



Planner Report #2

To: Borough of Mendham Joint Land Use Board

From: Jessica C. Caldwell, PP, AICP, LEED-GA, Joint Land Use Board Planner

Subject: V-Fee Mendham Apartments, LLC (JLUB #23-22)
Revised Elevations & Proposed Signage Plan
Block 801, Lot 20
84 – 90 East Main Street, Mendham, NJ 07860
Borough of Mendham, Morris County, New Jersey

Date: November 26, 2024

Dear Board Members:

The purpose of this report is to provide the Board guidance in its review of JLUB #23-22, submitted by V-Fee Mendham Apartments, LLC. The Applicant proposes to construct a 75-unit inclusionary multifamily residential development along with a “car barn” which includes accessory residential premium parking and an auto sales business with accessory auto service. The proposal along with related site plan improvements is located in the rear of the subject property. The Applicant submitted revised building elevations to lower the proposed height of the apartment buildings in order to meet the height standard of the ordinance.

The Applicant also submitted a sign package proposal as part of the above-referenced proposal to update the existing signage on-site and proposes various signs throughout the property. The property in question is located within the **EB-AH, East Business Zone – Affordable Housing Overlay Zone** which is within the **EB, East Business Zone**.

Documents Reviewed

- Four (4) sheets of a Signage Plan entitled, “V-Fee Mendham Apartments, 84-90 East Main Street, Borough of Mendham, Morris County, New Jersey,” prepared by MHS Architecture, and dated September 25, 2024.
- Four (4) sheets of Architectural Building Elevations (with Cupola) entitled, “V-Fee Mendham Apartments, 84-90 East Main Street, Borough of Mendham, Morris County, New Jersey,” prepared by MHS Architecture, dated October 24, 2022 and Revised through November 21, 2024.
- Four (4) sheets of Architectural Building Elevations (without Cupola) entitled, “V-Fee Mendham Apartments, 84-90 East Main Street, Borough of Mendham, Morris County, New Jersey,” prepared by MHS Architecture, dated October 24, 2022 and Revised through November 21, 2024.





Existing Conditions

The Site

1. Lot Size: 577,865 Square Feet (13.27 acres).
2. Existing development includes the following:
 - A. The site consists of four (4) one-story buildings which contain a total of 133,666 square feet of retail space;
 - i. Kings Food Markets
 - a. One-story Masonry Constructed Building (27,504 Square Feet).
 - b. Center of the Site with the frontage facing East Main Street.
 - ii. Two Strip Mall Retail Buildings
 - a. Frame constructed One-story Buildings (24,440 Square Feet & 28,528 Square Feet).
 - b. Multiple tenants with buildings facing each other towards the center of the site.
 - iii. Mendham Health and Racket Club (Vacant)
 - a. One-story Frame and Metal constructed Building (53,914 Square Feet).
 - b. Located in the northwestern section of the property behind the Kings Supermarket.
 - c. Inground Pool and Play areas behind the site.
 - B. Parking Lots;
 - C. Sidewalks;
 - D. Various Signage; and
 - E. Ancillary Site Improvements.
3. The site is located entirely within the Highlands Planning Area.





Review of Updated Elevations

4. The Applicant has provided two (2) revised Architectural Building Elevation Plans following an approved DEP Application for Stormwater Management Controls on the subject property. The first plan provides building elevations specifically for the proposed multifamily residence building with the proposed cupola (**Appendix B**), while the second plan displays building elevations without the cupola (**Appendix C**).
 - A. The proposed cupola is optional at the Board's discretion. The proposed height of the building now measures 60 feet¹ in compliance with § 215-74B(4)(f). The height is measured to the mid-point of the gable roof as proposed, whereas the previous plans showed the measurement to the top of the fourth story, not including roof structures. The cupola, if the Board determines it is appropriate, is exempt from the overall height requirement.

