner petitioned that a 45 square foot wall sign, as permitted in Sign District 7, would not be visible from these two roadways. On May 24, 2004, the City Council unanimously approved this request for a 45 square foot sign standard adjustment, subject to the following condition:

1. Should the sign require building work, the applicant shall file the necessary building permits with the City Building Official for approval prior to the issuance of a building permit.

The Sign Standard Adjustment was approved because of the following findings:

1. There are site conditions which require a sign adjustment to allow the sign to be reasonably visible from a street immediately adjacent to the site.
2. The sign adjustment will not result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.

## 3. Site Data

<b>Future Land Use Plan:</b>	Mixed Business
<b>Existing Land Use:</b>	Office
<b>Zoning:</b>	I-FLEX District
<b>Size:</b>	5.00 Acres

## 4. Existing Conditions

The Applicant, CathX Medical, uses the Subject Property shown below for office and manufacturing purposes. According to the Applicant’s narrative, Zeus Industrial Products, Inc. is the sole shareholder of CathX Medical. The shareholders of Zeus are the sole shareholders of Champlain Associates Arden Hills, LLC which purchased the Subject Property. Per the company’s corporate branding standards, CathX Medical utilizes the “Z” and “Zeus” logos on all properties and intend to include it on the Subject Property in Arden Hills as well.

The Subject Property located in the I-FLEX Zoning District, which is part of Sign District 7. All surrounding properties are also located in the I-Flex Zoning District and Sign District 7. The Subject Property is guided as Mixed Business in the 2040 Land Use Plan. The properties to the

east and west of the Subject Property are also guided as Mixed Business. The property is bordered by Interstate 694 to the north. The property to the south is guided as Light Industrial & Office.

*Aerial Map of Subject Property*



Sign District 7, applicable to the Subject Property, allows for wall signage with a maximum sign copy area of 45 square feet. The building located on the Subject Property does not currently contain any wall signage since the property had been vacant for several years prior to the purchase by Champlain Associates Arden Hills, LLC. There is an existing monument sign that does not contain any lettering or logos. There is an address sign that reads “1275” on the eastern building elevation. As part of this sign proposal, the Applicant is proposing an 89.05 square foot wall sign on the north building elevation to match the previously approved wall sign on the south building elevation. The proposed 89.05 square foot wall sign on the north building elevation could be approved administratively with a sign permit since the Subject Property was approved the variance under Planning Case #04-09.

Several surrounding properties have received variances for various types of signage over the years. The table below summarizes the variances granted to properties near the Subject Property that are also in Sign District 7.

Address	Case Number	Variance Type	Description
<b>1235 Red Fox Road</b>	PC #77-014	Monument Sign Location	Setback variance for a monument sign that has since been removed.
<b>3900 Northwoods Drive</b>	PC #86-021	Monument Sign Location	Setback variance for a monument sign.

<b>3900 Northwoods Drive</b>	PC #91-018	Additional Wall Sign	Variance to construct a wall sign for a single business in a multi-tenant building.
<b>3920 Northwoods Drive</b>	PC #88-034	Monument Sign Size and Location	Variance to construct a monument sign within the required setback and at a greater height and size than permitted.
<b>3920 Northwood Drive</b>	PC #88-037	Monument Sign Height	Variance to construct the monument size from PC 88-034 at 35 feet rather than the permitted 16 feet.
<b>3920 Northwood Drive</b>	PC #11-002	Monument Sign Height	Variance to increase the height of the freestanding sign abutting I-694 from 16 feet to 35 feet.
<b>1125 Red Fox Road</b>	PC #81-007	Monument Sign Height	Variance to increase the height of the freestanding sign abutting I-694 from 16 feet to 30 feet.
<b>1300 Red Fox Road</b>	PC #92-018	Wall Sign Size	Variance to construct a wall sign with a copy area greater than allowed in Sign District 7.

## **Approvals**

### **1. Site Plan Review**

The Applicant is proposing to construct wall signage with an 89.05 square foot sign copy area on the southern elevation and an internally illuminated monument sign on in the southeastern corner of the Subject Property. To construct this size of wall signage and a monument sign with this type of illumination system, the Applicant is looking for flexibility from the City Code, Chapter 12 – Sign Code through the Site Plan Review process. Adjustments to the requirements and standards for the height, number, type, lighting, area, and/or location of a sign or signs established by this Chapter may be approved with a Site Plan Review or a Planned Unit Development process as described for in Section 1320 and 1355 of the Zoning Code. Sign District 7, applicable to Subject Properties, allows for wall signage with a maximum sign copy area of 45 square feet and monument signs that are externally illuminated.

