

**RICHARD A. CARLUCCI, ESQUIRE
GRIFFITH and CARLUCCI, P.C.
761 Asbury Avenue - Suite 201
Ocean City, New Jersey 08226
(609) 399-6900
Attorneys for the Ocean City Planning Board**

IN THE MATTER OF THE APPLICATION
OF CORAL SANDS MOTEL LLC
FOR MINOR SITE PLAN APPROVAL,
VARIANCES AND WAIVERS FOR
BLOCK 803, LOT 9

OCEAN CITY PLANNING BOARD

APPLICATION NO. PBA 25-004

DECISION AND RESOLUTION

BACKGROUND OF DECISION AND RESOLUTION

1. CORAL SANDS MOTEL LLC ["Applicant"] is the owner of certain lands and premises located in the City of Ocean City known as Block 803, Lot 9 as shown on the current official tax map for the City of Ocean City, New Jersey commonly known as 709 9th Street, Ocean City, New Jersey ["Property"].

2. The Applicant has made application to the Ocean City Planning Board for **(i) minor site plan approval** to renovate existing improvements, construct a second means of egress from the second floor and add twenty (20) outdoor seats for the existing restaurant along Atlantic Avenue at the Property which is located in the HZ, Hospitality Zone; and, **(ii) variances** for (a) a side yard setback to permit construction of proposed stairs because a minimum side yard setback of four (4) feet is required and a side yard setback of one-half (.5) feet is proposed; (b) impervious coverage because the maximum

impervious coverage permitted is eighty (80%) percent and ninety-four and one-half (94.5%) percent is proposed and (c) to permit renovation of existing improvements without installation of a required truck berth. The Applicant also seeks completeness waivers from the Ocean City Zoning and Land Development Ordinance as follows: Detailed information for **(i) § 25-1500.13.2 c. 15 (a)** Existing at a point of connection and all proposed manholes, sewer lines, water lines, fire hydrants, utility poles and all other topographical features of physical or engineering nature within the site and within fifty feet (50') thereof; **(ii) § 25-1500.13.2 c. 15 (g)** cross-section(s) showing the composition of pavement areas, curbs and sidewalks; **(iii) § 25-1500.13.2 c. 15 (h)** Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures. In addition, the Applicant also seeks design waivers for **(i)** replacement of curb and sidewalk requirements; and **(ii)** pursuant to **§ 25-1700.38.20** a waiver to permit a \$1,050.00 payment (\$350.00 per street tree) to the Shade Tree Fund in lieu of three (3) street trees on 9th Avenue.

3. The application to the Ocean City Planning Board as aforesaid was deemed complete and a public hearing in respect of the aforesaid application was held before the Ocean City Planning Board on February 4, 2026.

WITNESSETH

NOW, THEREFORE, the Ocean City Planning Board based upon the exhibits submitted and the analysis by the Planner for the Ocean City Planning Board, Randall E. Scheule, A.I.C.P. & P.P. [“Planner”] and the Engineer for the Ocean City Planning

Board, David S. Scheidegg, P.E., P.P., C.M.E. [“Engineer”] and the testimony presented makes the following findings of fact:

1. Paragraphs 1 through 3 set forth above in the Background of Decision and Resolution are incorporated by this reference as if specifically set forth herein at length; all appropriate applications have been filed; all required application fees have been (or will be) paid; and, all notices required by law have been given.

2. The Applicant has submitted and the Planner and Engineer have reviewed the plans and documents identified and delineated by the Planner in the Planner’s Report dated November 19, 2025 [“Planner’s Report”] all of which are incorporated by this reference as if specifically listed herein at this place and identified and delineated by the Engineer in the Engineer’s Report dated November 26, 2025 [“Engineer’s Report”] all of which are incorporated by this reference as if specifically listed herein at this place. The Planner’s Report is attached to this Decision and Resolution as Exhibit A and expressly made a part hereof and the Engineer’s Report is attached to this Decision and Resolution as Exhibit B and expressly made a part hereof.

3. The Applicant was represented by Jon Batastini, Esquire at the time of public hearing. Mr. Batastini presented the Applicant’s application for minor site plan approval, variances, and design waivers in respect of the Property. The Property is located in the HZ, Hospitality Zone and is identified as Block 803, Lot 9 as shown on the current official tax map for the City of Ocean City, New Jersey. The street address of the Property is 709 9th Street, Ocean City, New Jersey. Mr. Batastini indicated that it was the Applicant’s intention to renovate existing improvements by replacing the sun deck and the second floor deck above the restaurant, install structural arches under the

second floor walkway for structural reasons, construct stairs for a second means of egress from the second floor and add twenty (20) outdoor seats for the existing restaurant along Atlantic Avenue at the Property. Variances for (a) a side yard setback to construct stairs for a second means of egress from the second floor; (b) impervious coverage and (c) to permit the renovation of existing improvements without installation of a truck berth are required for the project development. The Applicant also seeks completeness waivers from the Ocean City Zoning and Land Development Ordinance as follows: Detailed information for **(i) § 25-1500.13.2 c. 15 (a)** Existing at a point of connection and all proposed manholes, sewer lines, water lines, fire hydrants, utility poles and all other topographical features of physical or engineering nature within the site and within fifty feet (50') thereof; **(ii) § 25-1500.13.2 c. 15 (g)** cross-section(s) showing the composition of pavement areas, curbs and sidewalks; **(iii) § 25-1500.13.2 c. 15 (h)** Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures. In addition, the Applicant also seeks design waivers for **(i)** replacement of curb and sidewalk requirements; and **(ii)** pursuant to **§ 25-1700.38.20** a waiver to permit a \$1,050.00 payment (\$350.00 per street tree) to the Shade Tree Fund in lieu of three (3) street trees on 9th Avenue.

