

Central Planning Authority

Agenda for a meeting of the Central Planning Authority to be held on **19 June 2024 at 10:00am** in Conference Room 1038, 1st Floor, Government Administration Building, 133 Elgin Avenue

17th Meeting of the Year

CPA/17/24

Mr. Ian Pairaudeau (Chair)
Mr. Handel Whittaker (Deputy Chair)
Mr. Joshua Bernard
Mr. Gillard McLaughlin
Mr. Charles Russell Jr.
Mr. Peterkin Berry
Mr. Peter Campbell
Mr. Kenneth Ebanks
Ms. Danette McLaughlin
Ms. Shakina Bush
Ms. Christine Maltman, MCIP, AICP
Ms. Celecia Bancroft
Mr. Ashton Bodden
Mr. Haroon Pandohie (Executive Secretary)
Mr. Nick Popovich (Planning Officer)
Mr. Marco Whittaker (Planning Officer)

1. Confirmation of Minutes & Declarations of Conflicts/Interests
2. Applications
3. Development Plan Matters
4. Planning Appeal Matters
5. Matters from the Director of Planning
6. CPA Members Information/Discussions

List of Applications Presented at CPA/17/24

- 2.1 LEGOLAND REAL ESTATE LTD. (Arco) Block 14BJ Parcels 7 to 11 & 16 and Block 14E Parcel 661 (P23-1098) (\$95.0 million) (NP) 5**
- 2.2 JOANA WEST & LINETT SMITH (Whittaker & Watler) Block 65A Parcel 42 (P23-0740) (\$5,000) (MW) 17**
- 2.3 JOHN ALLEN (Rock Architecture) Block 27D Parcel 461 (P23-1004) (\$10,000) (NP) 22**
- 2.4 MAUVIA EBANKS (Platinum Crew General Maintenance & Repair) Block 43E Parcel 69 (P23-0999) (\$185,000) (AS) 24**
- 2.5 INTERNATIONAL MALL LTD. (National Builders Ltd.) Block 14E Parcels 120, 632, 635, & 636 (P23-1099) (\$40 million) (NP) 26**
- 2.6 BAHIA WEST LTD. (Trio Design) Block 4C Parcel 75 (P23-0433) (\$750,000) (MW) 32
46**
- 2.7 ROVIDA ESTATES (CI) COMPANY LTD. (BDCL Architects) Block 14BH Parcel 159 (P24-0208) (\$5,000,000) (MW) 46**
- 2.8 KIARA McLAUGHLIN (Craftman's Touch) Block 28C Parcel 536 (P24-0044) (\$320,000) (MW) 56**
- 2.9 STEPHEN TATUM & ROBERT TATUM (Cayman Survey Associates Ltd.) Block 72C Parcel 275 (P24-0239) (\$11,500) (MW) 64**
- 2.10 ALEX E. JOHNSON (Professional Planning & Development Services) Block 49B Parcel 252 & 253 (P24-0306) (\$15,000) (NP) 69**
- 2.11 BRAC ACE LTD. (Cayman Survey Associates) Block 19A Parcel 89 (P24-0323) (\$9,000) (NP) 74**
- 2.12 ADVANCE AUTOMOTIVE LTD. (Whittaker & Watler) Block 20B Parcel 69 (P24-0197) (\$21,000) (NP) 78**
- 2.13 CATHERINE SPRADLIN (Signs of Paradise) Block 13B Parcel 202 (P23-0723) (\$10,000) (NP) 79**
- 2.14 JUSTIN & ANNE BALKISSON (GMJ Home Plans Ltd) Block 15E Parcel 261 (P24-0142) (\$235,000) (JS) 80**
- 2.15 ANAND & ELSY ADAPA (Whittaker & Watler) Block 1D Parcel 721 (P24-0284) (\$0) (NP) 82**
- 2.16 KATHLEEN MCLAUGHLIN (Platinum Crew) Block 27C Parcel 64 (P23-0903) (\$290,000) (KM) 83**
- 2.17 NILA EBANKS (Professional Planning and Development Services) Block 1D Parcel 399 (P24-0205) (\$5,000) (JS) 88**
- 2.18 BIG CAT LTD. (TRIO Design) Block 13EH Parcel 198 (P24-0223) (\$2,000) (MW) 91**
- 2.19 SAVANNAH GABLES LTD. (Matthew Brown) Block 28C Parcels 488 & 515 (P23-0993) (\$15,000) (MW) 93**
- 2.20 NATIONAL HOUSING DEVELOPMENT TRUST (Whittaker & Watler) Block 72B Parcel 189 (P23-0823) (\$126,000) (KM) 95**

2.21 KAFI-ANN & NAVADO BROWN (GMJ Home Plans Ltd.) Block 74A Parcel 149 (P24-0234) (\$3,000) (MW) 96

2.22 JAMES ADRIAN BODDEN (Eric Cronier) Block 59A Parcel 279 (P24-0120) (\$35,000) (MW) 98

2.23 NHDT (Eric Cronier) Block 49A Parcel 15 (P24-0295) (\$10,000) (NP) 103

2.24 ANSR LTD. Block 24E Parcel 600 (P24-0434) (\$55,000) (NP) 110

2.25 ID CORPORATION LTD. (Johnson Design & Architecture) Block 14BG Parcel 105 (P24-0341) (\$50,000) (NP) 112

APPLICANTS ATTENDING THE AUTHORITY’S MEETING

Applicant Name	Time	Item	Page
Legoland Real Estate	10:30	2.1	4
Joanna West & Linett Smith	11:00	2.2	17
John Allen	11:30	2.3	22
Mauvia Ebanks	1:00	2.4	24
International Mall	2:00	2.5	26
Bahia West	3:00	2.6	32

1.1 Confirmation of Minutes CPA/16/24 held on 5th June 2024

1.2 Declarations of Conflicts/Interests

Item	Member

2.0 APPLICATIONS
APPEARANCES (Items 2.1 to Item 2.6)

2.1 LEGOLAND REAL ESTATE LTD. (Arco) Block 14BJ Parcels 7 to 11 & 16 and Block 14E Parcel 661 (P23-1098) (\$95.0 million) (NP)

Application for 162 apartments.

Appearance at 10:30 a.m.

FACTS

<i>Location</i>	Boilers Road, George Town
<i>Zoning</i>	General Commercial
<i>Notification Results</i>	No objections
<i>Parcel size</i>	1.468 acres
<i>Parcel size required</i>	20,000 sq ft
<i>Current use</i>	Various residential & commercial buildings
<i>Proposed use</i>	Apartments
<i>Building Footprint</i>	22,018 sq ft
<i>Building Area</i>	276,043 sq ft
<i>Total site coverage allowed</i>	90%
<i>Total site coverage proposed</i>	77.08%
<i>Units Permitted</i>	CPA Discretion
<i>Units Proposed</i>	162
<i>Bedrooms Permitted</i>	CPA Discretion
<i>Bedrooms Proposed</i>	189
<i>Parking Required</i>	243
<i>Parking Proposed</i>	251

BACKGROUND

February 13, 2024 (**CPA/5/24; Item 2.6**) – The Authority resolved to adjourn the application in order to invite the applicant in to a meeting to discuss density as well as to allow the Authority the opportunity to review NRA comments regarding the proposal.

April 24, 2024 (**CPA/13/24: Item 2.6**) - The Authority resolved to adjourn the application in order for the Authority to give further consideration to the issue of density.

Recommendation: Discuss the application for the following reasons:

- 1) Zoning
- 2) Density

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Department of Environment, Water Authority, Fire Department, Department of Environmental Health and the Cayman Islands Airport Authority.

Department of Environment (January 4, 2024)

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013).

Site Overview

The application site is man-modified with existing residential and commercial buildings on site.

Advice for the Applicant

We recommend that the applicant consider incorporating Sustainable Drainage Systems (SuDS) into the stormwater management for the site to mitigate against the inundation of the surrounding area. SuDs are drainage solutions that provide an alternative to the direct channelling of surface water through pipes and deep wells. By mimicking natural drainage regimes, SuDS aim to reduce surface water flooding, improve water quality, and enhance the amenity and biodiversity value of the environment. SuDS achieve this by lowering flow rates, increasing water storage capacity, and reducing the transport of pollution to the water environment. The applicant may also wish to consider the use of porous or permeable surfaces in areas of hardstanding.

In addition, we recommend that the applicant plants and incorporates native vegetation such as buttonwood into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and the amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

The DoE also recommends that, wherever possible, sustainable design and energy efficiency features be included in projects such as this one. We especially encourage renewable energy installations given that the Cayman Islands has a target of 70% of energy generation being renewably sourced by the year 2037 (Cayman Islands National Energy Policy 2017-2037). Photovoltaic solar panels in particular could be installed on suitable roof space or over the proposed parking spaces.

Advice for the Central Planning Authority/Planning Department

Best management practices should be adhered to during construction to reduce impacts on the environment. In particular, control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example, those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed

by wildlife when they enter the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

Section 41(3) Recommendations

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following condition in the approval:

1. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the environment.

Water Authority Cayman

Please be advised that the Water Authority’s requirements for this development have been determined based on the understanding that the parcels in question are to be combined.

Wastewater Treatment and Disposal

The developer, or their agent, shall submit an Onsite Wastewater Treatment Proposal, per the attached Form, which meets the following requirements. Water Authority review and approval of the proposed system is a condition for obtaining a Building Permit.

- The proposed development requires Aerobic Treatment Unit(s) with NSF/ANSI Standard 40 (or equivalent) certification that, when operated and maintained per manufacturer’s guidelines, the system achieves effluent quality of 30 mg/L Biochemical Oxygen Demand and 30 mg/L Total Suspended Solids. The proposed system shall have a treatment capacity of at least 26,325 US gallons per day (gpd), based on the following calculations.

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
The Eldemire	135 x 1-Bed Units	150gpd/1-Bed Unit	20,250
	27 x 2-Bed Units	225gpd/2-Bed Unit	6,075
TOTAL			26,325

- Treated effluent from the ATU shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority’s standards. The minimum well casing diameter for this development shall be 8’’. Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.
- To achieve gravity flow, treated effluent from the ATU must enter the disposal well at a minimum invert level of 4’9” above MSL. The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.

Underground ATUs

- *The drawings indicate that the wastewater treatment plant is proposed to be buried and/or is located within a traffic area. The Water Authority will not approve buried ATUs with the exception of those proposed under approved handicapped parking* OR within non-traffic, landscaped areas of the property.*

Queries regarding the burial of ATUs and additional requirements can be forwarded to development.control@waterauthority.ky.

** All components of the ATU must be located within the handicapped parking spaces.*

Elevator Installation

- *Hydraulic elevators are required to have an approved pump with oil-sensing shut off installed in the sump pit. Specifications of the proposed pump shall be sent to the Water Authority at development.control@waterauthority.ky for review and approval.*

Generator and Fuel Storage Tank(s) Installation

- *In the event underground fuel storage tanks (USTs) are used the Authority requires the developer to install monitoring wells for the USTs. The exact number and location(s) of the monitoring wells will be determined by the Authority upon receipt of a detailed site plan showing location of the UST(s) and associated piping. The monitoring wells shall comply with the standard detail of the Water Authority linked below. All monitoring wells shall be accessible for inspection by the Authority. In the event above ground fuel storage tanks (ASTs) are used, monitoring wells will not be required.*

https://www.waterauthority.ky/upimages/download/USTMonitoringWellFeb2013_1445632994.pdf

Water Supply

The proposed development site is located within the Water Authority's piped water supply area.

- *The developer shall contact Water Authority's Engineering Services Department at 949-2837 without delay to be advised of the site-specific requirements for connection to the public water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>*

The Authority will not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

Solid Waste Facility: This development requires (3) 8 cubic yard container with three per week servicing. NOTE: The drain for the enclosure must be plumbed to a garbage enclosure disposal well as per the Water Authority's specifications.

Swimming Pool: A swimming pool application must be submitted to DEH for review and approval prior to constructing the pool.

National Roads Authority

February 8, 2024

As per your memo dated January 3rd, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

*As per the NRA's Design and Construction Specifications for **Subdivision Roads & Property Development***

- *7.2 Access Roads — Commercial driveways on these roads must be no closer to each other than **thirty feet (30')** and, located at least seventy-five feet (75') from intersections.*
- *The plans provided for review had no information on the gradient at the main driveway onto the site. Based on vertical profile guidelines for driveways per ASSHTO and NCHRP 659 (see attachment), a driveway grade of a max at 8% should not be constructed — this driveway detail will ensure that a fire truck or any other vehicle is able to physically access the site. On that basis, it is the NRA's recommendation to the CPA that the applicant demonstrates this condition can be satisfied prior to approval being granted*

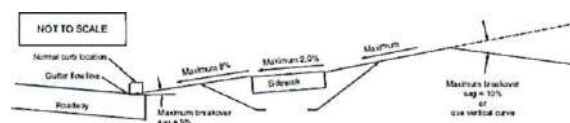


Figure 4-12. Driveway Vertical Alignment and Profile Elements

- *Entrance and exit curves shall have no less than fifteen (15) feet radius curves*
- *A gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Boilers Road. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches.*
- *The width of Boiler's Road is approximately 19ft in width from the subject parcel; however, there is currently a BP012, gazetted Sup2_3/1977 per the Roads Law 1974, on Boiler's Road, which is not shown on the site. See graphics below. The applicant is only showing partial compliance with BP012 (south of the site's driveways. The NRA recommends that the applicant respects BP012 in order to accommodate an increase in the traffic volume that will be generated by this development.*



Road Capacity Issues

The traffic demand to be generated by a 10-storey residential development of 162 apartment units has been assessed in accordance with ITE Code 220 - apartment. Thus, the assumed average trip rates per dwelling unit provided by ITE for estimating the daily, AM and PM peak hour trips are 6.65, 0.51 and 0.62 respectively. The anticipated traffic to be added onto Boilers Road is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak 20% In</i>	<i>AM Peak 80% Out</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak 65% In</i>	<i>PM Peak 35% Out</i>
1,077	83	17	66	100	65	35

Based on these estimates, the impact of the proposed development onto Boilers Road is considered to be moderate.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.

A six (6) foot sidewalk shall be constructed on Boilers Road, within the property boundary,

to NRA standards.

Tire stops (if used) shall be placed in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

*The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff **within** the subject parcel and retain existing drainage characteristics of the site as much as is feasible through innovative design and the use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is no worse than pre-development runoff. To that effect, the following requirements should be observed:*

- *The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*
- *The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have the applicant provide this information prior to the issuance of a building permit.*
- *Construct a gentle ‘hump’ at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Boilers Road. Suggested dimensions of the ‘hump’ would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.*
- *Curbing is required for the parking areas to control stormwater runoff.*
- *Roof water runoff should not drain freely over the parking area or onto the surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. Catch basins are to be networked, please have the applicant provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*
- *Sidewalk detail needs to be provided as per NRA specifications. See (<https://www.cavmanroads.com/upload/files/3/Sidewalk%20&%20Curbing%20Details.p d>)*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes

to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Act (2005 Revision). For the purpose of this Act, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant.

February 20, 2024

As per your memo dated January 3rd, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

As per the NRA's Design and Construction Specifications for Subdivision Roads & Property Development,

- *4.3 Grade — The **maximum longitudinal** gradient as measured along the centreline of any roads shall be 8 percent. The minimum longitudinal gradient along a centreline of any road shall be 0.5 percent.*
- *Applicant is asked to provide the NRA with the CAD file for the site plan to show that maneuvers entering and exiting is possible, and the functionality of parking spots 235 & 236.*

Please have applicant make the necessary adjustments and resubmit.

Fire Department

The Fire Department has approved the proposal.

Cayman Islands Airport Authority

The CIAA has no objections to this proposed development, provided that the building, or any extensions of the building do not exceed 46m AMSL.

The applicant has confirmed in writing that the height of the building will not exceed 46 metres AMSL.

APPLICANT’S LETTER

“THE ELDEMIRE” PROPOSED DENSITY.

The revitalization of our capital

As part of the integral efforts from the Ministry of Planning, Agriculture, Housing and Infrastructure, aimed at bringing life and vibrancy back to Cayman's capital, The Eldemire is a project in line with George Town’s Revitalization led by Legoland Real Estate Limited to capitalize of the projects that the Cayman Government is implementing in Downtown.

The role of the Planning Development Plan

The 1997 Planning Development Plan recognizes George Town as the most important urban center in the islands and permits more flexibility in use because of its maximum site



coverage and building height allowance. The opportunity to bring residents to downtown is the best strategy to create a neighborhood where Caymanians can live, work and enjoy the historical central district. Government is inviting everyone to enjoy the new parks, initiatives. This is a private initiative

event programming and opportunities to interact and have fun in town developing better street networks and public spaces.

The Government initiatives

*The George Town Revitalisation Initiative is a multi-year government project, designed to bring life and vibrancy back to Cayman's capital. It is the framework to create a dynamic, **mixed-use** town centre that supports the **everyday life of Cayman Islands residents**. Government is revitalizing George Town's historical sites into attractive green landmarks of our island's heritage whilst supporting **a modern and thriving urban culture**.*

THE ELDEMIRE IS A PLACE FOR OUR PEOPLE

We want to bring life and vibrancy back to our capital in response to the Government efforts. Proposing the allowable 10 stories to be of residential apartments is the best way to give back to Caymanians the opportunity to enjoy the beautiful plans developed by Government. George Town will be connected by pedestrian walkways and shaded pocket parks, creating an enhanced experience for the residents of Cayman and not only the tourists visiting Georgetown.

162 Families living at The Eldemire will bring life to Georgetown. They will enjoy its amenities at walkable distances and work in the area avoiding the over us or cars. George Town is the home of our government, corporations, accessible deep-water port, commercial, retail. Dense residential ventures are needed to enhance its life.

***The Eldemire looks to change George Town,** into the vibrant, bustling community it should be. We believe like the Government that there is an opportunity to turn this around. The residents of The Eldemire will contribute to this flourishing of the city preserving our history, balancing development with conservation initiatives and and people's needs to quality living close to services and work.*



PLANNING DEPARTMENT ANALYSIS

General

The subject properties are located on Boilers Road in George Town.

The proposal is for 162 apartment units with 189 bedrooms in a ten storey building. There would be 251 parking spaces.

Zoning

The properties are zoned General Commercial.

Specific Issues

1) Zoning

Regulation 13(10) states that residential development may be permitted on any or all floors of a building in a General Commercial zone, a Neighbourhood Commercial zone, or a Marine Commercial zone if

- a) the development is a replacement or redevelopment of an existing residential development;
- b) the development forms part of a mixed-use development situated on one parcel of land and the planned development includes a mixture of commercial and residential uses proposed for close interaction; or
- c) the development is located within areas General Commercial 1, General Commercial 2, General Commercial 3, or General Commercial zone 4.

In this instance the proposal is replacing existing residential development and is entirely located within the General Commercial 1 zone. Therefore, residential uses are permitted on all floors of the building.

2) Density

The Regulations are silent upon the number of units in a General Commercial zone.

In these instances, the Authority typically looks to the nearest Residential zone for guidance.

The nearest residential zone is LDR to the west in this instance.

Regulation 9(8)(c) allows a maximum of 15 units per acre or 22 units for this size of property. Using the HDR provisions, 36 units would be allowed. Similarly, the LDR and HDR provisions would allow 35 and 69 bedrooms.

The applicant is proposing a total of 162 units and 189 bedrooms and the Authority should determine if this level of density is appropriate for the site and area.

3) Building height

CIAA has advised that the building cannot exceed 46 meters (150 feet) AMSL. The proposed building height is 130' and the applicant has submitted a drawing that the building won't exceed 145 AMSL.

SUPPLEMENTARY ANALYSIS #1

There have been no changes to the plans.

SUPPLEMENTARY ANALYSIS #2

As noted in the Background section of the report, the Authority adjourned the application at CPA/13/24; item 2.6 in order for the Authority to give further consideration to the issue of density. To assist the Authority, the Department endeavoured to provide other examples of 10 storey apartment buildings and their respective densities:

- All 10 storey apartment buildings (or even lesser storeys) on Seven Mile Beach were approved with a maximum density of 25 units per acre
- There are other multi-storey developments (Rum Point Club, Dolphin Point) that were approved as apartments, but function more like resorts. These densities were consistent with their respective zone provisions.
- The Camana Bay PAD contains two transects, SD1 (High Density Centre) and T6 (Urban Centre). These transects allow an apartment density of 64 units/acre and 48 units/acre, respectively. The 10 storey apartment building in Camana Bay (Kapok) was approved based on the SD1 density and contains 91 apartments.
- If the SD1 and T6 densities were applied to the Legoland site, then 94 apartments and 70 apartments would be allowed, respectively.

2.2 JOANA WEST & LINETT SMITH (Whittaker & Watler) Block 65A Parcel 42 (P23-0740) (\$5,000) (MW)

Application for ATF land clearing & excavation (2 acres for farming).

Appearance at 11:00am

FACTS

<i>Location</i>	Queens Hwy., East End
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	Objectors
<i>Parcel size proposed</i>	2.012 ac. (87,642.72 sq. ft.)
<i>Current use</i>	Vacant

BACKGROUND

June 8, 2023 (CE23-0070) – Enforcement notice issued for unauthorized excavation (quarrying) and the case has been forwarded to DPP

Recommendation: Discuss the application for the following reasons:

- 1) DOE comments
- 2) Objector’s concerns

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Department of Environment (4 December 2023)

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013).

Site Overview

The application site was partly man-modified and consisted of primary dry shrubland and dry forest habitat. The site is also in close proximity to the Salina Reserve, which is protected under the National Trust Act. Given the proximity to the Salina Reserve, it is possible that the application site was being used by Blue Iguanas as it is within its geographic range.

Advice to the Central Planning Authority

We are concerned about this application and that it does not reflect the extent of works that are occurring at this site. At the time of writing, we have been provided only with a site plan that shows 2 acres of land clearing.

DoE Conservation Officers visited the site in October 2023 and witnessed multiple trucks filled with top soil and rocks leaving the site. We have submitted onto OPS a video which shows the excavation works and a truck being loaded with material. We reported our findings to the Planning Department on 20 October 2023. We also note that there has been Enforcement from the Planning Department in the past, although we believe works have been ongoing at the site regardless.

We believe that the after-the-fact and ongoing clearing and excavation represents an unauthorised quarry and not a simple land clearing exercise. Given the level of excavation and the amount of soil and rock which has left site, we do not believe it is plausible that this is for farming.



Figure 1. A still from the video submitted onto OPS of the site, which we believe shows quarrying rather than clearing for farming. (Source: DoE, 2023)



Figure 2. A still from the video submitted onto OPS of the site, which we believe shows quarrying rather than clearing for farming. (Source: DoE, 2023)

The site was primary habitat and environmentally sensitive. This approach of clearing and commencing site works before planning permission is granted and consulting agencies' comments are received is extremely worrying. It removes the opportunity for reviewing agencies to provide constructive comments and feedback on best management practices which may include recommendations for the retention of ecologically valuable flora or mitigation measures to protect the environment including protected endemic species such as the Blue Iguana and minimise impacts to adjacent landowners and the wider area. Although we do note that after-the-fact applications are usually in response to enforcement action, the frequency of after-the-fact occurrences potentially indicates that there are inadequate deterrents from conducting work without the relevant permission in place.