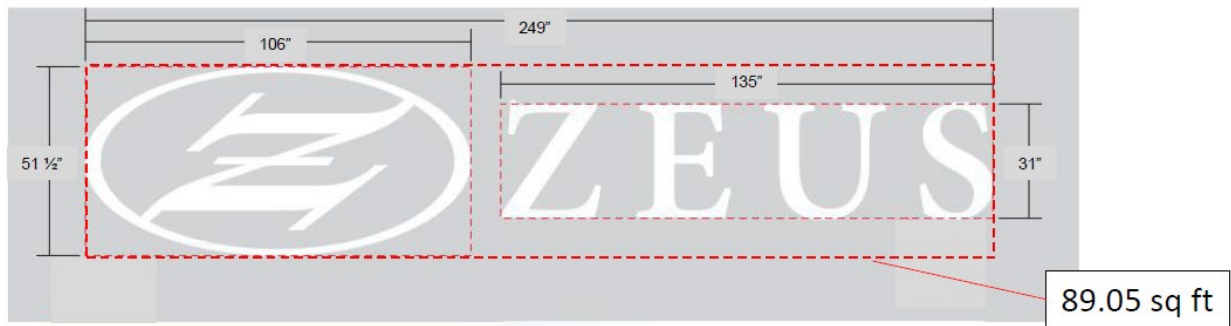
## **Plan Evaluation**

### **Chapter 12, Sign Code Review**

#### **1. Sign Standards by Sign District – *Section 1240.02, Subd. 1 – Wall Sign***

The Subject Property is located in Sign District 7. Sign District 7 includes all properties in the I-Flex, Gateway Business, or other commercial or industrial district without frontage on a designated roadway (i.e. County Road E or Lexington Avenue). Sign District 7 allows for wall signs with a sign copy area of no more than 45 square feet. The Applicant is proposing an 89.05

square foot wall sign on the southern elevation of the Subject Property. The Applicant is requesting flexibility to allow an additional 45 square feet of wall signage to construct the proposed wall sign. The proposed wall signs would be internally lit with LED-illuminated letter sets, as permitted in Sign District 7. The proposed wall sign will be identical to an approved wall sign on the northern building elevation. An 89.05 square foot wall sign will be approved on the north elevation due to an approved Sign Standard Adjustment for the Subject Property that the City Council approved in 2004.