Robert Green was the first witness to testify in respect of the application. Mr. Green is a licensed Engineer and was recognized by the Ocean City Planning Board as an expert. Mr. Green is the structural engineer engaged by the Applicant in respect of the minor site plan approval, variances, and design waivers for the Property. Mr. Green provided a general description of the Property and the proposed minor site plan,

variances, and design waivers for the Property. Mr. Green provided an overview of the project development. He testified that there will be no changes to existing parking at the Property. He testified that outdoor restaurant seating would be added on the Atlantic Avenue side of the building and that the Applicant would abide by all Ocean City Municipal Ordinances for outdoor dining. He identified all of the variances required for the project development. Those variances are (a) a side yard setback to permit construction of proposed stairs because a minimum side yard setback of four (4) feet is required and a side yard setback of one-half (.5) feet is proposed; (b) impervious coverage because the maximum impervious coverage permitted is eighty (80%) percent and ninety-four and one-half (94.5%) percent is proposed and (c) to permit renovation of existing improvements without installation of a required truck berth. He identified the waivers requested by the Applicant. He testified that the Applicant intended to add a staircase from the second floor to provide a second means of egress which will require a side yard variance. He testified that the proposed renovation would reduce impervious coverage from 97.5% to 94.5%. He testified that structural arches would be installed under the second-floor walkway for structural reasons and that the existing second floor sun deck is deteriorating and will be removed and replaced. He testified that a truck berth has not previously existed on the Property and that the lack of a truck berth has not been a problem.

The Applicant proceeded under the c. (2) criteria of N.J.S. 40:55D-70 in presenting its proofs for the variances requested and Mr. Green testified using the c. (2) criteria of N.J.S. 40:55D-70 as the basis for his professional testimony and opinions.

He testified that the renovations satisfied several purposes of zoning as detailed in N.J.S. 40:55D-2. He identified the following purposes of zoning that the proposed renovation promoted as found in N.J.S. 40:55D-2 a. (appropriate use of land thereby promoting safety and general welfare) and i. (promotion of a desirable visual environment). He testified that the proposed project was consistent with the Master Plan for the City of Ocean City. He testified that the development proposed by the Applicant satisfied the spirit and intent of the HZ, Hospitality Zone.

Mr. Green testified that there was no detriment resulting from the proposed minor site plan, variances, and waivers requested by the Applicant. He testified further that there was a benefit to the public by granting the minor site plan, variances and waivers, especially when taking into consideration the purposes of zoning detailed in N.J.S. 40:55D-2 identified above as improved safety, an enhanced visual environment offered by the proposed renovation, the intent of the HZ, Hospitality Zone, and the nature of the variances requested by the Applicant. In summarizing the testimony, Mr. Green offered his expert opinion that the positive criteria consistent with N.J.S. 40:55D-70 c. (2) to grant the variance relief requested by the Applicant were satisfied and particularly as to the c. (2) criteria, that the benefits of any deviation permitting the variance relief would substantially outweigh any detriment and that the negative criteria consistent with the standards required in N.J.S. 40:55D-70 were likewise satisfied, indicating that the relief requested by the Applicant, could, in his professional opinions, be granted without any substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

During and upon completion of Mr. Green's testimony, he addressed questions from Ocean City Planning Board Members.

4. Comments from the Planner were received consistent with Planner's Report. The Planner's Report was received by the Ocean City Planning Board. Comments from the Engineer were received consistent with the Engineer's Report. The Engineer's Report was received by the Ocean City Planning Board. The Applicant will comply with (i) the Planner's Report and (ii) the Engineer's Report, as agreed by Applicant's counsel, Mr. Batastini. If necessary, the site plan will be revised to show all changes thereto consistent with the foregoing and all the representations and agreements placed on the record by the Applicant's counsel at the public hearing on February 4, 2026.

5. Upon completion of Mr. Batastini's presentation on behalf of the Applicant, receipt of the Planner's Report and the Engineer's Report, and receipt of comments by the Planner and Engineer, the meeting was then opened to the public. There was no public comment.

6. Upon conclusion and closing of the public portion of the meeting, there was further discussion and deliberation by the Ocean City Planning Board.