*We strongly recommend this application is **refused** in light of the above.*

OBJECTIONS

We are the registered owners for Block 65A Parcels 50-53 & 57 and have received a notification for a planning application for 2-acres of land clearing that has occurred on Block 65A Parcel 42.

We are aware the subject parcel only benefits from a 6' easement, yet its location is undefined. After conducting site visits, we are concerned the applicant intends to undergo a more intensive operation than farming.

Heavy equipment has been used to clear land, that clearly exceeds the width of the appointed 6' easement. As the attached photographs show, excavated material is stockpiled lending us to question whether the material will be removed from the site.

Further of note, Block 65A Parcel 49 has a restriction on its land register which states, "No further development until the road over parcel 65A 53 has been constructed to minimum Public Works standards." We are concerned that the widening of the 6' easement over our property is considered development and therefore puts us at risk of enforcement action.

While we do not have an objection to either Parcels 49 or 42 developing their land sometime in the future, we are not yet in a position to construct Parcel 53 to current NRA standards.

Attachment: Site Photos (65A 42)



View of driveway access into the site from 65A 49 – 12 January 2024



Cleared access into Block 65A Parcel 42 – 12 January 2024



Heavy equipment being used for site works – 12 January 2024.



Stockpiles of excavated material – 18 January 2024.

PLANNING DEPARTMENT ANALYSIS

General

The application is for an ATF land clearing & excavation (2 acres for farming) to be located off Queens Hwy., East End.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Use of land

Due to the extent of works that have occurred on the site, with multiple trucks leaving the site with top soil and rocks it is believed that this is more than just land clearing for farming purposes. If the use is deemed to be a quarrying then the applicant would be required to undertake the required polling exercise per Regulation 9(4).

2.3 JOHN ALLEN (Rock Architecture) Block 27D Parcel 461 (P23-1004) (\$10,000) (NP)

Application for a shed addition.

Appearance at 11:30 a.m.

FACTS

<i>Location</i>	Hirst Road, Savannah
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	Not Applicable
<i>Parcel size proposed</i>	10,807.2 square feet
<i>Parcel size required</i>	10,000 square feet
<i>Current use</i>	House & Shed Foundation

BACKGROUND

October 14, 2020 (**CPA/17/20; Item 2.10**) – Planning permission was granted for a 456 square foot shed on the property. (P21-0219)

February 13, 2024 (**CPA/05/24; Item 2.26**) – The Authority considered the application and:

Decision #1: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the size of and intended use of the shed addition.

Decision #2: Regarding the existing use of the site for vehicle repair, it was resolved to authorize the issuance of a Maintenance of Land Notice in accordance with Section 29A of the Development and Planning Act (2021 Revision). Maintenance of Land Notice to take effect at the end of a period of 30 days from the service and compliance with the Maintenance of Land Notice to be completed within the period of 60 days from the date when the Notice takes effect, subject to the provisions of Section 29A(2) and (3) of the Act.

Recommendation: Discuss the application for the following reason:

- 1) Size of the shed

APPLICANT’S LETTER

See Trade & Business License attached. The client initially needed the storage space as a necessity for their everyday living and household activities, maintenance, etc. The client is currently between locations for their business and will need a safe interior space to store dry goods while they find and possibly fit out their new business location. No gasoline, oils, coolants or anything of this nature will be stored in the proposed extended storage space.

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Hirst Road in Savannah.

The property presently contains a dwelling and a shed foundation in the rear.

The application is for a 360 square foot addition to the previously approved 456 square foot shed.

Zoning

The property is zoned Low Density Residential.

SUPPLEMENTARY ANALYSIS

There have been no changes to the plans.

2.4 MAUVIA EBANKS (Platinum Crew General Maintenance & Repair) Block 43E Parcel 69 (P23-0999) (\$185,000) (AS)

Application for an after-the-fact house.

FACTS

<i>Location</i>	Sitwell Rd
<i>Zoning</i>	LDR
<i>Notification Results</i>	No objections
<i>Parcel Size</i>	.38 ac (16,552 sq. ft.)
<i>Parcel size required</i>	40,000 sq ft
<i>Current Use</i>	3 houses and the atf house under construction
<i>Existing footprint</i>	2,657 sq ft
<i>ATF footprint</i>	745 sq ft
<i>Site Coverage</i>	20.55%
<i>Parking spaces required</i>	4
<i>Parking spaces provided</i>	8 shown on the site plan

BACKGROUND

There are no records for the existing development on site.

January 31, 2024 (CPA/04/24; item 2.8) - It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the lot size, setbacks and the undemarcated parking area and the repetitive occurrence of after-the-fact structures on the site.

Recommendation: Discuss the application for the following reasons:

- 1) Minimum lot size (16,552 sq ft vs 40,000 sq ft)
- 2) Rear setback (7' 2" vs 20')
- 3) Side setback (9' vs 10')
- 4) Parking

APPLICANT'S LETTER

We are requesting a variance for the above referenced block and parcel to seek relief for the acquired 745 sq.ft 2 bedroom house with a lot size variance side setback variance and rear setback variance. I hereby submit it to the Department of Planning. For the reasons outlined below, the proposed dwelling will be beneficial to us and the community and the district of Belford estate.

- *Granting the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.*

- *The granting of the variance will have no effect on any adjoining or nearby properties. The requested zoning relief will not cause any detriment to the common good. As the literal interpretation and strict application of the applicable zoning requirements of this chapter would cause substantial undue and unnecessary hardship to the current property owner.*

- *We would like to note that the size and the quality of the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property to the neighborhood or to the public welfare. the requested variance would be consistent with the spirit and purpose of this chapter and the district of beach bay as our new home will blend and will prove beneficial to the citizens of beach bay community."*

PLANNING DEPARTMENT ANALYSIS

General

The application is for a 745 sq ft house that is under construction. There are three existing houses on the parcel.

Zoning

The property is zoned Low Density Residential.

Specific Issue

1) Lot size

Pursuant to Section 9 (8) (d) of the Development and Planning Regulations (2022 Revision) the minimum lot size for each detached and semi-detached house is 10,000 sq ft. The Land Register shows that Block 43E Parcel 69 is .38 acres (16,552 sq ft) in size. There are three (3) houses and one (1) house under construction on the parcel, requiring a minimum lot size of 40,000 sq ft.

2) Rear setback

Pursuant to Section 9 (8) (i) of the Development and Planning Regulations (2022 Revision) the minimum rear setback is 20 ft. The site plan shows a rear setback of 7 ft 2 in.

3) Side setback

Pursuant to Section 9 (8) (j) of the Development and Planning Regulations (2022 Revision) the minimum side setback is 10 ft. The site plan shows a side setback of 9 ft.

4) Parking

The parking requirement is a minimum of 4 spaces. The site plan shows 8 demarcated parking spaces, but the actual on-site arrangement is more informal with vehicles parking in what area is available. The Authority should determine if the parking arrangement is acceptable.

SUPPLEMENTARY ANALYSIS

There have been no changes to the plans.

2.5 INTERNATIONAL MALL LTD. (National Builders Ltd.) Block 14E Parcels 120, 632, 635, & 636 (P23-1099) (\$40 million) (NP)

Application for commercial & residential complex.

Appearance at 2:00 p.m.

FACTS

<i>Location</i>	Walkers Road, George Town
<i>Zoning</i>	Neighbourhood Commercial & Low Density Residential
<i>Notification Results</i>	Objections
<i>Parcel size</i>	4.36 acres (combined)
<i>Parcel size required</i>	45,000 sq ft (20,000 commercial, 25,000 townhouses)
<i>Current use</i>	Vacant

<i>Proposed use</i>	Residential & Commercial Complex
<i>Proposed Building Footprint</i>	45,971 sq. ft.
<i>Proposed Building Area</i>	111,536.7 sq. ft.
<i>Total allowed site coverage</i>	75%
<i>Total proposed site coverage</i>	64%
<i>Parking Required</i>	167
<i>Parking Proposed</i>	210
<i>Number of Proposed Apartments</i>	44
<i>Number of Permitted Apartments</i>	44
<i>Number of Proposed Bedrooms</i>	70 or 96 *
<i>Number of Permitted Bedrooms</i>	70

Recommendation: Discuss the application, **for the following reasons:**

- 1) Lack of NRA Comments
- 2) Suitability
- 3) Number of Bedrooms (70 or 96 vs 70)
- 4) Lack of 4' wide landscaping strip in vicinity of Buildings RA, RB, & RC
- 5) Combination of Parcels
- 6) Concerns of the Objectors

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the WAC, DOE, DEH, and Fire as provided below.

Water Authority Cayman

Please be advised that the Water Authority's requirements for this development have been determined based on the understanding that the parcels in question are to be combined.

Wastewater Treatment and Disposal

The developer, or their agent, shall submit an Onsite Wastewater Treatment Proposal, per the attached Form, which meets the following requirements. Water Authority review and approval of the proposed system is a condition for obtaining a Building Permit.

- *The proposed development requires Aerobic Treatment Unit(s) with NSF/ANSI Standard 40 (or equivalent) certification that, when operated and maintained per manufacturer's guidelines, the system achieves effluent quality of 30 mg/L Biochemical*

Oxygen Demand and 30 mg/L Total Suspended Solids. The proposed system shall have a treatment capacity of at least 11,834 US gallons per day (gpd), based on the following calculations.

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
Retail (Building A)	1 st Floor = 3,483.32 sq.ft.	0.15 / sq.ft.	522.50
	2 nd Floor = 3,483.32 sq.ft.	0.15 / sq.ft.	522.50
Retail (Building B)	1 st Floor = 2,907 sq.ft.	0.15 / sq.ft.	436.05
	2 nd Floor = 2,907 sq.ft.	0.15 / sq.ft.	436.05
Retail (Building C)	1 st Floor = 4,555.91 sq.ft.	0.15 / sq.ft.	683.39
	2 nd Floor = 4,555.91 sq.ft.	0.15 / sq.ft.	683.39
Residential Townhouses	0 x 1-Bed Units	150gpd/1-Bed Unit	0
	14 x 2-Bed Units	225gpd/2-Bed Unit	3,150
	18 x 3-Bed Units	300gpd/3-Bed Unit	5,400
TOTAL			11,833.88

- Treated effluent from the ATU shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority’s standards. The minimum well casing diameter for this development shall be 6”. Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.
- To achieve gravity flow, treated effluent from the ATU must enter the disposal well at a minimum invert level of 4’10” above MSL. The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.

Potential High-Water Use

- The plans submitted do not indicate the types of tenants to be included. Therefore, the above requirements are based on low-water-use tenants; i.e., those where wastewater generation is limited to employee restrooms/breakrooms. Should high-water-use tenants; e.g., food service, laundry, etc., be anticipated at this stage, details should be provided to the Water Authority thereby allowing requirements to be adjusted accordingly. Any future change-of-use applications which indicate an increase in water use will require an upgrade of wastewater treatment infrastructure which may include in-the-ground interceptors (for grease or oil-grit or lint) and/or an upgrade to an Aerobic Treatment Unit.

The developer is advised to contact development.control@waterauthority.ky to discuss requirements to accommodate potential high-water use tenants.

Underground ATUs

- The drawings indicate that the wastewater treatment plant is proposed to be buried and/or is located within a traffic area. The Water Authority will not approve buried

ATUs with the exception of those proposed under approved handicapped parking OR within non-traffic, landscaped areas of the property.*

Queries regarding the burial of ATUs and additional requirements can be forwarded to development.control@waterauthority.ky.

** All components of the ATU must be located within the handicapped parking spaces.*

Water Supply

The proposed development site is located within the Water Authority's piped water supply area.

- *The developer shall contact Water Authority's Engineering Services Department at 949-2837 without delay to be advised of the site-specific requirements for connection to the public water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>*

The Authority will not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

Fire Department

The Fire Department has approved the drawings.

Department of Environmental Health (DEH)

Solid Waste Facility: This development requires 2 (8) cubic yard container with three per week servicing.

Enclosure Dimensions: Width: 10 feet Depth: 10 feet Height: 5.5 feet Slab thickness: 0.5 feet

NOTE: The drain for the enclosure must be plumbed to a garbage enclosure disposal well as per the Water Authority's specifications.

Swimming Pool: A swimming pool application must be submitted to DEH for review and approval prior to constructing the pool.

National Roads Authority

Comments not yet received.

Department of Environment – 13 January 2024

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013).

The site is primary habitat, consisting largely of dry forest and dry shrubland. Primary habitat is mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Primary habitat is in severe decline, particularly in George Town, and becoming a scarce and highly threatened resource as a result of land conversion for human activities island wide.

Advice for the Applicant

The site coverage is dense and the proposed site plan does not appear to provide much opportunity to retain the existing native vegetation on the site. We would highly recommend that the applicant reconsiders the site layout such that as much primary, native vegetation as possible can be retained and incorporated into the landscaping scheme. Native species are best suited for the conditions of the site, including the temperature and the amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

The proposed site plan features a large proportion of paved area, as such stormwater management should be carefully considered. We would highly recommend that the applicant considers the use of permeable or porous paving to aid with drainage and to reduce the likelihood that surrounding properties will be affected by accumulation and run-off of water.

We recommend that wherever possible, sustainable design and energy efficiency features are included in projects such as this one. We especially encourage renewable energy installations given that the Cayman Islands has a target of 70% of energy generation being renewably sourced by the year 2037 (Cayman Islands National Energy Policy 2017-2037). Photovoltaic solar panels in particular could be installed on suitable roof space or over proposed parking spaces.

Best management practices should be adhered to during construction to reduce impacts on the environment. In particular, control measures should be put in place to address

pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when they enter the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

Section 41(3) Considerations

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, the DoE recommends the inclusion of the following condition in any planning permission:

- 1. If the construction uses insulating concrete forms (ICF) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris are completely captured on-site and do not impact the surrounding areas.*

APPLICANT'S LETTER

See Appendix A

OBJECTIONS

Please see Appendix B

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located at the southwest corner of Walkers Road and Ellery Merren Drive, in George Town.

The proposal is for a total of three two-storey commercial buildings and seven two and three-storey townhouse buildings. There would also be a pool and two storey amenity building with a gym and meeting area.

There would be a total 30,069.6 square feet of retail space and 81,467.1 square feet of residential space.

A total of 104 parking spaces are required for the commercial portion as well as one restaurant and 118 parking spaces have been included. It should be noted that the Department's parking calculation includes common areas such as washrooms, elevators, stairs and corridor areas. It should also be noted that the parking requirements include provision for one restaurant in Building C-A. Parking calculations do not include provision for other restaurants and bars, as they are not yet determined by the owners. As such, other bars and restaurants would have to proceed through individual change of use applications and be assessed for parking at that time. There is a surplus of 14 parking spaces in this regard.

For the residential portion of the proposal, 66 spaces are required and 92 parking spaces are shown.

A total of 9 accessible sites are proposed as part of the overall totals.

Zoning

The properties are split zoned Neighbourhood Commercial and Low Density Residential. The Neighbourhood Commercial zone extends to just beyond the western edge of the commercial buildings.

Specific Issues

1) Suitability

Per Regulation 9(8), the Authority may permit townhouses/apartments in suitable locations. The Authority should consider the applicant's response to this issue as outline in their letter.

2) Number of Bedrooms

It is noted that the applicant has stated that there are 70 bedrooms proposed and a maximum of 70 bedrooms are permitted. However, Department staff would note that the floor plans for all residential buildings include several townhouse units with an office and attached bathroom or family room with attached bathroom. Should the Authority consider the rooms not labelled as bedrooms, bedrooms, then the total number of bedrooms is actually 96 instead of 70.

3) Lack of Landscaping Strip in Vicinity of RA, RB, RC

The Department typically requires a minimum 4 foot wide landscaping strip along property boundaries.

There are several areas along the north boundary in the vicinity of Buildings RA, RB, and RC that do not have a 4 foot wide landscape strip.

4) Combination of Parcels

Should the application be granted planning permission, the Department would recommend that the existing parcels be combined into one parcel.

2.6 BAHIA WEST LTD. (Trio Design) Block 4C Parcel 75 (P23-0433) (\$750,000) (MW)

Application for 40 apartments.

Appearance at 3:00pm

FACTS

<i>Location</i>	Capt's Joe and Osbert Rd., West Bay
<i>Zoning</i>	High Density Residential
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	1.101 ac. (47,959.56 sq. ft.)
<i>Parcel size required</i>	5,000 sq. ft.
<i>Current use</i>	Existing structure to be demolished.
<i>Proposed building size</i>	22,835 sq. ft.
<i>Total building site coverage</i>	25.14%
<i>Total site coverage</i>	58.62%
<i>Allowable units</i>	27
<i>Proposed units</i>	40
<i>Allowable bedrooms</i>	46
<i>Proposed bedrooms</i>	40
<i>Required parking</i>	60
<i>Proposed parking</i>	60

BACKGROUND

October 25, 2023 (CPA/25/23; Item 2.8) - It was resolved to adjourn the application for the following reasons:

- 1) To invite the applicant to appear before the Authority to discuss concerns regarding:
 - suitability of the location for apartments
 - excessive density
 - deficient setbacks
 - deficient parking
 - DEH comments
- 2) The applicant is required to submit a revised site plan that accurately depicts the property boundary in relation to the abutting road, Capt's Joe and Osbert Rd.
- 3) The Department of Planning is directed to contact the National Roads Authority again for comments.

Recommendation: Discuss the application, for the following reasons:

- 1) Suitability
- 2) Unit density (40 units vs. 27 units)
- 3) Front setback (7'-1" for Building 1 vs. 20')
- 4) Rear setback (15' for Buildings 3, 4 & 5 vs. 20')
- 5) Side setback (16'-10" for Building 5 vs. 20')
- 6) Parking (46 + 24 stacked spaces vs. 60)
- 7) DEH Comments

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Water Authority

The Water Authority's requirements for the proposed development remain unchanged from those submitted previously (Plan Ref: i080223-164849-49, P23-0433) and are as follows:

Wastewater Treatment and Disposal

The developer, or their agent, is required to submit an Onsite Wastewater Treatment Proposal, per the attached Form, which meets the following requirements. Water Authority review and approval of the proposed system is a condition for obtaining a Building Permit.

- *The proposed development requires Aerobic Treatment Unit(s) with NSF/ANSI Standard 40 (or equivalent) certification that, when operated and maintained per manufacturer's guidelines, the system achieves effluent quality of 30 mg/L Biochemical Oxygen Demand and 30 mg/L Total Suspended Solids. **The proposed system shall have a treatment capacity of at least 6,000 US gallons per day (gpd),** based on the following calculations.*

BUILDING	UNITS/BLDG	GPD/UNIT	GPD/BLDG	GPD
<i>Building 1</i>	8	150	1,200	1,200
<i>Building 2</i>	8	150	1,200	1,200
<i>Building 3</i>	8	150	1,200	1,200
<i>Building 4</i>	8	150	1,200	1,200
<i>Building 5</i>	8	150	1,200	1,200
TOTAL				6000 GPD

- *Treated effluent from the ATU shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority's standards. The minimum well casing diameter for this development shall be 6". Licensed*

drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.

- ***To achieve gravity flow, treated effluent from the ATU must enter the disposal well at a minimum invert level of 4'5" above MSL.*** *The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

Water Supply

Please be advised that the proposed development site is located within the Cayman Water Company's (CWC) piped water supply area.

- *The developer is required to notify the Cayman Water Company without delay, to be advised of the site-specific requirements for connection.*
- *The developer shall provide water supply infrastructure per CWC's specification and under CWC's supervision.*

National Roads Authority

As per your memo dated March 27th, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

- *Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.*
- *Two-way driveway aisles shall be a minimum of twenty-two (22) ft wide.*
- *Per sub-section 4.6.5 of the Design and Construction Specifications for Subdivision Roads & Property Development, "Junctions with major roads shall not align with existing access roads and must be offset by a minimum of three hundred feet (300') wherever possible."*
- *It is the recommendation of the NRA that planning approval for this development be granted only on condition that the applicant collaborates with the NRA for a neighbourhood traffic circle to be constructed at the junction of Captains Joe and Osbert Road, Apple Blossom Gardens and Aurora Drive. Note that the available space for this includes the road widening in the immediate vicinity of Block 4C Parcel 75 as proposed by Boundary Plan 653 - the gazettal of this BP is eminent (see attached PDF).*

Road Capacity Issues

The traffic demand to be generated by a residential development of forty (40) multi-family apartments has been assessed in accordance with ITE Code 220 - Apartment. Thus the assumed average trip rates per dwelling unit provided by ITE for estimating daily, AM and PM hour trips are 6.65, 0.51 and 0.62 respectively. The anticipated traffic to be added onto Captain Joe and Osbert Dr. is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak In 20%</i>	<i>AM Peak Out 80%</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak In 65%</i>	<i>PM Peak Out 35%</i>
266	20	4	16	25	16	9

Based on these estimates, the impact of the proposed development onto Captain Joe and Osbert Dr. is considered to be minimal.

Access and Traffic Management Issues

A six (6) foot sidewalk shall be constructed on Captain Joe and Osbert Dr., within the property boundary, to NRA standards.

Tire stops (if used) shall be placed in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff **within the subject parcel** and retain existing drainage characteristics of the site as much as is feasible through innovative design and use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is **no worse than** pre-development runoff. To that effect, the following requirements should be observed:

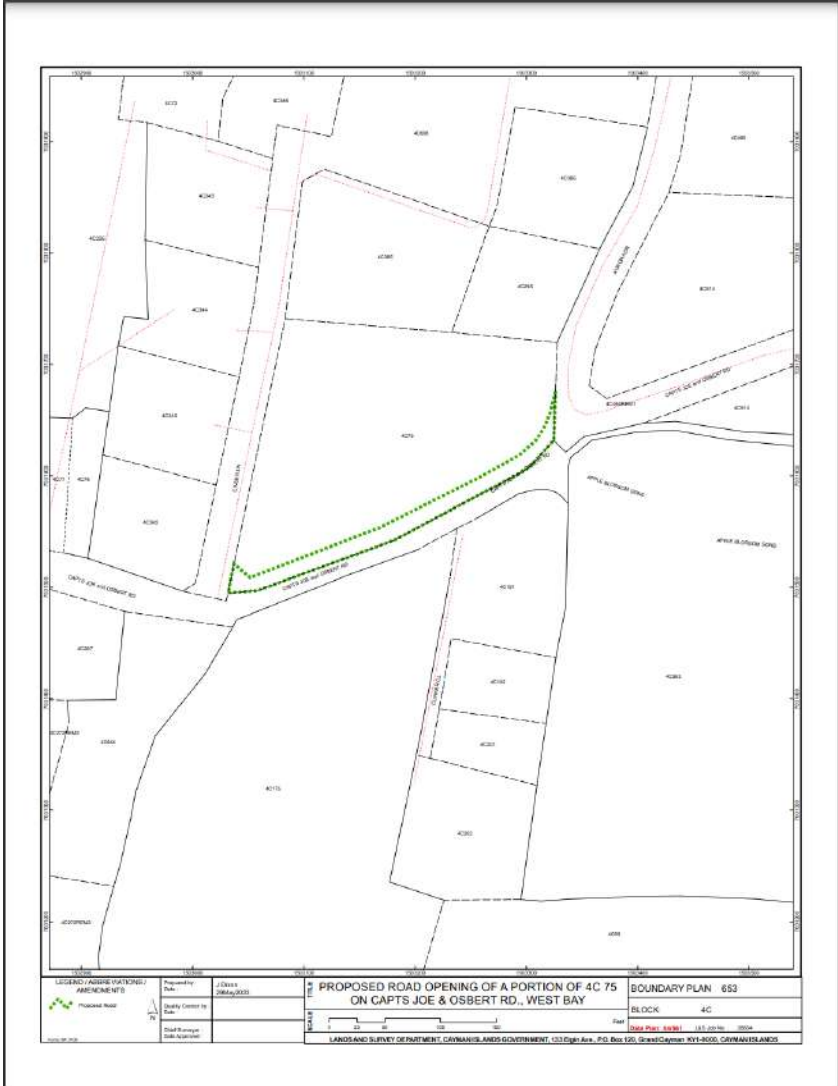
- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.