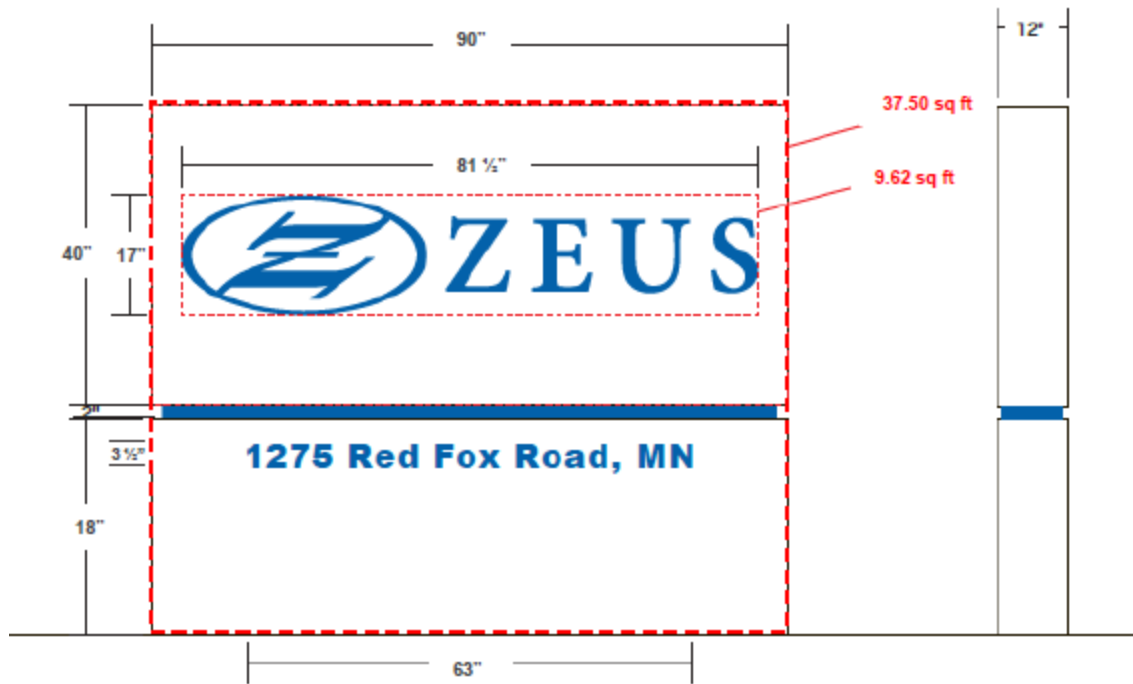


## 2. Sign Standards by Sign District – *Section 1240.02, Subd. 2 – Freestanding Pole or Monument Signs*

Sign District 7 allows for monument and pole signs of up to eight feet in height with a total sign copy area of 25 square feet. The sign area of a freestanding sign shall only be calculated using one side of the sign. If the two sides are different sizes, the larger side shall be used for determining sign area. The Applicant is proposing a five-foot tall monument sign with a sign copy area of 9.62 square feet. The total area of a freestanding sign shall not exceed 1.5 times the permitted sign copy area of a freestanding sign, equal to 37.5 square feet in Sign District 7. The total sign area includes all sign copy, graphics, decorative features, borders, and structural supports except for the poles. The Applicant is proposing a total sign area of 37.5 square feet. The Applicant has submitted a proposed sign plan that differs slightly from the provided monument sign renderings in the placement of address text (see Attachment E). The text location, font, and size of the address will be verified during the sign permit process to comply with Sign District 7 standards.

No more than one freestanding sign shall be permitted on any site except in cases where properties front more than one public street. For properties that front more than one public street, an additional freestanding sign may be permitted for each street front provided that each additional freestanding sign does not exceed half the size of the maximum sign area allowed for a freestanding sign in the underlying sign district. The Applicant is proposing one monument sign on the Subject Property. Freestanding signs shall be located at least five feet from any property line and shall not project over the property line. The proposed monument sign location will remain the same, which is more than five feet away from the property line.

Monument signs in District 7 are only permitted to be illuminated externally. The Applicant is requesting flexibility on lighting to allow for the proposed monument sign to be an internal illumination/lighting style.



### 3. Sign Standard Adjustments – Section 1260.01

The Applicant requests flexibility on the size and lighting of the proposed signs. City Code Section 1260.01, Sign Standard Adjustments states “adjustments to the requirements and standards for the height, number, type, lighting, area, and/or location of a sign or signs established by this Chapter may be approved with a Site Plan Review or a Planned Unit Development process.” In order to approve an adjustment, the Planning Commission will need to make a determination that the following criteria in the sign code has been satisfied:

1. Subd. 1 There are site conditions which require a sign adjustment to allow the sign to be reasonably visible from a street immediately adjacent to the site.

*According to the Applicant, CathX Medical, Inc. is not seeking Sign Standard Adjustments based on site conditions relating to reasonable visibility. A variance was issued to the site in 2004 to increase the north-facing wall sign copy area to 90 square foot due to visibility concerns from I-694 and Snelling Ave. The Applicant intends to use the existing variance for the north-facing wall sign. It is noted that the sign standard adjustment would provide an architecturally consistent appearance for the building.*

2. Subd. 2 The sign adjustment will allow a sign of exceptional design or a style that will enhance the area or that is more consistent with the architecture and design of the site.

*According to the Applicant’s narrative, both of the requested sign standard adjustments are intended to enhance the design and appearance of the property while keeping architectural consistency:*

- a. *As noted in their narrative, the Applicant is requesting a sign standard adjustment to internally illuminate the monument sign. It is their intention to keep the same dimensions and location of the current monument sign, which complies with the requirements of District 7. The Applicant states they are seeking to enhance the monument sign design by utilizing internal illumination to project a professional appearance for our employees, customers, vendors and visitors, especially in the evening.*
  - b. *As noted in their narrative, the Applicant is requesting a sign standard adjustment for the south-facing wall sign to allow for an approximately 90 square foot sign copy area to maintain architectural consistency with the existing wall signs on the building to enhance the design and appearance of the property. The building has an existing "1275" sign which is of scale and proportion that match the size of the building. The Applicant notes they intend to match the scale and proportion of the south-facing wall sign to the existing "1275" sign as both signs would be visible from the main entrance to the parking lot simultaneously. An approximately 90 square foot sign copy area on the south-facing building sign would also match the sign copy area on the north-facing building sign adding to the consistency of the building appearance, enhancing the professional nature of the CathX Medical business.*
3. Subd. 3 The sign adjustment will not result in a sign that is inconsistent with the purpose of the zoning district in which the property is located or the current land use.