NOW, THEREFORE, the Ocean City Planning Board hereby makes the following conclusions of law based upon the foregoing findings of fact. The Applicant has made application to the Ocean City Planning Board for **(i) minor site plan approval** to renovate the existing mixed-use building at the Property which is located in the HZ, Hospitality Zone; and, **(ii) variances** for (a) a side yard setback to permit construction of proposed stairs because a minimum side yard setback of four (4) feet is required and a side yard setback of one-half (.5) feet is proposed; (b) impervious coverage because the

maximum impervious coverage permitted is eighty (80%) percent and ninety-four and one-half (94.5%) percent is proposed and (c) to permit renovation of existing improvements without installation of a required truck berth. The Applicant also seeks completeness waivers from the Ocean City Zoning and Land Development Ordinance as follows: Detailed information for **(i) § 25-1500.13.2 c. 15 (a)** Existing at a point of connection and all proposed manholes, sewer lines, water lines, fire hydrants, utility poles and all other topographical features of physical or engineering nature within the site and within fifty feet (50') thereof; **(ii) § 25-1500.13.2 c. 15 (g)** cross-section(s) showing the composition of pavement areas, curbs and sidewalks; and **(iii) § 25-1500.13.2 c. 15 (h)** Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures. In addition, the Applicant also seeks design waivers for **(i)** replacement of curb and sidewalk requirements; and **(ii)** pursuant to **§ 25-1700.38.20** a waiver to permit a \$1,050.00 payment (\$350.00 per street tree) to the Shade Tree Fund in lieu of three (3) street trees on 9th Avenue.

Under the Municipal Land Use Law, N.J.S. 40:55D-1 *et seq* and particularly, N.J.S. 40:55D-60, a Planning Board, when considering a site plan, as in this case, may grant variances as provided for in N.J.S 40:55D-70 c. The Applicant has the burden of proof to satisfy both the positive and negative criteria necessary to grant the variance relief requested. The Applicant must satisfy certain specific proofs which are enunciated in N.J.S 40:55D-70 c. Specifically, pursuant to N.J.S 40:55D-70 c. (2), the Applicant may be entitled to relief, if the Applicant can demonstrate that in a particular circumstance relating specifically to the Property, the purposes of the Municipal Land

Use Law would be advanced by allowing a deviation from the Ocean City Zoning and Land Development Ordinance requirements and the benefits of any deviation will substantially outweigh any detriment. In those instances, variance relief may be legally granted. The category specifically enumerated above constitutes the affirmative proofs necessary in order to obtain “bulk” or c. variance relief. Finally, the Applicant must also show that the variance relief requested can be granted without any substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and Ocean City Zoning and Land Development Ordinance. It is only in those instances when an applicant has satisfied the statutory criteria, that a Planning Board acting pursuant to statutory and case law can grant relief. The burden of proof is upon the Applicant to establish these criteria.

Based upon the application, plans and documents, reports, and testimony, including the expert opinions furnished by Mr. Green, the Ocean City Planning Board finds that the Applicant **has met** the minimum requirements of the Municipal Land Use Law, case law and the Ocean City Zoning and Land Development Ordinance so as to grant the relief requested. Specifically, as it pertains to the c. variance relief sought by the Applicant, the Ocean City Planning Board finds that: 1. The c. (2) criteria to grant the variances for: (a) a side yard setback to permit construction of proposed stairs because a minimum side yard setback of four (4) feet is required and a side yard setback of one-half (.5) feet is proposed; (b) impervious coverage because the maximum impervious coverage permitted is eighty (80%) percent and ninety-four and one-half (94.5%) percent is proposed and (c) to permit renovation of existing improvements without installation of a required truck berth has been satisfied and, specifically as to the

c. (2) criteria, the purposes of the Municipal Land Use Law would be advanced by a deviation from the Ocean City Zoning and Land Development Ordinance and the benefits of the deviation would substantially outweigh any detriment, taking into consideration the purposes of zoning detailed in N.J.S. 40:55D-2 a. (appropriate use of land) and i. (promotion of a desirable visual environment), the permitted uses of the Property, the aesthetic quality of the proposed renovations, the enhanced visual environment offered by the proposed project, the intent of the HZ, Hospitality Zone, and the nature of the variances requested by the Applicant; and, 2. There is no evidence whatsoever before the Ocean City Planning Board that the minor site plan, variances, and design and checklist waivers as requested, if approved and granted, would have a substantial detriment to the public good or substantially impair the intent and purpose of the zone plan and the Ocean City Zoning and Land Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Ocean City Planning Board on February 4, 2026 that the application made by the Applicant, CORAL SANDS MOTEL LLC requesting land use approvals is determined as follows: **(i) minor site plan approval** to renovate existing improvements at the Property which is located in the HZ, Hospitality Zone; and, **(ii) variances** for (a) a side yard setback to permit construction of proposed stairs because a minimum side yard setback of four (4) feet is required and a side yard setback of one-half (.5) feet is proposed; (b) impervious coverage because the maximum impervious coverage permitted is eighty (80%) percent and ninety-four and one-half (94.5%) percent is proposed and (c) to permit renovation of existing improvements without installation of a required truck berth are **APPROVED AND GRANTED** and completeness waivers for: Detailed information for **(i) § 25-**

1500.13.2 c. 15 (a) Existing at a point of connection and all proposed manholes, sewer lines, water lines, fire hydrants, utility poles and all other topographical features of physical or engineering nature within the site and within fifty feet (50') thereof; **(ii) § 25-1500.13.2 c. 15 (g)** cross-section(s) showing the composition of pavement areas, curbs and sidewalks; and **(iii) § 25-1500.13.2 c. 15 (h)** Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures are **APPROVED AND GRANTED** and design waivers for: **(i)** a waiver for replacement of curb and sidewalk requirements; and **(ii)** pursuant to **§ 25-1700.38.20** a waiver to permit a \$1,050.00 payment (\$350.00 per street tree) to the Shade Tree Fund in lieu of three (3) street trees on 9th Avenue are **APPROVED AND GRANTED**.