Review of Signage Plan

5. **Freestanding Signs**² The Applicant has submitted a sign package to update the two (2) existing monument signs, including a decorative horse weathervane attached at the top; to update signage for the existing tenants in the shopping center portion of the property; and to provide an assortment of wayfinding signs.
 - A. According to § 215-8D(1)(a), no more than one (1) freestanding sign shall be permitted on a lot regardless of the number of establishments on the property. There are two (2) pre-existing, non-conforming freestanding signs on the subject property including the existing Racquet Club sign and an existing freestanding sign for the retail component. The Applicant is proposing to relocate the two (2) signs to the central main ingress and egress of the site.
 - B. § 215-8F Nonconforming Signs states that no nonconforming sign shall be altered or replaced except in such a manner as to comply with the requirements of this chapter, except that worn, fading, or accidentally damaged signs may be restored to their original condition or replaced with identical signage. As a result, relocating the signs creates **a variance for more than one freestanding sign pursuant to N.J.S.A. 40D:55D-70(c)**.

¹ The overall building height is 75 feet (additional 15 feet for roof appurtenances).

² Per §215-8B, Freestanding Signs are defined as, "A non-movable permanent structure made up one (1) or more signs, which structure is not affixed to a building but is standing apart therefrom."



C. According to § 215-8D(1)(b), the maximum sign area³ shall not exceed 25 feet.

Mendham Village Shopping Center Sign⁴

- i. The Applicant is proposing a sign area of 9.67 square feet⁵ for the "Mendham Village" portion of the freestanding sign.
- ii. A sign area of 7.25 square feet⁶ is proposed for the "Kings," "Wells Fargo," and "Starbucks" signage components, resulting in 21.75 square feet total.
- iii. **The overall freestanding sign area is 31.42 square feet, which exceeds the maximum area of 25 feet. A variance pursuant to N.J.S.A. 40:55D-70c is required.**

Residential Freestanding Sign⁷ - The Enclave at Mendham

- iv. The Applicant is proposing a second freestanding sign for the residential development with a sign area of 13 square feet.
- D. According to § 215-8D(1)(c), the maximum sign height shall not exceed 10 feet above the existing grade.

Mendham Village Shopping Center Sign

- i. The Applicant is proposing a freestanding sign height of fifteen (15) feet with a decorative copper horse weathervane above the sign, for a total sign height of approximately seventeen feet, three inches (17' 3"). **A variance pursuant to N.J.S.A. 40:55D-70c is required.**

Residential Development Freestanding Sign

- ii. The Applicant is proposing a freestanding sign height of five (5) feet with a decorative copper horse weathervane above the sign, with a total height of approximately seven feet three inches (7' 3").

³ Per §215-8B, Sign Area is defined as, "The area included within the outer dimensions of a sign or signs, including borders and frames, but not including structural frames or supports if they are not used for advertising purposes. The sign area of a sign or signs with no clearly defined border is the area within the perimeter of a rectangle, triangle or circle which would enclose such a sign or signs."

⁴ The proposed sign is to painted green on both sides with white lettering painted onto the tenant panels. "Jumping Poles" will provide a separation between the name of the shopping center (Mendham Village), the three (3) tenant signs, and the top and bottom portions of the sign.

⁵ Calculation: (2 feet x 4 feet 10 inches) = 9.67 square feet.

⁶ Calculation: (1 feet 6 inches x 4 feet 10 inches) = 7.25 square feet (per sign).

⁷ The proposed residential sign will match the proposed freestanding sign in terms of color and signage components.



6. Wall Signs⁸

- A. According to § 215-8D(2)(a), the sign area of wall signs shall not exceed five percent (5%) of the area of the building face fronting the street, as measured by the width times the height of the roofline or the ceiling of the second story, whichever is less. **The Applicant has not provided the façade areas to determine compliance with the ordinance.**
- i. The Applicant is proposing to replace the existing tenant wall signs of the existing shopping center with 25 new wall signs with a sign area of approximately 32 square feet per tenant wall sign⁹. The Applicant shall provide the façade areas to determine conformance with the ordinance.
- a. The proposed wall signs will have a white band running along the perimeter of the tenant signage. The sign area will be painted green¹⁰ and utilize white lettering with a maximum letter height of 11 inches.¹¹

7. Sign Illumination

- A. According to § 215-8E(6)(a), all permanent signs permitted by this section may be lighted, provided that such lighting shall be by white light only. The Applicant is proposing green metal gooseneck building-mounted light fixtures utilizing a warm white LED color range above the proposed wall signs.
- B. According to § 215-8E(6)(b), lights for signs must be so shielded that the light produced shall not shine on adjacent properties. The Applicant is proposing downward-facing light fixtures to illuminate the proposed wall signs.
- C. According to § 215-8E(6)(c), no sign shall have its light source from within the sign. The Applicant is proposing exterior downward-facing light fixtures to illuminate the proposed wall signs.