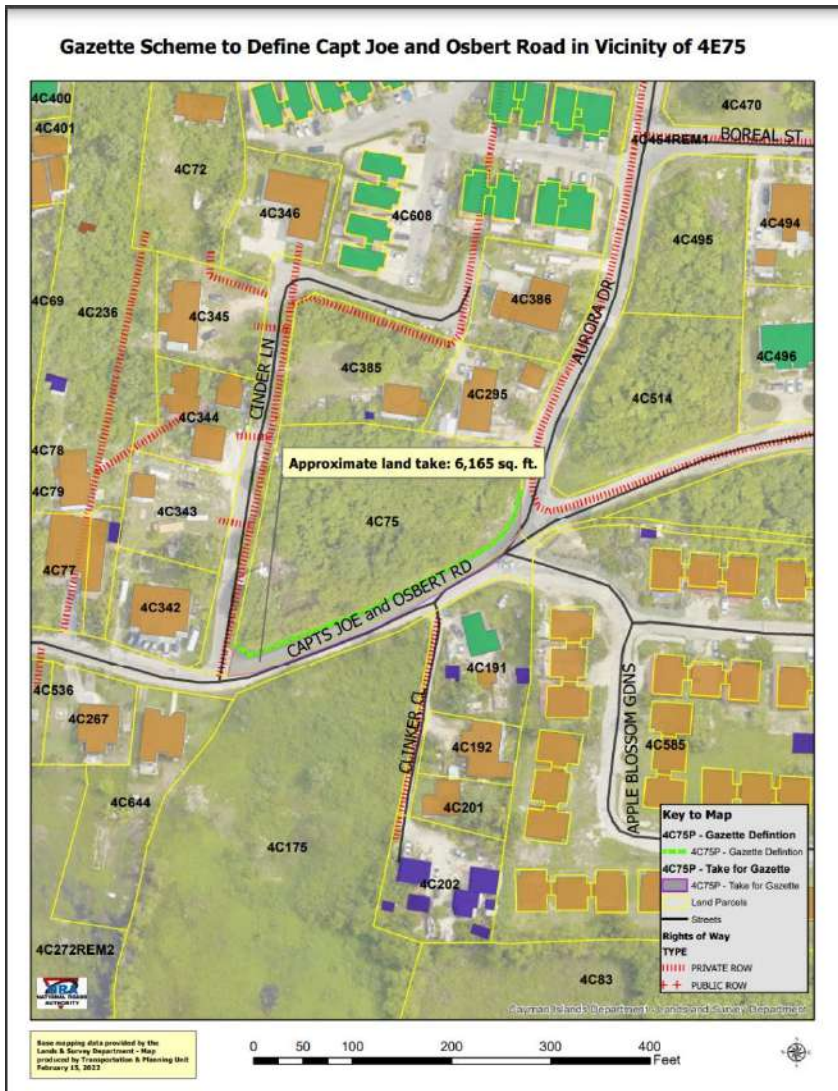
- *Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Captain Joe and Osbert Dr. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches. Trench drains are often not desirable.*
- *Curbing is required for the parking areas to control stormwater runoff.*
- *Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. Catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.*
- *Sidewalk detail needs to be provided as per NRA specifications. See (<https://www.caymanroads.com/upload/files/3/Sidewalk%20&%20Curbing%20Details.pdf>)*

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Act (2005 Revision). For the purpose of this Act, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant.





Department of Environmental Health

Solid Waste Facility:

DEH has no objections to the proposed provide that the entrance to access the enclosure remains on the east side.

This development required (1) 8 cubic yard container with twice per week servicing.

NOTE:

The drain for the enclosure must be plumbed to a garbage enclosure disposal well as per the Water Authority's specifications. Contact development.control@waterauthority.ky for deep well details.

Department of Environment (16-4-24)

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013).

Site Overview

The site is man-modified and of limited ecological value. However, the DoE notes that the application site and surrounding area are susceptible to surface water flooding.

Recommendations to the Applicant

The DoE notes from the cover letter that has been submitted with the revised application, that none of the revisions reflect any sustainability measures that were recommended in the initial DoE/NCC review. We highly recommend that the applicant considers the inclusion of sustainability and resiliency measures as detailed below.

To mitigate the risk of inundation, we recommend that instead of a paved driveway, a more permeable design is used. In addition, the applicant should consider incorporating Sustainable Drainage Systems (SuDS) into the stormwater management plan for the site to mitigate inundation. SuDs are drainage solutions that provide an alternative to the direct channeling of surface water through pipes and deep wells. By mimicking natural drainage regimes, SuDS aim to reduce surface water flooding, improve water quality and enhance the amenity and biodiversity value of the environment. SuDS achieve this by lowering flow rates, increasing water storage capacity and reducing the transport of pollution to the water environment.

We recommend that native plants are incorporated into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

The DoE recommends that, wherever possible, sustainable design and energy efficiency features are included in projects such as this one. We especially encourage renewable energy installations given that the Cayman Islands has a target of 70% of energy generation being renewably sourced by the year 2037 (Cayman Islands National Energy Policy 2017-2037). Photovoltaic solar panels in particular could be installed on suitable roof space or over the proposed parking spaces.

Recommendations to the CPA / Planning Department

Best management practices should be adhered to during construction to reduce impacts on the environment. Materials should be stockpiled away from the canal edge to avoid run-

off into the canal. In particular, control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following conditions in the approval:

- 1. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent marine environment.*

Fire Department

Approved for planning permit only 16 May 24

APPLICANT'S LETTER

Letter #1

With respect to our submission for an Apartment Complex totalling 24,674 square feet over Five (5) Two (2) Story Buildings on a 1.10 ac Lot in a High Density Residential Zone (HDR), Block 4C Parcel 75 located on the corner between Cinder Ln., Cpts Joe and Osbert Rd., and Aurora Dr. in West Bay, Grand Cayman. We hereby request variances as follows:

- 1. Unit Density Variance - Proposed at 40 units from max allowed 27.5 units*
- 2. Rear Setback Variance - Proposed at 15 feet from min 20 feet required*
- 4. Side Setback Variance - Proposed 15 feet from minimum required 20 feet*

In making the application for such a variance, our client is mindful of provisions of Regulations 8 (13) of the Development and Planning Regulations, and would submit that there is sufficient reason and exceptional circumstances that would permit such setback allowance, in that:

- (i) The characteristics of the proposed development are consistent with the character of the surrounding area.*
- (ii) The proposed structures will not be materially detrimental to persons residing in the vicinity, to the adjacent properties, or to the neighboring public welfare. Per*

Section 8(13) of the Regulation, the adjacent properties were notified by registered mail and there have been no objections to date.

We thank you for your consideration of this matter and look forward to a favorable decision on this application in due course.

Please do not hesitate to contact us for any further information.

Letter #2

I am writing to provide some context to our proposal and request approval for a residential development project in Parcel Block West Bay 4C 75. Bahia West's project aims to construct 40 one-bedroom units and provide 52 parking stalls.

	<i>Allowed</i>	<i>Proposed</i>
Rooms	46.2	40
Parking per room	0.892	1.3
Units	27.5	40
Parking per unit	1.5	1.3

Parcel 4C 75 falls under the High-density residential classification, which permits 25 units and 42 bedrooms per acre. The parcel is 1.1 acres in size, allowing for 28 units and 46 bedrooms. It is crucial to note that the proposed project adheres to these density guidelines, providing 40 units and 40 bedrooms, well within the allowed 46 bedrooms. The key distinction lies in the layout.

Regarding setbacks, I would like to provide information on our approach. This lot is unique as it is a corner lot with three sides out of four adjacent to a road. For the longest sides, we are using a 20-foot setback, which is in line with regulations. However, we are requesting a 15-foot setback on the side that does not have an adjacent road and on the shortest side adjacent to a road. This setback variance is intended to honour the spirit of the planning guidelines, considering the lot's unique configuration while still adhering to the overall permitted density.

Additionally, I'd like to highlight that the project offers a parking ratio of 1.3 stalls per unit, slightly less than the required 1.5 stalls per unit. However, it meets the regulation in terms of parking availability when considering the number of bedrooms. With more than 1.3 stalls per bedroom, my project surpasses the required ratio, which would be 42 stalls for 28 units with 46 bedrooms. This parking ratio is appropriate for one-bedroom units, considering the intended residents and their transportation needs. The reduced parking ratio ensures efficient land use while maintaining functionality within the development.

Moreover, it's essential to consider current urban planning trends and sustainable development practices. My project aligns with the global movement towards compact, transit-oriented communities, encouraging alternative transportation options such as

public transit, walking, and cycling. It is conveniently located just two blocks away from the Wes Bay bus route.

Furthermore, my development addresses the demand for affordable housing in the Cayman Islands. Providing 40 one-bedroom units caters to individuals and small families seeking quality housing at an affordable price point. This project supports the government's goal of promoting accessible and diverse housing options for the local community.

In summary, I respectfully request your consideration of my proposal for a high-density residential development with 40 one-bedroom units and 53 parking stalls. It is crucial to emphasize that my project aligns with the permitted density guidelines, with the only deviation being the layout adjustments to accommodate the unique lot configuration. These adjustments still honour the spirit of the planning guidelines.

I am available to provide additional information, attend meetings, or make necessary adjustments to ensure the successful implementation of this project. Thank you for your time and consideration, and I look forward to a positive response.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a (5) apartment buildings; (40) units; 22,835 sq. ft. to be located on Capts Joe and Osbert Rd., West Bay.

Zoning

The property is zoned High Density Residential.

Specific Issues

1) Suitability

Regulation 9(6) states the following development is permitted in a High Density Residential Zone.

- (a) Detached & semi-detached houses.
- (b) Duplexes
- (c) In locations considered as suitable by the Authority guest houses and apartments.

An overview of the proposed site shows the surrounding area to be primarily residential homes, duplexes, apartments and vacant parcels within the nearby vicinity.

- 4C 608:- Suelles Estates
- 4C 496:- Duplex
- 4C 568:- Lofters Villas
- 4C 455:- Alhambra Apartments

- 4C 474:- Duplex
- 4C 475:- Duplex
- 4C 476:- Apartments
- 4C 487:- Smith's Apartments
- 4C 505:- Viewpoint Villas
- 4C 534:- Park View Townhouses

2) Unit Density

Regulation 9(6)(c) states "*the maximum number of apartment buildings or townhouses is 25 per acre with a maximum of 42 bedrooms per acre.*" The current proposed lot size is 1.101ac. which would allow a maximum of (1.101ac x 25) 27.525 units & (1.101ac x 42) 46.242 bedrooms. Although the bedroom amount is less than the maximum proposed the applicant has proposed a total of 40 units which would be more than the maximum allowable with a difference of 12.475 units respectively.

3) Front Setback

Regulation 9(6)(h) states "*the front setbacks are 20'*" Although the fronting boundaries of the proposed parcel are in the middle of the fronting access road (Capts Joe and Osbert Rd.) the proposed building 1 is 20'-8" from the actual boundary however it is only 7'-1" from the road edge which would be a difference of 12'-11" respectively.

4) Rear Setback

Regulation 9(6)(h) states "*the rear setbacks are 20'*" The proposed buildings 3,4 & 5 all encroach on the rear property setbacks at a distance of 15'-0" a difference of 5'-0" respectively.

5) Side Setback

Regulation 9(6)(i) states "*the minimum side setback is 15' for a building of more than one storey*" The proposed building 5 is located adjacent to the access road "Aurora Dr" which would require a minimum 20' setback, however the applicant has proposed a side setback of 16'-10" a difference of 3'-2" respectively.

6) Parking

Regulation 8(1)(vii) states "*apartments and cottage colonies – one and one half spaces per apartment*" The proposed development of 40 units would require a total of 60 spaces, however the applicant has only proposed a total of 53 spaces, a difference of 7 spaces. The first two parking spaces at the entrance will require vehicles to exit into the road and will likely prevent vehicle stacking. Also, the applicant is proposing 17 spaces in a row with no landscape break next to the main road. The Authority generally encourages a landscape break every 10 spaces. If these two issues are addressed then the total number of parking spaces would decrease to 50.

7) DEH Comments

The Department of Environmental Health has submitted comments regarding the proposed location of the garbage enclosure (listed above), the applicant has not to date submitted revised plans addressing the concerns.

SUPPLEMENTARY ANALYSIS

The Authority should be reminded the mentioned application was seen on October 25, 2023 (CPA/25/23; Item 2.8), the application was considered and it was resolved to adjourn the application for the following reasons:

- 1) To invite the applicant to appear before the Authority to discuss concerns regarding:
 - suitability of the location for apartments
 - excessive density
 - deficient setbacks
 - deficient parking
 - DEH comments
- 2) The applicant is required to submit a revised site plan that accurately depicts the property boundary in relation to the abutting road, Capts Joe and Osbert Rd.
- 3) The Department of Planning is directed to contact the National Roads Authority again for comments.

Subsequent to the earlier CPA meeting, the applicant changed architects and the site layout has been altered. It would appear that the new site plan addresses reason 2) above for the adjournment and NRA has now provided comments.

With respect to the revised site layout, the applicant has proposed a total of **46** regular parking spaces with **24** spaces labelled as “stacked” parking which would give a total of **60** spaces. The Department has requested details from the applicant as to what is meant by stacked parking, but those details haven’t been provided.

2.0 APPLICATIONS
(Items 2.7 to 2.25)

2.7 ROVIDA ESTATES (CI) COMPANY LTD. (BDCL Architects) Block 14BH Parcel 159 (P24-0208) (\$5,000,000) (MW)

Elizabethan Square redevelopment; 1,453 sq. ft., revise courtyard, attached shade structure; 3,256 sq. ft., trellis, restaurant fitout; 661 sq. ft., food truck; (61) signs (various sizes); enclosed electrical room; 98 sq. ft.

FACTS

<i>Location</i>	Shedden Rd, George Town
<i>Zoning</i>	General Commercial
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	2.943 ac. (128,197.08 sq. ft.)
<i>Parcel size required</i>	-
<i>Current use</i>	Existing Commercial Buildings
<i>Proposed building size</i>	31,951 sq. ft.
<i>Total building site coverage</i>	24.92%
<i>Total site coverage</i>	69.06%
<i>Required parking</i>	108
<i>Proposed parking</i>	201

BACKGROUND

August 17, 2011 – 5’ high concrete wall with planter & monument sign (CPA/17/11; Item 2.12) – the application was considered and it was resolved to grant planning permission.

January 17, 2024 – Replace damage fence & increase fence height (CPA/03/24; Item 2.8) – the application was considered and it was resolved to adjourn the application.

March 27, 2024 – Replace damage fence & increase fence height (CPA/10/24; Item 2.18) – the application was considered and it was resolved to grant planning permission.

Recommendation: Discuss the application, **for the following reasons:**

- 1) Compliance to sign guidelines.

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Water Authority

The Water Authority's requirements for the proposed development are as follows:

Wastewater Treatment:

- *The existing development is served by an onsite aerobic wastewater treatment system with a design treatment capacity of 5,000 gpd.*
- *The design capacity of the existing wastewater treatment system can accommodate the wastewater flows from the proposed, given that the treatment system is being operated and maintained as designed to produce an effluent that meets the Authority's discharge limits.*
- *The developer shall provide the Water Authority with specific details regarding the operation of the proposed mobile food truck.*

Water Supply:

The proposed development site is located within the Water Authority's piped water supply area.

- *The developer shall contact Water Authority's Engineering Services Department at 949-2837 without delay to be advised of the site-specific requirements for connection to the public water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>*

The Authority will not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority

National Roads Authority

As per your memo dated May 3rd, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

The NRA has no objections or concerns with the above proposed Elizabethan Square redevelopment for the following:

- *Attaching shade structures;*
- *Adding free standing aluminium trellises;*
- *Adding an AC Condenser structure;*
- *Adding new walkways; and*
- *A bridge*

Should you have any questions, please do not hesitate to contact the undersigned.

Department of Environmental Health

DEH has no objections to the proposed in principle.

Department of Environment (15 May 24)

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Advice to Central Planning Authority

The Department of Environment confirms that we have no environmental concerns with respect to the proposed development.

Advice to Applicant

We recommend that native plants are incorporated into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

Fire Department

Approved for Planning Permit Only 14 May 24

APPLICANT'S LETTER

We wish to apply for planning permission for the redevelopment of Elizabethan Square as set out below:

Introduction

Vision

With its key location in the town center, the overhaul of Elizabethan Square will play a key role in supporting the Cayman Island Government's George Town Revitalization Initiative. This project aims to link the property's historic past, as Cayman's first landmark mixed-use development featuring a quiet secluded courtyard, to a re-envisioned future as a dynamic public place reconnected to its urban context. The modernized Elizabethan Square will again serve as a catalyst for economic development and tourism in the heart of the capital, attracting Caymanian residents, businesses, and visitors alike.

The design proposal aligns with Cayman's strategic vision, integrating conservation, connectivity, community, sustainability, and resiliency. Embracing the concept of modern pocket parks, it aims to work with George Town's urban fabric so as to connect the revitalized square to the waterfront. The redeveloped Elizabethan Square will serve as the natural culmination point of Cardinal Avenue's accessible pedestrian route, and the ongoing Central Business District enhancements leading up Main Street. This will be achieved through a 2 contemporary re-interpretation and 'greening' of the existing traditional architecture, coupled with an opening up of the building footprint, improving accessibility. The re-designed square will be flexible, able to host organized events, or serve as a quiet, shaded refuge from the heat of the day.

The design employs a simple, reliable, and familiar palette of textures and materials. It works empathetically with recent town enhancements, and incorporates a flexible and dynamic support framework for activities. The lively, green, pedestrian public realm is focused on innovative planting, energy efficient systems and sustainable underground infrastructure. Elizabethan Square will create a new green, year-round, intimate public space and mixed-use destination in the heart of the Central Georgetown. Through a carefully crafted selection of urban, architectural, and landscape initiatives, supported by distinctive design elements, this 'piazza' will be transformed into a space of everyday interaction and enjoyment and become a landmark destination for local initiatives and festivals.

Design

The new square will reach out from the courtyard, engaging the Shedden Rd. streetscape and inviting people into the site to explore and enjoy the atmosphere and amenities. Seamless connections also extend to Building E adjacent to the square, giving a sense of a connected and cohesive district.

The design speaks to the architecture and local cultural heritage of the area. Materials and design elements were selected for functionality and attractiveness. The landscaping strategy introduces a striking horticultural design utilizing lush and hardy locally sourced indigenous tropical plants that add texture, character, and visual impact to the central courtyard and streetscapes. Other design elements include a vibrant paving pattern that takes inspiration from local floral patterns, utilizing local materials.

Additionally, the space includes a variety of site furnishing elements that add flexibility to cater to different events and conditions. A moveable stage element can be organized in the middle of the square to support concerts and performances. In normal operation it can be split into distributed shaded seating orientated around a central water feature, with jets flush with the paving surface, allowing kids a place to splash and cool off on a hot day. Water adds a cooling factor as well as animation and tranquil sounds. The space can also be used to support temporary artisan fairs and markets.

The goal is to create an inviting and engaging destination and experience that attracts visitors to shop, to eat, to meet and have a coffee, and generally to spend time. Shade is a critical factor to the comfort of the space and has been addressed through the inclusion of fixed shades around the perimeter of the front three buildings and courtyard, permanent shade structures throughout the square, movable umbrellas, and a mature tree canopy of both new and preserved trees. In addition to providing refuge for pedestrians, the shading design will reduce 3 overall energy consumption of ground floor retail units. Warm lighting will be designed to add character in the evening and accent specimen planting and architectural features.

Sustainable strategies include: addressing stormwater management through planting bed infiltration; designing with nature – drawing on native and locally sourced plants; preserving and transplanting existing plant material and soils; the use of low-energy features such as LED lighting and smart control systems; efficient water-use for irrigation through rainwater capture via cisterns and the use of rain sensors; and utilizing locally sourced construction materials and paving including exploring low embodied carbon options where possible.

Scope of Project

Building References

Building A - Amerigo House, Building B - Bodden House, Building C - Columbus House, Building D - Dolphin House, Building E - Eden House

External Areas

- *Demolition of the eastern side of Building C.*

- *Reinstatement of the east facade of the western side of Building C (currently housing the Thai Restaurant).*
- *Removal of existing planters along the Shedden Road sidewalk.*
- *Removal of the courtyard surfaces, fountain, planters and seating*
- *Reinstatement of courtyard surfaces and landscaping as a contemporary shaded meeting and recreational space for tenants, the George Town working population and tourists with central fountain and flexible use space.*
- *Renewal of existing deep wells and installation of new wells (as required) to support stormwater management.*
- *Upgrade of the forecourt court at Eden House including pavers and landscaping.*
- *Demolition of the exiting staircases in the courtyard and replacement with concrete staircases at new locations to ensure that alternative means of egress from the second floor walkways are maintained.*
- *Renovation of the existing courtyard walkways at second floor level.*
- *The walkways between Building B and Building C will be renovated and a short length of new walkway will be added to connect the Building B walkway to the new staircase at Building C.*
- *A new structure will envelop existing electrical equipment on the North façade of Building B and support HVAC equipment (condensers) on its roof.*
- *A new free-standing structure will support HVAC equipment (condensers) on the South façade of Building B.*

Shade Structures

- *A freestanding aluminum entrance trellis will be constructed at the Shedden Road entrance to the courtyard.*
- *Five freestanding aluminum trellises will be constructed in the courtyard.*
- *A freestanding aluminum trellis will be constructed in the forecourt of Building E.*
- *Aluminum trellises will be attached at second floor level to the courtyard walkways which run along Building B and Building D.*
- *Aluminum trellises will be attached at second floor level to the north and west facades of Building A.*
- *Aluminum trellises will be attached to the west side of Building B, and to the west, north and east sides of Building C, and to the north side of Building D.*

Water Features

- *Water features have been incorporated into the courtyard design in the form of fountains and misters.*

Signage

- *New signage will be installed as follows:*
 - o *To the top of the freestanding entrance structure (aluminum trellis) facing Shedden Road*
 - o *To the top of the Amerigo House core facing Elgin Avenue*
 - o *Attached to the trellises at each retail outlet.*
 - o *Vertical banners will be attached to the outer (street and car park) facades of each building.*

Building Facades

- *The following changes are proposed to the building facades:*
 - o *Reconfiguration of the shop front door/windows as shown on the elevations*
 - o *Repainting and/or re-cladding facades of all buildings.*
 - o *Attachment of shade trellises as described above.*

Food Stalls

- *Two food stalls have been incorporated into the shade structures at the east and west sides of the courtyard. The area of each stall is 50sf. Food will be served from the stalls but food preparation will take place off site. See Change of Use below regarding parking.*

Food Truck

- *A dedicated space has been allocated for a food truck in the forecourt of Building E.*

Change of Use/Parking

We are applying for a Change of Use to change the retail unit at the northwest corner of Building D to a food outlet:

- *The unit measures 600sf rentable area:*
 - o *Current parking required as per Planning Regulations is 2 spaces (1/300sf)*
 - o *New parking required would be 3 spaces (1/200sf) – deficit of 1 space*

• *The proposed demolition of the eastern side of Building C will remove 5,053sf of rentable area. Planning Regulations specify a parking allocation of 1/300sf for this type occupancy class; the demolition of this space effectively frees up 16 spaces.*

In summary, the proposed development, including demolition and change of use, would result in a net improvement of parking demand of 15 spaces using the calculations outlined in Planning Regulations (1/300sf).

