Central Planning Authority

Agenda for a meeting of the Central Planning Authority to be held on April 06, 2022 at 10:00am at Compass Centre, 2nd Floor, Loft Meeting Room.

10th Meeting of the Year

CPA/10/22

- 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/10/22

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- 2.1 PRISMA (Trio) Block 17A Parcels 145, 146, & 170 Rem 1 (P21-1260) (\$125.0 million) (NP) 4
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APPLICANTS ATTENDING THE AUTHORITY'S MEETING

APPLICANT NAME	TIME	ITEM	PAGE
Prisma	1:00	2.1	4

1. 1 no confirmation of Minutes

1. 2 Declarations of Conflicts/Interests

ITEM	MEMBER					

2.0 APPLICATIONS APPEARANCES (Items 2.1)

2.1 PRISMA (Trio) Block 17A Parcels 145, 146, & 170 Rem 1 (P21-1260) (\$125 million) (NP)

Application for proposed mixed use development:

- Apartments (x 58)
- Townhouses (x 20)
- Duplexes (x 5)
- Restaurant
- Parking garage
- Pools (x 20)
- Generators (x 4)
- Canal extension

Appearance at 1:00

FACTS

Location Crighton Drive, West Bay

Zoning Hotel/Tourism & Low Density Residential

Notification Results Objections

Parcel size 7.54 acres combined

Parcel size required 0.5 acres

Current use Vacant

Proposed use Mixed Use Development

Maximum Site Coverage40 %Proposed Site Coverage22.5 %

Proposed Building Footprint 73,762 sq. ft.
Proposed Building Area 291,131 sq. ft.

Parking Required 197

Parking Proposed 244, 6 Accessible

Number of Proposed Apartments 58 (174 bedrooms)

Number of Proposed Duplexes 5 (30 bedrooms)

Number of Proposed Townhouses 20 (60 bedrooms)

BACKGROUND:

9 February 2022 (CPA/04/22; Item 2.2) - CPA Members resolved to adjourn the application for the following reasons:

- 1) All parties agreed with an apparent anomaly with the zone category of the area of the canal proposed to be filled and the adjournment will provide the opportunity for research into this matter.
- 2) The Department can prepare a detailed list of all objectors from owners that fall within the required notification and newspaper advertisement and radii.

Recommendation: Discuss the application, for the following reasons:

- 1) Parking & Sidewalks within the Road Allowance
- 2) Concerns of the Objectors
- 3) Combination of 17A 145 & 146
- 4) Agency comments
- 5) Canal Setback for Townhouses (4'10" vs 20')
- 6) Duplex Setback from Canal (2'3" vs 20')

AGENCY COMMENTS

Comments from agencies that have responded to the circulation of the plans are provided below.

Water Authority Cayman

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

Wastewater Treatment

The development shall be connected to the West Bay Beach Sewerage System (WBBSS).

- The developer shall notify the Water Authority's Engineering Department at 949-2837 EXT: 3000, as soon as possible to ensure that:
 - the site-specific connection requirements are relayed to the developer,
 - any existing sewerage appurtenances on the property can be clearly marked to prevent damage (for which the developer would be held responsible), and
 - the Authority can make necessary arrangements for connection.
- A grease interceptor with a minimum capacity of 5,969 US gallons is required to pretreat kitchen flows from fixtures and equipment with grease-laden waste. Fixtures and equipment includes: 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 WBBSS.
- The developer shall be responsible for providing the site-specific sewerage infrastructure required for connection to the WBBSS. The site's wastewater infrastructure shall be designed and installed to the Authority's specifications. Copies of the Authority's specifications are available at the Water Authority's office on Red Gate Road, or the web:

http://www.waterauthority.ky/upimages/pagebox/Guidelines-Sewer 1425464500 1426308023.pdf

- The developer shall submit plans for the infrastructure to the Authority for approval.
- The Authority shall make the final connection to the WBBSS, the cost of which shall be borne by the developer.

The Authority will not be responsible for delays due to insufficient notice from the developer.