8. Directional Signs

- A. According to § 215-8E(11), directional signs having a sign area of less than four (4) square feet are exempt from sign allowance, area and location regulations, provided that they do not constitute a hazard to the public. Directional signs are to be included in the signing plan for those developments requiring site plan approval. The Applicant is proposing three (3) directional signs, each with a sign area of three (3) square feet. The proposed signs include one (1) Wayfinding Sign

⁸ Per §215-8B, Wall Signs are defined as, "A sign which is affixed to or painted on any exterior wall of a building."

⁹ Calculation: (2 feet x 16 feet) = 32 square feet.

¹⁰ The Applicant has noted that the final paint color is to be determined.

¹¹ The letter height may be reduced to accommodate tenant signs with a longer name.



("The Enclave of Mendham Village"), one (1) Delivery Sign ("The Enclave at Mendham Village Delivery"), and one (1) Residents Only Sign ("Residents Only Beyond This Point"). Since the proposed sign areas are less than four (4) square feet, the directional signs are exempt from sign allowance, area, and location regulations.

9. Premium Automotive Service Business

- A. Testimony shall be provided as to why no signage is proposed for the premium automotive sales and service business located in the rear of the site.¹² Additionally, signage for the premium accessory parking has also not been shown on the plans.

Criteria for Granting "C" Variances:

10. Variances can be granted by the Board, pursuant to N.J.S.A. 40:55D-70c where two (2) provisions exist:

- A. The first provision for granting a "c" variance is under N.J.S.A. 40:55D-70(c)(1) where the Board must find whether there has been a showing of peculiar exception practical difficulties or exception undue hardship arising out of the exceptional narrowness, shallowness, or shape of piece of property, or by reason of an extraordinary and exceptional situation uniquely affecting this specific piece of property or the structures uniquely affecting this specific piece of property or the structures lawfully existing thereon. The two-part negative criteria must also be addressed.
- B. The second provision for granting a "c" variance is under N.J.S.A. 40:55D-70(c)(2) where the Board must find that the application related to a unique situation on a specific piece of property, that the purposes of the MLUL (**Appendix A**) would be advanced by the requested deviation, that the variance can be granted without substantial detriment to the public good, that the benefits of granting the variance outweigh any detriments and the variance will not substantially impair the zone plan or ordinance. Under (c)(2), **the Applicant should show that the proposal is a better zoning alternative to that which is permitted by the ordinance and provides benefits to the community as a whole, not just the Applicant.** The two-part negative criteria must also be addressed.

Very truly yours,

A handwritten signature in black ink, reading 'Jessica Caldwell', is written over a horizontal line.

Jessica C. Caldwell, P.P., A.I.C.P., L.E.E.D. – G.A.
J. Caldwell & Associates, LLC

¹² The proposed premium automotive service business is located behind the existing King's supermarket and in front of the proposed residential building.



Borough of Mendham Joint Land Use Board
V-Fee Mendham Apartments, LLC | JLUB #23-22
November 26, 2024

Borough of Mendham Joint Land Use Board Planner

cc: Via-Email Only:

Lisa Smith, Land Use Coordinator
Tom Germinario, Esq., Board Attorney
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Derek W, Orth, Esq., Applicant's Attorney



