

PLANNING COMMISSION MEETING

The meeting was called to order at 5:30 pm by Vice Chair Guerra.

ROLL CALL

Mike Giller	Mark Leas- absent	Allen Frechter	Susan Propper
Ethan Guerra	Steve Gerard	Elaine Gort	

APPROVAL OF MINUTES

With no changes, January 2, 2024 Planning Commission Minutes were approved.

APPROVAL OF AGENDA

With no changes, the January 16, 2024 Planning Commission Agenda was approved.

PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- None

PRELIMINARY HEARINGS:

1. The Village at Breckenridge HOA Master Sign Plan Amendments and Variance Request (CC), 655 S Park Avenue, PL-2023-0559

Mr. Cross presented a proposal to amend the existing master sign plan for the Village at Breckenridge to provide a newly formatted, comprehensive signage plan that proposes additional directional and wayfinding signage for tenants, reallocates sign area allotments for several buildings, and proposes one (1) new gateway entrance monument. Additionally, this proposal requests four (4) variances from the Town Code for 1) exceeding the limitations of height and count for freestanding signs, 2) proposing a gateway entrance monument archway over a pedestrian access, 3) the use of sandwich board signs for commercial tenants, and 4) the use of banner signs for commercial advertising. The following specific questions were asked of the Commission:

1. Does the Commission support providing a variance under 9-15-20(D): Freestanding signs for the two (2) proposed freestanding sign installations?
2. Does the Commission support providing a variance from Policy 47 to allow the use of a gateway entrance monument over the easterly pedestrian access that includes an archway and may exceed the height limitations?
3. Does the Commission agree with staff that the requested variance from 9-15-11(O) for the use of sandwich board signs should be denied?
4. Does the Planning Commission agree with staff that the requested variance from 9-15-11(T) for the use of banner signs should be denied?
5. Does the Commission believe this application is ready for a Final Hearing?
6. Does the Commissioners have any additional comments?

Commission Questions / Comments:

Ms. Gort: Regarding the stairs with the archway, that does not exist currently? (Mr. Cross: No. Currently there is no signage over the stairway.) That proposed archway would block access on the right, is there the required ADA clearance on the left. (Mr. Cross: Staff can confirm there is required clearance for access.) (Mr. Kulick: Currently, there is circulation under the staircase. If this archway blocked the right side pedestrians would be required to go 10 feet to the left to access the same area.) (Ms. Puester: This would be reviewed by the building department for compliance with code for safety.) I have concerns because of a lot of foot traffic through the area and some organizations that assist disabled visitors are located here.

- Mr. Gerard: Do we know if the same use of doors to establish the frontages still exist? (Mr. Cross: I will leave that for the applicant but I do walk the Village area often and a lot of the doors still exist. The actual plaza is a public right-of-way and therefore easier to interpret as a frontage. More recently as some ski development activity has moved into offices on the rear of Wetterhorn there is more activity on the frontage here.) My concern is that it is a big advantage when counting the area available to signage to count the frontages this way and I want to be fair. (Mr. Kulick: To be fair, on Main Street, they are able to double their allowed sign area from the front to the back.) I would make the recommendation to confirm the calculations before the sign area is locked in. Is the applicant asking for a sandwich board variance for vendor carts as well? (Mr. Cross: They are asking for vendor carts to have sandwich boards. This would set a precedent when we have not allowed them for other vendor carts.)
- Ms. Propper: The applicant seems to acknowledge that the sandwich board signs would be to advertise commercial services. What is Staff's opinion on how this conflicts with 9-15-13 which prohibits a variance solely for commercial advantages. (Mr. Cross: Staff does have concerns about the requested variance considering the public comment discussing the financial benefits of sandwich board signs. That is one of the reasons staff is recommending the denial of the requested variance and supporting the use of alternative signage formats that Council has created to still provide advertising for business services.) I am wondering if we even have the authority under that language to grant a variance. (Mr. Truckey: It is a good point, Susan. If you decide to recommend against the variance for this, that is one of the criteria that you would want to cite.)
- Mr. Guerra: No questions for staff.
- Mr. Frechter: The Town uses banner signs on light poles, correct? (Mr. Cross: Yes, the Town is allowed banner signs on light poles through a separate section of code.)

