

## **Central Planning Authority**

**Agenda** for a meeting of the Central Planning Authority to be held on **April 27, 2022 at 10:00am** in **Conference Room 1038, 1<sup>st</sup> Floor, Government Administration Building, and Elgin Avenue.**

### **12<sup>th</sup> Meeting of the Year**

**CPA/12/22**

**Mr. Ian Pairaudeau (Chair)**

**Mr. Handel Whittaker (Deputy Chair)**

**Mr. Joshua Bernard**

**Mr. Gillard McLaughlin**

**Mr. Charles Russell Jr.**

**Mr. Windel Scott**

**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. Ron Sanderson (Deputy Director of Planning – Current Planning)**

- 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/12/22**

1. 1 Confirmation of Minutes CPA/10/22 held on April 06, 2022 & CPA/11/22 held on 13<sup>th</sup> April 2022. 3
1. 2 Declarations of Conflicts/Interests 3
- 2.1 SHANE ALLENGER (Roland Bodden and Company) Block 61A Parcel 34 (P21-1 112) (BES) 4
- 2.2 JO-ANNE BROWN (ACE Engineering Ltd.) Block 25 Parcel 77 (P21-1147) (\$562,925) (BES) 9
- 2.3 BENIECA THOMPSON (Dweainy Construction) Block 9A Parcel 852 (P21-1236) (\$120,000) (JP) 15
- 2.4 PICKLEBALL CAYMAN LTD. (John Doak Architecture) Blocks 14D Parcels 297 REM1 (P22-0182) (\$1,000,000) (MW) 17
- 2.5 CLEMENT EWERS Block 20C Parcels 108 & 110 (P21-1059) (\$325,170) (BES) 26
- 2.6 ROMEO REID (Craftman's Touch) Block 43E Parcel 128 (P21-0843) (\$150,000) (JP) 31
- 2.7 FINLEY JOSEPHS (Finley Josephs) Block 24E Parcels 25 & 139 (P22-0066) (\$270,000) (NP) 35
- 2.8 DOCTORS HOSPITAL (Arco) Block 14E Parcel 249 Rem 1 (P22-0214) (\$2.5 million) (NP) 41
- 2.9 PUSEY & MILTON (TAG) Block 31A Parcel 103 (P22-0188) (\$958,000) (NP) 45
- 2.10 PUSEY & MILTON (TAG) Block 31A Parcel 103 (P22-0173) (\$10,000) (NP) 50
- 2.11 PHOENIX LTD. (CGMJ) Block 20D Parcel 451 (P21-1189) (\$1.2 million) (NP) 51
- 2.12 JASON & JOADIAN WHEATLE (GMJ Homeplans Ltd.) Block 38B Parcel 601 (P21-0613) (\$17,000) (MW) 56
- 2.13 SABINA HYDES (GMJ Home Plans Ltd) Block 4B Parcel 95 (P21-1020) (\$760,000) (JP) 57
- 2.14 HARBOUR WALK LTD (BDCL Architects) Block 22E Parcel 445 (P21-0711) (\$5000) (JP) 63
- 2.15 MONT JACKSON (Abernethy & Associates) Block 28B Parcel 310 (P22-0158) (\$10,369) (NP) 64
- 2.16 NORMAN BRYAN (Norman Bryan) Block 14C Parcel 355 (P21-1177) (\$1,100) (JP) 68
- 3.0 DEVELOPMENT PLAN MATTERS 69
- 4.0 PLANNING APPEAL MATTERS 69
- 5.0 MATTERS FROM THE DIRECTOR OF PLANNING 69
- 6.0 CPA MEMBERS INFORMATION/DISCUSSION 69

**APPLICANTS ATTENDING THE AUTHORITY'S MEETING**

<b>APPLICANT NAME</b>	<b>TIME</b>	<b>ITEM</b>	<b>PAGE</b>
Shane Allenger	10:30	2.1	4
Jo-Anne Brown	11:00	2.2	9
Benieca Thompson	11:30	2.3	15
Jerry Beck	1:00	2.4	17
Clement Ewers	1:30	2.5	26

**1. 1 Confirmation of Minutes CPA/10/22 held on April 06, 2022 & CPA/11/22 held on 13<sup>th</sup> April 2022.**

**1. 2 Declarations of Conflicts/Interests**

<b>ITEM</b>	<b>MEMBER</b>

## **2.0 APPLICATIONS**

### **APPEARANCES (Items 2.1 to Item 2.5)**

#### **2.1 SHANE ALLENGER (Roland Bodden and Company) Block 61A Parcel 34 (P21-112) (BES)**

Application for a 6 lot subdivision.

**Appearance at 10:30**

#### **FACTS**

<i>Location</i>	off Queens HWY
<i>Zoning</i>	<b>A/R</b>
<i>Notification result</i>	Objectors
<i>Parcel Size proposed</i>	13 acres or (566,280 sq ft)
<i>Parcel Size required</i>	0.50 ac or (21,780 sq ft)
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Subdivision (6-lots)

#### **BACKGROUND**

March 16, 2022 (**CPA/08/22; Item 2.4**) – CPA adjourned the application and re-invited the applicant and objector to appear before the Authority to discuss the application.

The applicant has submitted a revised site plan indicating a 50-ft wide buffer abutting the National Trust's property.

Additionally, the Department forwarded a copy of the revised subdivision plan to the National Trust on April 7, and the Trust advised that...*"I will show this to our Environmental Advisory Board and get back to you as soon as possible."*

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

- 1) Access road width and surface material
- 2) Objector's letter

#### **AGENCY COMMENTS**

Comments from the Water Authority, National Roads Authority, and Department of Environment are noted below.

#### **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).*

*The application site consists of a mixture of primary dry shrubland and forest habitat and man-modified areas as shown in figure 1 below. The parcel to the immediate south*

(65A/48) is owned by the National Trust of the Cayman Islands and is particularly ecologically important as it provides habitat for Blue Iguanas (*Cyclura lewisi*). Blue Iguanas are listed in Part 1 of Schedule 1 to the National Conservation Act, 2013, as being 'protected at all times' and are also listed as **endangered** on the IUCN Red List.

In order to reduce the risk of impact on the neighbouring National Trust parcel, the DOE recommends that the road parcel be shortened so that it does not reach the southern parcel boundary and that an uncleared buffer area of 50ft in width be retained along the southern parcel boundary adjoining 65A/48. DOE also strongly recommends that the building of the road and any clearing should not occur until development is imminent and that any future clearing, filling or development of the resulting parcels should be the subject of a separate consultation with the National Conservation Council.

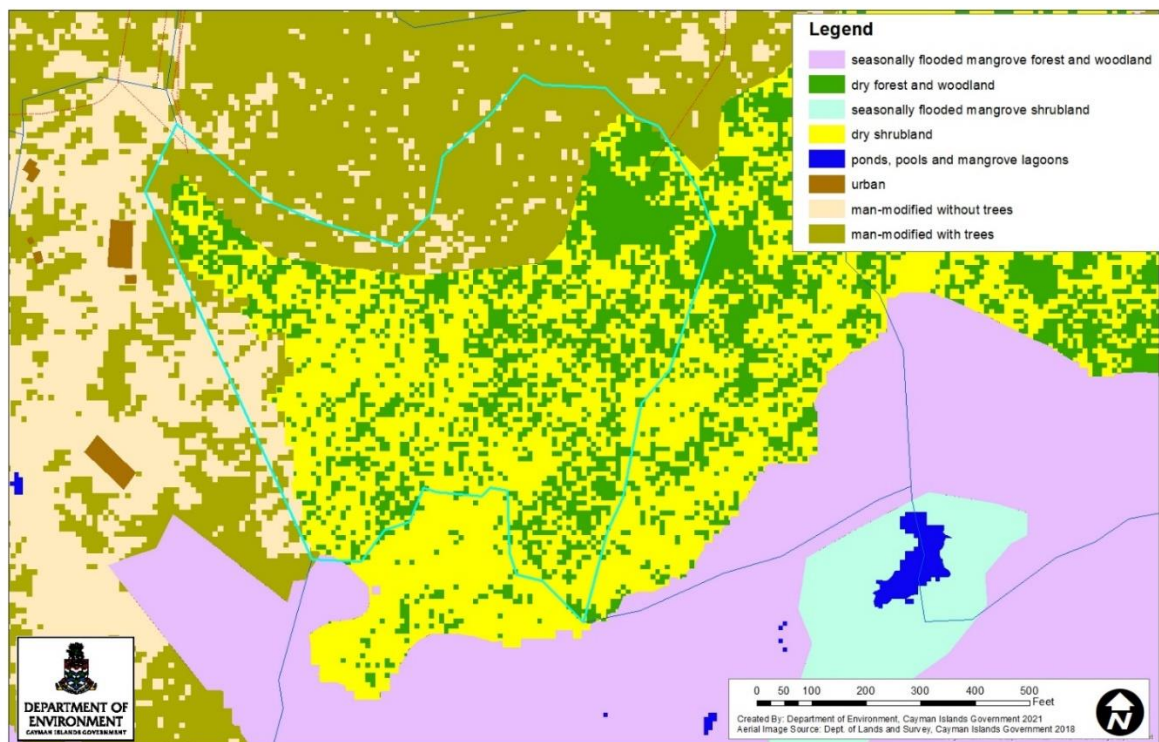


Figure 1: A terrestrial habitat map showing the subject parcel (outlined in blue) showing the man modified areas and the existing dry shrubland and forest (DOE, 2021).

In the future, should the land be brought forward for development, we would strongly recommend the installation of predator fencing to ensure that no domestic animals enter the nearby Salina Reserve, which would present a serious threat to the Blue Iguana population.