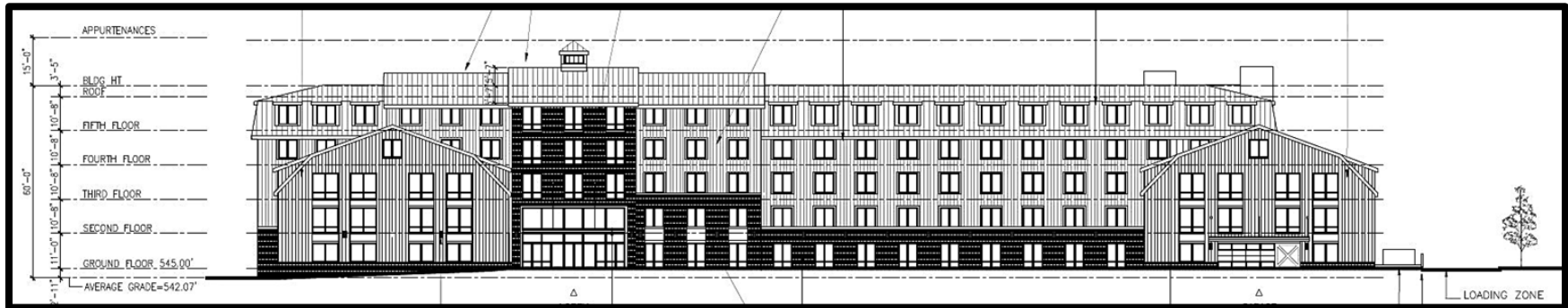
Appendix A

Purposes of the Municipal Land Use Law (N.J.S.A. 40:55D-2)

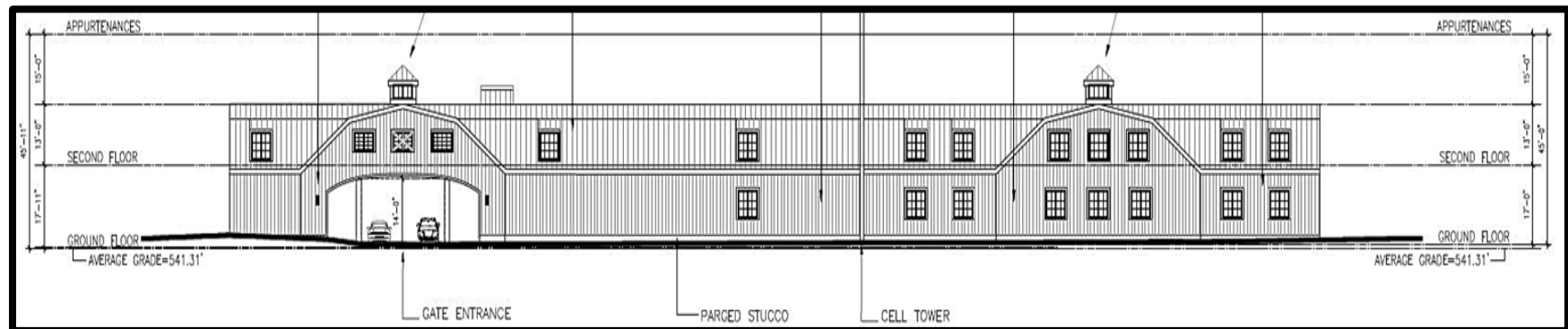
- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishments of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources;
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.
- p. To enable municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space, and historic sites; and
- q. To ensure that the development of individual municipalities does not unnecessarily encroach upon military facilities or negatively impact the operation of military facilities, and to those ends, to encourage municipalities to collaborate with military facility commanders in planning and implementing appropriate land use controls, thereby improving the vitality of military facilities and protecting against their loss through the Base Realignment and Closure process or mission loss.



Appendix B
Proposed Building Elevations (with Cupola)¹³



SOUTH ELEVATION (RESIDENCE)