Excluded from the Scope of the Project

- *The car park has not been altered in any way. The number of parking spaces will remain as existing. See “Change of Use/Parking” above.*
- *Apart from the area in Building D which will become a food outlet (subject to a change-of-use approval), this application is limited to external and façade works.*
- *This application does not include any work to the interiors of the existing buildings.*

Drawing Schedule

A-001 AS-BUILT SITE PLAN

A-002 DEMOLITION PLAN

A-003 SITE PLAN (GROUND FLOOR)

A-004 SITE PLAN (SECOND FLOOR)

A-005 SITE PLAN (PAVED, GREEN, ASPHALT)

A-101 GROUND FLOOR PLAN

A-102 SECOND FLOOR PLAN

A-103 FLOOR PLAN (SIGN & BANNERS)

A-201 ELEVATIONS

A-202 ELEVATIONS

A-301 SECTIONS

A-401 COURTYARD FLOOR PLAN

A-402 COURTYARD ROOF PLAN

A-403 FLOOR PLAN (BENCHES CLOSED)

A-801 ENLARGED ELEVATIONS (SUN SHADES & TRELIS)

A-802 ENLARGED ELEVATIONS & SECTIONS

A-803 ENLARGED ELEVATIONS (SHOP SIGN & BANNER)

AE-201 AS-BUILT ELEVATIONS (NORTH & WEST) 6

AE-202 AS-BUILT ELEVATIONS (SOUTH & EAST)

Site Data

Proposed Use	Redevelopment of Courtyard	
	Alterations to existing building facades	
Zoning	General Commercial	
Water Supply	Water Authority	
Sewerage Disposal	Sewage treatment plant - Building E	
	Buildings A, B, C & D - septic tanks	
	Square Feet	
Site Area in SF	128,402.00	
Existing Building Footprints in SF		
Building A	12,259.00	
Building B	4,038.00	
Building C	3,908.00	
Building D	7,867.00	
Building E	6,298.00	
Total	34,370.00	
Bldg C demolition area in SF	5,053.00	
Proposed Building Footprint in SF	31,951.00	
<i>Building C area reduced to</i>	<i>1,489.00 (after part demo.)</i>	
Proposed Structures		
Attached shade structures	1,453.00	
Freestanding aluminum trellises	3,256.00	
AC Condenser structure	467.00	
New walkway and bridge	242.00	
Total	5,418.00	
Renovated Walkway	1,742.00	
Proposed Footprint - Buildings and Shade Structures		
	37,369.00	
	% Coverage	
	29%	
Change of Use Area	600.00	

Site Coverage

Site Coverage - Existing		% Coverage
Buildings	34,370.00	27%
Asphalt surface	57,786.00	45%
Paved/Porous	27,569.00	21%
Green areas	8,677.00	7%
Site Coverage - Proposed		% Coverage
Buildings	31,951.00	25%
Asphalt surface	56,586.00	44%
Paved/Porous	28,890.00	22%
Green areas increased to	10,968.00	9%

Please let me know if you require any additional information.

PLANNING DEPARTMENT ANALYSIS

General

The application is for the Elizabethan Square redevelopment; 1,453 sq. ft., revise courtyard, attached shade structure; 3,256 sq. ft., trellis, restaurant fitout; 661 sq. ft., food truck; (61) signs (various sizes); enclosed electrical room; 98 sq. ft. to be located on Shedden Rd., George Town.

Zoning

The property is zoned General Commercial.

Specific Issues

1) Compliance to Sign Guidelines

The applicant is proposing a total of (61) signs all of various sizes, the signage is as follows:-

- (34) 6.4 sq. ft. shop signs
- (15) 37.5 sq. ft. banner signs
- (10) 82.5 sq. ft. banner signs
- (1) 25.2 sq. ft. Entrance sign
- (1) 50 sq. ft. Building sign

with a total of (12) signage slots. The proposed totem sign will be 10'-0" in height with a width of 10", all of the proposed will have 1'-0" high letters respectively.

The Department refers to Section 5.2 of the Sign Guidelines 2014:

b. Commercial Buildings (Single Tenant) – The total area of all fascia and window signs applied to any given façade shall not exceed 10% of the building façade, which includes window and door area.

d. One fascia sign is permitted per tenant building frontage, size not to exceed 50% of tenant linear frontage (i.e. Tenant with a 30 foot frontage may have up to a 15 sq.ft. fascia sign)

f. Signs for multi-businesses within the premise should be uniform (i.e. same size, material, etc.

2.8 KIARA McLAUGHLIN (Craftman’s Touch) Block 28C Parcel 536 (P24-0044) (\$320,000) (MW)

Application for 4 apartments.

FACTS

<i>Location</i>	Roses Estate Dr., Bodden Town
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	0.5275 ac. (22,977.9 sq. ft.)
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Vacant
<i>Proposed building size</i>	1,600 sq. ft.
<i>Total building site coverage</i>	6.96%
<i>Total site coverage</i>	14.2%
<i>Allowable units</i>	7
<i>Proposed units</i>	4
<i>Allowable bedrooms</i>	12
<i>Proposed bedrooms</i>	4
<i>Required parking</i>	6
<i>Proposed parking</i>	7

BACKGROUND

January 27, 2023 – Two lot subdivision – the application was considered and it was resolved to grant planning permission.

Recommendation: Discuss the application, for the following reasons:

- 1) Suitability
- 2) Lot size (22,977.9 sq. ft. vs. 25,000 sq. ft.)

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Water Authority

Please be advised that the Water Authority’s requirements for this development are as follows:

Wastewater Treatment & Disposal

- The developer shall provide a **septic tank(s)** with a capacity of **at least 1,500 US gallons** for the proposed, based on the following calculations:

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
Proposed Apartment	4 x 1-Bed Units	150gpd/1-Bed Unit	600
TOTAL			600

- *The septic tank shall be constructed in strict accordance with the Authority’s standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools. Where septic tanks are located in traffic areas, specifications for a traffic-rated tank and covers are required.*
- *Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority’s standards. The minimum well casing diameter for this development shall be 4’’. Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- *To achieve gravity flow, treated effluent from the septic tank shall enter the disposal well at **a minimum invert level of 4’11’’ above MSL.** The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

For Water Authority approval at BCU stage, a detailed profile drawing of the proposed wastewater treatment system is required. The drawing shall indicate:

- 1. If the proposed septic tank will be site-built or precast. (You may use the Water Authority drawing for site-built tanks available from the Authorities website or a Precast septic tank drawing if you intend to use a Precast Tank). Site Built Tanks shall be coated with Epoxytec CPP or ANSI/NSF-61 certified equivalent.*
- 2. All dimensions and materials shall be provided for any site-built tanks.*
- 3. Manhole extensions are permitted up to a maximum of 24" below finished grade.*
- 4. Detailed specifications including make and model for (H-20) traffic-rated covers for septic tanks proposed to be located within traffic areas.*
- 5. A detailed profile cross-section of the wastewater system clearly showing the plumbing from building stub out to the effluent disposal well achieving the minimum invert connection specified above. (Alternatively details of proposed lift station shall be required)*
- 6. The Water Authorities updated 2020 effluent disposal well specifications.*
- 7. A 30ft horizontal separation between the effluent disposal well and any stormwater drainage wells.*

Stormwater Management

- This development is located over the **(Lower Valley) fresh water lens** or within the 500m buffer zone of the lens. In order to protect the fresh water lens, the Water Authority requests that stormwater drainage wells are drilled to a **maximum depth of 60ft** instead of the standard depth of 100ft as required by the NRA.*

Water Supply

The proposed development site is located within the Water Authority's piped water supply area.

- The developer shall contact Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the public water supply.*
- The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and*

Standard Detail Drawings for meter installations are available via the following link to the Water Authority’s web page: <http://www.waterauthority.ky/water-infrastructure>

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer’s failure to provide sufficient notice to the Authority.

National Roads Authority

As per your memo dated March 25th, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

- **Entrance and exit curves shall have no less than fifteen (15) feet radius curves, and have a width of twenty-four (24) ft.**
- **A six (6) foot sidewalk shall be constructed on Verneice Bodden Dr. and the corner of Farley Dr., within the property boundary, to NRA standards.**

Road Capacity Issues

The traffic demand to be generated by a residential development of two (2) multi-family units has been assessed in accordance with ITE Code 220 - Apartment. Thus, the assumed average trip rates per dwelling unit provided by ITE for estimating the daily, AM and PM peak hour trips are 6.65, 0.51 and 0.62 respectively. The anticipated traffic to be added onto Verneice Bodden Dr. is as follows:

Expected Daily Trip	AM Peak Hour Total Traffic	AM Peak 20% In	AM Peak 80% Out	PM Peak Hour Total Traffic	PM Peak 65% In	PM Peak 35% Out
27	2	0	2	2	2	1

Based on these estimates, the impact of the proposed development onto Verneice Bodden Dr. is considered to be minimal.

Access and Traffic Management Issues

Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Tire stops (if used) shall be placed in parking spaces such that the length of the parking space is not reduced below the sixteen (16) feet minimum.

Stormwater Management Issues

The applicant is encouraged to implement state-of-the-art techniques that manage stormwater runoff **within the subject parcel** and retain existing drainage characteristics of the site as much as is feasible through innovative design and the use of alternative construction techniques. However, it is critical that the development be designed so that post-development stormwater runoff is **no worse than** pre-development runoff. To that effect, the following requirements should be observed:

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.
- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have the applicant provide this information prior to the issuance of a building permit.
- Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Verneice Bodden Dr.. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.
- Curbing is required for the parking areas to control stormwater runoff.
- Roof water runoff should not drain freely over the parking area or onto the surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. Catch basins are to be networked, please have the applicant provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.
- Sidewalk detail needs to be provided as per NRA specifications. See (<https://www.caymanroads.com/upload/files/3/Sidewalk%20&%20Curbing%20Details.pdf>)

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road encroachment under Section 16 (g) of The Roads Act (2005 Revision). For the purpose of this Act, Section 16(g) defines encroachment on a road as

"any artificial canal, conduit, pipe or raised structure from which any water or other liquid escapes on to any road which would not but for the existence of such canal, conduit, pipe or raised structure have done so, whether or not such canal, conduit, pipe or raised structure adjoins the said road;"

Failure in meeting these requirements will require immediate remedial measures from the applicant.

Department of Environmental Health

Solid Waste Facility:

1. This development require 4 (33) gallon bins and an enclosure built to the department's requirements.

a. The enclosure should be located as closed to the curb as possible without impeding the flow of traffic.

b. The enclosure should be provided with a gate to allow removal of the bins without having to lift it over the enclosure.

Department of Environment (2 April 2024)

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Environmental Overview

As seen in Figure 1 below, the application site is man-modified and of limited ecological value.



Figure 1. The application site with the parcel boundary highlighted in blue (Aerial Imagery Source: UKHO, 2021).

Advice to the Applicant

The DoE recommends that the applicant retains any remaining native vegetation and considers planting more to incorporate it into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.

The applicant may wish to consider the use of porous or permeable paved surfaces in areas of hardstanding, such as the proposed driveway and parking area, to allow rainwater infiltration and help manage the impacts of stormwater run-off.

Advice to the Central Planning Authority/Planning Department

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following condition in the approval:

- 1. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the environment.*

Fire Department

As per 1994 Standard Fire Prevention. 602.6 Access to Buildings by Fire Apparatus 602.6.1 Every building hereafter constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surfaces of not less than 20 ft. (6.1 m) of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum vertical clearance of 15 Feet.

Recheck scaling as marking 22ft ..

APPLICANT'S LETTER

With respect to our submission for a duplex, on block 28C parcel 536, Grand Cayman, we hereby request variance as follows:

- 1. Land Size variance is requested. Where the present regulation requires a minimum of 12,500sqft, the proposed is 22,685sqft.*

In making the application for such a variance, our client is mindful of provisions of Regulations 8 (13) of the Development and Planning Regulations, and would submit that there is sufficient reason and exceptional circumstances that would permit such setback allowance, in that:

- (i) The characteristics of the proposed development are consistent with the character of the surrounding area.*
- (ii) The proposed structures will not be materially detrimental to persons residing in the vicinity, to the adjacent properties, or to the neighbouring public welfare.*

We thank you for your consideration of this matter and look forward to a favourable decision on this application in due course.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a (4) unit apartment complex; 1,600 sq. ft. be located on Roses Estate Dr., Bodden Town.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Suitability

Section (8) states the following development is permitted in a Low Density Residential Zone.

- (a) Detached & semi-detached houses.
- (b) Duplexes
- (c) In locations considered as suitable by the Authority guest houses and apartments.

An overview of the proposed site shows the surrounding area to be primarily residential homes & duplexes and vacant parcels within the nearby vicinity.

- 28C 548:- “Savannah Jems” Apartments
- 28C 531:- “Country Side Estates” Apartments
- 28C 557:- Duplex

2) Lot size

Regulation 9(8)(f) of the Development & Planning Regulations (2024 Revision) states “*the minimum lot size for guest houses and apartment buildings or townhomes is 25,000 square feet.*” The current proposed lot size is **22,977.9 sq. ft.** a difference of **2,022.1 sq. ft.**

2.9 STEPHEN TATUM & ROBERT TATUM (Cayman Survey Associates Ltd.) Block 72C Parcel 275 (P24-0239) (\$11,500) (MW)

Application for a 6 lot subdivision (5 residential lots, 1 road parcel)

FACTS

<i>Location</i>	Survivors Rd., East End
<i>Zoning</i>	Medium Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	1.43 ac. (62,290.8 sq. ft.)
<i>Parcel size required</i>	7,500 sq. ft.

Current use

Vacant

Recommendation: Discuss the application, **for the following reasons:**

- 1) Lot width (30'-0" Lot E vs. 60'-0")

AGENCY COMMENTS (Section 7 DPA)

The Authority received and considered comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Water Authority

Please be advised that the Water Authority's requirements for this development are as follows:

Wastewater Treatment

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review and approval by the Water Authority.*

Stormwater Management

- *This development is located over the **(East End) fresh water lens** or within the 500m buffer zone of the lens. In order to protect the fresh water lens, the Water Authority requests that stormwater drainage wells are drilled to a **maximum depth of 80ft** instead of the standard depth of 100ft as required by the NRA.*

Water Supply

*The proposed development site is located within the Water Authority's piped water supply area, however, please be advised that the connection of a proposed development to the Water Authority's piped water supply **may** require an extension.*

- *Extensions in private roads are done at the owner's expense and the timing of any pipeline extension is at the sole discretion of the Water Authority.*
- *The developer shall contact The Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

National Roads Authority

As per your memo dated April 2nd, 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

- *The proposed driveway is located on an un-built section of road. The applicant will need to construct the road to meet minimal NRA specification for subdivision roads (including drainage conveyance requirement), up to the subject parcel.*

Stormwater Management Issues

A comprehensive drainage plan needs to be provided by the applicant for the entire project. The applicant shall demonstrate that the Stormwater Management system can be designed to include storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties that are lower, and nearby public roadways are not subject to stormwater runoff from this site.

Infrastructure Issues

The NRA advises the CPA to require the developer to provide for signage (stop signs, etc.), street lighting and any other traffic calming measures on the proposed roads of the subdivision. Once the roadway has been taken over as a public road, the NRA can then assume that responsibility. This site will need a stop sign with stop bars at the junction of Survivors Rd.

A thirty (30) ft. wide road parcel needs to be provided in order to have adequate access as the NRA does not endorse the use of vehicular ROWs.

The subdivision's road base shall be constructed to NRA minimum design and construction specifications for subdivision roads - this includes elevations, minimum longitudinal slopes and minimum cross fall of minus 2 percent from the centre line to the shoulder.

The roadway shall be HMA. The NRA shall inspect and certify the road base construction prior to HMA surfacing activities.

All internal roadway curves (horizontal alignment) shall be no less than 46 feet centreline radius. This requirement ensures that the minimum vehicle sweeps for a standard garbage and/or fire truck can be accommodated by the site layout.

Department of Environment (23-4-24)

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act (NCA) and the Section 41 Guidance Notes issued by the National Conservation Council.

Site Overview

The application site consists of primary dry shrubland. Primary habitat is a mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of land conversion for human activities. The application site is also in close proximity to a Marine Protected Area and a turtle nesting beach.

Advice to the Applicant

Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of conversion for human uses. For this reason, the DoE does not support speculative or wholesale clearing of subdivision sites. In principle, land clearing should only be reserved until the development of individual lots is imminent (through the grant of planning permission for development for those lots).

Primary habitat and native vegetation can be retained and used in a variety of ways on a property:

- *It can be retained along parcel boundaries and between buildings to serve as privacy, noise and sound buffers and screening.*
- *It can be incorporated into the landscaping schemes for low-maintenance low-cost landscaping. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation.*
- *It can serve as an amenity, providing green space and shade for those who live nearby or on the property.*
- *Shade provided by retaining mature vegetation can also help to lower cooling demand and utility costs.*
- *It can remain as a habitat for endemic wildlife such as anoles, birds and butterflies. This habitat helps to contribute to the conservation of our local species.*
- *It can assist with drainage, directly by breaking the momentum of rain, anchoring soil, and taking up water and indirectly through keeping the existing grade and permeable surfaces.*

- *It can help reduce carbon emissions by leaving the habitat to act as a carbon sink and allow natural processes to remove carbon dioxide from the atmosphere. Destroying native vegetation releases carbon stored in the plant material, soil and peat.*
- *When located in an area of wider primary habitat, wildlife corridors can be created connecting areas of a habitat that would have otherwise been isolated through development, allowing for the movement of animals and the continuation of viable populations.*

Advice to Planning and the Central Planning Authority

*We note that the application is for a subdivision, we would **not** support the clearing of this site at this time. Land clearing should be reserved until the development of individual lots is imminent (through the granting of planning permission for development on those particular lots). This allows the opportunity for the individual lot owners to retain as much native vegetation as possible. Clearing the entire site prematurely removes the choice from the individual lot owners and removes the value the habitat could provide in the time between the preparation of a subdivision and the development of an individual lot.*

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed subdivision, the DoE recommends the inclusion of the following condition in any planning permission to minimise impacts on this valuable habitat:

- 1. There shall be no land clearing, excavation, filling or development of the resultant parcels without planning permission for such works being granted.*
- 2. Any future development, clearing, filling or excavation of the resultant subdivided parcels shall be the subject of a separate consultation with the Central Planning Authority and National Conservation Council.*

Fire Department

The Fire department have no objection and save comments for future development. The Cayman Islands Fire Service adheres to the 2006 Fire Brigade Law, 1995 revision Fire Brigade law of the 1994 Standard Fire Prevention Code, the 1997 Fire Code, and all relevant NFPA Codes.

APPLICANT'S LETTER

Please find attached our design to Subdivide 72C 275 into the following configuration:

- 5 Residential Lots*
- 1 Road Lot*

Due to the shape of the south western boundary and the turning “hammerhead” a Variance is required for those dimensions which are less than 60’, as normally required for Medium Density Residential Zoning.

We make specific reference to Regulation 8(13)(b), and believe this will not have a detrimental effect on the adjacent properties as all the proposed residential lots by far exceed the 7500 sq.ft. minimum.

We trust the forgoing is satisfactory, but should you have any queries, please do not hesitate to contact us.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a (6) lot subdivision, (5 residential lots, 1 road parcel) to be located on Survivors Rd., East End.

Zoning

The property is zoned Medium Density Residential.

Specific Issues

1) Lot width

Regulation 9(7)(g) of The Development and Planning Regulations (2024 Revision) states “*the minimum lot width for detached houses and duplexes is 60’-0”*”. The proposed subdivision design complies with the the minimum lot sizes however the proposed Lot E would have a total width of **(30’-0”)** which would be a difference of **(30’-0”)**.

The parcels within 150’ radius were notified and no objections were received.

The Authority should assess if there is sufficient reason and an exceptional circumstance that exists in accordance with Section 8(13) that warrant granting the proposed lot width variance in addition if the proposed subdivision design is acceptable.

2.10 ALEX E. JOHNSON (Professional Planning & Development Services) Block 49B Parcel 252 & 253 (P24-0306) (\$15,000) (NP)

Application for a two subdivision/combination that results in two residential lots and two road parcels that would be combined into one road parcel upon registration.

FACTS

<i>Location</i>	Cromwell Lane, North Side
<i>Zoning</i>	Neighbourhood Commercial
<i>Notification Results</i>	No objectors

<i>Parcel size</i>	Lot 2 – 6,798 sq ft Lot 4 – 7,055 sq ft
<i>Parcel size required</i>	20,000 sq. ft.
<i>Parcel width required</i>	CPA Discretion
<i>Proposed lot sizes</i>	3,042 sq. ft. and up
<i>Proposed lot widths</i>	16 ft. and up
<i>Current use</i>	Vacant

Recommendation: Discuss Planning Permission for the following reason:

- 1) Proposed lot sizes

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority and DOE.

Water Authority Cayman

Please be advised that the Water Authority’s requirements for this development are as follows:

Wastewater Treatment

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review and approval by the Water Authority.*

Stormwater Management

- *This development is located over the (North Side) fresh water lens or within the 500m buffer zone of the lens. In order to protect the fresh water lens, the Water Authority requests that stormwater drainage wells are drilled to a maximum depth of 80 ft instead of the standard depth of 100ft as required by the NRA.*

Water Supply

The proposed development site is located within the Water Authority’s piped water supply area, however, please be advised that the connection of a proposed development to the Water Authority’s piped water supply may require an extension.

- *Extensions in private roads are done at the owner’s expense and the timing of any pipeline extension is at the sole discretion of the Water Authority.*

- *The developer shall contact The Water Authority’s Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority’s supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority’s web page: <http://www.waterauthority.ky/water-infrastructure>.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer’s failure to provide sufficient notice to the Authority.

Department of Environment – 1 May 2024

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

The application site is man-modified with limited ecological. It also appears that road has already been constructed for the proposed road lot as shown in Figure 1. Therefore, we have no comments at this time.



Figure 1: LIS 2023 Aerial Imagery showing application sites outlined in dark blue

National Roads Authority

Comments yet to be received.

APPLICANT’S LETTER

I am writing to seek a variance request for a proposed subdivision located within the Neighbourhood Commercial zone off Hutland Road in North Side. Despite the commercial zoning designation, the application sites and adjacent lots predominantly form a distinct residential subdivision. The majority of these lots have been developed for residential purposes, with the remainder being a mix of residential and vacant lots.

As you are aware, Regulation 8(8) of the Development and Planning Regulations (2024 Revision) stipulates a minimum lot size of 20,000 square feet for properties in commercial zones. However, the subject application sites are currently encumbered by easements that provide access to neighbouring lots.