### National Roads Authority

As per your memo dated November 26<sup>th</sup>, 2021 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

### Access Issues

***A thirty (30) ft. wide road parcel through Block 61A parcels 22REM1, 26, 27 and 35 will needs to be provided so as to provide adequate access. The NRA does not endorse the use of vehicular ROWs. This access road shall also be HMA to NRA specs.***

### ***Stormwater Management Issues***

*A comprehensive drainage plan needs to be provided by the applicant for the entire project, including the access road to Sea View Road.*

*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.*

*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.*

### ***Water Authority***

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

#### ***Water Supply:***

- Please be advised that connection of the proposed development to the Water Authority's piped water supply system **will require an extension**. It is the policy of the Water Authority – Cayman to extend water distribution lines in public roads for the first 100 feet from the main road at no cost **to the owner**. Extensions exceeding 100ft from the main road on public roads and extensions in non-public areas are done at the owner's expense. The timing of any pipeline extension is at the sole discretion of the Water Authority.*
- The **developer is required to notify the Water Authority's Engineering Department** at 949-2837, without delay, to be advised of the timing of the extension and the site-specific requirements for connection.*

***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.***

**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.*

**OBJECTOR'S LETTER**

*The National Trust for the Cayman Islands (NTCI) is writing to register our objections concerning the development of the above-referenced parcel. As an adjacent landowner, the National Trust has some recommendations regarding the plans that we would like to put forward.*

*Parcel 61A34 is heavily wooded and bordering the Salina Reserve, a National Trust protected area. The Salina Reserve contains a mosaic of habitats, including primary forest, buttonwood wetlands, shrublands, and a sedge wetland covering over 646 acres. The site is almost entirely undisturbed and is home to nearly every living organism in Grand Cayman, including the endemic Blue Iguana. This area is one of the locations for controlled releases of our captive-bred Blue Iguanas as part of our programme to bring this species back from the edge of extinction, resulting in some of the first hatchlings to be born in the wild. Additionally, an abundant population of a small, pink-flowering herb, *Agalinis kingsii*, has been found growing in the margins of the sedge swamps. This plant is unique to Grand Cayman and is only known to occur on one other privately-owned parcel located in Frank Sound. At least three different types of bats also roost in caves on a high forested ridge in the reserve: the Brazilian Free-tailed Bat; the Jamaican Fruit-eating Bat and the Big-eared Bat. Grand Cayman Parrots and White-crowned Pigeons known as "Bald Pates" also nest in the old-growth dry forest; many rare hardwood trees flourish there as well.*

*Due to the critical habitat and endemic species found in this region, the National Trust recommends that the developer follow certain guidelines to limit negative impacts on the area.*

- *We request that the road that is to be built through the parcel be pulled back away from the border with the Salina Reserve.*
- *We also ask that the developer maintain at least a 50 ft buffer along the edge of their property.*
- *Lastly, we urge that the site plans be developed to retain as much natural diversity as possible.*

*We commend the owner for limiting development to one house per parcel and further suggest that only the area needed for the actual building footprint is cleared. Research shows that developing sites with a natural, forested design benefits property values. Studies indicate that the presence of larger trees can add from 3% to 15% to home values while homes that are adjacent to naturalistic parks and open spaces are valued at 8-20% higher than comparable properties elsewhere.<sup>1</sup> If these recommendations are met, we hope to limit the negative consequences of development on the adjacent protected areas with the hope that future generations can have access to the natural wilderness areas that we enjoy today.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The applicant is requesting planning permission to subdivide the above-captioned property into six (6 lots) located off Queen HWY, North East Coast.

The resultant acreage of the lots after the subdivision would be lots#1-4 (one acre lots), Lot# 5 (0.6-acre road lot) and lot# 6 (8.6 acres). Access to the site is via a 15-ft vehicular right of way over 61A22Rem1.

The application complies with the minimum requirements of the Development and Planning Regulations regarding lot sizes and lot widths.

### **Zoning**

The property is zoned Agricultural Residential.

### **Specific Issues**

#### **1) Access Road to Property**

As noted on the Land Register, the subject parcel has registered 15' vehicular rights-of-way over several other parcels leading to Queens Highway. Cayman Land Info and Google Earth map show that the access road to the subject property as a marl road. A 30' subdivision road parcel will provide access for the proposed subdivision lots. The Authority needs to determine if the 15' access road is sufficient to accommodate the development on the proposed lots, in terms of width and surface material.



**2.2 JO-ANNE BROWN (ACE Engineering Ltd.) Block 25 Parcel 77 (P21-1147) (\$562,925) (BES)**

Application for three (3) townhouses.

**Appearance at 11:00**

**FACTS**

<i>Location</i>	Birch Ave, Prospect Subdivision
<i>Zoning</i>	<b>LDR</b>
<i>Notification result</i>	No Objectors
<i>Parcel Size Proposed</i>	0.25 ac. (10,890 sq. ft.)
<i>Parcel Size Required</i>	25,000 sq. ft.
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Same as above
<i>Building Size proposed</i>	4,350 sq. ft.
<i>Building Site Coverage</i>	19.9%
<i>Allowable Units</i>	3
<i>Proposed Units</i>	3
<i>Allowable bedrooms</i>	6
<i>Proposed bedrooms</i>	6
<i>Required Parking</i>	5
<i>Proposed Parking</i>	6

**BACKGROUND**

February 16, 2022 (**CPA05/22; Item 2.11**) – CPA adjourned the application and invited the applicant to appear before the Authority to discuss concerns regarding the deficient lot size.

No additional information has been submitted.

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

- 1) Lot size (10,890 sq ft vs. 25,000 sq ft) -Regulation 9(8)(f)

**AGENCY COMMENTS**

Comments from the Department of Environment, Department of Environmental Health, Fire Service, National Roads Authority and Water Authority are noted below.

## 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).*

*The application site is man-modified and of limited ecological value. We recommend that the applicant plants and incorporates native vegetation in the landscaping scheme. Native vegetation is best suited for the habitat conditions of the Cayman Islands resulting in vegetation that requires less maintenance which makes it a very cost-effective choice.*

## Department of Environmental Health

### **Solid Waste Facility:**

1. *DEH has no objections to the proposed in principle. This development require six (3) thirty three (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.*

## Fire Service

The CFO approved the site layout.

## National Roads Authority

*As per your memo dated November 5<sup>th</sup>, 2021 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.*

### **Road Capacity Issues**

*The traffic demand to be generated by a residential development of three (3) multi-family units has been assessed in accordance with ITE Code 220. 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 Birch Ave is as follows:*

<b><i>Expected Daily Trip</i></b>	<b><i>AM Peak Hour Total Traffic</i></b>	<b><i>AM Peak 20% In</i></b>	<b><i>AM Peak 80% Out</i></b>	<b><i>PM Peak Hour Total Traffic</i></b>	<b><i>PM Peak 65% In</i></b>	<b><i>PM Peak 35% Out</i></b>
<b><i>20</i></b>	<b><i>2</i></b>	<b><i>0</i></b>	<b><i>2</i></b>	<b><i>2</i></b>	<b><i>1</i></b>	<b><i>1</i></b>

*Based on these estimates, the impact of the proposed development onto Birch Ave is considered to be minimal.*

### **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. Please applicant revise site plan.***

*A six (6) foot sidewalk shall be constructed on Birch Ave, 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 Birch Ave. 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.*

### **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 1,250 US gallons for the proposed, based on the following calculations:*

<b>BUILDING</b>	<b>UNITS/BLDG</b>	<b>GPD/UNIT</b>	<b>GPD</b>
<i>Proposed Townhouse</i>	<i>3 x 2-Bed Units</i>	<i>225gpd/2-Bed Unit</i>	<b>675</b>
<b>TOTAL</b>			<b>GPD</b>

- *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.** 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 4'8" 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).*
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.*

### **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.***

### **APPLICANT'S LETTER**

*The project is focused on providing 3 dwelling units. To meet this objective, my client respectfully requests consideration for a variance from the Planning Authority, regarding the lot size under planning regulation 8 (13). I note the following points in relation to this request:*

- 1) *There are currently a few similar size lots in close proximity that have existing 3-unit apartments;*
- 2) *We have also not received any objections to the proposed project.*

*The characteristics of the proposed development are consistent with the character of the surrounding area and will not be materially detrimental to persons residing in the vicinity, to the adjacent properties or the surrounding neighbourhood.*

*Thank you in advance for your review and consideration. Please let us know if you have any questions.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application is for three (3) townhouses (4,350 sq ft) at the above-caption property. The site is located on Birch Ave, Prospect Subdivision.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Suitability**

Pursuant to Regulation 9(8) of the Development and Planning Regulations (2021 Revision), apartments are permissible in suitable locations. The surrounding land uses in the area are as follows:

- 25B487-Apartments with a lot size of (0.2290 acre) or 9,975.24 sq ft
- 25B458-Apartments with a lot size of (0.2292 acre) or 9,983.95 sq ft
- 25B457-Apartments with a lot size of (0.2289 acre) or 9,970.88 sq ft
- 25B361-Duplex with a lot size of (0.2292 acre) or 9,983.95 sq ft
- 28B78-Apartments with a lot size of (0.5 acre) or 24,780 sq ft.

Based on the above surrounding land uses in the area, the Authority is to determine if the proposed site is a suitable location for apartments.

## 2) Lot Size

The proposed lot size is 0.25 acre (10,890 sq. ft.), whereas the minimum required lot size is 25,000 sq ft per regulation 9(8)(f) of the Development and Planning Regulations (2020 Revision).

### 2.3 BENIECA THOMPSON (Dweainy Construction) Block 9A Parcel 852 (P21-1236) (\$120,000) (JP)

Application for a pool.

**Appearance at 11:30**

#### **FACTS**

<i>Location</i>	Plumbago Way, West Bay
<i>Zoning</i>	<b>LDR</b>
<i>Notification result</i>	Objector
<i>Parcel size proposed</i>	0.2667 ac. (11,617.45 sq. ft.)
<i>Current use</i>	Residential

#### **BACKGROUND**

August 30, 2018 (**Administrative Approval**) – application for a house approved (P18-0621)

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

- 1) Rear setback variance (10' v 20')

#### **APPLICANT'S LETTER**

*We are applying for variances for Rear Setback variance on Block 9A & Parcel 852 to construct a pool*

*Based on the design and space at the rear we are 10 feet from the property line which required to be 20 feet.*

*Therefore we are applying for a setback variance of 10 feet to construct pool.*

*Based on our reseach of developments in the area with similar issues, indicate that this development would not change the aesthetics of the area.*

*With respect Section 8(13) of The Development and Planning Regulations (2018 Revision).*

*(i) The characteristics of the proposed development are consistent with the character of*

*the surrounding area.*

*(iii) 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.*

*We trust that the Department will grant the requested variances for this development.*

## **OBJECTIONS**

*My wife and I are the registered proprietors of the above mentioned Properties. We have received notification from Benecia Thompson proprietor of an adjoining lot 9a 852 dated Feb 16 2022 certifying that the notice was sent by Registered Mail, however it was mailed by regular post on February 25 2022 and only received by me on Mar 3, (see copy of Post Mark and notice) for a **Pool with only 10 feet rear setback variance from the normal 20 feet rear setback, on Parcel 9A 852.***

*We strongly object to the granting of planning approval variance as requested.*

*We believe that the established guidelines for setbacks are to be enforced to engender orderly development and privacy.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application site is located within a newly established subdivision. Existing residential lots are sited to the north and south, vacant land bounds the site to the west and the subdivision road provides access from the east.

The application seeks Planning Permission for the installation of a swimming pool.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Rear setback**

Regulation 9(8)(i) requires a rear setback of 20'. The application seeks Planning Permission for a 10' setback.

Members are invited to consider the content of the variance letter as part of their deliberations.



**2.4 PICKLEBALL CAYMAN LTD. (John Doak Architecture) Blocks 14D Parcels 297 REM1 (P22-0182) (\$1,000,000) (MW)**

Application for a sports/recreational facility with bar/restaurant that also includes:

- 12 pickleball courts
- 3 tennis courts including fences
- 2 cricket batting cages & fences
- playground
- Admin building
- gardens & ancillary structures

**Appearance at 1:00**

**FACTS**

<i>Location</i>	Corner of Smith Rd. & Bobby Thompson Way., George Town
<i>Zoning</i>	<b>Medium Density Residential</b>
<i>Notification result</i>	Objections
<i>Parcel size proposed</i>	5.0 ac. (217,800 sq. ft.)
<i>Current use</i>	Vacant
<i>Proposed building size</i>	5,208 sq. ft.
<i>Total building site coverage</i>	2.39% (14.37% Parking)
<i>Required parking</i>	24.24 spaces
<i>Proposed parking</i>	78 spaces

**BACKGROUND**

March 16, 2022 – Land Clearing & Filling (5 Acres) – the application was considered and it was resolved to refuse planning permission.