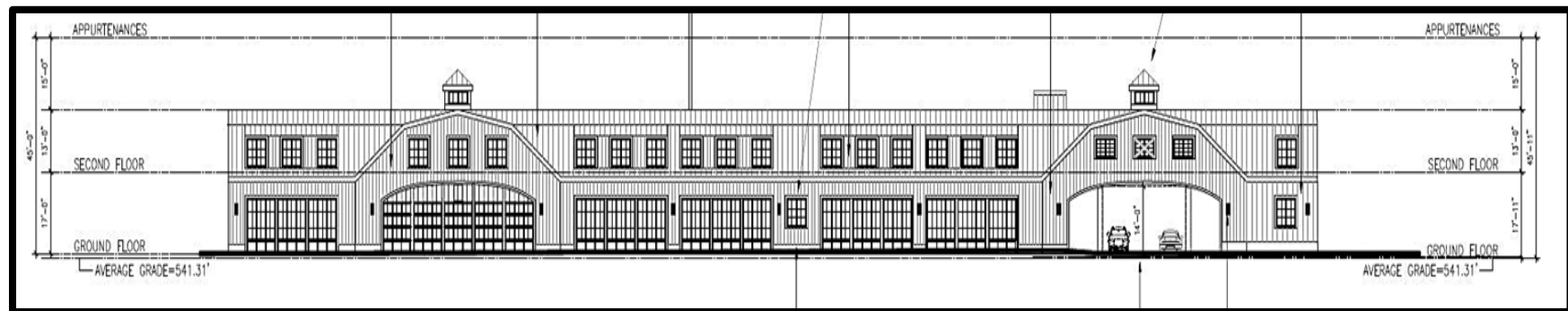


SOUTH ELVATION (AUTO)

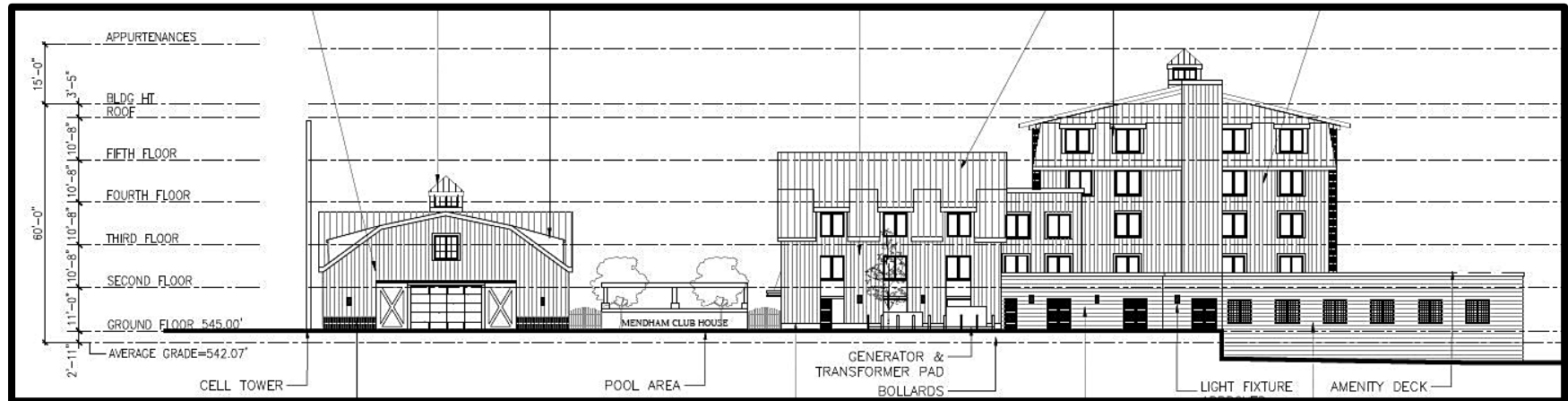
¹³ Retrieved from the "Architectural Building Elevations (with Cupola) Plan" prepared by MHS Architecture, dated October 24, 2022 and Revised through November 21, 2024.



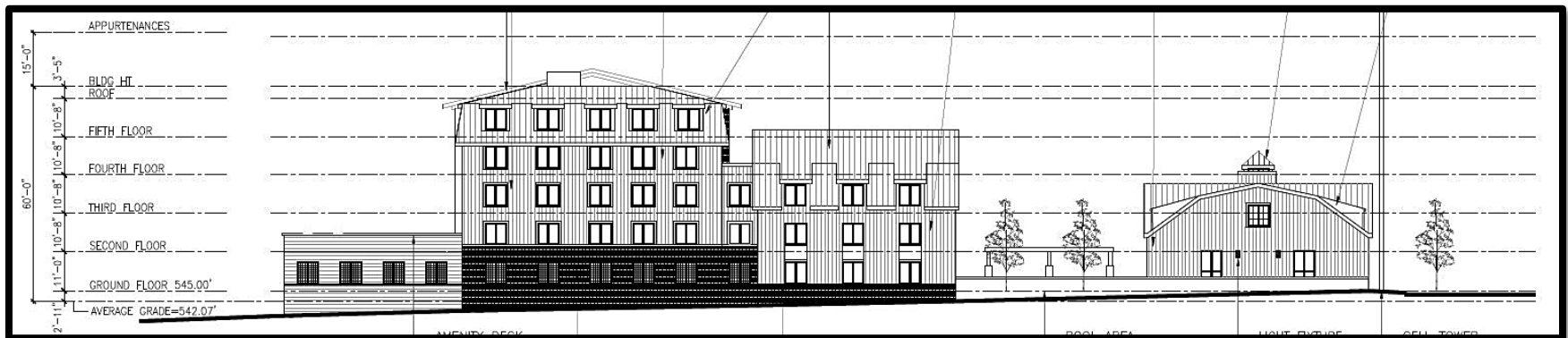
NORTH ELEVATION (RESIDENCE)