IT IS FURTHER RESOLVED that the above approvals all as aforesaid are **GRANTED** with and subject to the following terms and conditions:

A. Prior to the issuance of any construction permit, reimburse the City of Ocean City for all professional fees and other expenses incurred by the City of Ocean City as a result of processing Applicant's application in accordance with the Ocean City Zoning and Land Development Ordinance.

B. The Applicant will comply with the Planner's Report and the Engineer's Report.

C. The Applicant shall comply with all the representations and agreements placed on the record by the Applicant's counsel, professionals, and/or other representatives at the time of public hearing on February 4, 2026 including a payment to

the Shade Tree Fund in the amount of \$1,050.00 in lieu of the planting of three (3) trees on 9th Avenue.

D. The Applicant shall obtain the approval of all other municipal, county, state or federal agencies or boards having jurisdiction over the proposed site plan in respect of the Property, including but not limited to approval from the Cape-Atlantic Soil Conservation District, if necessary.

E. The Applicant shall cause all plans and documents to be revised consistent with the above referenced conditions and all of the representations and agreements placed on the record by the Applicant's counsel, professionals, and/or other representatives at the time of public hearing on February 4, 2026.

F. The Applicant shall comply with Article 1600 of the Ocean City Zoning and Land Development Ordinance in respect of Guarantees and Improvement Procedures.

G. The checklist waivers identified in the Planner's Report and the Engineer's Report are granted. The completeness waivers from the Ocean City Zoning and Land Development Ordinance as follows: Detailed information for **(i) § 25-1500.13.2 c. 15 (a)** Existing at a point of connection and all proposed manholes, sewer lines, water lines, fire hydrants, utility poles and all other topographical features of physical or engineering nature within the site and within fifty feet (50') thereof; **(ii) § 25-1500.13.2 c. 15 (g)** cross-section(s) showing the composition of pavement areas, curbs and sidewalks; and **(iii) § 25-1500.13.2 c. 15 (h)** Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures are

also granted. The design waivers from the Ocean City Zoning and Land Development Ordinance as follows: **(i)** waiver for replacement of curb and sidewalk; and **(ii)** pursuant to **§ 25-1700.38.20** a waiver to permit a \$1,050.00 payment (\$350.00 per street tree) to the Shade Tree Fund in lieu of three (3) street trees on 9th Avenue are likewise granted.

H. The Applicant shall provide documentation to verify the rental of four (4) parking spaces from the City of Ocean City.

I. The Applicant shall comply with all provisions of the Ocean City Zoning and Land Development Ordinance, including **without limitation § 25-1500.13.3** thereof, and any and all other municipal, county, state, or federal laws or regulations relating or applicable to the proposed project development at the Property.

This Decision and Resolution was adopted upon a motion, to be considered in the affirmative to approve the Applicant's request for land use approvals as aforesaid, made by Ocean City Planning Board Member Sheppard and seconded by Ocean City Planning Board Member Adams on February 4, 2026 ["Sheppard's Motion"]. The vote on the Sheppard's Motion was nine (9) in favor of and zero (0) against with Ocean City Planning Board Members, Allegretto, Bekier, Adams, Halliday, Stell, Barnes, Vanderschuere, Sheppard and Loeper all voting in the affirmative.

OCEAN CITY PLANNING BOARD

Dated:

JOHN LOEPER,
CHAIRPERSON

CERTIFICATION

I, JAIME M. FELKER, Secretary to the Ocean City Planning Board, do hereby certify that the foregoing Decision and Resolution was duly adopted at the meeting of the Ocean City Planning Board held on February 4, 2026 memorialized herein pursuant to N.J.S. 40:55D-10 g. (2) on March 11, 2026. This Decision and Resolution has been filed in the Office of the Ocean City Planning Board and is available for inspection upon request.

JAIME M. FELKER,
Secretary, Ocean City Planning Board



SchaefferNassarScheidegg

Consulting Engineers, LLC

David S. Scheidegg, PE, PP, CME, CPWM, CFM
Andrew F. Schaeffer, PE, PP
Rami N. Nassar, PE, PP, CME
Howard A. Transue, PLS

Engineers Surveyors Planners Environmental Specialists Municipal Consultants

November 26, 2025

Mr. John Loeper, Chairman
and Planning Board Members
c/o Mrs. Jaime Felker, Secretary
Ocean City Planning Board
115 12th Street
Ocean City, NJ 08226

Re: **Coral Sands Motel, LLC**
Minor Site Plan with variances and Conditional Use (R1)
Block 803 Lot 9
709 Ninth St
City of Ocean City, Cape May County, NJ
PBA25-004 (Our File No. OC16-227)