The two lots in question encompass a total area of 0.50171 acres (21,958.6 square feet). This application proposes to further subdivide these lots, resulting in two residential lots

totaling 0.318 acres (13,835 square feet) and the creation of two road lots totaling 0.186 acres (8,107 square feet).

The proposed subdivision aims to formalise access for existing lots to the north, east, and south while ensuring adequate developable land remains for the resultant residential Lots 2 and 4. This initiative seeks to enhance the accessibility and usability of the surrounding properties.

Considering that the subject and adjacent lots are already below the minimum lot size requirement and many are developed for residential use, we respectfully invite members to consider that the proposed subdivision will not materially alter the character of the immediate area. Moreover, it will not cause detrimental harm to the amenities or welfare of neighboring properties, persons working in the vicinity, or the wider public.

We believe that this proposal aligns with the existing residential character of the area and will contribute positively to the community by improving access and development potential for the surrounding lots.

We appreciate your time and consideration of this application and look forward to a favourable determination.

PLANNING DEPARTMENT ANALYSIS

General

The subject properties are located in North Side on Cromwell Lane.

There are presently two parcels and the application is for a total of three parcels after the proposed subdivision and combination.

The subject properties are currently vacant except that the road exists.

Zoning

The properties are zoned Neighbourhood Commercial.

Specific Issues

1) Proposed lot sizes

Regulation 8(9) states that the minimum lot area in a commercial zone is 20,000 square feet.

The two resultant developable parcels would not satisfy the minimum lot area requirement as proposed lot 2 would have 6,798 square feet of area, and proposed lot 4 would have 7,055 square feet of lot area.

It is acknowledged that the existing parcels do not satisfy the minimum lot size requirement.

The applicant has applied for a variance and the Authority should determine if a lot size variance is warranted in this instance.

2.11 BRAC ACE LTD. (Cayman Survey Associates) Block 19A Parcel 89 (P24-0323) (\$9,000) (NP)

Application for a 9 lot subdivision.

FACTS

<i>Location</i>	Allie B Dr., Sleepy Hollow Dr., Dianne Dr., George Town
<i>Zoning</i>	Heavy Industrial and Light Industrial
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	9.55 acres
<i>Parcel size required</i>	20,000 sq. ft.
<i>Parcel width required</i>	CPA Discretion
<i>Proposed lot sizes</i>	22,032 sq. ft. and up
<i>Proposed lot widths</i>	45 ft. and up
<i>Current use</i>	Vacant

Recommendation: Discuss Planning Permission for the following reason:

- 1) Whether LPP is required
- 2) Public Road Access for Lot A
- 3) NRA Comments

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, DOE and NRA.

Water Authority Cayman

Please be advised that the Water Authority's requirements for this development are as follows:

Wastewater Treatment

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review and approval by the Water Authority.*

Water Supply

The proposed development site is located within the Water Authority's piped water supply area, however, please be advised that the connection of a proposed development to the Water Authority's piped water supply may require an extension.

- *Extensions in private roads are done at the owner's expense and the timing of any pipeline extension is at the sole discretion of the Water Authority.*
- *The developer shall contact The Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

Department of Environment – 30 May 2024

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Environmental Overview

As seen in Figure 1, the application site is man-modified and of limited ecological value.



Figure 1. The application site with the parcel boundary highlighted in blue (Aerial Imagery Source: UKHO, 2021).

Advice to the Applicant

We note that the application is for a subdivision, we would not support the clearing of this site at this time. Land clearing should be reserved until the development of individual lots is imminent (through the granting of planning permission for development on those particular lots). This allows the opportunity for the individual lot owners to retain as much vegetation as possible. Clearing the entire site prematurely removes the choice from the individual lot owners and removes the value the habitat could provide in the time between the preparation of a subdivision and the development of an individual lot.

Vegetation can be retained and used in a variety of ways on a property:

- It can be retained along parcel boundaries and between buildings to serve as privacy, noise and sound buffers and screening.
- It can be incorporated into the landscaping schemes for low-maintenance low-cost landscaping. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation.

- *It can serve as an amenity, providing green space and shade for those who live nearby or on the property.*
- *It can remain as a habitat for endemic wildlife such as anoles, birds and butterflies. This habitat helps to contribute to the conservation of our local species.*
- *It can assist with drainage, directly through breaking the momentum of rain, anchoring soil, and taking up of water and indirectly through keeping the existing grade and permeable surfaces.*
- *It can help reduce carbon emissions by leaving the habitat to act as a carbon sink and allow natural processes to remove carbon dioxide from the atmosphere. Destroying native vegetation releases carbon stored in the plant material, soil and peat.*

Advice to the Planning Department/Central Planning Authority

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed subdivision, the DoE recommends the inclusion of the following condition in any planning permission:

1. *If there is to be land clearing, excavation, filling or development of the resultant parcels, it should be subject of a separate consultation with the National Conservation Council.*

National Roads Authority

Per NRA Design and Construction Specification for Subdivision Roads & Property Development - 5.0 Access Requirements All subdivisions must have access to an existing public road. "Rights of Way" and "access easements" will not be approved as a public access to subdivisions.

Applicant is also required to show the gazette on Allie B. Dr.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located in George Town and abuts three existing roads (Allie B Drive, Sleepy Hollow Drive, Dianne Drive) and one road allowance (Blue Lagoon Drive) that has yet to have a road constructed.

The subject property is currently vacant and the proposal is to create 9 lots.

Proposed lot sizes would all exceed 20,000 square feet in area, thereby satisfying the applicable Regulation.

Zoning

The property is zoned Heavy Industrial and Light Industrial.

Specific Issue

1) LPP requirement

Regulation 28(1) states that according to the size of a subdivision, the Authority may require the applicant to set aside land not exceeding 5 percent of the gross area of the land being developed for public purposes, including active and passive recreation and public rights of way.

There is no LPP being proposed in this instance.

2) Lot A – lack of public road access

Proposed Lot A would front upon an unbuilt portion of Blue Lagoon Drive. Vehicular access would not be legally possible to Lot A.

2.12 ADVANCE AUTOMOTIVE LTD. (Whittaker & Watler) Block 20B Parcel 69 (P24-0197) (\$21,000) (NP)

Application for 6 signs.

FACTS

<i>Location</i>	Owen Roberts Drive, George Town
<i>Zoning</i>	Airport Zone
<i>Notification Results</i>	No objections
<i>Proposed use</i>	Façade & Directional Signs
<i>Sign Area</i>	Various

Recommendation: Discuss the application for the following reasons:

- 1) Number of signs
- 2) Size of Signs

PLANNING DEPARTMENT ANALYSIS

General

The proposal is for the following signs at the Chevrolet dealership in George Town:

Sign 1 - 61 sq ft “Chevrolet” building sign facing Owen Roberts Drive

Sign 2 - 42 sq ft “Certified Service” building sign facing Owen Roberts Drive

Sign 3 - 29.5 sq ft “Service & Parts” building sign facing the side

Sign 4 - 38 sq ft “Advance Automotive” building sign facing Owen Roberts Drive

Sign 5 - 11 sq ft “Sales” building sign facing the side

Sign 6 - 19.9 sq ft “directional sign”

Zoning

The property is zoned Airport Zone.

Specific Issues

1) Number of signs

The proposal is for 5 building signs. The Authority should determine if the number of signs is appropriate.

2) Size of signs

The aggregate area of the signs is 201 square feet. The Authority should determine if the size of the signs is appropriate.

2.13 CATHERINE SPRADLIN (Signs of Paradise) Block 13B Parcel 202 (P23-0723) (\$10,000) (NP)

Application for a sign

FACTS

<i>Location</i>	Snooze Lane, George town
<i>Zoning</i>	Hotel/Tourism
<i>Notification Results</i>	No Objectors
<i>Proposed use</i>	Sign
<i>Sign Area</i>	50 sq ft

Recommendation: Discuss the application for the following reason:

- 1) Size of sign

PLANNING DEPARTMENT ANALYSIS

General

The proposed sign would be located at the Aqua apartments on Snooze Lane.

The size of the proposed sign is 50 square feet and would read “Aqua”, with an associated logo.

Zoning

The property is zoned Hotel/Tourism.

Specific Issue

1) Size of Sign

Section 5.1(c) of the Sign Guidelines state that the maximum area of an apartment sign shall be 32 square feet.

The size of the proposed sign is 50 square feet.

The Authority should discuss the area of the proposed sign.

2.14 JUSTIN & ANNE BALKISSON (GMJ Home Plans Ltd) Block 15E Parcel 261 (P24-0142) (\$235,000) (JS)

Application for an addition to a house, trellis carport and swimming pool.

FACTS

<i>Location</i>	Lakefront Drive in South Sound
<i>Zoning</i>	Low Density Residential
<i>Parcel size required</i>	10,000 sq. ft.
<i>Parcel size proposed</i>	14,440 sq. ft.
<i>Site coverage allowed</i>	30 %
<i>Proposed site coverage</i>	19.78 %
<i>Current use</i>	House
<i>Proposed use</i>	House addition, carport and pool

BACKGROUND

The existing house was approved in 2007 (P07-0445).

Recommendation: Discuss the application, for the following reason:

- 1) Side setback

APPLICANT’S LETTER

We are requesting a variance on behalf of our clients, Justin & Anne Balkisson, about the following;

A side setback variance – where the applicants are requesting a reduction of the side setback to 5’1” instead of the required 10’0” for a single storey structure in areas zoned Low Density Residential (LDR) - representing a variance of 4’11”.

We seek relief of the required variances for reasons outlined below;

- Per section 8(13)(d) of the Planning Regulations, the owners of the adjacent properties were notified by registered mail, and there are no objections to date.*
- Per section 8(13)(b)(i) of the Planning Regulation, the characteristics of the proposed development are consistent with the character of the surrounding area;*
- Per section 8(13)(b)(iii) of the Planning Regulations, the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.*
- The proposed location of the trellis-style carport is the most suitable area on the existing driveway.*
- The structure has been designed with elegance in mind. It will add an aesthetic appeal to the home's exterior and property and enhances the immediate neighborhood.*
- An existing tall Areca palm privacy fence along the northern boundary of the subject parcel will screen out the trellis from the adjacent neighbor. As the trellis is proposed with a 70’6” front setback, the hedge will also reduce its visibility from the fronting road.*
- The application fully complies with all other relevant planning requirements, ensuring the proposal's adherence to regulations.*

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Lakefront Drive in South Sound.

The application is the addition to a house, a trellis carport and swimming pool.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Side setback (10’ vs 5’1”)

The required side setback for a house is 10’ as can be seen in section (9) (8) (j), the proposed side setback is 5’1”.

The Authority should consider discussing the request for a variance.

2.15 ANAND & ELSY ADAPA (Whittaker & Watler) Block 1D Parcel 721 (P24-0284) (\$0) (NP)

Application to modify planning permission to revise the site layout.

FACTS

<i>Location</i>	Hell Road, West Bay
<i>Zoning</i>	Low Density Residential
<i>Parcel size</i>	19,580.2 sq ft
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Townhouses under construction
<i>Proposed use</i>	7 Townhouses

BACKGROUND

June 19, 2019 (CPA/12/19; Item 2.11) – The Authority resolved to grant planning permission for 7 townhouses (P19-0067).

Recommendation: Discuss planning permission for the following reason:

- 1) Rear setback (8’6” vs 20’)

APPLICANT’S LETTER

On behalf of my client, I would like to request setback variance for the storage/repair building encroaching in the rear setback. The existing approval showed the storage/repair building at 21’-0” from the rear boundary. However, the contractor made a mistake when he lined out the building and moved it to 13’-0” more to the west. The right-hand corner of the building now sits at 12’-0” from the rear boundary and the steps at 8’-6” from the rear boundary. We are seeking 11’-6” variance for the steps.

There are existing apartments within the vicinity. There is sufficient reason to grant a variance and an exceptional circumstance exists, which may include the fact that the characteristics of the proposed development are consistent with the character of the surrounding area.

We are looking forward for your good office for consideration and approval of the variance request.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located along Hell Road in West Bay.

Planning permission was granted for 7 townhouses and a storage/repair building on the subject property.

Zoning

The property is zoned Low Density Residential.

Specific Issue

1) Rear Setback (8’6” vs 20’)

Regulation 9(8)(i) requires a minimum rear setback of 20 feet.

Construction of the storage/repair building has started and it has been determined that the rear stairs have a setback of 8’ 6” instead of 20 feet.

The Authority should determine if a setback variance is warranted in this instance.

2.16 KATHLEEN MCLAUGHLIN (Platinum Crew) Block 27C Parcel 64 (P23-0903) (\$290,000) (KM)

Application for a duplex.

FACTS

<i>Location</i>	Hurlstone St., Bodden Town
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.25 ac. (10,890 sq. ft.)
<i>Parcel size required</i>	12,500 sq. ft.
<i>Current use</i>	Vacant
<i>Proposed building size</i>	2,982 sq. ft.
<i>Total building site coverage</i>	14.72%
<i>Required parking</i>	2
<i>Proposed parking</i>	4

Recommendation: Discuss the application, **for the following reasons:**

- 1) Lot size (10,890 sq. ft. vs. 12,500 sq. ft.)

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Department of Environment.

Department of Environment

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Advice to the Applicant

Based on 2021 aerial imagery seen in Figure 1 below, the site previously contained regrowth with some mangroves along the canal edge.



Figure 1. The application site with the parcel boundary highlighted in red (Aerial Imagery Source: UKHO, 2021).

As the submitted construction plans did not indicate a retaining wall associated with the proposed development, the DoE is concerned about runoff from the site into the canal. As seen in Figure 2, the DoE conducted a site visit and found that much of the site has been cleared, and we could not find records of planning permission.

Due to the premature clearing of the site, particularly the mangroves, there is very little opportunity for the applicant to retain important canal-side vegetation that could aid in reducing the volume and speed of stormwater runoff and erosion. Without mangroves on-site acting as a buffer, the applicant should consider including a retaining wall constructed behind the regrowing mangroves to prevent runoff associated with the filling of the site,

the construction of the duplex, and the completed duplex from entering the canal and impacting water quality.

We strongly encourage the applicant to retain the regrowing mangrove vegetation on-site. Mangroves are Part 2 Schedule 1 protected species under the National Conservation Act (2013) with an adopted Mangrove Conservation Plan (2020). It is an offence to remove mangroves unless permission is explicitly sought to remove them either through a coastal works permit, planning permission or a National Conservation Council Section 20 permit.

Mangroves provide a nursery habitat for fish and other marine life and are vital in helping to maintain good water quality. Both mangroves and other canal-side vegetation provide a natural buffer that helps to intercept surface water that may run off the land into the canal. The regrowing mangroves will provide ecosystem services over time if allowed to remain in front of the retaining wall.

With guidance, mangroves can be trimmed to give vistas without causing severe injury to or killing mangroves. Should the applicant wish to trim the mangroves, it must be done in accordance with the Department of Environment's Mangrove Trimming Guidelines (www.doe.ky/sustainable-development/best-practices-guides/mangrove-trimming-guidance/).

We also recommend that native plants are retained wherever possible and incorporated into the landscaping scheme. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services.



Figure 2. Photos of the application site taken on the 19th January 2024 (Source: DoE, 2024).

Advice to the Central Planning Authority/Planning Department

Best management practices should also be adhered to during construction to reduce impacts on the environment and the canal, including impacts to water quality. Materials should be stockpiled away from the canal's edge to avoid run-off into the canal. Control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following conditions in the approval:

- 1. All construction materials shall be stockpiled at a minimum of 20 feet from the canal edge to reduce the possibility of run-off washing material and debris into the canal causing turbidity and impacting water quality.*
- 2. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent marine environment.*

APPLICANT'S LETTER

We are requesting a variance for the block and parcel to seek relief of required (DUPLEX) units which is the goal of my client when purchasing this property, however my client didn't realize that the zoning only applies for single family dwelling residence.

Granting the variance will not be materially detrimental to the public welfare or injuries to the property or improvements in the zoning district in which the subject property is located.

The granting of variance will have no effect on the adjoining properties. This zoning release will not cause any detriment to the common good, as the literal interpretation and the strict application of the applicable zoning requirements of this chapter would cause substantial undue and unnecessary hardship to the current property owner, just a casual/discretionary inconvenience to the property owner.

The requested variance would be consistent with the spirit and purpose of this chapter and the neighborhood of proposed duplex, this proposed duplex will blend with the new homes in the neighborhood and will be in the spirit of the street and community.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a duplex; 2,982 sq. ft. to be located on Hurlstone St., Bodden Town.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Lot size

Regulation 9(8)(e) of the Development & Planning Regulations (2024 Revision) states “the minimum lot size for each duplex is 12,500 square feet.” The current proposed lot size is **10,890 sq. ft.** a difference of **1,610 sq. ft.** respectively.

The Authority should assess under Section 8(13) if there are exceptional circumstances and sufficient reasons to grant the lot size variance.

2.17 NILA EBANKS (Professional Planning and Development Services) Block 1D Parcel 399 (P24-0205) (\$5,000) (JS)

Application for a two lot subdivision.

FACTS

<i>Location</i>	Florrie Dell Road in West Bay North West
<i>Zoning</i>	Lower Density Residential
<i>Parcel size required</i>	10,000 sq. ft. for dwellings 25,000 sq. ft. for apartments
<i>Parcel width required</i>	80 feet for dwellings 100 feet for apartments
<i>Parcel size proposed</i>	3,239 sq. ft. to 10,693 sq. ft.
<i>Proposed lot widths</i>	20.1’ to 51.5’
<i>Current use</i>	Existing House
<i>Proposed use</i>	2 lot subdivision to create a road parcel

Recommendation: Discuss the application, **for the following reason:**

- 1) Setback distance from proposed road parcel

APPLICANT’S LETTER

Regarding the proposed subdivision in light of the provisions contained in the Regulations, we respectfully request the Central Planning Authority’s consideration of a variance for reduced setbacks to existing buildings as a result from the two-lot subdivision which seeks to provide a road lot (lot 1).

The parcel 1D 399 consists of existing residential buildings and is located in the Low Density Residential zone.

As members are aware Regulation 9(8)(i) requires minimum front setbacks of 20' from roads. The proposed subdivision to create a road lot would result in the existing buildings being sited 9.4' from the boundary adjacent to the proposed road lot along the northern boundary and 17.2' to the east for the same proposed road lot.

In accordance with Regulation 8(13), we respectfully request the Central Planning Authority to consider and grant a variance for the proposed resultant setbacks. We believe several factors support this request and demonstrates sufficient reason and exceptional circumstance:

1. Width and alignment

The resultant road lot is of adequate width and alignment to support safe movement of road users travelling between Florrie Dell Road and Lindys Walk.

2. Formalising existing arrangement

The proposed road lot technically already exists, albeit not formalised. An easement and established road surface exist within the applicants parcel to enable access to/from Lindys Walk. We are simply seeking to formally separate it from the residential parcel and provide the applicant with the benefit of a demarcated private area.

3. Resultant lot size

The existing dwelling would benefit from a resultant lot size of 10,693 sf which, as members will be aware, is sufficient for a low density residential zone.

In light of the considerations outlined above, we trust that the Central Planning Authority will recognise the merits of our request for the lot width variances and grant approval accordingly.

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority and the Department of Environment. However, no comments were received from the National Roads Authority or the Cayman Fire Service though they were requested

Water Authority

Please be advised that the Water Authority's requirements for this development are as follows:

Subdivision with Existing Septic Tank

If the developer proposes to utilize the existing septic tank and/or disposal well, the system shall be inspected and serviced per the Water Authority's Septic Tank Inspection Form.

Septic Tank Inspection Form: <https://bit.ly/2RO8MBB>

*The completed inspection form shall be returned to the Water Authority for review and determination as to whether the existing system meets Water Authority design specifications. Any deficiencies noted will require repair or replacement **prior to final approval for certificate of occupancy.***

Water Supply

Please be advised that the proposed development site is located within the Cayman Water Company's (CWC) water supply area.

- *The developer is required to notify the Cayman Water Company without delay, to be advised of the site-specific requirements for connection.*
- *The developer shall provide water supply infrastructure per CWC's specification and under CWC's supervision.*

Department of Environment

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council. The Department of Environment confirms that we have no comments at this time.

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Florrie Dell Road in West Bay North West

The application is for a Subdivision of land to create 2 V.R.O.W.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Setback distance from proposed road parcel

The creation of the road parcel means that the setback from that parcel on the eastern side of the lot will not meet the required 20ft setback from a road, as can be seen in Section 9 (8) (i) (j) but will be 9.4' and 17.2' from the road.

The Authority should consider discussing the request for a variance.

2.18 BIG CAT LTD. (TRIO Design) Block 13EH Parcel 198 (P24-0223) (\$2,000) (MW)

Under stair enclosure for (3) fire suppression tanks; 102 sq. ft.

FACTS

<i>Location</i>	North Church St., George Town
<i>Zoning</i>	General Commercial
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	0.2024 ac. (8,816.544 sq. ft.)
<i>Current use</i>	Existing Commercial Building
<i>Proposed building size</i>	102 sq. ft.
<i>Total building site coverage</i>	24.47%

BACKGROUND

August 23, 2023 – Repair of seawall (CPA/18/23; Item 2.5) – the application was considered and it was resolved to grant planning permission.

December 6, 2023 – Change of use from mixed use to commercial; 2,252 sq. ft. – the application was forwarded to CPA.

Recommendation: Discuss the application, **for the following reasons:**

- 1) Side setback (1'-10" vs. 6'-0")

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Department of Environment.

Department of Environment (17 May 24)

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Site Overview

The application site is man-modified with limited ecological value.

Advice to the Central Planning Authority/Planning Department

Best management practices should be adhered to during construction to reduce impacts on the environment. In particular control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example, those used in

insulating concrete forms (ICFs). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when they enter the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, the DoE recommends the inclusion of the following conditions:

- *If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the environment.*

APPLICANT'S LETTER

I am writing on behalf of my client BIGCAT LTD. for whom I am applying to the Central Planning Authority for a change of use to the existing [2] Story Building located on [13EH -16]. In addition we are seeking a variance allowing for the installation of a prefabricated metal straight run Fire Escape on the South Elevation of the existing building.

Side Set Back exemption under:

Regulation 8. (13) (b) (i) (ii) (iii)

The existing building is to be renovated and the second floor converted to a Studio Apartment & a Music Recording Studio. The proposed (Fire Escape) is for emergency exit from the proposed Studio Apartment.

Thanks in advance for your kind consideration in this matter.

PLANNING DEPARTMENT ANALYSIS

General

The application is for an under-stair enclosure for (3) fire suppression tanks; 102 sq. ft. to be located on North Church St., George Town.

Zoning

The property is zoned General Commercial.

Specific Issues

1) Side setback

Regulation 8(8(b) of The Development and Planning Regulations (2024 Revision) states “the minimum road setbacks shall be twenty feet and the minimum side and rear setbacks shall be 6 feet, unless otherwise specified by the Authority.” The applicant has proposed

an under-stair enclosure to house (3) fire suppression tanks; 102 sq. ft., the proposed enclosure would be 1'-10" from the property boundary a difference of 4'-2" .

The Authority should assess under Section 8(13) if there are exceptional circumstances and sufficient reasons to grant the side setback variance.

2.19 SAVANNAH GABLES LTD. (Matthew Brown) Block 28C Parcels 488 & 515 (P23-0993) (\$15,000) (MW)

(2) 8'-0" high entrance community gates with 6'-0" high concrete columns.