Elena Scott, Principal, Norris Designs, Applicant Representative: I am here to talk about the Village at Breckenridge Master Sign Plan. The original Village construction was in 1984 and it operates differently than the rest of Town. This is preliminary and we're here to have a conversation and get some ideas on how to better utilize the 55,000 square foot heated plaza that needs some activation. None of these commercial tenants have roadway frontages, it is all pedestrian access and internally focused. It's almost like discussing an interior signage plan for a mall instead of exterior and it is a bit different than other locations in Town. The absence of roadways changes how the space is accessed and wayfinding. There are differences and a lot of advantages of being on Main Street which is heavily trafficked. The comparison to Main Street businesses is quite different than the experience of a commercial tenant in the Village at Breckenridge. There is a lack of "beachfront", there is not Highway 9 frontage and we don't have ski area frontage, the Maggie is a separate building from the Village. It is a different and insulated experience for visitors than other places in the Town. The plaza as a whole has a lot of space between structures with significant room between structures to help the tenants and support vibrancy as a whole. This entire structure is heated and therefore we can't penetrate the decking with new pole signage and one of the reasons it is not possible to take up the entire allowed sign area. I brought up 1984 because at a certain point in Planning history we decided everything should be commercial and that isn't possible so we have a lot of office space here too. The ultimate point of signage is to support tenants and to support the effort of making the space more inviting and vibrant. This is a limited signage opportunity in the front and why we are asking for the directory signage off Park Avenue. We have not included the lower level in the presentation because we are not requesting any variances in that area. We are asking for the directory sign and gateway entrance sign and some additional projecting signs. We have a lot of available sign area and not a lot of locations to place signage for tenants. This sign design was from 2010 and is 16.6 SF when counted double-sided and will remain the same. The current directional signs used on the property, this was also from 2010. We're open to changing these to better represent tenants but being careful with design to not penetrate the decking. The Park Avenue directory sign would be located at the Park Avenue

entrance and the Main Street Station sign is given as an example because it meets the sign code and we are providing the location to make sure that it is approved. The example of the gateway could be a bad photoshop problem. We would design it with staff to ensure pedestrian follow and not limit accessibility. This instead could be integrated into the stairs. We would like to consider a gateway between Main Street Station and the Village. Because we are limited on how we can create directional signage and we have banner arm poles in the Village existing, we are proposing to utilize the Town's example of pole banners for wayfinding and art display. We have proposed to add some new posts on the ramp which is scheduled to be updated and presents opportunity for additional signage and lighting. On the sandwich boards, we understand these are a challenge in other locations but we think this is a different environment than other places in Town. Narrowness of sidewalks is not an issue here and we are trying to create an additional area where signage can be placed. The single HOA in the Village can control and regulate sandwich board signs to ensure compliance and snow removal is not an issue on the heated pavement. This location is not visible from Main Street, South Park Ave, or Peak 9 and is a different situation where we are trying to create additional opportunities. These would be located outside of any pedestrian or fire access lanes. We look forward to a robust conversation on sandwich boards. Two food trucks have been on the Plaza in the past and the locations for three vender carts are shown. Temporary sandwich board signs would be beneficial to support activities in the plaza as well. We look forward to hearing the Commissioners' questions.

Mr. Giller: You make a compelling case. How many businesses would be proposed to have a place on the directory sign?

Nathan Nosari, Village HOA Executive Director, Applicant: We have nine businesses that have walk-in traffic.

Mr. Giller: How large is the potential occupancy?

Mr. Nosari: There are 28 units (60,000 SF) per declarations, but the unit size needs vary so there may not be as many tenants as units.

Ms. Scott: The area on the back of Maggie is underutilized.

Mr. Giller: Would each potential business have a directory spot on the sign?

Mr. Nosari: We would like to limit the businesses so that the directory is not cluttered.

Ms. Scott: Letter height of pedestrian scale of no less than 3 inches. This size of sign is not for vehicles. Some of the previously conceived wayfinding approaches may not be effective because of design. These signs are for pedestrians.

Mr. Giller: Does this plan capture an overall cap on the number of businesses that could be listed on the directory signs so that it doesn't proliferate.

Ms. Scott: We can't fit all if every unit becomes commercial retail so we could craft language to give a limit with minimum and maximum letter height so that there is a limitation.

Mr. Nosari: We could also do something to limit who is listed by tenant square footage.

Mr. Giller: There is also not a map. Is that something that is considered?

Ms. Scott: There is a map when entering from the stairs and a map in the plaza circle by Gravity Haus. We are not proposing any new maps.

Mr. Gerard: You may not know this Mr. Nosari, but the last meeting we considered window signs. There is a window sign in your area that probably violates sign code. Will the HOA enforce this plan if it is enacted? Isn't it dangerous to leave the policing to the HOA?

Mr. Nosari: You can trust the HOA to enforce this plan. Previously we removed signs that were looking poor. We don't have anything to enforce the window graphics now but we could if it was required. If we have the guidance to enforce this we can. During college week people fly their banners off the balconies and we removed those immediately. We have precedent of enforcing our own covenants.

Ms. Gort: Have you considered working with the Town to have your banners match the Towns?