Dear Chairman Loeper and Planning Board Members:

The following plans and documents have been reviewed for this application:

1. Minor Site Plan as prepared by R.D. Green Engineering, signed by Robert Douglas Green, PE, consisting of the following:
 - SP1 Ground Level Plan, dated 10/08/24, **last revised 10/28/25**
 - SP2 200' List, dated 10/08/24, **last revised 10/28/25**
 - S-1 Second Floor Plan, dated 10/08/24
 - S-2 Deck Reconstruction, dated 10/08/24, **last revised 10/28/25**
 - S-3 Elevations, dated 10/08/24, **last revised 10/28/25**
2. Survey of Premises as prepared by Paul Koelling & Associates, LLC, dated 01/03/24, consisting of one page
3. A cover letter to Mr. John Loeper from Jon Batastini, dated 06/30/25
4. City of Ocean City Development Application
5. City of Ocean City Development Application Administrative Completeness, Application Checklist
6. City of Ocean City Plat Requirements – Minor Site Plan
7. City of Ocean City Development Application Confirmation of Paid Taxes dated 06/18/25
8. Disclosure of Ownership, dated 12/6/2021
9. City of Ocean City Adjoining property owners list dated 5/28/25
10. City of Ocean City Decision and Resolution PBA24-004
11. Response to Engineer's Report, dated 8/27/25
12. Response to Planner's, dated 8/27/25
13. **Response to Planner's Report, dated 10/21/25**
14. **Survey of Premises as prepared by Paul Koelling & Associates, LLC, dated 10/24/25, consisting of one page**

I. Description:

The applicant proposes an additional staircase from the second floor, 20 outdoor seats for the existing restaurant along Atlantic Avenue, replacement of the sun deck and second floor deck above the restaurant and install structural arches under the second-floor walkways.

Phone: 609-625-7400 Web: snsce.com
1425 Cantillon Boulevard Mays Landing New Jersey 08330

The application indicates that they are not abandoning their previous approval but proposes these modifications while preparing for the next phase.

This parcel is located within the Hospitality (HZ) zone. The zoning map indicates the parcel is contained within the "Old City Overlay District".

II. Completeness:

The applicant submitted the Minor Site Plan Checklist. Our office has reviewed the submitted documents for conformance with the Minor Site Plan checklist. The following items, which are labeled in accordance with the published checklists, do not meet the checklist requirements:

25-1500.13.2 Plat Requirements.

c.15. The following shall also be required unless the administrative officer determines that they are not necessary to provide a full understanding of the application:

- (a) Existing at point of connection and all proposed manholes, sewer lines, waterlines, fire hydrants, utility poles and all other topographical features of a physical or engineering nature within the site and within fifty feet (50') thereof. **Waiver requested**
- (h) exterior lighting **Waiver requested**

Based upon the waiver requests, this application is complete.

III. Zoning:

The plans indicate that the proposed development is to occur within the Hospitality Zone as shown on the current Ocean City zoning map. Per 25-205.7.2, a motel is a permitted use in the zone.

Hospitality Zone (25-205.7.5)

	Required	Existing	Proposed	Variance Required
Min. Lot Area	10,000 SF	11,975 SF	11,975 SF	No
Min. Lot Width/Frontage	100 FT	95.8 FT	95.8FT	ENC
Min. Lot Depth	100 FT	125 FT	125 FT	ENC
Min. Front Yard Setback (Atlantic)	10 FT	3.6 FT	3.6 FT	ENC
Min. Rear Yard Setback – Building	20 FT	0.5 FT	0.5 FT	ENC
Min. Side Yard Setback Residential North Side South Side-proposed stair	4 FT 8 FT	0 FT 5.1 FT	0 FT 0.5 FT	ENC YES
Max. Building Coverage	90%	42.2%	42.2 %	No

Max. Impervious Coverage	90%	97.3%	94.5%	YES
Max. Building Height (BFE+1)	37 FT	16.31 FT	16.31 FT	No
Parking Spaces		12+(4 offsite)		
Hotel	17		13 on-site	TBD
Restaurant	12		0	ENC

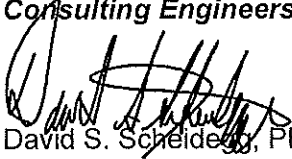
IV. Technical Comments:

1. Variance relief per the above table is required.
2. The applicant indicates the site contains 16 motel units. 15 units are under 700 sf each and therefore each unit requires 1 parking space. One unit is over 700 sf and requires 2 parking spaces. The total parking requirement for the motel is 17 parking spaces.
3. The site plan indicates 13 parking spaces on-site. The applicant indicates that an additional 4 parking spaces are leased from the city at an off-site location.
4. The applicant shall provide testimony as to the adequacy of undersized parking spaces and drive aisle.
5. The plans propose the relocation of the parking space within the drive aisle to under the sun deck.
6. Per 25-205.7.6 a.4.- on-site parking is not required for restaurant use
7. Architectural plans for the proposed new stairs and any screening adjacent to 9th Street shall be provided. The applicant has submitted a photo of a galvanized steel/concrete stair system. The plans indicate a 6" setback from the proposed stairs to the Ninth Street property line.
8. All new mechanical equipment shall conform with the applicable flood elevation requirements. The plans indicate the existing HVAC system to be elevated to BFE+1 foot.
9. The application requests permission for up to 20 outdoor seats in a 9.8' x 40' area along Atlantic Avenue.
10. The ordinance requires replacement of curb and sidewalk for commercial development. New curb and sidewalk is not proposed. The applicant shall request a waiver and provide supporting testimony for the board's consideration.
11. Signage, landscaping and lighting comments shall be provided by the Board Planner.
12. As a condition of any approval, the applicant shall submit letters to the City from the water and sewer utility company indicating availability/adequacy of services.
13. The applicant shall provide an Engineer's cost estimate for the calculation of performance and maintenance guarantees and inspection escrows as required by the City Code.
14. Applicant shall obtain all permits and or approvals from the City of Ocean City, Cape May County, CAFRA and other entities having jurisdiction, as applicable.

Any Planning Board approval should be contingent upon approval from all other governmental agencies having jurisdiction. We reserve the right to review any additional information submitted for this matter.

Sincerely,

Schaeffer Nassar Scheidegg
Consulting Engineers, LLC

A handwritten signature in black ink, appearing to read 'David S. Scheidegg', written over the company name.

David S. Scheidegg, PE, PP, CME, CPWM, CFM
Planning Board Engineer

Cc: Jaime Felker, (via e-mail)
Gary Griffith, Esq. (via e-mail)
Randall Scheule, PP/AICP (via e-mail)
Jon Batastini, Clients Attorney (via e-mail)
Paul Koelling, PLS (via e-mail)
Robert Green PE, (via e-mail)
Coral Sands Motel, LLC, applicant (via e-mail)



SCHULE

PLANNING SOLUTIONS, LLC

Community Development

Municipal Planning

Master Plans

Zoning Codes

Redevelopment

Planner's Report

To: City of Ocean City
Planning Board Members

From: Randall Scheule, PP/AICP
Planning Board Planner

Date: November 19, 2025

Zone: Hospitality Zone

RE: **PBA 25-004, Coral Sands Motel LLC (R2)**
Block 803, Lot 9, 709 Ninth Street
Public Hearing – Minor Site Plan

Introduction.

This report is provided to assist the Planning Board in its consideration of the above referenced application and is limited to planning issues. Engineering and legal issues shall be reviewed by the Board Engineer and Board Solicitor, respectively. The comments and recommendations contained herein are based on my review of the information provided to date including the development application, the Ocean City Master Plan, the Zoning and Development Code and such other sources as may be noted.

Any resubmission addressing the issues identified in this report shall be accompanied by a point-by-point letter responding to all items, with revisions on the plans *clouded or highlighted* to indicate changes.

Plans and Documents.

The following plans and documents constituting the above development application have been reviewed and provide the basis for the comments and recommendations which follow.

- Transmittal to Jaime Felker from Jon Batastini, November 6, 2025
- Correspondence to Randy Scheule from Robert Green, October 21, 2025

PBA 25-004, Coral Sands Motel LLC
Block 803, Lot 9, 709 Ninth Street

- Correspondence to Randy Scheule from Robert Green, August 27, 2025
- Transmittal to Jaime Felker from Jon Batastini, June 30, 2025
- City of Ocean City Development Application and Checklist
- Disclosure of Ownership, December 6, 2021
- Confirmation of Taxes Paid, June 18, 2025
- Survey of Premises, Paul Koelling, January 3, 2024
- Survey of Premises, Paul Koelling, October 24, 2025
- Minor Site Plan (5 sheets), R. D. Green Engineering
 - SP1 Ground Level Plan, October 8, 2024, last revised October 28, 2025
 - SP2 Notes, October 8, 2024, last revised October 28, 2025
 - S-1 Second Floor Plan, October 8, 2024
 - S-2 Sundeck/Deck Reconstruction, October 8, 2024, last revised October 28, 2025
 - S-3 Architectural Elevations, October 8, 2024, last revised October 28, 2025
- Ocean City Planning Board Decision and Resolution, May 7, 2025
- Ocean City DPW report, July 2, 2025
- Ocean City Shade Tree Committee report, July 23, 2025
- Ocean City Zoning Official report, July 23, 2025

Development Proposal.

Applicant requests minor site plan approval for the following:

- Add a second means of egress from the second floor (stairs on 9th Street)
- Add 20 outdoor seats adjacent to Atlantic Avenue for the existing restaurant
- Replace sundeck and second floor deck above restaurant
- Install arches under cantilevered second floor walkways

Under application PBA 24-004, applicant was granted Preliminary and Final Major Site Plan approval to construct a new 3-story mixed-use building on April 2, 2025. This approval is not being abandoned.

25-1500.13.2 Minor Site Plan Completeness

a. General Requirements.

1. The minor site plan shall be based upon a current boundary survey prepared in accordance with N.J.A.C. 13:40-5.1, Preparation of Land Surveys, certified to the owner and prepared or recertified not more than twelve (12) months prior to the date of application. If more than twelve (12) months has passed since the date of (or date of last recertification) of the survey, it shall be recertified and, if necessary, brought up-to-date.