FACTS

<i>Location</i>	Whistling Way., Bodden Town
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	3.2561 ac. (141,835.716 sq. ft.)
<i>Current use</i>	Existing residential community

Recommendation: Discuss the application, **for the following reasons:**

- 1) Fence height (8'-0" vs. 5'-0")

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the National Roads Authority and Fire Department.

National Roads Authority

As per your memo dated April 3rd , 2024 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

The NRA has no objections or Savannah Gables Community Gates. Please note that the NRA will not be responsible for any road maintenance, streetlights, etc.

Fire Department

Approved for Planning Permit Only 29 Dec 23

S.O.S system required if not automatic Gate.

APPLICANT'S LETTER

Letter #1

We, the residents of Savannah Gables hereby apply for planning permission to install community gates at both entrances to our private road, with the goal of increasing the safety of the residents, reducing vehicular traffic and adding privacy. We hereby comply with access of emergency vehicles, school buses and the police service, and will gladly cooperate with any of the entities that need to be involved.

There is no commercial activity, businesses or any other reason in which persons who are not residents or visitors of owners would need to enter our small community. At the moment, people unnecessarily use the road as a cut through between Hirst road and Shamrock road, in the height of peak traffic hours at high speeds.

As a reference, in November 2022, a pedestrian was struck on Agouti link while walking on the side of the road and was hospitalised due to her injuries.

We the residents see the opportunity of gates installation at our entrances as additional security and peace of mind that our families are safer in our community.

Sincerely, the owners of Savannah Gables.

Letter #2

I, [REDACTED] of Savannah Gables Ltd., owner of the private road, am in agreement with the individual owners in the community and give consent to the installation of community gates at both entrances of 28C 448.

PLANNING DEPARTMENT ANALYSIS

General

The application is for (2) 8'-0" high entrance community gates with 6'-0" high concrete columns to be located on Whistling Way., Bodden Town.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Fence height

The CPA fence guideline 4.3.3. stipulates that *"In residential and tourism-related zones, no part of a semi-transparent wall or fence should exceed 60 inches in height, except for where provided within these regulations"*- The proposed entrance gates will be made of aluminum and would have an overall height of **8'-0"** along with concrete stone clad columns which will be **6'-0"** in height a difference in height of **3'-0"** (**gates**) & **1'-0"** (**columns**) respectively.

**2.20 NATIONAL HOUSING DEVELOPMENT TRUST (Whittaker & Watler) Block 72B
Parcel 189 (P23-0823) (\$126,000) (KM)**

Application for a house.

FACTS

Location	Marvelle McLaughlin Drive, East End
Zoning	MDR
Notification result	No Objections
Parcel size proposed	0.1108 ac. (4,826.448 sq. ft.)
Parcel size required	5,000 sq. ft.
Current use	Vacant
Proposed building size	1,050 sq. ft.
Total building site coverage	21.76%
Required parking	1
Proposed parking	2

Recommendation: Discuss the application, for the following reasons:

- 1) Front setback (10'-6" (septic tank) vs 20')
- 2) Rear setback (17'-9" vs. 20'-0")

APPLICANT'S LETTER

On behalf of my client, I would like to request for setback encroachment of the septic tank and house rear setback variance. The house will be over the setback line by 2'-3".

There is sufficient reason to grant a variance and an exceptional circumstance exists, which may include the fact that the characteristics of the proposed development are consistent with the character of the surrounding area.

We are looking forward for your good office for consideration and approval of the variance request.

Thank you in advance in this matter.

PLANNING DEPARTMENT ANALYSIS

General

The proposed two-bedroom house; 1,050 sq. ft. is located on Marvelle McLaughlin Dr., East End.

Zoning

The property is zoned Medium Density Residential.

Specific Issues

1) Front setback

Regulation 9(7)(i) of the Development and Planning Regulations (2024 Revision) states “the minimum front and rear setbacks are 20 feet.” The applicant has proposed the septic tank to be 10’-6 ½” from the front (road) boundary, a difference of 9’-5 ½”.

2) Rear setback

Regulation 9(7)(i) of the Development and Planning Regulations (2024 Revision) states “the minimum front and rear setbacks are 20 feet.” The applicant has proposed the residence to be 17’-9” from the rear boundary, a difference of 2’-3”.

2.21 KAFI-ANN & NAVADO BROWN (GMJ Home Plans Ltd.) Block 74A Parcel 149 (P24-0234) (\$3,000) (MW)

Modification to revise master bathroom layout & relocate septic tank.

FACTS

<i>Location</i>	Off Austin Conolly Dr., East End
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	0.32ac. (13,939.2 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	Approved residence under construction
<i>Proposed building size</i>	1,264 sq. ft.
<i>Total building site coverage</i>	9.07%
<i>Required parking</i>	1
<i>Proposed parking</i>	1

BACKGROUND

May 13, 2021 – Three bedroom house with LPG tank – the application was considered and it was resolved to grant planning permission.

Recommendation: Discuss the application, **for the following reasons:**

- 1) Roadside setback (17'-4" (septic tank) vs. 20'-0")

APPLICANT'S LETTER

We are requesting a variance on behalf of our clients, Navado Kafi-Ann Brown, about the following;

- a) *A roadside setback variance – where the applicants are requesting a reduction of the setback to 17'4" instead of the required 20'0" from the roadside for a septic tank in areas zoned Low Density Residential (LDR) - representing a variance of 2'8".*

We seek relief of the required variances for reasons outlined below;

1. *Per section 8(13)(d) of the Planning Regulations, the owners of the adjacent properties were notified by registered mail, and there are no objections to date.*
2. *Per section 8(13)(b)(iii) of the Planning Regulations, the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.*
3. *Due to the rocky terrain, the septic tank has been installed in the most suitable area of the property. Its top is the same level as the existing grade.*
4. *The application fully complies with all other relevant planning requirements, ensuring the proposal's adherence to regulations.*

Thank you for your consideration. Should you have any queries, please do not hesitate to contact us at 947-7020 or email at gmj@candw.ky.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a modification to revise master bathroom layout & relocate septic tank located off Austin Conolly Dr., East End.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Roadside setback

Regulation 9(8)(i) of the Development & Planning Regulations (2024 Revision) states “*the minimum front & rear setback is 20'-0"*”. The proposed relocation of the septic tank would have the septic tank encroach into the roadside setback at (17'-4") a difference of (2'-8").

The Authority should assess if there is sufficient reason and an exceptional circumstance that exists in accordance with Section 8(13) to warrant granting the proposed septic tank roadside setback variance.

2.22 JAMES ADRIAN BODDEN (Eric Cronier) Block 59A Parcel 279 (P24-0120) (\$35,000) (MW)

Modification to quarry; extend quarry by 1.06 ac. & excavate 34,200 cu. yds. to a depth of 20'-0".

FACTS

<i>Location</i>	Off The Beaten Path Rd., North Side
<i>Zoning</i>	Agricultural /Residential
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	7.8 ac. (339,768 sq. ft.)
<i>Current use</i>	Existing quarry

BACKGROUND

August 23, 2006 – 90,000 cubic yard excavation (CPA/27/06; Item 2.25) – the application was considered and it was resolved to grant planning permission.

August 1, 2012 – Quarry extension (CPA/17/12; Item 2.14) - the application was considered and it was resolved to grant planning permission.

September 13 2017 – Quarry extension (CPA/18/17; Item 2.13) – the application was considered and it was resolved to grant planning permission.

August 05 2020 – Modification to increase an existing quarry depth from 20' to 30' (CPA/12/20; Item 2.7) – the application was considered and it was resolved to grant planning permission.

Recommendation: Modify planning permission.

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment.

Water Authority

Please be advised that the Water Authority's requirements for this development are as follows:

Requirement for Quarry Permit per Water Authority Act

The Water Authority is charged under the Water Authority Act to protect groundwater. Section 34 (1) of Water Authority Act (2022 Revision) requires that anyone who undertakes quarrying obtains a permit from the Authority, subject to such terms and conditions as it deems fit. Regulation 22 (1) of the Water Authority Regulations (2022 Revision) states that a permit to quarry shall be required whenever it is intended to remove any geological stratum from its natural environment and export it to another location, whether for sale or not.

*A quarry permit will be **considered** by the Authority upon receipt of a completed quarry permit application form, the application fee and required submittals. The application form may be downloaded from the Water Authority website:*

http://www.waterauthority.ky/upimages/pagebox/QuarryPermitApplicationRevNOV2018_1541708195.pdf

In the event the quarry permit is granted by the Water Authority, the developer is required to maintain the water quality of the proposed quarry lake with the following measures:

- No direct discharge of stormwater into the excavation;*
- Shoreline grading to minimize, slow and filter stormwater flow into the excavation including a perimeter berm around the lake and a shallow, sloped shelf, at least 10 ft wide, extending into the lake for the establishment of native wetland plants;*
- Provide a Water Quality Management Plan for long-term maintenance of the excavated lake to minimize future water quality problems. The property owner shall be responsible for the long-term water quality management, unless this responsibility is transferred via restrictive covenants or similar legal instrument;*
- The Water Quality Management Plan shall include Best Management Practices for long term maintenance of the lake upon completion of the excavation.*

Please be advised that per Quarry Permit QP113-59A279 granted by the Water Authority on 09 March 2021 for the last extension of the quarry, a survey of the excavated depth of the quarry is to be submitted to the Water Authority on an annual basis. In the event further excavation has taken place since the last survey that was carried out on 26 April 2023, a survey of the additionally excavated area shall be provided with the application to extend the quarry.

Please be advised that submitting a quarry permit application to the Authority does not guarantee that the permit will be issued. If a quarry permit is issued the Authority may require modifications of plans and/or impose specific conditions to protect surface and groundwater and to ensure that the applicant complies with the conditions of the permit.

Department of Environment (22-4-24)

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Ecological Overview

As seen in Figure 1 below, the application site contains an existing quarry and seasonally flooded mangrove forests.



Figure 1. The application site with the parcel boundary highlighted in blue (Aerial Imagery Source: UKHO, 2021).

As seen in Figure 2 below, the proposed modification will result in an extension of the quarry into the mangrove vegetation on-site.

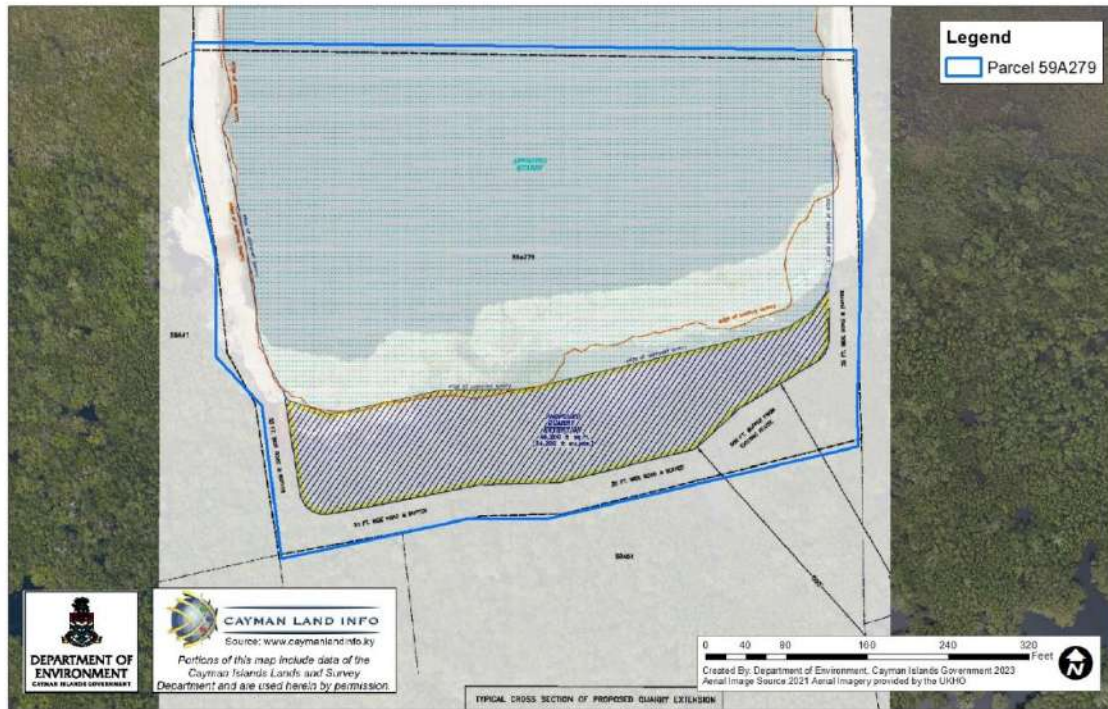


Figure 2. The application site with the parcel boundary highlighted in blue and an overlay of the submitted modification plans (Aerial Imagery Source: UKHO, 2021 & Architectural Plans Source: Steve Madramootoo, 2024).

The applicant is reminded that mangroves are Schedule 1, Part 2 Protected Species under the National Conservation Act (NCA) with an adopted Conservation Plan. It is an offence to remove mangroves unless permission is explicitly sought to remove them either through the granting and implementation of planning permission or a National Conservation Council Section 20 permit. The Mangrove Species Conservation Plan can be downloaded at the following link: <https://conservation.ky/wp-content/uploads/2021/01/Species-Conservation-Plan-for-Mangroves-FINAL.pdf>.

Mangrove forests are a critical part of our natural environment, providing several ecosystem services which include assisting to mitigate the effects of climate change. As one of the most productive terrestrial ecosystems, mangrove wetlands are extremely biodiverse and provide habitat and food for an immense variety of species. They also function as natural sponges that trap and slowly release surface water. Inland wetlands in urban areas are particularly valuable, counteracting the greatly increased rate and volume of surface-water runoff from areas of hardstanding and buildings. Trees, root mats, and other wetland vegetation also slow the speed and distribution of stormwater. This combined water storage and braking action lowers flood heights and reduces erosion. In addition, inland

wetlands improve water quality by filtering, diluting, and degrading toxic wastes, nutrients, sediments, and other pollutants.

Mangroves are also an important natural asset for the Cayman Islands and form part of Cayman's Natural Capital Accounts. Mangrove wetlands are extremely effective at sequestering carbon from the atmosphere and serve as carbon sinks. The large-scale removal of significant tracts of mangrove habitat reduces the Island's natural carbon sequestration potential and the removal of mature vegetation and de-mucking of mangrove sites releases captured carbon into the atmosphere. The removal of mangrove habitats reduces the extent and value of this natural asset and removes the ecological services the habitat currently provides.

Advice to the Applicant

As seen in Figure 3 below, the site and the surrounding area are low-lying. The low-lying nature of the site and on-site mangrove vegetation means this area is not suitable for agriculture due to the salinity and water levels or residential development due to its low-lying nature. Any future closure plans should also be designed such that they do not impact the hydrological regime of the surrounding wetland habitat. In other words, quarry water should not directly spill from the quarry into the wetland habitat. It is recommended that the closure plan is updated, and that as part of the closure plan, the road is elevated to a permanent height of 4 ft above datum immediately after the excavation works have ceased.



Figure 3. The application site with the parcel boundary highlighted in blue and terrain contours of the site and the surrounding area (Aerial Imagery Source: UKHO, 2021 & Terrain Contour Data Source: Cayman Land Info, 2018).

Advice to the Planning Department/Central Planning Authority

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed modification, we recommend the inclusion of the following conditions in the approval:

- 1. The applicant shall submit an updated closure plan to reflect the proposed modifications.*
- 2. The closure plan must include elevation of the road to 4 ft above datum immediately after excavation works have ceased to prevent overflow into the surrounding wetlands.*

Aggregate Advisory Committee

No comments received to date.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a modification to quarry; extend quarry by 1.06 ac. & excavate 34,200 cu. yds. to a depth of 20’-0” to be located on Off The Beaten Path Rd., North Side.

Zoning

The property is zoned Agricultural Residential.

Specific Issues

1) Land Use

The applicant wishes to modify the existing quarry & extend it by 1.06 ac. & excavate an additional 34,200 cu. yds. to a depth of 20’-0”.

The parcels within a 500’ radius were notified along with (2) newspaper ads and no objections were received.

2.23 NHDT (Eric Cronier) Block 49A Parcel 15 (P24-0295) (\$10,000) (NP)

Application for a 2 lot subdivision.

FACTS

<i>Location</i>	Hutland Road, North Side
<i>Zoning</i>	Agricultural/Residential
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	15.2 acres

<i>Parcel size required</i>	10,000 sq. ft. for dwellings
<i>Parcel width required</i>	80 feet for dwellings
<i>Proposed lot sizes</i>	1 @ 2 acres & 1 @ 13.2 acres
<i>Proposed lot widths</i>	1 @ 329' & 1 @ 373'
<i>Current use</i>	House, Pool, Garage

Recommendation: Grant planning permission

AGENCY COMMENTS

The Authority received comments from the National Roads Authority, Department of Environment and NRA are noted below.

Department of Agriculture

Comments yet to be received at report submission deadline.

Department of Environment – 16 May 2024

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Ecological Overview

As seen in Figure 1, the southern area of the application site is developed making it of limited ecological value. However, the application site north of the existing development is a mixture of primary dry shrubland, primary dry forest, seasonally flooded mangroves forests and seasonally flooded mangrove shrubland. In addition, the site contains part of Malportas Pond which is a Crown-owned, large, shallow lake.



Figure 1. The application site with the parcel boundary highlighted in blue (Aerial Imagery Source: UKHO, 2021).

Importance of On-Site Vegetation

Primary habitat is mature habitat in its natural state, otherwise uninfluenced by human activity where ecological processes are not significantly disturbed. These habitats are often very old, existing long before humans and may consist of many endemic and ecologically important species. Primary habitat is in severe decline and becoming a scarce and highly threatened resource as a result of land conversion for human activities.

The applicant is reminded that mangroves are Schedule 1, Part 2 Protected Species under the National Conservation Act (NCA) with an adopted Conservation Plan. It is an offence to remove mangroves unless permission is explicitly sought to remove them either through the granting and implementation of planning permission or a National Conservation Council Section 20 permit. The Mangrove Species Conservation Plan can be downloaded at the following link: <https://conservation.ky/wp-content/uploads/2021/01/Species-Conservation-Plan-for-Mangroves-FINAL.pdf>.

Mangrove forests are a critical part of our natural environment, providing several ecosystem services which include assisting to mitigate the effects of climate change. As one of the most productive terrestrial ecosystems, mangrove wetlands are extremely biodiverse and provide habitat and food for an immense variety of species. They also function as

natural sponges that trap and slowly release surface water. Inland wetlands in urban areas are particularly valuable, counteracting the greatly increased rate and volume of surface-water runoff from areas of hardstanding and buildings. Trees, root mats, and other wetland vegetation also slow the speed and distribution of stormwater. This combined water storage and braking action lowers flood heights and reduces erosion. In addition, inland wetlands improve water quality by filtering, diluting, and degrading toxic wastes, nutrients, sediments, and other pollutants.

Mangroves are also an important natural asset for the Cayman Islands and form part of Cayman's Natural Capital Accounts. Mangrove wetlands are extremely effective at sequestering carbon from the atmosphere and serve as carbon sinks. The large-scale removal of significant tracts of mangrove habitat reduces the Island's natural carbon sequestration potential and the removal of mature vegetation and de-mucking of mangrove sites releases captured carbon into the atmosphere. The removal of mangrove habitats reduces the extent and value of this natural asset and removes the ecological services the habitat currently provides.

Malportas Pond

Malportas Pond is an extremely important wildlife habitat particularly for birds serving as a feeding ground and breeding site for a range of resident and migratory birds such as Herons, Egrets, Waders, Ducks and other water birds. The mangroves in and surrounding the pond are a key component of this important wildlife site. The fringing mangroves are a well-known breeding site for the West Indian Whistling Duck, Snowy Egrets have been known to utilise the mangrove islands in the pond as an overnight roost and the shores of the pond are a breeding ground for Least Terns.



Figure 2. Aerial view of Malportas Pond (Aerial Imagery Source: National Trust, 2024).

Advice to the Applicant

*We note that the application is for a subdivision, we would **not** support the clearing of this site at this time. Land clearing should be reserved until the development of individual lots is imminent (through the granting of planning permission for development on those particular lots). This allows the opportunity for the individual lot owners to retain as much native vegetation as possible. Clearing the entire site prematurely removes the choice from the individual lot owners and removes the value the habitat could provide in the time between the preparation of a subdivision and the development of an individual lot.*

Primary habitat and native vegetation can be retained and used in a variety of ways on a property:

- It can be retained along parcel boundaries and between buildings to serve as privacy, noise and sound buffers and screening.*
- It can be incorporated into the landscaping schemes for low-maintenance low-cost landscaping. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate-appropriate and require less maintenance and irrigation.*
- It can serve as an amenity, providing green space and shade for those who live nearby or on the property.*

- *It can remain as a habitat for endemic wildlife such as anoles, birds and butterflies. This habitat helps to contribute to the conservation of our local species.*
- *It can assist with drainage, directly through breaking the momentum of rain, anchoring soil, and taking up of water and indirectly through keeping the existing grade and permeable surfaces.*
- *It can help reduce carbon emissions by leaving the habitat to act as a carbon sink and allow natural processes to remove carbon dioxide from the atmosphere. Destroying native vegetation releases carbon stored in the plant material, soil and peat.*
- *When located in an area of wider primary habitat, wildlife corridors can be created connecting areas of a habitat that would have otherwise been isolated through development, allowing for the movement of animals and the continuation of viable populations.*

Advice to the Central Planning Authority/Planning Department

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed subdivision, the DoE recommends the inclusion of the following conditions in the Planning approval to minimise impacts on this important primary habitat:

- 1. There shall be no land clearing, excavation, filling, or development of the resulting parcels without planning permission for such works being granted.*
- 2. Any future development, clearing, filling or excavation of the resultant subdivided parcels shall be the subject of a separate consultation with the Central Planning Authority and National Conservation Council.*

National Roads Authority

The NRA has no objections or concerns regarding the proposed subdivision.

Water Authority

Please be advised that the Water Authority's requirements for this development are as follows:

Wastewater Treatment

- *The developer is advised that wastewater treatment and disposal requirements for built development are subject to review and approval by the Water Authority.*

Wastewater Treatment for Existing Structure

- *The Water Authority advises that all wastewater infrastructure, including septic tanks, deep wells, ATUs, etc. must be contained within the boundaries of the parcel on which the building stands.*

Stormwater Management

- *This development is located over the (North Side) fresh water lens or within the 500m buffer zone of the lens. In order to protect the fresh water lens, the Water Authority requests that stormwater drainage wells are drilled to a maximum depth of 80ft instead of the standard depth of 100ft as required by the NRA.*

Water Supply

The proposed development site is located within the Water Authority's piped water supply area, however, please be advised that the connection of a proposed development to the Water Authority's piped water supply may require an extension.

- *Extensions in private roads are done at the owner's expense and the timing of any pipeline extension is at the sole discretion of the Water Authority.*
- *The developer shall contact The Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the piped water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>.*

The Authority shall not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on Hutland Road in North Side.

The proposal is to divide the existing parcel into two lots, with one proposed lot having an area of 2 acres and the other lot with 13.2 acres.

The property contains a house, garage, and pool that would be situated on the proposed two acre parcel.

Zoning

The property is zoned Agricultural/Residential.