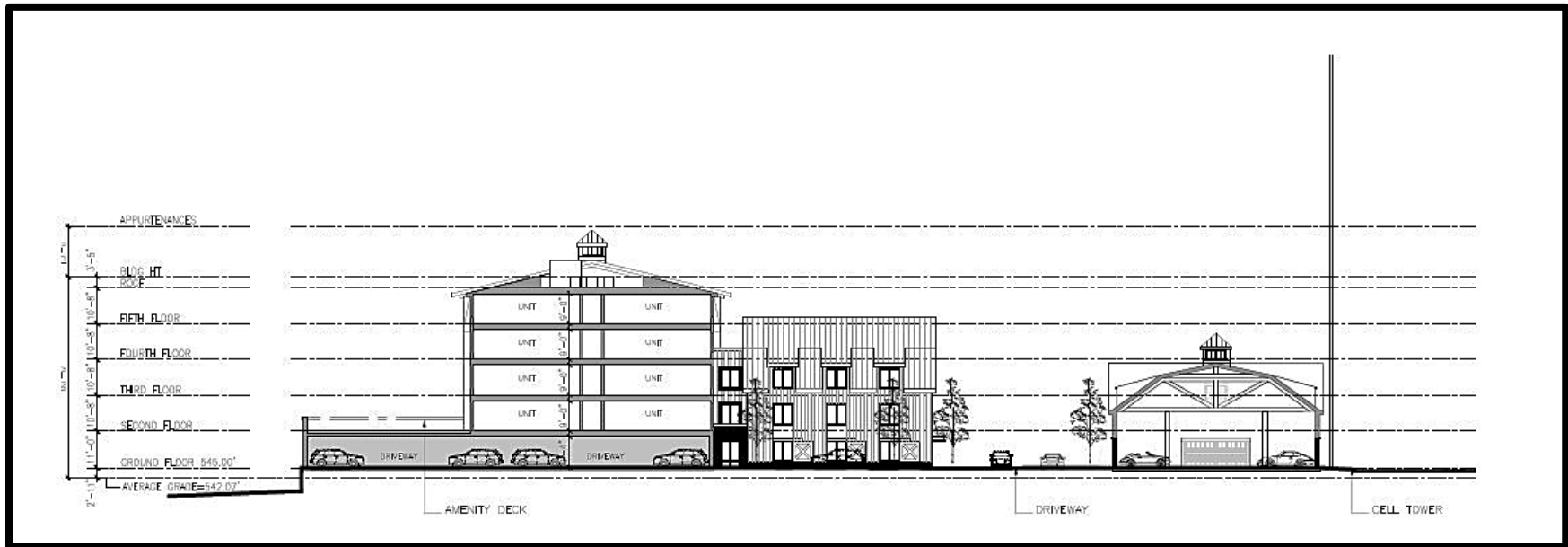
NORTH ELEVATION (AUTO)