X_____

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c. Detailed Information.

15. The following shall also be required unless the administrative officer determines that they are not necessary to provide a full understanding of the application:

(a) Existing at point of connection and all proposed manholes, sewer lines, waterlines, fire hydrants, utility poles and all other topographical features of a physical or engineering nature within the site and within fifty feet (50') thereof.

Waiver

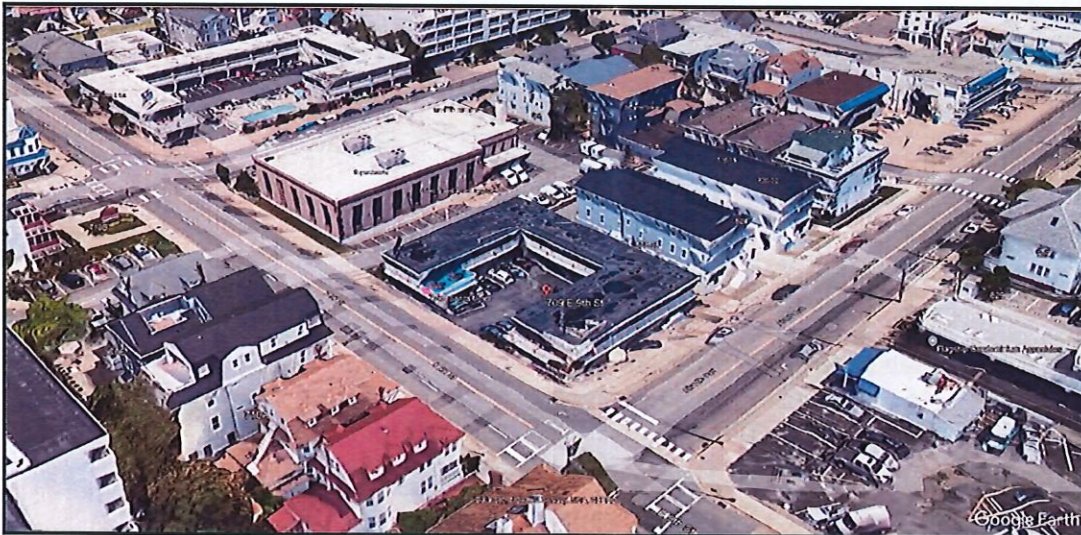
(g) Cross-section(s) showing the composition of pavement areas, curbs and sidewalks.

Waiver

(h) Exterior lighting plan, including the location, direction of illumination, amount of illumination expressed in horizontal footcandles, wattage and drawn details of all outdoor lighting standards and fixtures.

Waiver

The Minor Site Plan may be deemed complete subject to approval of the above waivers.



Zoning Conformance.

Zone Standard	Zoning Requirement	Existing Condition	Proposed Condition	Variance Required?
Minimum Lot Area	10,000 SF	11,975 SF	11,975 SF	No
Minimum Lot Frontage	100 FT	95.8 FT	95.8 FT	ENC
Minimum Lot Width	100 FT	95.8 FT	95.8 FT	ENC
Minimum Lot Depth	100 FT	125 FT	125 FT	No

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Minimum Front Setback Atlantic Avenue	10 FT	3.6 FT	3.6 FT	ENC
Minimum Side Setback North Side	4 FT	5.7 FT	5.7 FT	No
South Side (9 th St.)		5.1 FT	5.1 FT	No
Building Stair		NA	0.5 FT	Yes
Minimum Rear Setback	20 FT	0.5 FT	0.5 FT	ENC
BFE (NAVD88)	9 FT	9 FT	9 FT	NA
Minimum Commercial Ceiling Height	12 FT	10 FT	10 FT	ENC
Maximum Building Ht. (above BFE+1)	37 FT	16.31 FT	16.31 FT	No
Maximum Building Coverage	80%	42.2%	42.2%	No
Maximum Impervious Coverage	80%	97.3%	93.5%	Yes
Minimum Number of Parking Spaces	17 Footnote ¹	13+4	13+4 ²	ENC No
▪ Hotel				
▪ Restaurant				

Summary of Variances and Design Waivers.

1. Minimum Side Yard – 4 feet required; 0.5 feet proposed to stairs.
2. Maximum impervious coverage – 80% permitted, 93.5% proposed.
3. Truck Berth - §25-205.4.7.f requires a truck berth.

Review Comments.

1. Section 25-205.7.2 – A motel is a permitted Principal Use in the Hospitality Zone.
2. Applicant is required to address both the positive and negative criteria necessary to grant the variances identified above. Applicant may be entitled to relief if he can demonstrate that the purposes of the Municipal Land Use Law would be advanced by allowing a deviation from the Ocean City Zoning Ordinance, and the benefits of

¹ No off-street parking required for Restaurant, Retail Sales and Retail Services.