Requirement for Canal Permit per Water Authority Law

The Water Authority is charged under the Water Authority Law to protect groundwater. Section 34 (1) of the Water Authority Law (2018 Revision) requires that anyone who undertakes the construction, replacement or alteration of canals is required to obtain a permit from the Authority, subject to such terms and conditions as it deems fit. Section 2 (1) the Water Authority Law (2018 Revision) defines canals as any channel works which provide sea water direct access to inland areas which would not normally be in direct contact with the sea.

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

http://www.waterauthority.ky/upimages/pagebox/CanalWorksApplicationRevNOV2018_1 541708130.pdf

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

Elevator Installation

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

Generator and Fuel Storage Tank(s) Installation

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

https://www.waterauthority.ky/upimages/download/USTMonitoringWellFeb2013_144563_2994.pdf

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

Fire Department

The Fire Department has stamp approved the drawings.

Department of Environmental Health (DEH)

This application is not recommended for approval for the following reasons:

Solid Waste Facility: This development will require (4) 8 cubic yard containers with 4 times per week servicing. The drawing must be revised to indicate the number of bins required.

Restaurant: The following must be provided for review and approval at the BCU stage: 1. Detailed plans showing the kitchen layout with all equipment. 2. Seating capacity for the restaurant. 3. Restrooms must not open directly unto dinning or seating area. 4. Specifications on all equipment including the exhaust system and hot water heater.

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

It is noted that the applicant has revised the plans to address the DEH comments and new comments have yet to be received.

National Roads Authority

As per your memo dated January 6th 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 applicant is proposing eleven (11) access points onto Crighton Drive, three (3) of which are on the inside of a curve. With such a high number of access points the number of conflict points increases and the overall traffic flow decreases, therefore, the NRA requests that the CPA have the applicant reduce said access points to three (3) or four (4) at most.

This will require the applicant to amalgamate the individual parking lots, which will help with the overall traffic flow on Crighton Drive.

Proposed Canal

No blasting is allowed to occur within 500ft of residences, unless the blaster has written permission from the affected homeowners. Otherwise, in this area the excavation of the canal and the boat slips will need to occur through mechanical means only.

The NRA recommends that the stormwater be intercepted and suitably disposed of so that surface water runoff and pollutants don't also affect the water quality. The drainage should be directed away from the canal system and the north sound for appropriate disposal.

Road Capacity Issues

The traffic demand to be generated by the above proposed mixed-use development of a

- *five (5) single family homes;*
- 98 (ninety-eight) multi-family homes;
- 44 room hotel; and a
- 5,969 sq. ft., Restaurant

Has been assessed in accordance with ITE Codes

- 210 Single Family Homes;
- *220 Apartments;*
- 310 Hotel; and
- 931 Quality Restaurant.

The anticipated traffic to be added onto Crighton Drive is as follows:

ITE Code	Expected Daily Trip	AM Peak Hour Total Traffic	AM Peak In	AM Peak Out	PM Peak Hour Total Traffic	PM Peak In	PM Peak Out	Pass- By
210	48	4	1	3	5	3	2	N/A
220	652	50	10	40	61	39	21	N/A
310	392	29	17	12	31	15	16	N/A
931	540	5	N/A	N/A	45	17	8	20
Total	1,632	88	28	55	142	74	47	20

Based on these estimates, the impact of the proposed development onto Crighton Drive is considered to be moderate. The NRA would request that the CPA have the applicant reconsider the intensity of the development as Crighton Drive, although the pavement after our last inspection in 2020 is considered fair averaging at 76, has been noted to have some base issues as can been noted with the undulations (or wave like) patterns of the road.

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 Crighton Drive, within the property boundary, to NRA standards. Please have applicant adjust and comply.

Tire stops (if used) shall be place 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, <u>prior to the issuance of any Building Permits</u>, 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 Crighton 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 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.
- <u>Sidewalk detail needs to be provided as per NRA specifications. See</u> (<u>https://www.caymanroads.com/upload/files/3/Sidewalk%20&%20Curbing%20Details.pdf</u>)</u>

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 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).