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

- 1) Zoning
- 2) Concerns of the objector

**AGENCY COMMENTS**

Comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment (NCC) are noted below.

**Water Authority**

The Water Authority's requirements for the proposed development 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 7,598 US gallons per day (gpd), based on the following calculations.***

<b>BUILDING</b>	<b>UNITS/BLDG</b>	<b>GPD/BLDG</b>	<b>GPD</b>
Bar/Kitchen	4,126 sq. ft.	4,126 x 1.8 (restaurant factor)	7,426.8
Admin Office/Retail	1,082 sq. ft.	1,082 x 0.15 (office/retail factor)	162.3
<b>TOTAL</b>			<b>7598.1 GPD</b>

- ***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. 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 5'1" 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.***

#### **Grease Interceptor Required**

***A grease interceptor with a minimum capacity of 3,000 US gallons is required to pre-treat flows from kitchen fixtures and equipment with grease-laden waste; e.g., pot sinks, pre-rinse sinks; dishwashers, soup kettles or similar devices; and floor drains. The outlet of the grease interceptor shall be plumbed to the sanitary sewage line leading to the ATU.***

#### **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.***

If there are questions or concerns regarding the above, please email them to:  
[development.control@waterauthority.ky](mailto:development.control@waterauthority.ky)

### **National Roads Authority**

*As per your memo dated March 16<sup>th</sup> 2022 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 access off of Smith Road will need to comply with the proposed access management plan for BP615 which was approved by the NRA Board on October 19<sup>th</sup> 2020, please see schematic below. The applicant, who is leasing the property, will need to work with the property owner to have one access point off of Smith Road, as per this plan.*

*The applicant as noted on drawing SF201 per the land clearing application (Your Ref: P22-0055), denotes a future road between this application and vacant land for a future development. This proposed road could be used for this application as the single shared access for this development and all future developments for the said parcel, please see schematic below.*

*The NRA has designed the access management plan in such a way so as to reduce the number of conflict/access points on/off Smith Road as well as to shift the access point as far away from the signal as possible while also trying to give the property a viable access point off of Smith Road.*

*The exit only onto Bobby Thompson Way meets the requirements of the Approved Access Management Plan; Bobby Thompson Way will be a divided highway with a median. Please have the applicant place signage and road markings denoting the exit only onto Bobby Thompson Way.*

**Key to Map**

- Revision to BP615 - October 15 2020
- Revision to BP615 - October 15 2020
- Parcels
- Shared Access - Left-In/Left-Out
- Individual Access - Left-In/Left-Out

**Map Details:**

- The map shows the intersection of 140th Street and 150th Street, with 140th Street running north-south and 150th Street running east-west.
- Proposed access points are marked with purple asterisks (\*).
- Individual access points are marked with blue double-headed arrows.
- The map includes a scale bar (0 to 2,100 feet) and a north arrow.
- Parcel numbers are visible throughout the map, including 140238, 140237, 140236, 140235, 140234, 140233, 140232, 140231, 140230, 140229, 140228, 140227, 140226, 140225, 140224, 140223, 140222, 140221, 140220, 140219, 140218, 140217, 140216, 140215, 140214, 140213, 140212, 140211, 140210, 140209, 140208, 140207, 140206, 140205, 140204, 140203, 140202, 140201, 140200, 140199, 140198, 140197, 140196, 140195, 140194, 140193, 140192, 140191, 140190, 140189, 140188, 140187, 140186, 140185, 140184, 140183, 140182, 140181, 140180, 140179, 140178, 140177, 140176, 140175, 140174, 140173, 140172, 140171, 140170, 140169, 140168, 140167, 140166, 140165, 140164, 140163, 140162, 140161, 140160, 140159, 140158, 140157, 140156, 140155, 140154, 140153, 140152, 140151, 140150, 140149, 140148, 140147, 140146, 140145, 140144, 140143, 140142, 140141, 140140, 140139, 140138, 140137, 140136, 140135, 140134, 140133, 140132, 140131, 140130, 140129, 140128, 140127, 140126, 140125, 140124, 140123, 140122, 140121, 140120, 140119, 140118, 140117, 140116, 140115, 140114, 140113, 140112, 140111, 140110, 140109, 140108, 140107, 140106, 140105, 140104, 140103, 140102, 140101, 140100, 140099, 140098, 140097, 140096, 140095, 140094, 140093, 140092, 140091, 140090, 140089, 140088, 140087, 140086, 140085, 140084, 140083, 140082, 140081, 140080, 140079, 140078, 140077, 140076, 140075, 140074, 140073, 140072, 140071, 140070, 140069, 140068, 140067, 140066, 140065, 140064, 140063, 140062, 140061, 140060, 140059, 140058, 140057, 140056, 140055, 140054, 140053, 140052, 140051, 140050, 140049, 140048, 140047, 140046, 140045, 140044, 140043, 140042, 140041, 140040, 140039, 140038, 140037, 140036, 140035, 140034, 140033, 140032, 140031, 140030, 140029, 140028, 140027, 140026, 140025, 140024, 140023, 140022, 140021, 140020, 140019, 140018, 140017, 140016, 140015, 140014, 140013, 140012, 140011, 140010, 140009, 140008, 140007, 140006, 140005, 140004, 140003, 140002, 140001, 140000, 139999, 139998, 139997, 139996, 139995, 139994, 139993, 139992, 139991, 139990, 139989, 139988, 139987, 139986, 139985, 139984, 139983, 139982, 139981, 139980, 139979, 139978, 139977, 139976, 139975, 139974, 139973, 139972, 139971, 139970, 139969, 139968, 139967, 139966, 139965, 139964, 139963, 139962, 139961, 139960, 139959, 139958, 139957, 139956, 139955, 139954, 139953, 139952, 139951, 139950, 139949, 139948, 139947, 139946, 139945, 139944, 139943, 139942, 139941, 139940, 139939, 139938, 139937, 139936, 139935, 139934, 139933, 139932, 139931, 139930, 139929, 139928, 139927, 139926, 139925, 139924, 139923, 139922, 139921, 139920, 139919, 139918, 139917, 139916, 139915, 139914, 139913, 139912, 139911, 139910, 139909, 139908, 139907, 139906, 139905, 139904, 139903, 139902, 139901, 139900, 139899, 139898, 139897, 139896, 139895, 139894, 139893, 139892, 139891, 139890, 139889, 139888, 139887, 139886, 139885, 139884, 139883, 139882, 139881, 139880, 139879, 139878, 139877, 139876, 139875, 139874, 139873, 139872, 139871, 139870, 139869, 139868, 139867, 139866, 139865, 139864, 139863, 139862, 139861, 139860, 139859, 139858, 139857, 139856, 139855, 139854, 139853, 139852, 139851, 139850, 139849, 139848, 139847, 139846, 139845, 139844, 139843, 139842, 139841, 139840, 139839, 139838, 139837, 139836, 139835, 139834, 139833, 139832, 139831, 139830, 139829, 139828, 139827, 139826, 139825, 139824, 139823, 139822, 139821, 139820, 139819, 139818, 139817, 139816, 139815, 139814, 139813, 139812, 139811, 139810, 139809, 139808, 139807, 139806, 139805, 139804, 139803, 139802, 139801, 139800, 139799, 139798, 139797, 139796, 139795, 139794, 139793, 139792, 139791, 139790, 139789, 139788, 139787, 139786, 139785, 139784, 139783, 139782, 139781, 139780, 139779, 139778, 139777, 139776, 139775, 139774, 139773, 139772, 139771, 139770, 139769, 139768, 139767, 139766, 139765, 139764, 139763,





### **Road Capacity Issues**

The traffic demand to be generated by the above proposed development of 15 Courts (12 Pickleball Courts and 3 Tennis Courts) has been assessed in accordance with ITE Code 490 – Tennis Courts. The anticipated traffic to be added onto Smith Road is as follows:

<i>Expected Daily Trip</i>	<i>AM Peak Hour Total Traffic</i>	<i>AM Peak In</i>	<i>AM Peak Out</i>	<i>PM Peak Hour Total Traffic</i>	<i>PM Peak In</i>	<i>PM Peak Out</i>
<b>466</b>	<b>25</b>	<b>N/A</b>	<b>N/A</b>	<b>58</b>	<b>N/A</b>	<b>N/A</b>

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

### **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. **Please have applicant adjust.**

A six (6) foot sidewalk shall be constructed on Smith Road and Bobby Thompson Way, within the property boundary, to NRA standards. **Please have applicant comply.**

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 Smith 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 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**

*This application is recommended for approval.*

### **Solid Waste Facility:**

*This development will require (2) 8 cubic yard containers with three times per week servicing.*

***Table 1: Specifications for Onsite Solid Waste Enclosures***

<i>Container size (yd3)</i>	<i>Width (ft)</i>	<i>Depth (ft)</i>	<i>Height (ft)</i>	<i>Slab Thickness (ft)</i>	<i>Requirements</i>
8	10	10	5.5	0.5	Water (hose bib), drain, Effluent Disposal well; guard rails

**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](mailto:development.control@waterauthority.ky) for deep well details.*

**Bar:**

*The following must be submitted for review at the BCU stage:*

- 1. The floor plan*
- 2. The approved BCU hood details.*
- 3. Specifications for the hot water heater.*
- 4. Specifications for all kitchen equipment.*

**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).*

*The majority of the site is occupied by primary semi-permanently flooded grassland habitat. These freshwater grasslands are a diminishing habitat type in Cayman. According to the National Biodiversity Action Plan 2.T3.2, this habitat type is dominated by Bullrush (Typha) *Typha domingensis*. A clearing and filling application was submitted in January 2022 (P22-0055). We are encouraged to see that application (P22-0055) has been adjourned until this planning application for development (P22-0182) has been considered.*

*We note that the National Roads Authority is likely to have comments regarding entry and egress to the development given the proximity to a major intersection. We also note that the existing site has a low elevation and that there is a higher elevation ridge to the southeast of the application site (Figure 1). The habitat type (semi-permanently flooded grassland) indicates the presence of standing water and that the site likely receives surface water run-off from the surrounding area. Therefore, the reduction in drainage capacity caused by developing the Pickleball Club may cause or exacerbate flooding of the road and surrounding area.*