2.24 ANSR LTD. Block 24E Parcel 600 (P24-0434) (\$55,000) (NP)

Application for a dock and seawall repair

FACTS

<i>Location</i>	Bayside Court, Spotts
<i>Zoning</i>	Low Density Residential
<i>Parcel size</i>	11,173.1 sq. ft.
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	Vacant
<i>Proposed use</i>	Dock and Seawall Repair

BACKGROUND

June 8, 2022 (CPA/15/22; Item 2.18) – The Authority resolved to grant planning permission for a duplex, cabana, and pool. (P22-0230)

Recommendation: Grant planning permission.

AGENCY COMMENTS (Section 7 DPA)

The Authority received comments from the DOE.

Department of Environment – 30 May 2024

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the

National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Ecological Overview

As seen in Figure 1, the application site has been cleared recently and, is therefore, of limited ecological value.



Figure 1. The application site in 2023 (Aerial Imagery Source: Google Maps, 2023).

Advice to the Central Planning Authority

Best management practices should be adhered to during the construction of the dock to reduce impacts to the canal including to the environment and water quality.

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following conditions in the approval:

- 1. All construction materials shall be stockpiled at a minimum of 20 feet from the canal edge to reduce the possibility of run-off washing material and debris into the canal causing turbidity and impacting water quality.*
- 2. The dock construction area shall be fully enclosed with silt screens with a 4-foot minimum skirt depth to contain any sedimentation or debris arising from the construction of the dock. The silt screens shall remain in place until the water contained inside the screens has cleared to the same appearance as the water outside of the screens.*

- The dock shall have a minimum dock height of 4 feet and the installation of dock decking shall have a minimum of ½ inch spacing between decking boards to allow light penetration to occur to support marine life under the dock.*

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on Bayside Court in Spotts.

The property is currently vacant.

The proposal is to construct a new dock (45 feet long and 6 feet wide) and replace a portion of the seawall (80 feet).

Zoning

The property is zoned Low Density Residential.

2.25 ID CORPORATION LTD. (Johnson Design & Architecture) Block 14BG Parcel 105 (P24-0341) (\$50,000) (NP)

Application for change of use from retail to restaurant.

FACTS

<i>Location</i>	North Church Street, George Town
<i>Zoning</i>	General Commercial
<i>Approved use</i>	Retail
<i>Proposed use</i>	Restaurant
<i>Area</i>	730 sq. ft.
<i>Parking required</i>	38
<i>Parking proposed</i>	38

BACKGROUND

November 9, 2016 (CPA/24/16; item 2.3) – Approval granted for a commercial building with spaces allocated for two restaurants. A building permit was obtained prior to the 5 year planning permission expiring.

June 6, 2023 (P23-0453) – Administrative approval for modification to change shape of southern building

February 23, 2024 (P24-0008) – Administrative approval for change of use from restaurant to retail in the southern building

Recommendation: Grant Planning Permission.

AGENCY COMMENTS

The Authority received comments from the DOE and WAC.

Department of Environment – 5 June 2024

This review is provided by the Director of the Department of Environment (DoE) under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). This review is provided in accordance with Section 41(3) of the National Conservation Act and the Section 41 Guidance Notes issued by the National Conservation Council.

Site Overview

The application site is adjacent to a Port Anchorage Zone. The coastal section of the parcel is predominantly man-modified with existing structures on-site.

General Comments to Applicant

We note that this change of use is for the existing building on site from retail to a restaurant. The Department of Environmental Health's waste handling requirements and recommendations along with best management practices should be adhered to ensure that grease and other waste does not entering the marine environment.

Advice to the Central Planning Authority and/or the Planning Department

We note that the building is existing, and we are not clear of what renovation is required to change the use of this building to restaurant. In general, best management practices should also be adhered to during the restaurant construction/renovation of the building to reduce impacts on the environment and the canal, including impacts to water quality. Materials should be stockpiled away from the canal's edge to avoid run-off into the canal. Control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed development, we recommend the inclusion of the following conditions in the approval:

- 1. All construction materials shall be stockpiled at a minimum of 20 feet from the canal edge to reduce the possibility of run-off washing material and debris into the marine environment causing turbidity and impacting water quality.*
- 2. If the construction uses insulating concrete forms (ICFs) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall*

be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent marine environment.

Water Authority Cayman

The Water Authority's requirements for the proposed development are as follows:

Wastewater Treatment:

The existing development is served by an onsite aerobic wastewater treatment system with a design treatment capacity of 6,000 gpd.

The design capacity of the existing wastewater treatment system can accommodate the wastewater flows from the proposed, given that the treatment system is being operated and maintained as designed to produce an effluent that meets the Authority's discharge limits.

Water Supply:

The proposed development site is located within the Water Authority's piped water supply area.

- The developer shall contact Water Authority's Engineering Services Department at 949-2837 without delay to be advised of the site-specific requirements for connection to the public water supply.*
- The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*
- The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure> .*

The Authority will not be held responsible for delays and/or additional costs incurred by the developer due to the developer's failure to provide sufficient notice to the Authority

PLANNING DEPARTMENT ANALYSIS

General

The subject application is for a 730 square foot change of use to a restaurant at the new seaside plaza just north of Rackhams pub.

The approved use of the premises is as a retail store.

The proposed use of the space is a restaurant.

In terms of parking, the approved and proposed uses of the plaza require a total of 38 parking spaces. The plaza was approved with a total of 32 onsite parking spaces and 6 offsite parking spaces at the Digicel/Waffle Monkey Plaza on North Church Street (14BG 102).

Zoning

The property is zoned General Commercial.

3.0 DEVELOPMENT PLAN MATTERS

4.0 PLANNING APPEAL MATTERS

5.0 MATTERS FROM THE DIRECTOR OF PLANNING

6.0 CPA MEMBERS INFORMATION/DISCUSSION

Appendix A

NATIONAL BUILDERS LTD.

PO BOX 1290
GRAND CAYMAN, KY1-1108
CAYMAN ISLANDS

March 17, 2024

Mr. Ian Pairaudeau (Chairman)
Planning Department
133 Elgin Avenue
Government Administration Building
George Town
Grand Cayman

Dear Mr. Chairman and board members,

Subject: Proposed Commercial and Multi-Family Development on Block 14E Parcels 120, 632, 635 and 636.

In response to the objection letters received for the submitted Planning application for a Commercial and Multi-family development on Walkers Road, Georgetown, kindly find below compliance to the Development and Planning Regulations (2015 Revision):

REQUIRED	LETTERS REFERENCE	PROPOSED	COMPLIANCE
Creation of traffic on Walkers Road and South Sound Road	-Proprietor of 14E124 -Proprietor of 14E133 -Proprietor of 14E710 -Proprietor of 6D34 -PO Box 31550 KY1-1207 Proprietor		NRA has performed a full professional review and analysis of the potential traffic issues in the neighbourhood. Their studies have concluded that there are no traffic management issues as the traffic impact would be minimal.
Development access, legal access and effect on the neighbourhood	Proprietors of 14E107, 14E108, 14E109, 14E110, 14E111, 14E112 & 14E115	- The Planning application will be amended to remove entry / exit over 14E107 having no access or discharge on Ellery Merren Drive. - Walkers Road will be the only entry and exit point on the proposed development. Refer to site plan showing the proposed entry/exit (attachment 1).	

<p>Construction process</p>	<p>Proprietors of 14E107, 14E108, 14E109, 14E110, 14E111, 14E112 & 14E115</p>	<p>A Construction Operations Plan will be submitted to the satisfaction of the Director of Planning indicating in sufficient detail how the development would be constructed without interfering with or obstructing adjacent roads and properties (Ellery Merren Dr. and 14E107). The plan shall indicate the location of temporary construction fencing and silt screens along 14E107 boundaries.</p> <p>The development shall be carried out strictly in accordance with the Planning plans and the construction process shall be carried out from 7am to 5pm only.</p> <p>The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.</p> <p>Refer to site plan showing the protection location (attachment 1).</p>	<p>Compliance with section 8(13)(iii) of the Planning Regulations</p>
<p>Development interfering with the privacy of homeowners</p>	<p>Proprietors of 14E107, 14E108, 14E109, 14E110, 14E111, 14E112 & 14E115</p>	<p>Mature vegetation buffer will be implemented along Ellery Merren Drive to provide enough privacy to the existing properties located on the Northern side.</p> <p>A Landscaping plan will be submitted to the Central Planning Authority and shall be subject to review and approval. The Landscaping plan will be prepared following the recommendations of the Draft Cayman Islands Landscaping Guidelines.</p> <p>Refer to site plan showing the proposed buffer (attachment 1)</p>	<p>Compliance with section 31(1) of the Planning Regulations</p>

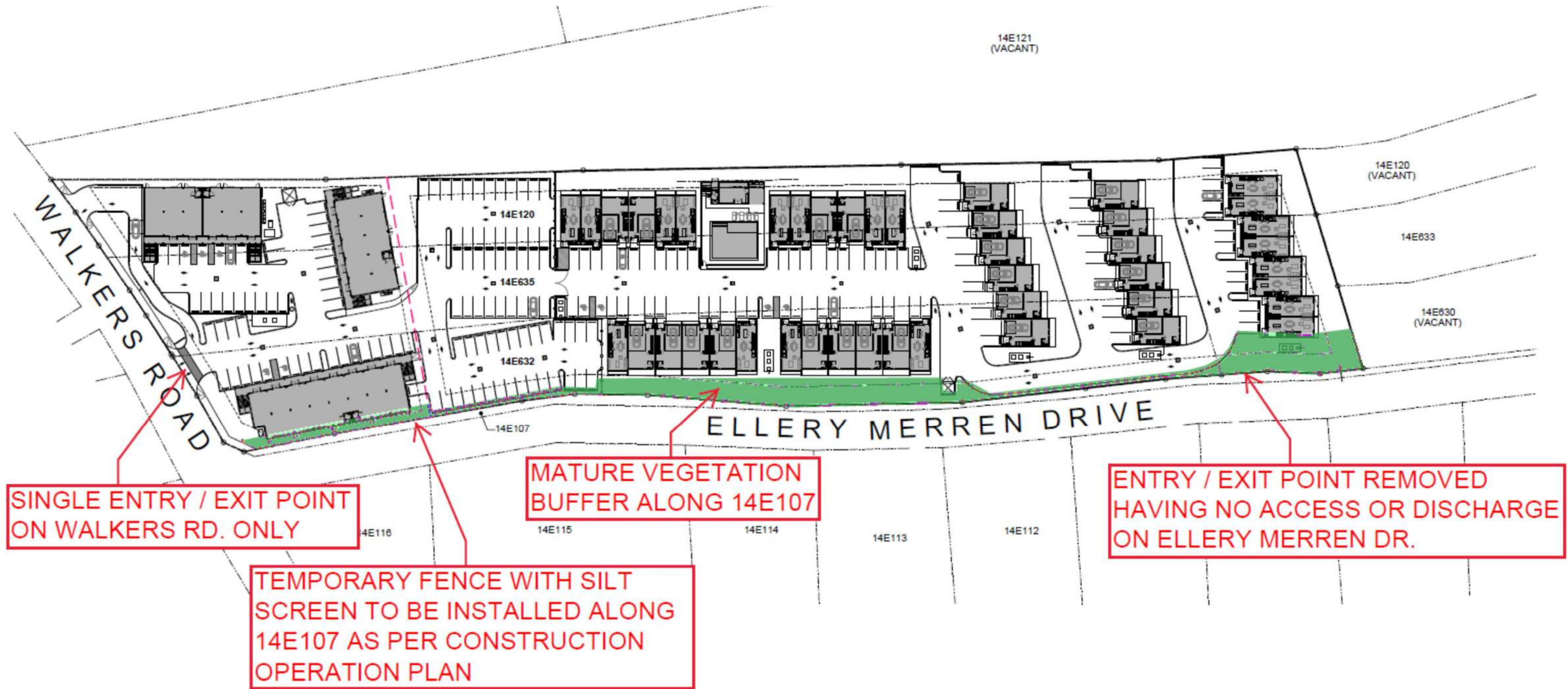
<p>Development inconsistent with the surrounding neighbourhood</p>	<p>- Proprietors of 14E107, 14E108, 14E109, 14E110, 14E111, 14E112 & 14E115 -Proprietor of 14E133 -PO Box 31550 KY1-1207 Proprietor</p>	<p>The characteristics of the proposed development (Commercial and Multi-family) are consistent with the character of the surrounding area.</p> <p>The land use of the proposed commercial buildings on Walkers Road is Neighbourhood Commercial which cater principally for the needs of persons resident in, or in the vicinity of, the zone.</p> <p>The maximum permitted height of a building in a Neighbourhood Commercial Residential zone is 40 feet and the number of stories is three stories, whichever is greater. The height restrictions have been met and no height variance has been applied for.</p> <p>Refer aerial image showing surrounding land uses which are consistent with the proposed development (attachment 2).</p>	<p>Compliance with section 8(13)(i) of the Planning Regulations</p> <p>Compliance with section 13(1)(b) of the Planning Regulations</p> <p>Compliance with sections 8(2)(c), 9(8)(k) and 13(7)(a) of the Planning Regulations</p>
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We would like to thank all neighbours for the valuable time and providing such a clear picture of concerns about your peaceful neighbourhood.

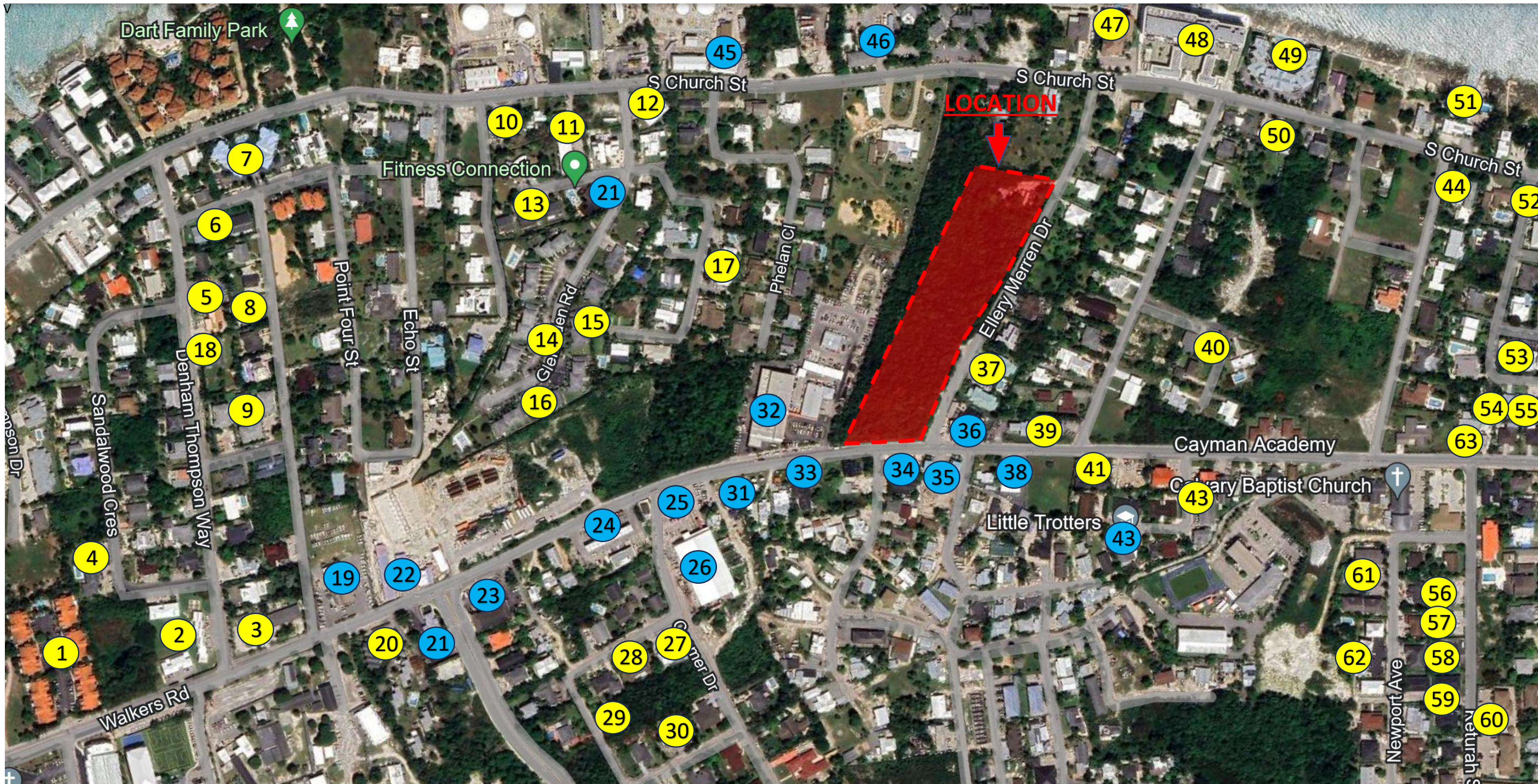
Respectfully,

National Builders Ltd.

SITE PLAN



LOCATION OF PROPOSED PROJECT



- LEGEND**
- # COMMERCIAL BUILDINGS
 - # MULTI FAMILY BUILDINGS



NEIGHBOURHOOD PICTURES

Per section 8(13)(i) of the Planning Regulations, the characteristics of the proposed development (Commercial and Multi-family) are consistent with the character of the surrounding area.



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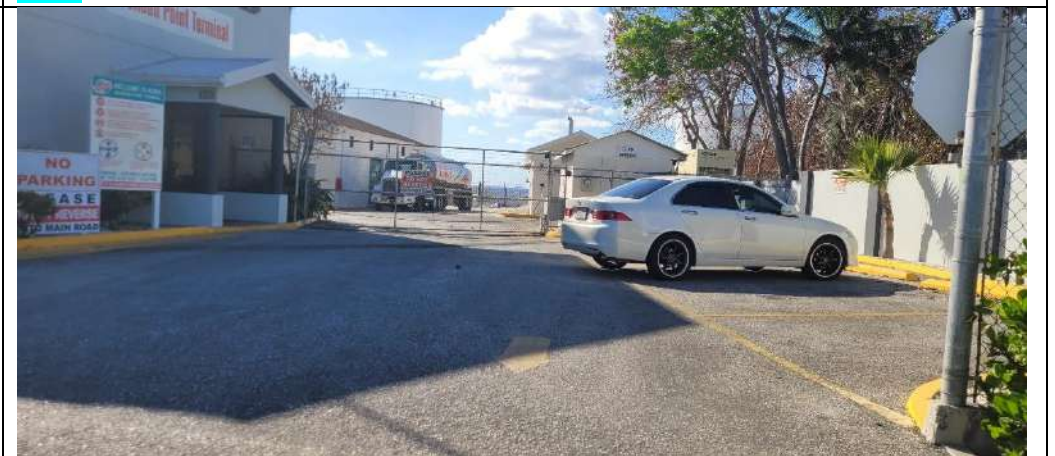
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Appendix B

Popovich, Nicholas

From: Department of Planning
Sent: Tuesday, February 20, 2024 4:43 PM
To: Popovich, Nicholas
Subject: FW: [EXTERNAL] RE: Notice of application for planning permission on Block and Parcels 14E120, 14E632, 14E635, 14E636

From: James Louise <louisealoha@gmail.com>
Sent: Tuesday, February 20, 2024 2:09 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] RE: Notice of application for planning permission on Block and Parcels 14E120, 14E632, 14E635, 14E636

To:
Director of Planning
PO Box 113
Grand Cayman KY1-9000
Cayman Islands

From:
Sir John B Jenkinson BT
PO Box 491
Grand Cayman KY1-1106
Cayman Islands
Tel: 345 949 4075

RE: lots owned by Gregory Edlin Merren, Peter Keoth Watler, Peter Keith Watler, Susan Elizabeth Merren, Lisa Dianne Merren.

I am the owner of 60 Pheian Close Georgetown South 14E Parcel 133, and also the director of Spanish Main Investments Ltd. which owns No 6 and No 12 Phelan Close (my home), Block 6D parcel 30 and 29, and 2 undeveloped lots, Block 6D parcel 33 and 46.

I wish to state my objection to this proposed massive commercial and residential development in what is a small, quiet residential area of South Church Street.

South Church Street is already congested with bumper to bumper traffic for hours in both the morning and afternoon rush hours, and well into the evening.

I have grave concerns about the proposed addition of 7 blocks of townhouses that can only exacerbate what is already an untenable traffic situation, yet alone traffic in and out of 3 retail stores and 2 restaurants on a narrow two lane residential street.

The proposed addition of 3 commercial retail buildings and 2 restaurants have no place in this "old Cayman" residential neighbourhood where most of us have lived for decades, enjoying the simple, peaceful, truly quaint Caymanian character of this street.

The noise factor and congestion will be hugely detrimental to our quality of life, not to mention the potential for drunk drivers leaving 2 proposed restaurants serving liquor, and endangering lives on this small, narrow two lane residential South Church Street.

This proposed commercial and residential development will be yet another abomination in what was once a beautiful quiet residential area with single family Cayman style homes. FIN being the biggest eyesore yet.

Yours sincerely,
John Jenkinson.

BODDENS.

LEGAL & CORPORATE

Our ref: Bodden, Maureen & Maxine & Anderson, Pansy
Direct telephone: 345-623-8261; Email: paul.simon@boddens.ky

21 February 2024

The Director of Planning
P. O. Box 113, Grand Cayman, KY1 9000

Dear Sir,

Subject: Planning application for 14E 120, 14E 632, 14E 635, 14F 636 - P23-1099;
Objection of Maureen & Maxine Bodden (14E158) & Pansy Anderson (14E714)

Bodden & Bodden represents the objectors named above who object to the proposed application for the following reasons:

1. Size of the Proposed Development

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood of single-family homes as the number of units and type of units proposed would change completely the character of this quiet neighbourhood.

Three story buildings are completely inconsistent with the surrounding neighbourhood and would interfere with the quiet enjoyment of their property by homeowners on Ellery Merren Dr and those to the South, including our clients. The residents of this neighborhood, including our clients, are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings.

The inclusion of restaurants in this proposal will add additional lighting and bring patrons and noise to the area late at night and degrade the quiet enjoyment of their neighbourhood by residents.

2. Access to the Proposed Development

There is no legal registered access over 14E 107 in favour of any of the above-mentioned parcels in the proposal.

The development could have access to Walkers Rd, a main public road, and does not need, nor should it have, access to Ellery Merren Dr. This proposal has the potential to add over 100 cars using this side road and which would, at certain times of the day, clog up this side road and would make it nearly unusable for the residents referred to above.

3. Environmental Degredation

The complete clearing of all vegetation, including many mature native species, will cause an adverse effect on the quality of life and property values of the residents of Ellery Merren Dr and our clients.

Our clients wish to be heard at the meeting of the CPA and may make additional points of objection at that meeting.

Yours truly,



Bodden & Bodden

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000



19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2. Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Dr.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3. Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to.