EAST ELEVATION



WEST ELEVATION



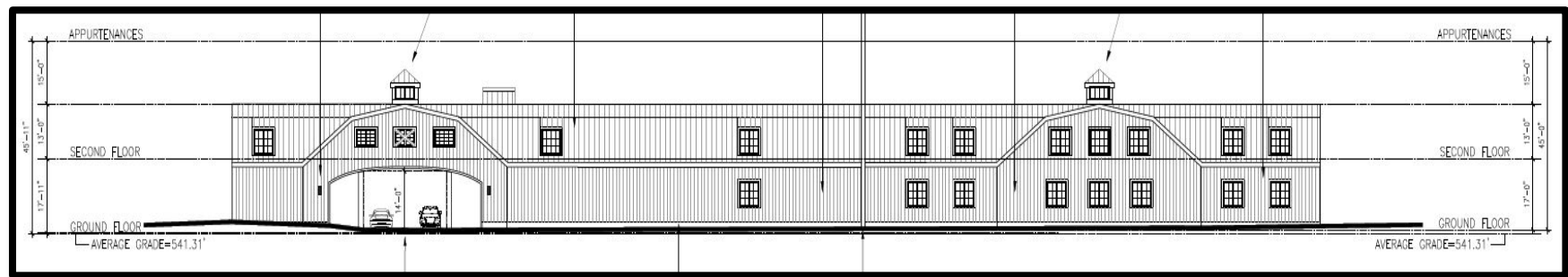
BUILDING SECTION



Appendix D
Proposed Building Elevations (without Cupola)¹⁴

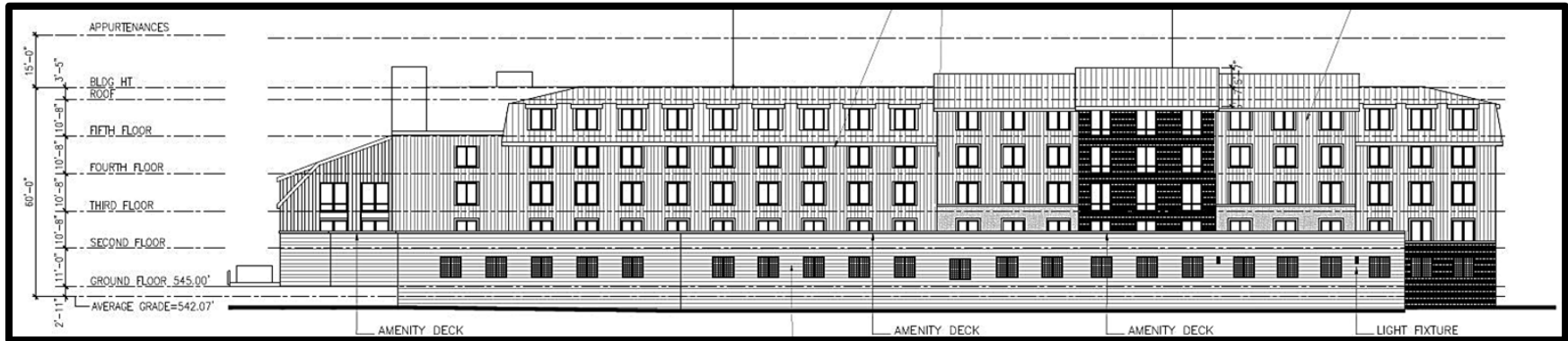


SOUTH ELEVATION (RESIDENCE)



SOUTH ELEVATION (AUTO)

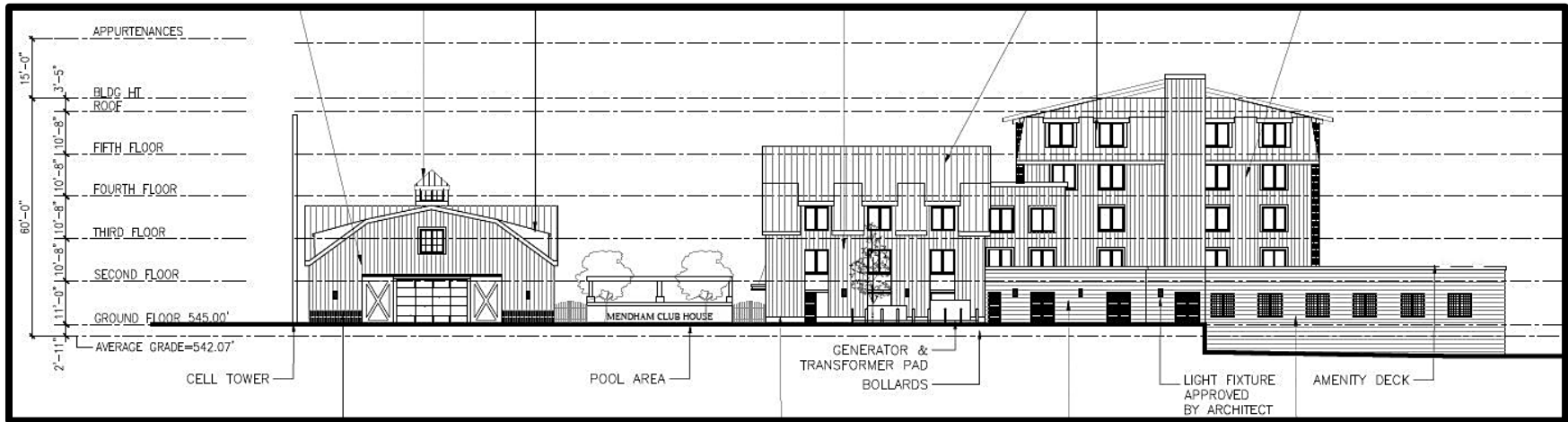
¹⁴ Retrieved from the "Architectural Building Elevations (without Cupola) Plan" prepared by MHS Architecture, dated October 24, 2022 and Revised through November 21, 2024.