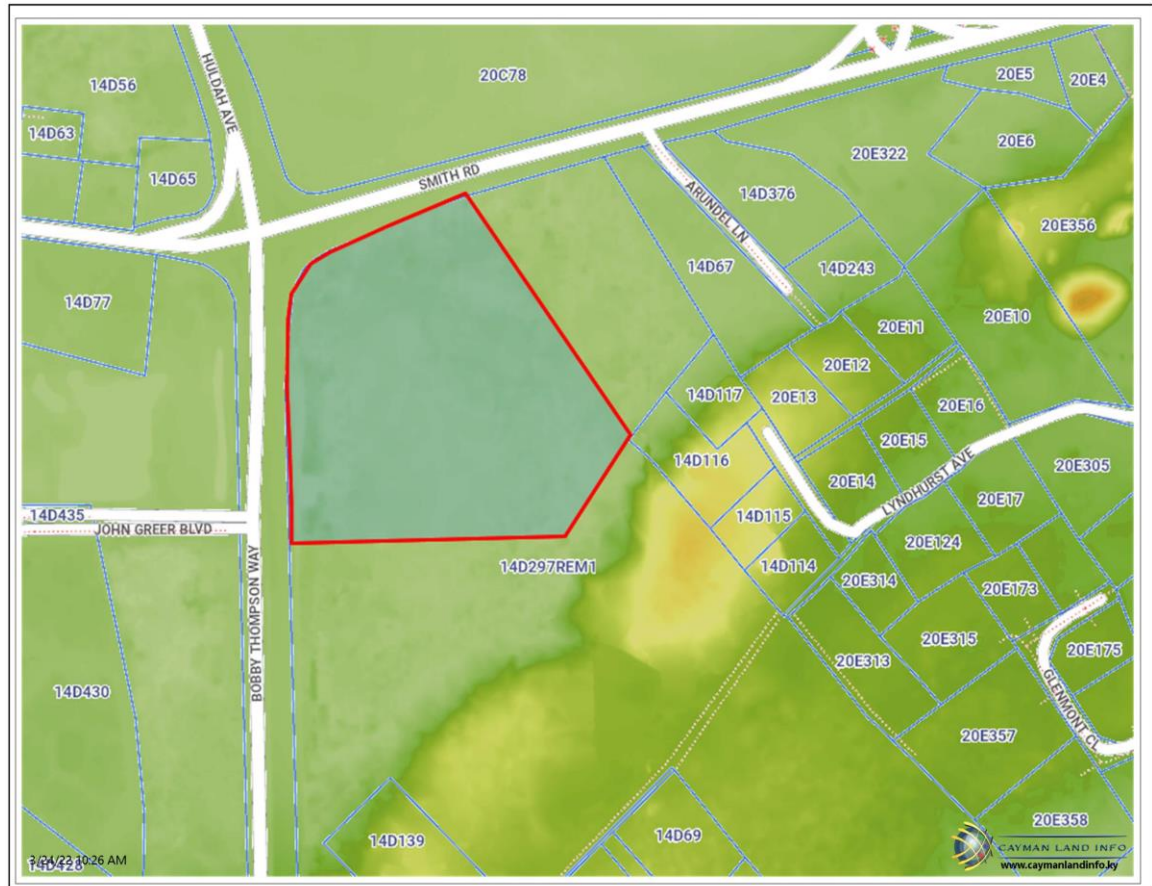


Figure 1. The terrain at the site, with a higher elevation ridge to the southeast of the application site.

*Should the Central Planning Authority or Planning Department be minded to grant planning permission for the development, the DoE recommends the following:*

- *A stormwater management plan is prepared for the site to mitigate against the inundation of the surrounding area. We also recommend the use of permeable court and paving solutions to aid in stormwater management.*
- *No clearing and/or filling shall take place until planning permission for the development has been granted and the development of the Pickleball Club is imminent.*

*We also recommend that native vegetation is used where possible, especially to provide a noise and air quality barrier along Smith Road and Bobby Thompson Way. Native vegetation is best suited for the habitat conditions of the Cayman Islands, requiring less maintenance and less supplemental irrigation, meaning once it is established, landscaping with native vegetation is a very sustainable and cost-effective choice. Landscaping with native vegetation also has a positive impact on our islands' biodiversity by providing habitat and food for native fauna.*



## **Fire Department**

Approved for Planning Permit Only 29 Mar 22

### **OBJECTIONS**

*I would like to formally object to the plans submitted for Pickleball Cayman Ltd. 30255 KY1- 1202. Halfway pond is a quiet, low-density historical George Town neighborhood set on the outskirts of the last remaining land that is the Ironwood Forest. I am concerned about the light and noise pollution that will come from this new development from the lighting of the courts, as well as the sounds of the sport taking place. In addition, there is a proposed bar which would contribute to noise pollution. We would like to see how pickleball Cayman will address this and have measures in place that will not disrupt our neighborhood peace for families with children such as our own.*

*The proposed land is also home to the endemic plant species Old George and the Cayman Ghost orchid, species only found in this forest. We would like to hear how the developers will conserve and also integrate the flora and fauna into their plans.*

### **PLANNING DEPARTMENT ANALYSIS**

#### **General**

The application is for a (12) Pickleball Courts & (3) Tennis Courts including fences to each court, (2) Cricket Batting Cages & Fences, Playground, Admin Building; 1,082 sq. ft. & Recreational Building (Bar/Restaurant); 4,126 sq. ft., Gardens & Structures including Removable Shade Sails & Canvas Coverings & Entrance Gateway to be located on corner of Smith Rd. & Bobby Thompson Way., George Town.

The proposed development meets all requirements regarding site coverage, lot size & setbacks for the Medium Density Residential Zone. There are (78) proposed parking spaces which if calculated on a Commercial basis of 1 per 300 sq. ft. & 1 per 200 sq. ft. for the bar/ restaurant only 24 spaces would be required therefore the applicant exceeds the minimum amount of spaces required.

#### **Zoning**

The property is zoned Medium Density Residential.

#### **Specific Issues**

##### **1) Zoning**

Regulation 9(3) states that commercial development and recreational facilities may be allowed in a residential zone in suitable locations and if details of the application have been advertised twice and the Authority is of the view that no objections have been received that raise grounds to refuse permission.

In this instance, the Authority must first determine if the site is a suitable location for the proposed use. In that regard, an overview of the proposed site shows the

surrounding area to be primarily residential homes, duplexes, apartments and vacant parcels within the nearby vicinity. However across the street (Smith Road) the existing Cricket Oval is located on Block 20C Parcel 78 and there is a commercial building on 14D 65.

Secondly, the Authority must determine if the objector has raised grounds to refuse permission.

## **2.5 CLEMENT EWERS Block 20C Parcels 108 & 110 (P21-1059) (\$325,170) (BES)**

Application to modify planning permission to convert an office unit on the ground floor to a dwelling unit to create a duplex.

### **Appearance at 1:30**

#### **FACTS**

<i>Location</i>	Cico Avenue, George Town
<i>Zoning</i>	<b>G. COM</b>
<i>Notice requirements</i>	No Objectors
<i>Parcel size</i>	1.026 AC/44,431 sf
<i>Current use</i>	Vacant
<i>Proposed use</i>	Multi-use
<i>Building footprint</i>	18,549 sq. ft.
<i>Building area</i>	19,633 sq. ft.
<i>Parking required</i>	23
<i>Parking provided</i>	24
<i>Site coverage</i>	42%

#### **BACKGROUND**

March 01, 2022 (**CPA/06/22; Item 2.12**) - CPA adjourned the application and invite the applicant to appear before the Authority to discuss concerns regarding the proposed residential development on the ground floor which is contrary to Regulation 13(8).

Subsequent to the adjournment, the applicant submitted the following letter:

*W&W would like to thank you for the letter dated 15th March 2022, RE: Clement Ewers. Our client would like to develop Building D into a Duplex.*

*We know such building is contrary to Regulation 13 (8) however, the duplex footprint will only be 1,083 SQ.FT. which works out to be 5.50% of the approved site coverage.*

*Variance can be given under Regulation 8 (13) B (3).*

*The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.*

*My client will use this duplex for his staff and it will help as on-site security, also because their work place is just next door.*

*We are looking forward for your good office for consideration and approval of the variance request. Thank you in advance in this matter.”*

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

- 1) Residential development on the ground floor and Regulation 13(10)(b).
- 2) Applicant’s letter

**AGENCY COMMENTS**

Comments from the Water Authority, Department of Environment, National Roads Authority, Fire Service and Department of Environmental Health are noted below.

**Water Authority**

*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. Requirements for the proposed 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 2,850 US gallons per day (gpd), based on the following calculations.*

<b><i>BUILDING</i></b>	<b><i>UNITS/BLDG</i></b>	<b><i>GPD/UNIT</i></b>	<b><i>GPD</i></b>
<i>Building A</i>	<i>7 x W/C</i>	<i>150gpd/W/C</i>	<i>1,050</i>
<i>Building B</i>	<i>7 x W/C</i>	<i>150gpd/W/C</i>	<i>1,050</i>
<i>Building C</i>	<i>2 x W/C</i>	<i>150gpd/W/C</i>	<i>300</i>
<i>Building D</i>	<i>2 x 2-Bed Units</i>	<i>225gpd/2- Bed</i>	<i>450</i>
<b><i>TOTAL</i></b>			<b><i>2,850 GPD</i></b>

- *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. 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 4'8" 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. The developer is advised that if high-water-use tenants; e.g., food service, laundry, etc., are anticipated, provision should be made at this stage by providing details so that the requirements can be adjusted accordingly. Any future change-of-use applications to allow for a high-water-use will require an upgrade of the wastewater treatment system which, depending on the use, may include in-the-ground interceptors for grease or oil-grit or lint, and depending on the volume, an upgrade to an Aerobic Treatment Unit.*

#### **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.***

#### **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). The Department of Environment confirms that we have no comments at this time.*

#### **National Roads Authority**

*As per your memo dated November 29<sup>th</sup>, 2021 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 regarding the above proposed modification.***

## Fire Department

The CFO approved the site layout.

## Department of Environmental Health

### Solid Waste Facility:

*This development requires (2) 8 cubic yard container with once per week servicing.*

**Table 1: Specifications for Onsite Solid Waste Enclosures**

Container size (yd3)	Width (ft)	Depth (ft)	Height (ft)	Slab Thickness (ft)	Requirements
8	10	10	5.5	0.5	Water (hose bib), drain, Effluent Disposal well; guard rails

### **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](mailto:development.control@waterauthority.ky) for deep well details.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application is to modify planning permission to convert an office unit on the ground floor to create a duplex at the above-captioned property. The site is located on Cico Avenue, George Town.

### **Zoning**

The property is zoned General Commercial

### **Specific Issue**

#### **1) Residential on ground floor**

Per Regulation 13(8), residential development is permissible if the development is not on the ground floor of the building and does not occupy more than 80% of the gross floor area of the building. In this instance, the conversion of the ground floor office to a dwelling unit will be contrary to the stated Regulation.

Regulation 13(10) does state that notwithstanding 13(8), residential development can be on any or all floors 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 zones 1, 2, 3, and 4.

In this instance, sub-regulations a) and c) are not applicable. Regarding sub-regulation b), the site will contain a mix of warehouses and two dwelling units. It would not appear that this is a mix of commercial and residential. Further, it does not appear that the two dwelling units would function in close interaction with the warehouses.