With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

5. Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107. It goes without saying that during construction there should be no use of Ellery Merren Dr for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid

Proprietors 14E Parcel 109
Box 165 KY1 1701



Carla D Reid

Proprietors 14E Parcel 110 and 111
Box 860 KY1 1103


Reba Foster

Kimberly Jane Wood
Proprietor 14E Parcel 108

Tammy Cecile Crighton-Buck Pauline Jane Merren Wood
Proprietors 14E Parcels 107



Thalia V Foster

Proprietor 14E Parcel 112
Box 11711 KY1 1009

Proprietors of Strata Plan # 492

Block 14E Parcel 115

Sharon E Roulstone
P O Box 10979
Grand Cayman KY1-1007
Cayman Islands
Email: cayshay@hotmail.com

February 21, 2024

Director of Planning
P O Box 113
Grand Cayman KY1-9000
Cayman Islands

By Email: planning.dept@gov.ky

Dear Director,

**Re: Block & Parcels 14E120, 14E632, 14E635, 14E636
Objection to Planning Application as Proprietor of 14E99**

I hereby write to object to the application for planning made by International Mall Ltd. in respect of the above parcels.

I am the owner of 14E99 and the daughter of the owner of 14E121. My family, for generations, has owned these parcels of land in the quiet neighbourhood of other generational Caymanian property owners. It is mine and my family's desire to keep this part of George Town a refuge from the overcrowded, impersonal, high traffic, flora & fauna-barren developments that are fast diminishing the quality of life for us all.

The proposed development is entirely out of character with this neighbourhood by its sheer size, purpose and spread. Low density zoning in the planning legislation does not anticipate such a development and if any of us, who are landowners in the area, wanted to change that, we would have applied to rezone it. Our preference to keep the area low density should not be overridden by one developer's desire for profits.

Although the aesthetic of the buildings in the plan is hard to gauge, this development appears to be nothing more than a concrete jungle of glorified breeding boxes. It cannot be overstated, and I repeat it often, that it is entirely out of character for this area and if this is the standard we, as Caymanians, should come to expect, it is a travesty.

It is further repugnant to think that one person's pursuit of profits should trump generational Caymanians' right to their privacy and the quietness this mostly single-family home neighbourhood provides. The proposed height of the buildings alone invades the private spaces

of this neighbourhood and increased traffic in the area means carefree walks, especially for the older landowners, become a hazard. For whose benefit? I come to that point later.

It is an added insult to injury that this developer seeks to commercialise the area with retail buildings, including restaurants, with the expectation that applications for liquor and music & dancing licenses will follow. It goes without saying that this will further diminish the appeal and quality of this neighbourhood, particularly after dark, with the inevitability of noise and increased traffic and potentially crime. The proposed development is an affront to our rights to the quietness we have chosen and cherish, especially at night, something I am sure the developer himself also cherishes but will avoid as it is doubtful he will be living there.

I would like to say at this juncture that my reference to the developer is not in reference to those listed on the application as the owners of these parcels. I recognize they are generational property owners in the area also and I have the greatest respect for them. However, I have been unable to adequately determine who the developer is since the application is made by International Mall Ltd., but the parcels previously owned by the Watler family are now owned by a corporation that is not included in the notice I received. It is therefore difficult to determine what is intended by the application and the roles of those who are listed, and not listed, in it.

My other objection to the application relates to the burden this development will place on the already over-trafficked Walkers Road. The recent storm that blocked portions of South Church Street forced traffic to feed into Melmac Avenue (where I live) and Memorial Avenue, (where my brother & his family live), to connect with Walkers Road to get to & from town. There was an impossible gridlock and that was even with school closures when traffic would have been even heavier. What would normally take 10-15 minutes to get to work at peak traffic time took an hour.

The storm was a one-off event. This development will provide that every single day with some degree of impact, increasing the road time for all who use Walkers Road. I chose to live in George Town so I could avoid traffic and actually have some quality of life in my own yard. With the monstrosity that is this development, which I must stress again, is entirely out of character for this neighbourhood, mine & my family's quality of life diminishes just so the profits of some unknown developer can be maximized.

Whilst there may be a view that the developer has a right to develop the land, this must be balanced by our right not to develop, and choose to protect, ours. It is my hope that the honourable chairman and members of the CPA recognize and give weight to the fact that the importance of the developer's ROI is not more important than the value of my family's enjoyment of their property and quality of life.

It is my intention to appear in person to object to this application. I intend to bring my daughter, the next generation landowner, whose right to continue living peacefully in this neighbourhood, unblemished by excessive development, will hopefully also be considered when the CPA debates this application.

Sincerely,

Sharon Roulstone
Sharon Roulstone



C. Elizabeth Roulstone
75 Boggy Sand Road
P O Box 634
George Town, Cayman Islands

The Department of Planning
Cayman Islands Government
PO Box 113
Grand Cayman KY1-9000
CAYMAN ISLANDS

Via Email

RE: Application by International Mall Ltd

Dear all concerned,

I, as the owner of 14E 121, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

The size, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood which is almost entirely single-family homes.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of this entire area and this large number of units would drastically change the quiet ambience of the community. Adding over 100 cars to the traffic and the additional traffic to the retail businesses will further degrade the quality of life for existing landowners.

The application for two restaurants threatens to impact the quiet family nature of this residential area, and history has proven that an application for a restaurant opens the door to variations of even less acceptable options.

I did not have the ability to see what exactly is designed but we can safely assume that there is no traditional architectural features in the design, nor from the plan can I see any green spaces of any sort. From the drawings supplied it has the appearance of a concrete jungle. Three storey buildings are completely out of character and would interfere with the privacy of adjacent homeowners.

With the complete clearing of all vegetation including many mature native trees this development will materially damage the quality of life and property value of all adjacent landowners.

I am further confused by the application itself: the notice for this development has been sent by "International Mall Ltd", suggesting they are acting on behalf of the Merren and Watler families as the developers. However, a review of the Land Registry shows that the Watler-owned parcels have been re-registered to a "Corporate Suites Ltd.", who do not appear to be a party in the application. This begs the question as to who is actually proposing this development or if this is merely an effort to facilitate a sale of property.

I wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting. If I am unable to attend I will be represented by my children in whom this land will be entrusted.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Roulstone", with a large, decorative flourish at the end. Below the signature, the word "For" is written in a smaller, cursive hand.

C. Elizabeth Roulstone

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000

19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2. Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Dr.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3. Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to.

With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

5. Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107. It goes without saying that during construction there should be no use of Ellery Merren Dr for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid

Proprietors 14E Parcel 109



Carla D Reid

Proprietors 14E Parcel 110 and 111



Reba Foster



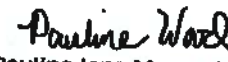
Kimberly Jane Wood

Proprietor 14E Parcel 108



Tammy Cecile Crighton-Buck

Proprietors 14E Parcels 107



Pauline Jane Merren Wood

Thalia V Foster

Proprietor 14E Parcel 112



Proprietors of Strata Plan # 492

Block 14E Parcel 115 - Alan Wright

P23-1099

Popovich, Nicholas

From: Department of Planning
Sent: Friday, February 23, 2024 10:24 AM
To: Popovich, Nicholas
Subject: FW: [EXTERNAL] Objection P23-1099

-----Original Message-----

From: John Fletcher <fletchandsarah@gmail.com>
Sent: Thursday, February 22, 2024 4:54 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] Objection P23-1099

The Director of Planning
PO Box 13
Grand Cayman, KY1 9000

21st February 2024

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14F 636 - P23-1099

I, Claire N Fletcher of unit 4 Grand Villas, Block 14E Parcel 115H4 write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 4 residential units is not in keeping with the single-family homes/ residential neighbourhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2.

Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Drive.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3.

Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which

became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to. With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr. including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107 .

It goes without saying that during construction there should be no use of Ellery Merren Drive for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

I, or my mother Sarah J Fletcher on my behalf, wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Yours faithfully

Claire N Fletcher

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000

19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 638 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2. Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Dr.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3. Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to.

With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

5. Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107. It goes without saying that during construction there should be no use of Ellery Merren Dr for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid

Proprietors 14E Parcel 109



Carla D Reid



Reba Foster

Proprietors 14E Parcel 110 and 111

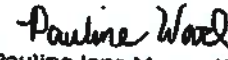


Kimberly Jane Wood

Proprietor 14E Parcel 108



Tammy Cecile Crighton-Buck



Pauline Jane Merren Wood

Proprietors 14E Parcels 107



Proprietors of Strata Plan # 492

Block 14E Parcel 115 - Alan Wight

Thalia V Foster

Proprietor 14E Parcel 112

P23-1099

Popovich, Nicholas

From: Department of Planning
Sent: Friday, February 23, 2024 10:26 AM
To: Popovich, Nicholas
Subject: FW: Objection to P23-1099
Attachments: SP492 Objection Letter.pdf

From: Gollnick, Christian <christian.gollnick@rbc.com>
Sent: Thursday, February 22, 2024 9:47 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] Objection to P23-1099

Ref: Objection to planning permission for development at Block and Parcel 14E120, 14E632, 14E635, 14E636

Dear Sirs:

Please find attached letter of objection to the above Planning Application from the Proprietors of Strata Plan No. 492, 14E115. I second that letter as owner of Block and Parcel 14E115H5.

In addition to those reasons, I would like to point the planning department to the traffic situation in general on Walker's Road. On School mornings, the traffic is already stop-and-go and it takes me 10 minutes or more from Ellery-Merren-Drive to the Four-Way-Stop at the hospital.

I understand that a massive building with 162 apartments on Boiler's Road received the building permission a few weeks ago. Together with this suggested development at Ellery-Merren-Drive there will be more than 200 apartments/houses being built on an already very congested Walker's Road. That will impact the quality of life of the residents of that area of Cayman – and also the schools will be impacted by a traffic that will come to an absolute stand still.

In addition, these parcels are very green and some of the last remaining "jungle-like" lots south of George Town – while I understand that some people want to make money with their piece of land, it is sad to see that such a beautiful natural habitat for so many animals will be destroyed. I have lived in many different parts of Cayman over the last 27 years – but only here I heard regularly woodpeckers and from time to time Cayman Parrots.

In my view, Cayman has grown enough – and to protect the current fragile infrastructure, we should be careful with future projects. Two massive undertakings like Boiler's Road and Ellery-Merren-Drive will bring Walker's Road to a complete stand still. Over the last few weeks I noticed that also the evening traffic leads to stop-and-go on that road.

I believe that the planning department has an obligation to weigh the advantages for a few person against the disadvantages for the broader public – and therefore I respectfully ask the committee not to grant an approval to this application.

Please confirm the receipt of my objection.

Best regards,

Christian Gollnick

PO Box 2232

Grand Cayman KY1-1107

Tel 925 4321

This [email] may be privileged and/or confidential, and the sender does not waive any related rights and obligations. Any distribution, use or copying of this [email] or the information it contains by other than an intended recipient is unauthorized. If you received this [email] in error, please advise the sender (by return [email] or otherwise) immediately. You have consented to receive the attached electronically at the above-noted address; please retain a copy of this confirmation for future reference.

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000

19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2. Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Dr.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3. Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to.

With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

5. Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107. It goes without saying that during construction there should be no use of Ellery Merren Dr for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid

Proprietors 14E Parcel 109



Carla D Reid



Reba Foster

Proprietors 14E Parcel 110 and 111



Kimberly Jane Wood

Proprietor 14E Parcel 108



Tammy Cecile Crighton-Buck



Pauline Jane Merren Wood

Proprietors 14E Parcels 107

Thalia V Foster

Proprietor 14E Parcel 112



Proprietors of Strata Plan # 492

Block 14E Parcel 115 - Alan Wright

P23-1099

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000



19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

The massing, scale, and proportion of this development is totally inconsistent with the surrounding residential neighborhood.

The development of 44 residential units is not in keeping with the single-family homes/ residential neighborhood of Ellery Merren Dr. and this large number of units would drastically change the quiet ambience of the community.

In addition, three storey buildings are completely out of character, is inconsistent with the surrounding neighborhood and would interfere with the privacy of homeowners on Ellery Merren Dr.

2. Development access

The development already has access to Walkers Rd which is a main public road and does not need, nor should it have access to Ellery Merren Dr. The developer clearly intends that the commercial portion of its development should not be interfered with by the traffic from its residential units. Rather, that burden should be borne by the residents of Ellery Merren Dr.

The proposed use of Ellery Merren Dr as access for these units consisting of a total of 70 bedrooms is ludicrous, particularly as it is a dead-end road and only offers access to Walkers Rd which the development site already has. This proposal has the potential to add over 100 cars using this side road and seeks to clog up the infrastructure and inconvenience the owners of an existing residential area.

3. Legal access

There is no legal registered access over 14E 107 in favor of any of the above-mentioned parcels. The original subdivision of 14E parcels 107 - 117 deliberately excluded the adjoining parcels to the south from accessing parcel 117, which became the public road Ellery Merren Dr., and the fact that no registered easement was given over 107 is proof that these parcels were never intended to have the use of that road. Copies of the Register and Easement are attached.

4. Effect on the neighborhood

The residents of this neighborhood are mainly senior citizens and families with children and pets who enjoy the relative quiet of the road to walk in the evenings. The access proposed on Ellery Merren Dr is in fact directly across from the home of a senior citizen who has lived there since 1971, over half a century. The potential addition of so many vehicles using the road would make it unsuitable for these residents to use in the manner that they are accustomed to.

With the complete clearing of all vegetation including many mature native species this development will materially damage the quality of life and property value of the residents of Ellery Merren Dr including direct descendants of Mr Ellery Merren who still live there.

Ellery Merren Dr is already negatively affected from 8am to 5pm by the commercial activity of Vigoro Nursery which has inadequate parking and effectively uses a good portion of this roadway as a parking lot. The inclusion of restaurants in this proposal will no doubt add bright lights and bring patrons to the area late at night and further degrade the quiet enjoyment of residents.

5. Suggestions

The project can be reconfigured to access Walkers Rd only and minimize the negative effects on the adjoining community. All buildings should be limited to no more than two floors, a percentage of the mature vegetation should be retained and an effective green buffer should be maintained on the northern boundary with 14E Parcel 107. It goes without saying that during construction there should be no use of Ellery Merren Dr for any reason and that every effort should be made to ensure that all construction noise is contained to the hours of 7am and 6pm.

We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid



Carla D Reid



Reba Foster

Proprietors 14E Parcel 109
PO Box 165 KY 11701

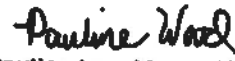
Proprietors 14E Parcel 110 and 111
Box 860 KY 1103



Kimberly Jane Wood



Tammy Cecile Crighton-Buck



Pauline Jane Merren Wood

Proprietor 14E Parcel 108
PO Box 864 KY 1103

Proprietors 14E Parcels 107
PO Box 497 KY 1106

Thalia V Foster

Proprietor 14E Parcel 112

Proprietors of Strata Plan # 492

Block 14E Parcel 115

Director of Planning

Planning.dept@gov.ky

20th February 2024

Jennifer L. Kaufman

61 Phelan Close

925 4156 / 949 4353

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

Dear Sir;

I am the owner of 61 Phelan Close Georgetown South 14E Parcel 124.

I have been notified of an application to construct 3 Retail Buildings , 2 Restaurants, 7 Town house Buildings (actual units not stated) Gym Pool and Club house on the subject property.

Please accept this as my full objection to this proposed huge development to be placed in amongst one of the last quiet residential areas of South Church Street. Traditionally from Memorial Drive to the Intersection of Walkers and South Church has been private residential homes, with some residents living there for up to 50 years , like myself.

South Church Street is already congested with bumper to bumper traffic for hours in both the morning and afternoon rush hours, and well into the evening, Cyclists and Pedestrians take their life in the hands because of the massive amount of traffic. Add to this residents coming and going on down Melmac Rd., and Memorial Drive to get to this development will cause even more gridlock.

The noise factor and congestion will be hugely detrimental to our quality of life, not to mention the potential for drunk drivers leaving 2 proposed restaurants serving liquor, exiting Walkers Rd onto South Street on a daily and nightly basis, this is not acceptable.

The fact that Planning has even entertained this type of proposal , is very worrying. I along with others have grave concerns that our neighborhood will be destroyed, by this proposed development.

I trust that the members of the Planning Board will consider the total and absolute chaos that will follow when the amount of cars and people that will invade this area if this

development is allowed.. remembering that both Walkers Rd and South Church Street are 2 way single lane roads with no space to expand.

Yours truly


Jennifer Kaufman

The Director of Planning
P O Box 113
Grand Cayman, KY1 9000

19 February 2024,

Dear Sir,

RE: Planning application for 14E 120, 14E 632, 14E 635, 14E 636 – P23-1099

We, the undersigned, write to object to the proposed plans as outlined in the above-mentioned application for the following reasons:

1. Development size

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We wish to be heard at the meeting of the CPA and reserve the right to add additional points of objection at that meeting.

Sincerely,



Carla Reid

Proprietors 14E Parcel 109
Box 165 KY 1701



Carla D Reid

Proprietors 14E Parcel 110 and 111
Box 860 KY 1103



Reba Foster

Kimberly Jane Wood

Proprietor 14E Parcel 108

Tammy Cecile Crighton-Buck

Pauline Jane Merren Wood

Proprietors 14E Parcels 107



Thalia V Foster

Proprietor 14E Parcel 112
Box 11711 KY 11009

Proprietors of Strata Plan # 492

Block 14E Parcel 115

P23-1099

Popovich, Nicholas

From: Department of Planning
Sent: Monday, February 19, 2024 3:43 PM
To: Popovich, Nicholas
Subject: FW: [EXTERNAL] Planning Permission Application International Mall Ltd.

From: Shannon Sylvestre <caymanshannon@yahoo.com>
Sent: Monday, February 19, 2024 3:26 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] Planning Permission Application International Mall Ltd.

Good Afternoon,

I reside at Block 14E Parcel 123 and am objecting to the above planning application.

Such a development, in this area, will adversely detract from what has always been known as a residential area of the Island.

With such a development it will also greatly increase the amount of traffic, on the 2 main arteries. that lead to the schools on Walkers Road.

South Church street is already congested, with people coming from the East, going to town and this will cause unnecessary buildup.

Additionally there stands a risk of more accidents, if there are to be restaurants and retail outlets involved.

Is this destination to be added to cruise ship passenger excursions, as it's being labeled as a mall?

Bottom line, I strongly object to this application.

Regards,

Shannon Lather
P.O. Box 31550
Grand Cayman KY1-1207

P23-1099

Popovich, Nicholas

From: Department of Planning
Sent: Tuesday, February 20, 2024 1:22 PM
To: Popovich, Nicholas
Subject: FW: [EXTERNAL] Planning Permission for 14E120, 14E632, 14E635, 14E636

-----Original Message-----

From: Mavis Davies <mavis_59@yahoo.com>
Sent: Tuesday, February 20, 2024 12:37 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] Planning Permission for 14E120, 14E632, 14E635, 14E636

The Director of Planning

Dear Sir,

I refer to the Notice of Application for Planning Permission and submit the following comments in objecting to this application.

The area involved is on a narrow stretch of South Church Street with an existing restaurant close by. I have lived on Phelan Close for the past fifty two years and enjoy the quiet residential aspect.

We already experience traffic congestion as at times patrons of Sunset House park on both sides of Phelan Close and make it extremely dangerous and difficult for residents of Phelan Close to access their homes.

The introduction of retail businesses and another restaurant in such close proximity would change the quiet residential aspect of this part of South Church Street, bring more overspill parking on Phelan Close and South Church Street, and create a traffic hazard for existing residents and others.

Thank you for considering these points in your deliberations.

Sincerely,

Mavis Davies. Owner of 14E710
P.O. Box 525
Grand Cayman KY1-1107

Sent from my iPhone

P O BOX 1832
89 Phelan Close
Georgetown,
Grand Cayman
ewalker@candw.ky
Block and Parcel #s 12E127

From Graham and Elizabeth Walker
Proprietors, owners of 89 Phelan Close.

To Director of Planning
P O box 113
Grand Cayman
KY1-9000

20th February 2024

We strongly object to the application to planning for the proposed development of 14E120, 14E632, 14E635 and 14E636 for the building of retail buildings, restaurants, townhouse buildings, a clubhouse, with gym, and a pool.

This proposal will completely destroy this quiet residential area, cause an enormous increase in traffic volume, which even now, is very bad and very congested due to the close proximity of the schools.

As this area is zoned residential it will become commercial which will contravene the existing regulations.

These plans for such a huge development will go a long way in destroying what little is left of Cayman as a beautiful place to live. We object in the strongest possible terms. It is appalling.

Regards
Graham Walker
Elizabeth Walker

Gina Serrant Knox

24 Orchard Lane
George Town
Grand Cayman, KY1-1010
E: ghew.ida@gmail.com

Sent via email to:
planning.dept@gov.ky

21st February, 2024

Mr. Haroon Pandohie

Director of Planning/Executive Secretary
P.O. Box 113
Grand Cayman, KY1-9000
E: planning.dept@gov.ky

Dear Mr. Pandohie,

Re: Project P23-1099 on Block 14E Parcel 120 Letter of Objection

Please allow this letter to serve as our objection not to the entire project noted above but as specified below. I am writing on behalf of my sibling Mr. Christopher George Serrant and I regarding the current application for planning permission by International Mall Ltd. for the purpose of the following:

- ❖ Proposed three (3) retail buildings including two (2) restaurants
- ❖ Seven (7) Townhouse Buildings comprising of two and three story units
- ❖ One (1) Clubhouse, Gazebo and Gym Building
- ❖ One (1) Pool
- ❖ Auxiliary items including signage and fencing

Our primary objection to this submission is having the access proposed from Ellery Merren Drive to the two and three story low density residential townhouses in the long term as well as the disruption while the construction is in process with trucks and heavy equipment etc. traveling back and forth damaging the existing road for the foreseeable couple of years.

We are keenly aware that there is never enough visitor parking allocated for residential units and having this access from Ellery Merren Drive will undoubtedly encourage public street parking. This will also substantially increase traffic on this dead end residential street.

While we understand that there is an access thru the Neighbourhood Commercially Zoned Development which will be argued as the primary entrance, we are concerned that this will not be used as intended otherwise the entry from Ellery Merren would not have been proposed.

Thank you for your consideration.

Regards



Gina Serrant Knox
Part Owner of Block 14E Parcel 114

Popovich, Nicholas

From: Department of Planning
Sent: Tuesday, February 20, 2024 11:30 AM
To: Popovich, Nicholas
Subject: FW: [EXTERNAL] Planning Permission Application International Mall Ltd

From: Gordon Barlow <barlow@candw.ky>
Sent: Monday, February 19, 2024 8:32 PM
To: Department of Planning <Planning.Dept@gov.ky>
Subject: [EXTERNAL] Planning Permission Application International Mall Ltd

Dear Sirs,

I write as the owner and resident of 30 Phelan Close (Block 6D Parcel 34), and I formally object to the proposed development on Ellery Merren Road.

Every morning and every evening the traffic along South Church Street is chock-a-block, pretty much. Sometimes it stretches as far as Hurley's Roundabout. And the over-spill onto Walkers Road makes that street also bumper-to-bumper. The proposed development would inevitably aggravate the blockages.

South Church is a narrow road with no footpaths, much used by cruise-ship passengers in the mornings and local pedestrians and runners later in the day. Extra traffic would make it even more dangerous.

South Sound Road is already over-built, and worsening the traffic into George Town in the morning and out of GT in the evening - and after school hours at lunchtime and after school - would bring hundreds of vehicles to a stand-still for long periods of time. Sirs... *could the application be deferred until the affected road system was improved?* I don't mean to throw the proposal out forever, but to defer it until the roads issue is solved.

Thanks for your consideration.

Gordon Barlow - resident of Grand Cayman since 1978
(landline phone 949-9108, cell & WhatsApp 517-9872)