*According to the Applicant, "being surrounded by commercial properties in the I-FLEX district, an internally illuminated monument sign of Sign District 7 compliant dimensions and a wall sign of consistent scale and proportions to the existing wall sign would enhance the level of professional appearance to the property, representing the high-tech nature of our medical manufacturing business." It would also fit with similar signage at businesses which are located near the intersection of Red Fox Road and Lexington Avenue while meeting the intended purposes of the I-FLEX district to support a combination of office, light industrial, manufacturing and service retail uses.*

#### ***1355.04 Procedural Requirements for Specific Applications***

Section 1355.04, Subd. 5 of the Arden Hills Zoning Code states that a public hearing is not required for Site Plan Review, but neighboring property owners shall be notified. Notification was prepared in accordance with City policy.

#### **Additional Review**

N/A

#### **Findings of Fact**

The Planning Commission must make a finding as to whether or not the proposed application would adversely affect the surrounding neighborhood, or the community as a whole based on the aforementioned factors. City Staff offers the following findings for consideration:

1. The Applicant has submitted an application for Site Plan Review to install a 90 square foot wall sign on the southern elevation of the subject property, 1275 Red Fox Road.
2. The Subject Property is located in the I-FLEX Zoning District and is guided as Mixed Business in the Land Use Plan.
3. Adjustments to the requirements and standards for the height, number, type, lighting, area, and/or location of a sign or signs established by this Chapter may be approved with a Site Plan Review or a Planned Unit Development process as described for in Section 1320 and 1355 of the Zoning Code.
4. Flexibility through the Site Plan Review process has been requested for the size of the proposed wall sign and the lighting type of the proposed monument sign.
5. The proposed southern elevation wall sign would match the size of the northern elevation sign that was previously approved through a Sign Standard Adjustment.
6. The proposed signage plan does not conflict with the general purpose and intent of the Zoning Code or the Comprehensive Development Plan for the City.
7. The application is not anticipated to create a negative impact on the immediate area or the community as a whole.
8. The proposed plan will not produce any permanent noise, odors, vibration, smoke, dust, air pollution, heat, liquid, or solid waste, and other nuisance characteristics.
9. A public hearing is not required for Site Plan Review.

### **Proposed Motion Language**

Staff has provided the following options and motion language for this case.

1. Recommend Approval with Conditions: Motion to recommend *approval* of Planning Case 23-009 for Site Plan Review at 1275 Red Fox Road, based on the findings of fact and the submitted plans, as amended by the conditions in the May 3, 2023, Report to the Planning Commission:
  - 1) That the project shall be completed in accordance with the plans submitted. Any significant changes to these plans, as determined by the Community Development Director, shall require review and approval by the Planning Commission and City Council.
  - 2) A separate sign permit shall be required for all proposed signage.
  - 3) All signage shall meet all other requirements of Sign District 7.
2. Recommend Approval as Submitted: Motion to recommend *approval* of Planning Case 23-009 for Site Plan Review at 1275 Red Fox Road, based on the findings of fact and the submitted plans in the May 3, 2023 Report to the Planning Commission.
3. Recommend Denial: Motion to recommend *denial* of Planning Case 23-009 for Site Plan Review at 1275 Red Fox Road, based on the following findings of fact: *findings to deny should specifically reference the reasons for denial.*
4. Table: Motion to *table* Planning Case 23-009 for Site Plan Review at 1275 Red Fox Road: *a specific reason and/or information request should be included with a motion to table.*



### **Public Notice and Comments**

Staff published a notice in the *Pioneer Press* as per City procedure on April 20, 2023. Public notices were mailed out on April 20, 2023. The mailing was sent to neighbors within 500 feet of the subject parcel. No comments have been received regarding this application as of April 26, 2023.

### **Deadline for Agency Actions**

The City of Arden Hills received the completed application for this request on April 14, 2023. Pursuant to Minnesota State Statute, the City must act on this request by June 13, 2023 (60 days), unless the City provides the petitioner with written reasons for an additional 60-day review period. The sixty (60) day timeline begins on the day the City is in receipt of what has been determined to be a complete application. With consent of the applicant, the City may extend the review period beyond the initial 120 days.

### **Attachments**

- A. Land Use Application
- B. Location Map
- C. Applicant Narrative
- D. Site Plan
- E. Monument Sign Plan
- F. Wall Sign Plan