## **2.0 APPLICATIONS** **APPEARANCES (Items 2.6 to 2.17)**

### **2.6 ROMEO REID (Craftman's Touch) Block 43E Parcel 128 (P21-0843) (\$150,000) (JP)**

Application for after-the-fact 3 unit apartment building.

#### **FACTS**

<i>Location</i>	Abbotsford Drive, Bodden Town
<i>Zoning</i>	<b>LDR</b>
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.3718 ac. (16,195.61 sq. ft.)
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Unauthorised residential development
<i>Proposed building size</i>	1870 sq. ft.
<i>Total building site coverage</i>	11.6%
<i>Allowable units</i>	5
<i>Proposed units</i>	3
<i>Allowable bedrooms</i>	8
<i>Proposed bedrooms</i>	3
<i>Required parking</i>	5
<i>Proposed parking</i>	5

#### **BACKGROUND**

CE20-0149 Enforcement notice issued 14<sup>th</sup> October 2020. File is with the Legal Department to progress.

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

- 1) Suitability
- 2) Lot size variance (16,195.61 sq ft v 25,000 sq ft)
- 3) Rear setback variance (11' 5" v 20')
- 4) Side setback variance (3' 11" v 10')
- 5) Parking surface treatment

## **AGENCY COMMENTS**

Comments from the Water Authority, National Roads Authority, Department of Environmental Health, Department of Environment (NCC) and Fire Department are noted below.

### **Water Authority**

#### **Wastewater Treatment & Disposal**

- *The developer shall provide a **septic tank** with a capacity of at least 1,000 US gallons for the proposed, based on the following calculations:*

<b>BUILDING</b>	<b>UNITS/BLDG</b>	<b>GPD/UNIT</b>	<b>GPD</b>
<i>Apartments</i>	<i>3 x 1-Bed Units</i>	<i>150gpd/1-Bed</i>	<i>450</i>
<b>TOTAL</b>			<b>450 GPD</b>

#### **Change-of-use 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 Septic Tank Inspection Form that can be downloaded from the Water Authority's website via the following link: <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**

*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**

No comments received.

#### **Department of Environmental Health**

*Solid Waste Facility:*

*1. DEH has no objections to the proposed in principle. This development require three (3) thirty three (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 (NCC)**

*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).*

*We note that the application is for an after-the-fact 3-unit apartment complex. The application site is man-modified and of limited ecological value. The DoE recommends that the applicant plants and incorporates native vegetation in their landscaping scheme. Native vegetation is best suited for the habitat conditions of the Cayman Islands, requiring less maintenance and less supplemental irrigation, meaning once it is established, landscaping with native vegetation is a very sustainable and cost-effective choice. Landscaping with native vegetation also has a positive impact on our islands' biodiversity by providing habitat and food for native fauna.*

#### **Fire Department**

Stamped approved plans.

#### **APPLICANT'S LETTER**

*With respect to our submission for land size and side setback variance, on block 43E parcel 128, located in Abbotsford Drive, Bodden Town Cayman, we hereby request variances as follows:*

- 1. Land size variance where the present regulation requires a minimum of 25,000 sf and the proposed land size is 16,194.54 sf*
- 2. Side setback variance where the present regulation requires 10ft and the proposed setback is 3'-6".*

*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 favorable decision on this application in due course.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application site is located in a developing subdivision of Bodden Town. Occupying a corner lot the application site is bound to the west and south by the subdivision access roads. An existing dwelling is located to the east with vacant land to the north.

The application seeks retrospective Planning Permission for the retention of three unauthorised apartments.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Suitability**

Regulation 8(9) permits apartments in suitable locations.

The subdivision, whilst predominantly undeveloped, consists of lots suitable for houses and/or duplexes. Members are invited to note application P19-1043 sought retrospective Planning Permission for 4 apartments on 43E 120 and was subsequently refused on February 5, 2020 for the following reasons:

- (i) The applicant failed to demonstrate to the Authority that the site was a suitable location for apartments per Regulation 9(8) of the Development and Planning Regulations (2018 Revision).
- (ii) The application does not comply with the minimum lot size requirement per Regulation 9(8)(f) of the Development and Planning Regulations (2018 Revision) and the Authority is of the opinion that pursuant to Regulation 8(13)(b), the applicant failed to demonstrate that there is sufficient reason and exceptional circumstance to warrant allowing the lesser lot size.

Members are invited to consider the above decision as part of their consideration of the current application.

#### **2) Lot size variance (16,195.61 sq ft v 25,000 sq ft)**

Regulation 9(8)(f) requires a minimum lot size of 25,000 sf for apartments in Low

Density Residential areas.

The application site measures 16,195.61 sf.

Members are invited to consider the above decision as part of their deliberations for the current application.

**3) Rear setback variance (11' 5" v 20')**

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

The apartments have been constructed 11' 5" from the rear boundary.

Members are invited to consider the content of the variance letter as part of their deliberations.

**4) Side setback variance (3' 11" v 10')**

Regulation 9(8)(j) requires a minimum side setback of 10'.

The apartments have been construction 3' 11" from the side boundary.

Members are invited to consider the content of the variance letter as part of their deliberations.

**5) Parking surface treatment**

The parking area is finished with loose gravel instead of concrete or asphalt. Gravel has the tendency to migrate onto local road networks causing a hazard for road users.

Members are invited to consider the suitability of surface treatment of the parking area.

**2.7 FINLEY JOSEPHS (Finley Josephs) Block 24E Parcels 25 & 139 (P22-0066) (\$270,000) (NP)**

Application for proposed two apartment addition to an existing duplex.

**FACTS**

<i>Location</i>	Almond Avenue in Prospect
<i>Zoning</i>	<b>Low Density Residential</b>
<i>Notice Requirements</i>	No objectors
<i>Parcel size</i>	18,125.3 sq. ft.
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Duplex, Pool
<i>Proposed use</i>	2 Apartments
<i>Building Footprint</i>	4,707 sq ft
<i>Building Area</i>	5,443 sq ft
<i>Site Coverage</i>	25.9 %
<i>Number of Units Allowed</i>	6
<i>Number of Units Proposed</i>	4

<i>Number of Bedrooms Allowed</i>	9
<i>Number of Bedrooms Proposed</i>	9
<i>Parking Required</i>	6
<i>Parking Provided</i>	6

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

- 1) Suitability
- 2) Lot Size (18,125.3 sq ft vs 25,000 sq ft)
- 3) Rear Setback (north) – (10’8” vs 20’)
- 4) Side Setback (east) – (13’4” vs 15’)
- 5) Solid Waste Enclosure (1’5” vs 6’)
- 6) Width of Accessible Space (8’11” vs 13’6”)

### **AGENCY COMMENTS**

The following comments have been received to date.

### **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. Requirements for proposed are as follows:*

#### **Wastewater Treatment & Disposal**

- *The existing apartments are served by **two** (2) septic tanks of **1,000 US gallons** and **1,500 US gallons**.*
- *The total combined capacity of the existing septic tanks is deemed suitable in treating the calculated wastewater output for the proposed addition.*
- *The Water Authority advises that all wastewater infrastructure, including septic tanks and deep wells, must be contained within the boundaries of the parcel on which the building stands.*

#### **Change-of-use with Existing Septic Tank**

*If the developer proposes to utilize the existing septic tanks and/or disposal wells, the system shall be inspected and serviced per the Septic Tank Inspection Form that can be downloaded from the Water Authority’s website via the following link: <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

*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.*

### Department of Environmental Health

*Solid Waste Facility:*

1. *DEH has no objections to the proposed in principle.*
2. *This development require four (4) thirty three (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.*

*Table 1: Minimum Enclosure Dimensions*

*Number of Containers 4*

*Width 5'*

*Length 5'*

*Height 2.5'*

### Fire Department

*The Fire Department has stamped approved the drawings.*

### 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).*

*The site is man-modified and of low ecological value.*

### National Roads Authority

*As per your memo dated February 3<sup>rd</sup> 2022 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.*

#### *Road Capacity Issues*

*The traffic demand to be generated by a residential development of five (5) multi-family units has been assessed in accordance with ITE Code 220. 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 Almond Avenue is as follows:*

<b>Expected Daily Trip</b>	<b>AM Peak Hour Total Traffic</b>	<b>AM Peak 20% In</b>	<b>AM Peak 80% Out</b>	<b>PM Peak Hour Total Traffic</b>	<b>PM Peak 65% In</b>	<b>PM Peak 35% Out</b>
<b>13</b>	<b>7</b>	<b>1</b>	<b>6</b>	<b>8</b>	<b>5</b>	<b>3</b>

*Based on these estimates, the impact of the proposed development onto Almond Avenue is considered to be minimal.*

#### *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 Almond Avenue 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 Almond Avenue. 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%20Detail.s.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.*

### **APPLICANT'S LETTER**

*With reference to the above application, I am applying for the following variances*

- 1. Lot Area I am aware that present zoning requires a minimum 25,000 sq ft for apartments in a LDR zone the current lot is 18,125.3 sq ft*
- 2. Rear Setback I am aware that a minimum 20 feet setback is required, I am proposing a setback of 10'7- 8". Please note, this request is for a small section of the development constituting less than 1% of the total proposed building footprint being in the setback*
- 3. Side Setback I am aware that for a side setback a minimum of 15 feet is required. I am asking that the CPA allow a reduction to 13'4", a reduction of (1'-8" or 12%) is what is currently being applied.*

*4. Solid Waste Enclosure Required to be minimum 6 feet from side boundary. The proposed location is where the enclosure has been for the past 10 years and as such is requesting it remain in that location*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The subject property is located on Almond Avenue in Prospect.

The property currently contains a duplex and the applicant wishes to add two additional apartment units. The end result would be a four-plex on the property with a pool.

If the application was approved, there would be three three-bedroom units (2 existing) and one studio apartment.

Abutting properties were notified by Registered Mail and no objections have been received to date.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Suitability**

Per Regulation 9(8), apartments may be permissible in suitable locations. In terms of the character of the area, it appears that there are numerous multi-family developments in the immediate area.

#### **2) Lot Size**

Regulation 9(8)(f) states that the minimum lot size for apartments is 25,000 square feet.

The subject property has 18,125.3 square feet of area.

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted under the circumstances.

#### **3) Rear Setback (north)**

Regulation 9(8)(i) states that the minimum rear setback is 20 feet.

The proposed building has a setback of 10'8".

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted under the circumstances.

#### **4) Side Setback (east)**

Regulation 9(8)(j) states that the minimum side setback is 15 feet for a two storey structure.

The proposed building has a setback of 13'4" on the east side.

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted under the circumstances.



## 5) Solid Waste Enclosure

Regulation 8(7) requires that a solid waste enclosure be setback 6 feet from a property boundary.

The existing enclosure is situated 1'5" from the property boundary.

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted under the circumstances.

## 6) Width of Accessible Space

The width of the proposed accessible space is 8'11" whereas a minimum 13'6" is required.

The Department would note that there is a suitable area to locate an accessible space within the proposed parking lot.

## 2.8 DOCTORS HOSPITAL (Arco) Block 14E Parcel 249 Rem 1 (P22-0214) (\$2.5 million) (NP)

Application for a hospital addition.