- Mr. Nosari: Yes, we have reached out to the BTO for permission to do so. (Mr. Cross: I would like to point out that banners could be approved separately under a Special Events (SEPA) permit.)
- Mr. Frechter: The Town uses the same banner sign material, yes? Could the banners be of a more substantial material?
- Ms. Scott: We have looked into other materials but wind loads would prohibit that.
- Mr. Frechter: Where could tenants place sandwich boards under this plan?
- Mr. Nosari: Only one sandwich board and within 10 ft of business entrance with no transference allowed.
- Mr. Frechter: Would sandwich boards 10 ft from the entrance really help the tenants?
- Mr. Nosari: I think so. We are also open to requiring that banners be changed within a set timeframe. Tenants have asked for this amendment for sandwich boards and so that is why we are bringing it forward.

The hearing was opened to public comment.

Michael Halouvas, owner, Gyros Delish: I understand that the Town limits sandwich boards on Main Street because they look messy. I believe we should have an exception because the Village is private property and there is more room. I had a lot of customer business when regulation of sandwich board signs was relaxed in 2021. I used to put a sandwich board sign at the top of the ramp which helped with business. I ask that there is an exception allowed by you tonight. I think a lot of people walk upstairs and then realize there are a lot of businesses. These should be allowed in the Village.

The hearing was closed to public comment.

- Mr. Frechter: Vail Resorts does use sandwich boards at the base ski areas and they can be a hazard. There are not designated locations where they can be. When I leave the locker room there is a lot of busy foot traffic with people holding skis and tables and chairs and signs in the way. I appreciate that business owners are trying to attract business but I think the gateway and directory signs will help more than the sandwich boards. I would be concerned about the control of sandwich boards. I would also be concerned about what is written on the boards, we want to keep a family image in Town and I think it would be difficult for the HOA to police the messaging. For those reasons I don't agree with the sandwich board variance. With some standards and as long as they are kept in good condition I agree with the banner signs and the directory signs.
- Ms. Gort: I think this is a good project. I want to see what the response is on the limitation of size and number of businesses. I will have to think about the sandwich boards and see what you come back with. Banner signs, I think they would be nice. I like the idea of matching the BTO banners. I don't have any additional comments. I am open minded.
- Mr. Gerard: We're being asked to grant variances to the existing Town ordinances and that would set new precedents which can be significant in areas like this. We have to be careful. Some comments regarding private property, every business is private property and must comply with the regulations set forth by the Town. I don't distinguish between the private businesses of the Village and other locations. I have no problems with the additional directory free standing signs for wayfinding; I support the variance for the gateway entrance monument. I think a continued variance for an archway sign is okay. For example, what if other locations in Town wanted gateway arches? We must be careful with what variances we give. I am a hard no for sandwich boards. I would say no for banner signs, these are allowed through SEPA if wanted. Yes, this is ready for final hearing.

- Mr. Giller: We share your interest in making the underutilized space more viable. Unfortunately, all these solutions are for signs. Variances on signs are difficult to approve. Yes, I think the proposed monument signs are acceptable pending design. Yes, on height variances given the tall 9-story scale for the buildings. No on sandwich board signs. No to variance on banners; SEPA seems like a solution. No on final unless you can truly incorporate all comments and come back for a final hearing. I wonder if there are non-signage opportunities to improve the open space.
- Ms. Propper: I support freestanding directory signs. I also support the eastern gateway entrance monument, otherwise you have to get to the top of the stairs to see the map. I question whether we have the authority to grant a sandwich board variance based on the cited language and I would have concerns about granting a variance based on that and the other concerns mentioned. For banner signs, the proposal includes adding more light poles and up to 34 banner signs. I think that would contribute to visual clutter and am not supportive because of that. I am open to the idea of using the SEPA for banners if applicable. If the Commission is generally not in favor of sandwich boards and banner signs, if those are removed we could go to final hearing.
- Mr. Giller: Propper makes a good point about the number of banner signs. I too am concerned about the proliferation of shop signs. We would like to see a cap on the total number of signs in the plan.
- Mr. Guerra: I recognize the struggles and underutilization of the Village. This used to be the base area and that has changed over time. I echo the concerns of Gerard on variances. I agree with staff on the free-standing sign on highway 9. I agree with the recommendation for the gateway signs. It is a hard “no” for sandwich board signs. We don’t need to grant the variance for the banner signs; these could be covered under SEPA. I agree with the statement made by Propper. You are now aware of our stance on sandwich boards and banner signs and are ready for final hearing.

OTHER MATTERS:

1. Town Council Summary
2. Class D Majors Q4 2023 (Memo Only)
3. Class C Subdivisions Q4 2023 (Memo Only)

ADJOURNMENT:

The meeting was adjourned at 7:04 pm.

Ethan Guerra, Vice Chair