² Applicant shall verify 4 parking spaces rented from City.

the deviation will substantially outweigh any detriment. The applicant must also show that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

3. Plan sheet SP1 indicates there are 16 motel units, with one exceeding 700 SF. Seventeen (17) parking spaces are required for the motel; the restaurant does not require off-street parking spaces. The plan indicates 13 parking spaces exist, including on ADA space, and that four (4) spaces are rented from the City. As a condition of approval, applicant shall provide documentation to verify the parking spaces rented from City.
4. It is noted that the dimensions of the existing drive aisle and parking spaces are nonconforming, however, these conditions are not affected by the application.
5. §25-1700.31.3 - The refuse storage area shall be screened from public view and surrounded on three (3) sides by a solid uniform fence or wall not less than three feet (3') in height, or the height required to obscure from view the receptacles within. (See Street View #3). A detail of the 3' high fence proposed to screen the trash area should be added to the plans.
6. The composition of 6' high fence proposed to screen the HVAC should be noted on the plans.
7. §25-205.7.7 - The applicant shall address the motel operational standards.

Standard	Comment
Hotels, motels and satellite hotels shall contain at least ten (10) units. Access to each unit shall be controlled by hotel/motel management	Proposal complies.
Hotels and motels shall be used for limited tenure lodging ³ , except that a	Not addressed.

³ Limited Tenure - lodging accommodations on a temporary basis wherein the owner of said unit or an owner's guest is prohibited from occupying the unit or suite for more than thirty (30) days in any seasonal quarter (i.e. summer, fall, winter and spring) in any calendar year. Said temporary residence shall not be extended beyond thirty (30) days in any seasonal quarter by moving into another unit within the same establishment. The prohibition shall further provide, with the exception of an owner or an owner's guest occupying the unit during this thirty (30) day period, any users of the hotel unit shall pay no less than the market rental for the unit as determined by the management of the hotel. The season quarter shall be:

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maximum of fifteen percent (15%) of the units may be used as extended stay lodging	
Hotels and motels shall have a 24-hour front desk or access to a manager to serve guests	Hours are 6 AM-9 PM; however, late arrivals are accommodated.
Hotels and motels shall provide daily housekeeping, maid service, linen service and other room amenities	Not addressed.
Hotels and motels shall provide telephone service to each hotel and motel unit	Not addressed.
Hotel and motel units shall be a maximum of fifteen hundred (1,500) square feet of gross floor area and three (3) bedrooms	Not addressed.
Kitchen facilities shall be permitted in all hotel, motel and satellite hotel units	Not addressed.

8. §25-1700.38.12 - The applicant shall address the requirements for street trees. Additional detail is required to demonstrate compliance.
9. The 9th Street Elevation plan should be revised to show the proposed stairs and planter.
10. From a zoning perspective, the yards on this property are as follows:
 - a. Front – Atlantic Avenue
 - b. Sides – 9th Street and northerly property line
 - c. Rear – westerly property line.

As a condition of approval, the Zoning Schedule on Sheet SP-1 shall be revised per the above yard assignments, and to indicate variances for side yard stairs and impervious coverage.

-
1. Summer – June 21 to September 20
 2. Fall – September 21 - December 20
 3. Winter – December 21 - March 20
 4. Spring – March 21 - June 20
 5. This limitation shall not apply to on-site housing for employees of the hotel or motel. Employee housing shall be designated.

11. §25-1700.38.12a(21) - Street trees shall be located twenty-five to thirty feet (25' to 30') on-center. This requirement is satisfied on Atlantic Avenue, not on 9th Street. The plans shall either be revised or a waiver requested.
12. SP-1 appears to identify two different types of Crepe Myrtle. The plant schedule on S-2 keys four trees as LI (Summerlasting Strawberry), whereas, the plans show only two trees as LI near the corner. Four Single-Stem Crepe Myrtle are proposed on Atlantic Avenue. Please clarify.
13. According to §25-1300.3.a, "Sight triangles shall be provided at all intersections, including alleys." The final plan shall be revised as necessary to comply.
14. Review of site grading, stormwater, utilities and drainage is deferred to the Planning Board Engineer.

§ 25-1500.13.3 Conditions of Approval.

Any approval of an application for development for a minor site plan granted by the Planning Board or Board of Adjustment shall be subjected to the following conditions being satisfied prior to signing of the plat or issuance of a Zoning Permit.

<u>Conditions of Minor Site Plan Approval</u>	<u>Status</u>
Installation of or posting of performance guarantees for the installation of any improvements required by the Board.	<u>Pending</u>
Payment of any outstanding real estate taxes, assessments and professional fees.	<u>Pending</u>
Cape May County Planning Board approval if the site is located on the County road system.	<u>NA</u>
New Jersey Water Company – Water and sewerage service availability letters.	<u>Pending</u>
Granting of a CAFRA permit, where required.	<u>NA</u>
Submission of additional prints of the plat map and attachments for distribution (if required).	<u>Pending</u>
Publication of a notice of the decision of the Board by the Administrative Officer (Planning Board or Board of Adjustment Secretary) within the time set forth in Section 25-900.8 of this Ordinance.	<u>Pending</u>
Any other conditions which may be imposed by the Board or may be required by Federal, State, County or municipal law.	<u>Pending</u>
A condition setting forth the time within which all conditions must be satisfied as described in § 25-900.10.	<u>Pending</u>

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Street View #1



Street View #2



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Street View #3



C: Gary Griffith
David Scheidegg
Jon Batastini
Bob Green
Haresh Patel