### **FACTS**

<i>Location</i>	George Town Hospital
<i>Zoning</i>	<b>Neighbourhood Commercial</b>
<i>Notification</i>	No objectors
<i>Parcel Area</i>	4.417 acres (combined)
<i>Proposed Building Area</i>	9,509.08 sq ft
<i>Existing Building Area</i>	32,545.13 sq ft
<i>Proposed Parking</i>	143 (combined)
<i>Required Parking</i>	CPA Discretion

**Recommendation:** Discuss Planning Permission for the following reason:

- 1) Combination of the parcels.

### **AGENCY COMMENTS**

The following Agency comments have been received to date.

#### **Department of Environmental Health**

*This application is recommended for approval.*

*The applicant is reminded that biohazard bins are to be provided in each treatment room*

## Fire Department

The Fire Department has stamped approved the drawings.

## Water Authority Cayman

*Please be advised that the proposed development cannot be accommodated by the existing wastewater treatment system.*

### Wastewater Treatment

- *Currently, this development is served by a **Cromaglass CA-60** with a treatment capacity of **6,000 gpd**. This proposal would increase flows beyond the existing treatment capacity and therefore will require an additional **on-site aerobic wastewater treatment system** with a treatment capacity of at least 1,600 US gallons per day (gpd). The required capacity is based on the following:*

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
Main (Existing)	9 x single beds 4 x double beds	200gpd/Bed	3,400
Lab (Existing)	0		0
Oncology (Proposed)	6 x single beds		1,200
East Wing (Proposed)	9 x single beds 3 x double beds		3,000
TOTAL			7,600 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. 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.*

### Wastewater Treatment [Continued]

*Following a review of the Water Authority's online maintenance tracking system, it appears the existing system has not been adequately maintained with service provider reports stating issues of electrical component failure, non-operational pumps and aeration pump blockage due to excess mop strings. Should the developer wish to utilize the existing system, it requires the following to comply with Water Authority regulations:*

- *A copy of a weekly maintenance contract with a Registered Service Provider shall be provided to the Water Authority.*
- *The system shall be repaired and serviced by a Registered Service Provider per the link of companies employing certified OWTS technicians:*

[http://www.waterauthority.ky/upimages/pagebox/2018\\_ListofCompaniesEmployingCertifiedOWTSOMTechs\\_1533930948.pdf](http://www.waterauthority.ky/upimages/pagebox/2018_ListofCompaniesEmployingCertifiedOWTSOMTechs_1533930948.pdf)

- Registered Service Providers submit **weekly** Service Reports to the client and the Water Authority via our online tracking system. The required maintenance should be scheduled without delay. Receipt of a copy of the maintenance contract, an updated service report and subsequent inspection and sampling of the system by the Water Authority to ensure compliance with regulatory limits are conditions for approval of Certificate of Occupancy.

*The developer is advised that final inspection for certificate for occupancy includes verification that all existing aerobic treatment systems are being operated and maintained as designed to produce an effluent that meets the Authority's discharge limits.*

#### Under-Sink Grease Interceptor

A grease interceptor with a **minimum flow rate specification of 50 gallons per minute (GPM)** is required to pre-treat flows from kitchen fixtures and equipment with grease-laden waste; e.g., pot sinks, pre-rinse sinks; dishwashers, soup kettles or similar devices; and floor drains. The outlet of the grease interceptor shall be plumbed to the sanitary sewage line leading to the ATU. The developer is required to submit plumbing drawings and the specifications of the proposed grease interceptor for review, approval and subsequent inspection by the Water Authority which is a condition for approval of Certificate of Occupancy. Specifications can be sent via email to [development.control@waterauthority.ky](mailto:development.control@waterauthority.ky)

#### Lint Interceptor Required

An approved lint interceptor is required for commercial, institutional and coin-operated laundries. The developer is required to submit specifications for all laundry (washer) equipment to the Water Authority for determination of the required capacity of interceptor. Specifications can be sent via email to [development.control@waterauthority.ky](mailto:development.control@waterauthority.ky)

#### 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.*

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

## **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).*

*The site is man-modified and of low ecological value. The Department recommends that wherever possible sustainable design features are included in projects such as this one, especially renewable energy installations, given the target that 70% of energy generation be 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 and rainwater collection could be used for irrigation.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The proposal is for a 9,509.08 square foot addition on the east side of the Doctors Hospital in George Town.

Abutting landowners were notified by Registered Mail and no objections have been received.

### **Zoning**

The property is zoned Neighbourhood Commercial.

### **Specific Issues**

#### **1) Parking**

The proposed addition will eliminate some existing parking spaces, resulting in a total of 143 parking spaces divided between the three parcels of land owned by the Doctors Hospital.

There is no specific requirement for hospital parking in the Regulations. Staff have referred to the Institute of Traffic Engineers (ITE) parking guidebook for a parking estimate. The ITE standards suggest that a suburban hospital should provide 2.5 spaces per 1,000 square feet of building area. This results in a total 106 parking spaces being required for a 42,054.51 square foot building.

#### **2) Combination of Parcels**

It is noted that the Doctors Hospital company owns three separate parcels. One parcel contains an off-site building and six parking spaces (14E 243) while another contains

the entrance feature to the premises (14E 258). The remaining parcel contained the main hospital (14E 249 Rem 1). It would be beneficial from a planning perspective to have the three parcels combined. The applicant's agent was contacted in this regard who advised that the client was not willing to combine the parcels.

The Authority should discuss whether the three parcels should be combined into one parcel.

## **2.9 PUSEY & MILTON (TAG) Block 31A Parcel 103 (P22-0188) (\$958,000) (NP)**

Application for 6 townhouses, wall and sign.

### **FACTS**

<i>Location</i>	Will T. Road in West Bay
<i>Zoning</i>	<b>LDR</b>
<i>Notification Results</i>	No Objections
<i>Parcel size</i>	18,116.6 sq ft.
<i>Parcel size required</i>	25,000 sq ft
<i>Current use</i>	Vacant
<i>Proposed use</i>	townhouses
<i>Building Footprint</i>	3,879 sq. ft.
<i>Building Area</i>	7,664 sq. ft.
<i>Site Coverage</i>	21.4%
<i>Number of Units Allowed</i>	6
<i>Number of Units Proposed</i>	6
<i>Number of Bedrooms Allowed</i>	9
<i>Number of Bedrooms Proposed</i>	12
<i>Parking Required</i>	9
<i>Parking Proposed</i>	15

### **BACKGROUND**

NA

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

- 1) Suitability
- 2) Lot Area (18,116.6 sq ft vs 25,000 sq ft).
- 3) Number of Bedrooms (15 vs 9)
- 4) Lot Width (92' vs 100')

- 5) Solid Waste Enclosure (4'11" vs 6')
- 6) Lack of landscape strip on south side of driveway

### **AGENCY COMMENTS**

Agency comments received to date have been provided below:

#### **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).*

*The application site is predominately man-modified with regrowth and is of limited ecological value. We recommend that the applicant retains as much mature native vegetation as possible and plants and incorporates native vegetation into the landscaping scheme. Native vegetation is best suited for the habitat conditions of the Cayman Islands, requiring less maintenance and less supplemental irrigation. Once it is established, landscaping with native vegetation is a very sustainable and cost-effective choice. Landscaping with native vegetation also has a positive impact on our islands' biodiversity by providing habitat and food for native fauna.*

#### **Department of Environmental Health (DEH)**

*DEH has no objections to the proposed in principle.*

*Solid Waste Facility:*

*1. This development require six (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.*

*Minimum Enclosure Dimensions*

*Number of Containers 6*

*Minimum Dimensions*

*Width 5'*

*Length 7.5'*

*Height 2.5'*

#### **Fire Department**

The Fire Department has stamp approved the drawings.

## **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 2,250 US gallons for the proposed, based on the following calculations:*

<b>BUILDING</b>	<b>UNITS/BLDG</b>	<b>GPD/UNIT</b>	<b>GPD</b>
Pusey Townhouses	6 x 2-Bed Units	225gpd/2-Bed	1,350
<b>TOTAL</b>			<b>1,350</b>

- 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.** 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 5'1" 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 60 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.*

- *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.*

### APPLICANT'S LETTER

*Further to the application submitted in relation to the above referenced Project, we hereby request for a density variance which requires a maximum of (15) units and (24) bedrooms per Planning Regulation 9 (8)(c); lot size variance which requires a minimum of 25,000 sq ft per Planning Regulation 9 (8)(f); lot width variance which requires a minimum of 100 ft per Planning Regulation 9 (8)(g), in a Low Density Residential Zone.*

*We would appreciate your consideration for this variance request on the following basis: Under Regulation 8 (13)(b)(i), the characteristics of the proposed development are consistent with the character of the surrounding area; Regulation 8(13)(b)(ii) unusual terrain characteristics limit the site's development potential; and Regulation 8(13)(b)(iii) the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare;*

- (1) *The Site Lot Area is 18,116.60 square foot or 0.416 acre, wherein Planning Regulation allows up to a maximum of (6.24) Units and (9.98) Bedrooms and minimum lot size of 25,000 sq ft for an Apartment/Townhouse Developments with a minimum lot width of 100 ft.*

*The Proposal have a total of 6 Townhouse Units & 12 bedrooms. While we exceed the bedroom count by 2 (2.02 to be exact) and the lot size and width didn't meet the required minimum, the proposed townhouse was designed to perfectly fit on the location without compromising a good size of back yard that can be heavily landscaped. Adequate parking slot for the unit owners are also provided wherein each unit will have 2 slots each with 3 more extra parking*



*slots for visitors. The proposed development will have (5) parking slots more than what is required (14 parking proposed vs 9 parking required). It was also ensured that the proposed townhouse building will be within the required minimum setbacks. Therefore, no setback variance is being requested.*

*We hope that the board will consider the application since this proposed development will make the project feasible. If you require additional information or further clarification, please don't hesitate to contact us at the numbers & e-mail below.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The subject property is located on Will T. Drive in West Bay.

The property is currently vacant and the proposal is for four six two-bedroom townhouses.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Suitability**

Regulation 9(8) will allow for townhouses and apartments in suitable locations. A review of mapping indicates that there are no apartments in the immediate vicinity, but on the adjacent property (31A 104) approval was granted for 6 dwellings.

#### **2) Lot Size**

Regulation 9(8)(f) requires a minimum lot size of 25,000 square feet for apartments.

The subject property has 18,116.6 square feet.

The Authority should consider whether the applicant's variance letter is satisfactory in this instance.

#### **3) Number of Bedrooms**

Regulation 9(8)(c) permits a maximum 24 bedrooms per acre.

The 0.4159 acre property is allowed a maximum of 9 bedrooms and 12 bedrooms are proposed.

The Authority should consider whether the applicant's variance letter is satisfactory in this instance.

#### **4) Lot Width**

Regulation 9(8)(g) requires a minimum lot width of 100 feet for apartments and townhouses.

The subject property has a width of 92 feet.

The Authority should consider whether the applicant's variance letter is satisfactory in this instance.