NORTH ELEVATION (RESIDENCE)



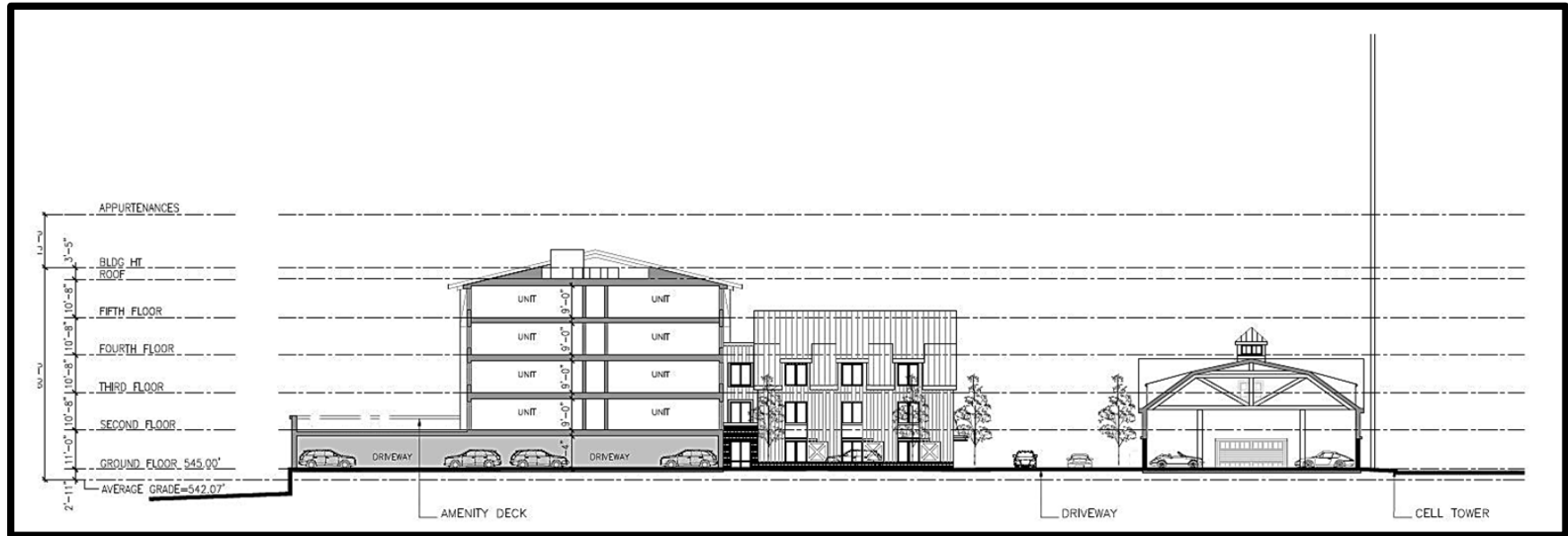
NORTH ELEVATION (AUTO)



EAST ELEVATION



WEST ELEVATION



BUILDING SECTION