**5) Solid Waste Enclosure**

Regulation 8(7) states that a solid waste enclosure shall be setback a minimum 6 feet from the side property boundary.

The proposed enclosure would be setback 4'11" from the side boundary.

**6) Landscape Strip**

The Authority would typically require a minimum 4 foot wide landscape strip where a driveway abuts a property boundary. In this instance, there is no landscape strip along the driveway.

**2.10 PUSEY & MILTON (TAG) Block 31A Parcel 103 (P22-0173) (\$10,000) (NP)**

Application for 6 land strata lots and 1 common lot.

**FACTS**

<i>Location</i>	Will T. Road in West Bay
<i>Zoning</i>	<b>LDR</b>
<i>Notification Results</i>	No Objections
<i>Parcel size</i>	18,116.6 sq ft.
<i>Parcel size required</i>	25,000 sq ft
<i>Current use</i>	Vacant
<i>Proposed use</i>	Apartments
<i>Building Footprint</i>	3,879 sq. ft.
<i>Building Area</i>	7,664 sq. ft.
<i>Site Coverage</i>	21.4%
<i>Number of Units Allowed</i>	6
<i>Number of Units Proposed</i>	6
<i>Number of Bedrooms Allowed</i>	9
<i>Number of Bedrooms Proposed</i>	12
<i>Parking Required</i>	9
<i>Parking Proposed</i>	15

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

- 1) Determination of this application will be dependent upon the decision for the associated townhouses in item 2.9

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The subject property is located on Will T. Drive in West Bay.

The proposal is to create 6 individual strata lots and one common strata lot associated with the application on the Agenda for six two-bedroom townhouses.

The individual strata lots would not satisfy the minimum lot size requirements of the LDR zone but Regulation 9(8)(ja) states that “the minimum lot size, lot width, setbacks and site coverage for land strata lots and volumetric parcels which are intended to allow the conveyance of dwelling units in an approved duplex, apartment building or townhouse shall be at the discretion of the Authority”.

### **Zoning**

The property is zoned Low Density Residential.

## **2.11 PHOENIX LTD. (CGMJ) Block 20D Parcel 451 (P21-1189) (\$1.2 million) (NP)**

Application for a storage/office building.

### **FACTS**

<i>Location</i>	Linford Pierson Highway, GT
<i>Zoning</i>	<b>Low Density Residential</b>
<i>Notice Requirements</i>	No objectors
<i>Parcel size</i>	40,780.9 sq ft
<i>Parcel size required</i>	CPA Discretion
<i>Current use</i>	Vacant
<i>Proposed use</i>	Office & Storage building

### **BACKGROUND**

February 2, 2022 (CPA/03/22; Item 2.19) – The Authority resolved to adjourn the application for the following reasons:

- 1) The applicant must submit revised plans showing:
  - a) A deceleration lane as required by the NRA
  - b) The wall and fence lowered to a maximum height of 8 feet
  - c) Extensive vegetative screening between the fence/wall and Linford Pierson Highway

The applicant’s agent has now submitted revised plans that address the CPA concerns from the previous meeting.

The revised plans have been circulated to the NRA for review but they have yet to respond. However, it is noted that the deceleration lane is designed per the NRA's directions provided in their original memorandum.

It should also be noted that the proposed height of the fence is 8 feet but also includes a 2 foot high retaining wall. The end result is a ten foot barrier.

The applicant's agent has submitted a separate landscape plan that depicts extensive landscaping along the LPH frontage.

**Recommendation:** Discuss planning permission for the following reason:

- 1) Proposed height of fence (10' 6")

### **AGENCY COMMENTS**

The following agency comments have been received to date.

#### **National Roads Authority**

*As per your memo dated November 17<sup>th</sup>, 2021 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.*

*The Linford Pierson Highway (LPH) is classified as a Primary Arterial Roadway with a posted speed limit of 40 miles per hour. The roadway was widened to four (4) lane divided arterial with a raised median of 38 feet in width in 2017/2018. A breakdown / bicycle lane is also a feature of the roadway. The roadway was constructed with the possibility of widening to six (6) in the future when traffic volumes will warrant it. In 2016, the average weekly daily traffic volumes along that section of LPH was about 16,725 vehicles per day (wpd); in 2019, traffic volumes had increased to about 23,250 vpd.*

*A deceleration lane needs to be constructed along the LPH to gain proper access into the site. Typically for the Linford Pierson Highway, which has a posted speed limit of forty (40) MPH, a length of 325 feet with a 15:1 taper at the end of the deceleration lane would be required. Since the subject lands only has a road frontage of about 148 feet, the taper lane shall begin from the southwest corner of the property and transition to a full lane width of 12 feet at the proposed driveway which will take place within the property. Please have applicant revise the site plan to illustrate the required taper lane **within the property** along with a revised alignment of the proposed four (4) foot high wall. Note that new Type F-curb along the roadway will be required.*

#### **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).*

*The application site is man-modified with limited ecological value. Nonetheless, it is recommended to plant native vegetation where possible and incorporate it into the landscaping scheme. Native vegetation is best suited for the habitat conditions of the site, requiring less maintenance and making it a cost-effective and sustainable choice for landscaping.*

## **Fire Department**

The Fire Department has yet to provide comments.

## **Water Authority Cayman**

*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:*

<b>BUILDING &amp; UNITS</b>		<b>GPD/UNIT</b>	<b>GPD</b>
Storage	4,400 sq. ft.	4,400 x 0.10 (storage factor)	440
Office	2,316 sq. ft.	2,316 x 0.15 (office/retail factor)	347.4
<b>TOTAL</b>			<b>787.4 GPD</b>

- *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.** 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 4'9" 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.*  
***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).*
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.*

#### 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. The developer is advised that if high-water-use tenants; e.g., food service, laundry, etc., are anticipated, provision should be made at this stage by providing details so that the requirements can be adjusted accordingly. Any future change-of-use applications to allow for a high-water-use will require an upgrade of the wastewater treatment system which, depending on the use, may include in-the-ground interceptors for grease or oil-grit or lint, and depending on the volume, an upgrade to an Aerobic Treatment Unit.*

#### 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](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 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 Environmental Health**

*The location of the enclosure does not meet the requirements of DEH for the following reasons:*

### *1. Access to the enclosure:*

- a. A minimum straight approach of 50 feet should be provided directly in front of the facility to allow the vehicle sufficient area to back out of the facility.*
- b. A turn around or separate exit that allows the truck to move forward rather than backwards is required. A minimum backup distance of 50 feet is required for any manoeuvre and must be in a straight line. The driveway shall be constructed to withstand trucks weighing up to 62,000 lbs.*

### *2. Turning radius*

- a. The turning radius required for access to the enclosure must be adequate a 3-axil truck. The over overall length of the truck is 36 feet and the overall width is 8 feet. A minimum outside turning radius of 46 feet is required. The minimum inside radius shall be 33 feet.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The subject property is located along the Linford Pierson Highway in George Town, immediately west of the Royal Pines apartment complex.

The applicant seeks permission to construct an office and storage building on the property.

The office use would occupy 2,316 square feet and the warehouse portion would be 4,400 square feet.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Suitability**

The Authority should be satisfied that the proposed office/warehouse building is suitable in a Low Density Residential zone, as per Section 9(3) of the Regulations.

In this regard, the applicant has notified landowners within 500 feet and advertised details of the proposal in a newspaper on two occasions.

No objections have been received.

**2) DEH Comments**

The DEH is looking for revisions to the proposed site plan in order to accommodate solid waste vehicles.

**3) Proposed Fence Height**

Staff would note that the proposed fence is 10'6" in height.

The Authority should discuss whether the height of the fence is acceptable.

**2.12 JASON & JOADIAN WHEATLE (GMJ Homeplans Ltd.) Block 38B Parcel 601 (P21-0613) (\$17,000) (MW)**

Application for ATF 4' wall.

**FACTS**

<i>Location</i>	Bristol Heights Dr., Bodden Town
<i>Zoning</i>	<b>Low Density Residential</b>
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	0.2311 ac. (10,066.716 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	Existing Residence (1,293 sq. ft.)
<i>Proposed building size</i>	81 sq. ft. (Total 1,374 sq. ft.)
<i>Total building site coverage</i>	13.65%
<i>Required parking</i>	1
<i>Proposed parking</i>	1

**BACKGROUND**

April 24, 2019 – Construction of a shed without planning permission (CE19-0071)

August 25, 2021 – ATF 4' wall & ATF storage shed – the applications were considered and it was resolved to adjourn the applications and invite the applicant to appear before the Authority.

October 27, 2021 – ATF 4' wall & ATF storage shed – the applications were considered and it was resolved to grant planning permission for the ATF shed. (CPA/22/21; Item 2.5) and to adjourn the application for the wall for the following reason:

- 1) Department staff are directed to undertake a visual inspection within the subdivision to identify any existing properties with walls along the road and to determine if and when those walls received approval.

The Authority should be aware that the ATF shed has been removed from the site.



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

- 1) Fence road side setback (0'-0" vs. 4'-0")

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application is for an ATF 4' Fence to be located on Bristol Heights Dr., Bodden Town.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Fence Roadside Setback**

Regulation 8(18) of The Development and Planning Regulations (2021) states “ *walls and fences adjacent to a road shall be setback a minimum of 4 feet from the roadside parcel*” - The ATF 4' concrete wall would be setback approximately 0'-0' from the edge of Bristol Heights Dr.

The Department, with the assistance of the applicant, determined that there are numerous fences and walls within the subdivision. The applicant submitted a map of all fences currently built in the subdivision thus far and a check of the OPS system shows only 38B 606 received planning permission for the fences on site.

#### **2.13 SABINA HYDES (GMJ Home Plans Ltd) Block 4B Parcel 95 (P21-1020) (\$760,000) (JP)**

Application to add 9 apartments (3 storeys) to an existing house (2 storeys) and installation of a 4' fence.

### **FACTS**

<i>Location</i>	Josephs Drive, West Bay
<i>Zoning</i>	<b>HDR</b>
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.4 ac. (17,424 sq. ft.)
<i>Parcel size required</i>	5,000 sq. ft.
<i>Current use</i>	Residential
<i>Proposed building size</i>	8,275 sq. ft.
<i>Total building site coverage</i>	18.91%
<i>Allowable units</i>	10
<i>Proposed units</i>	10 (9 + existing house)
<i>Allowable bedrooms</i>	16

<i>Proposed bedrooms</i>	15 (9 + existing bedrooms)
<i>Required parking</i>	15
<i>Proposed parking</i>	15

### **BACKGROUND**

No Planning history

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

- 1) Suitability

### **AGENCY COMMENTS**

Comments from the Water Authority, National Roads Authority, Department of Environmental Health, Department of Environment (NCC) and Fire Department are noted below.

#### **Water Authority**

##### **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 1,875 US gallons per day (gpd),** based on the following calculations.*

<b>BUILDING</b>	<b>UNITS/BLDG</b>	<b>GPD/UNIT</b>	<b>GPD</b>
<i>Existing House</i>	<i>1 x 6-Bed Unit</i>	<i>525gpd/6-Bed</i>	<i>525</i>
<i>Proposed Apartments</i>	<i>9 x 1-Bed Units</i>	<i>150gpd/1-Bed</i>	<i>1,350</i>
<b>TOTAL</b>			<b>1,875 GPD</b>

- *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. 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 4'8" 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**

##### ***Road Capacity Issues***

*The traffic demand to be generated by a residential development of ten (10) multi-family units has been assessed in accordance with ITE Code 220. 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 Josephs Drive is as follows:*

<b><i>Expected Daily Trip</i></b>	<b><i>AM Peak Hour Total Traffic</i></b>	<b><i>AM Peak 20% In</i></b>	<b><i>AM Peak 80% Out</i></b>	<b><i>PM Peak Hour Total Traffic</i></b>	<b><i>PM Peak 65% In</i></b>	<b><i>PM Peak 35% Out</i></b>
<b><i>67</i></b>	<b><i>5</i></b>	<b><i>1</i></b>	<b><i>4</i></b>	<b><i>6</i></b>	<b><i>4</i></b>	<b><i>2</i></b>

*Based on these estimates, the impact of the proposed development onto Josephs Drive is considered to be minimal.*

##### ***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 Josephs Drive, 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 Josephs Drive. 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:*

*This development requires (2) eight cubic yard container with once 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](mailto:development.control@waterauthority.ky) for deep well details.*

### **Department of Environment (NCC)**

*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).*

*The application site is man-modified and of limited ecological value. We recommend the applicant retains any mature native trees outside of the development footprint to provide shade. In addition, we recommend that the applicant plants and incorporates native vegetation in the landscaping scheme. Native vegetation is best suited for the habitat conditions of the Cayman Islands resulting in vegetation that requires less maintenance which makes it a very cost-effective choice.*

### **Fire Department**

Stamped approved drawings.

### **APPLICANT'S LETTER**

*We write on behalf of our client, Sabina Hydes with regard to the subject development;*

*We request permission for the subject matter per the drawings provided and humbly give the following reasons:*

- Per section 8(13)(d) of the Planning Regulations, the owners of the adjacent properties were notified by register mail and no objections were received;*
- 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.*
- We feel that proposed development is suitable for the neighborhood as the area consists of single and multi-family dwellings as well as commercial development. A licensed automobile repair shop & yard is opposite the subject parcel and apartments exist on the adjacent parcel 4B94.*
- The proposal also illustrates the addition consisting of three floor levels with a roof ridge height of 34'5". We feel that this height is suitable when compared to the existing structures in the area with similar heights.*
- The proposed design provides parking stalls at a ratio of 1.5 stalls for each unit. It is well known that rentals of this size are not normally associated with multiple vehicular ownership and therefore less residential parking will be required. As such there would be ample on-site parking for visitors.*

- *The application complies with all other minimum planning requirements.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application site is located within West Bay in an area consisting of a range of eclectic style and use of buildings. Light industrial use is sited opposite in the form of car storage and repairs. A large portion of the surrounding area is vacant/undeveloped. Neighbouring properties to the northeast and west are houses/duplexes. To the northwest is an apartment complex.

### **Zoning**

The property is zoned High Density Residential.

### **Specific Issues**

#### **1) Suitability**

Regulation 9(1) requires:

*“Applicants for permission to effect any development in a Residential zone shall ensure that the massing, scale, proportion and design of such development is consistent with the historic architectural traditions of the Islands”*

To aid members in determining whether the applicants have satisfied the above Regulation 9(2) provides a list of considerations for the Authority to have regard to:

- (a) the compatibility of any building with the landform;*
- (b) the use of embellishments and features which distinguish local architecture;*
- (c) whether the balance and proportions of any buildings are those of traditional building forms;*
- (d) the use of traditional stone walls, picket fences, hedging and roadside plantings;*
- (e) the use of colourful tropical vegetation; and*
- (f) the presence of natural vegetation, beaches, coves or on shore or sea views.*

Members are invited to consider the massing, scale and proportion of the proposed development in relation to the existing property on site and in context of the surrounding area which is primarily residential.

Regulation 9(6) provides the criteria for development in High Density Residential zones guiding apartments are permissible in suitable locations. An apartment complex consisting of 6 units arranged over three buildings is located directly opposite, however, members should note this is low lying development set within a substantial

lot. Beyond this a 5 unit apartment complex is located within is single storey in nature.

Members are invited to consider the character of the local area in determining the application.

**2.14 HARBOUR WALK LTD (BDCL Architects) Block 22E Parcel 445 (P21-0711) (\$5000) (JP)**

Application for an LPG tank (1000 gal).

**FACTS**

<i>Location</i>	Grand Harbour
<i>Zoning</i>	NC
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	3.155 ac. (137,431 sq. ft.)
<i>Current use</i>	Under construction
<i>Required parking</i>	237
<i>Proposed parking</i>	238

**BACKGROUND**

Of relevance:

April 21, 2021 (**Administrative Approval**) – modification to site plan resulting in reduction of parking spaces to 240 (P21-0206)

September 30, 2020 (**CPA/16/20; item 2.31**) – modification to pavilion (reduction in floor area by 1500 sf) creating excess of 5 parking spaces – minimum required parking 237 (P20-0733)

December 13, 2019 (**Administrative Approval**) – modification to site plan and floor plans including reduction in parking to 242 spaces (P19-1197)

June 19, 2019 (**CPA/12/19; item 2.2**) – Mixed use commercial and residential development including 244 parking spaces (P19-0144)

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

- 1) Roadside setback variance (19' 6" v 20')

## **APPLICANT'S LETTER**

*We are submitting an application for a modification to the Main Building and the Pavilion as follows:*

*1. Site Plan: We have added a second LPG tank on the south-west side of the property opposite the Pavilion. As both tanks have a small dome protruding above the ground, we have eliminated the parking space at each tank location creating additional landscaping.*

*Parking required – 231 spaces*

*Parking provided – 238 spaces*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application site is located in the Grand Harbour area of the Island and will represent a mixed-use development of commercial units consisting of restaurants and retail on the ground floor, office on mid-levels and apartments above.

The application seeks Planning Permission for the installation of an additional LPG tank in the southwest corner which would result in the loss of a parking space additionally a further space shall be removed near the previously approved LPG tank.

The development generates an anticipated parking demand of 237 spaces.

The proposed site plan provides 238 parking spaces.

### **Zoning**

The property is zoned Neighbourhood Commercial.

### **Specific Issues**

#### **1) Roadside setback variance (19' 6" v 20')**

Regulation 8(8)(b) requires minimum front setbacks of 20'.

The proposed LPG tank would be sited 19' 6" from the front boundary edge.

Members are invited to consider the merit of the proposed development.

#### **2.15 MONT JACKSON (Abernethy & Associates) Block 28B Parcel 310 (P22-0158) (\$10,369) (NP)**

Application for a 10 lot subdivision (8 residential lots, 1 road parcel and 1 LPP).



## **FACTS**

<i>Location</i>	Bodden Town
<i>Zoning</i>	<b>LDR</b>
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	3.317 acres.
<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>Proposed lot sizes</i>	10,370 sq. ft. to 23,860 sq. ft.
<i>Current use</i>	Vacant

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

- 1) Road frontage of Lots 4 and 6 (24' & 47.9' vs 80')

## **AGENCY COMMENTS**

The following comments have been received to date.

### **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)*.

*The application site is man-modified with some wetland regrowth as shown in Figure 1. The parcel is low-lying and likely acting as a drainage basin for the surrounding area. The residential properties surrounding the application site currently suffer from flooding during heavy rains (Figures 2 & 3). Further filling of the application site will decrease the stormwater storage capacity for the area and potentially exacerbate flooding.*



**Figure 1: LIS 2018 aerial imagery showing the wetland vegetation regrowth and water within the application site (outlined in red).**



**Figures 2 & 3: Photos of flooding of properties and Spotts Breeze St. on 7 Nov 2020 after heavy rains caused by Tropical Depression Eta.**

The DoE notes that the current proposal is for a residential subdivision. The DoE does **not** support the speculative clearing of land and we encourage applicants to submit proposals for land clearing along with their proposals for development as there may be varying recommendations for vegetation retention depending on the form and nature of the development being proposed. For example, we often recommend the retention of any

wetland vegetation located outside of the development footprint to assist with on-site drainage.

*Should the Central Planning Authority or Planning Department be minded to grant planning permission for the proposed subdivision and require filling as a condition of the approval, the DoE recommends that clearing of the application site is not permitted until drainage is properly assessed.*

*Given the displacement of water within the site and the conversion of wetland habitat, it is critical that a stormwater management plan be developed which ensures that the water being displaced by the filling of the land does not impact the wider area and manages future stormwater on-site. The stormwater management plan should be reviewed and approved **prior** to both land clearing and filling.*

*If the Central Planning Authority or Planning Department is minded to grant planning permission for the proposed subdivision, and filling is not a requirement of the approval at this time, the DoE recommends the inclusion of the following conditions:*

- 1. The resultant subdivided parcels shall be left in their natural state to provide ecosystem functions such as drainage and carbon storage until planning permission has been granted for land clearing and development is imminent.*
- 2. Any future land clearing, development, filling or excavation of the resultant subdivided parcels shall be the subject of a separate consultation with the National Conservation Council and Central Planning Authority.*

### **Water Authority Cayman**

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

#### *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 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.*

*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.*

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The subject property is located in Bodden Town, west of Spotts Breeze Road.

The property is currently vacant and the aerial photos reveal that portions of the property are low lying with standing water.

There are 8 proposed residential lots with lot sizes ranging from 10,370 sq. ft. to 23,860 sq. ft. There would also be 1 road parcel and 1 LPP parcel.

Abutting properties were notified by Registered Mail and no objections have been received to date.

### **Zoning**

The property is zoned Low Density Residential.

### **Specific Issues**

#### **1) Road Frontage of Proposed Lots 4 & 6**

Regulation 9(8)(g) requires a minimum lot width of 80 feet in the Low Density Residential zone. Proposed lot 4 has a width at the road of 24 feet and proposed lot 6 has a frontage at the road of 47.9 feet.

However it is noted that both lots are 80 feet wide when non-road frontage is included.

The Authority should discuss whether the road frontage of these two lots are acceptable

#### **2.16 NORMAN BRYAN (Norman Bryan) Block 14C Parcel 355 (P21-1177) (\$1,100) (JP)**

Application for two signs.

## **FACTS**

<i>Location</i>	Sound Way, George Town
<i>Zoning</i>	<b>GC</b>
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.6810 ac. (29,664.36 sq. ft.)
<i>Current use</i>	Commercial

## **BACKGROUND**

May 1, 2013 (**CPA/09/13; item 2.5**) – application for change of use from a house to commercial (restaurant) (P13-0157)

**Recommendation:** Grant planning permission.

## **PLANNING DEPARTMENT ANALYSIS**

### **General**

The application site is located in George Town within an established commercial area.

The application seeks Planning Permission for the installation of two signs measuring 24inches by 60 inches each.

### **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**