Given the type of development (i.e. a hotel/resort development), the scale and the location of the proposal, the project was screened for an Environmental Impact Assessment (EIA) as outlined in Schedule 1 of the National Conservation Council's Directive for EIAs issued under section 3(12) (j) and which has effect under section 43(2) (c) of the National Conservation Act. The Screening Opinion was considered and endorsed by the National Conservation Council at their meeting on the 19th of January 2022 and is provided in appendix 1 of this review attached. It was determined that whilst there are environmental impacts associated with this project, as detailed below and in the Screening Opinion, the project does not require an EIA to be conducted.

The Site and Ecology

The land area of the site is man-modified (as shown in Figure 1 below); it was historically cleared of mangroves and filled and is therefore of limited ecological value. However, the canal areas around the site are of ecological value as they contain seagrass beds, benthic algae and marine species which rely on these important habitats. Direct impacts will be caused in the areas where the canal is to be filled and those sections of proposed new waterways. Indirect impacts will also be caused by the excavation of the material in the boat slips and canal extension as well as in the construction of the proposed docks. Fine silt is easily disturbed and suspended during excavation in marl areas resulting in detrimental sediment plumes which can impact surrounding seagrass communities and marine organisms that depend on good water quality. Therefore, it is important to limit the impacts of sediment plumes generated during the works through the use of silt screens and other turbidity control measures. The applicant has indicated in their submission that they intend to use silt screens to militate against this risk.

Additionally, the extension of the canal will add further water volume towards the end of a 'deadend' canal system that may have implications for water quality due to inadequate water movement and flushing. Canals in excess of 8ft water depth (the proposed is to be excavated to 12ft) often are too deep to allow sufficient ambient light to reach the canal seafloor which prevents the establishment of marine plants and algae responsible for

assisting with water quality through absorption of excess nutrients and production of oxygen. Given the massing of boating facilities, marinas and theoretical number of boats proposed for this small area of canal there is a potential for boating related pollution to further exacerbate poor water quality. Water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models.

Socio-Economics

Given the large number of uncertainties around local and international COVID-19 restrictions and reopening strategy, forecasting future hotel demand is extremely challenging. Recovery of the tourism industry on a whole is likely to be difficult to predict and COVID-19 has also accelerated the adoption of alternatives to travel such as the use of digital collaboration tools reducing the need to travel for face-to-face meetings, which is likely to have long-term implications for business travel demand. The draft National Planning Framework recognises that "the growth of tourism in the Cayman Islands, particularly the development of large hotels and condos along Seven Mile Beach, can appear to dominate the streetscape and create a perception that overdevelopment is occurring" (section 12, P.100). Goal 1 of the Tourism chapter includes the following action items:

- Ensure that future tourist accommodation is deemed necessary and designed with long term goals in mind.
- Applications should be accompanied by a market analysis that illustrates demand for the proposed development.

RB5- The Road Back to 500K Air Arrivals Strategic Tourism Plan, Reassessed Goal 2 states "There is significant economic fallout for many small businesses and some larger ones. The focus will now be on helping tourism enterprises to recover and survive when the country reopens. It will not be possible to save all businesses, but urgent efforts will be made to assess and provide support, where feasible. The nature of the support referred to in item (5) will be adjusted so that while focus remains on developing some new businesses there will be a concerted effort to support existing ones." Item 5 above refers to "Facilitate and attract development of small and micro tourism-related businesses, boutique hotels, vacation homes, and other non-traditional accommodations services in priority sustainable development areas." Appendix 3 of RB5 lists potential and approved/incomplete projects likely to come online that could saturate Grand Cayman's accommodation market at a time when there will be increased competition between destinations and on-island as tourism recovers. Accordingly, there should be an evaluation of the need for further hotel development in the western part of Grand Cayman. Item 5 as detailed above refers to the need to support boutique hotels, vacation homes, and non-traditional accommodation services, and the approval of a further 9 storey hotel goes against this policy.

Daylight, Sunlight, Overshadowing, Overlooking and Cumulative Effects

The Proposed Development has three 7-storey buildings and three 9-storey buildings of up to 120ft tall. As the adjacent properties to the north are single family homes in fairly close proximity, there is significant overlook by the Proposed Development. The nearest single family home to the Proposed Development is approximately 175ft from the nearest 120ft tall

9-storey building. The Proposed Development will likely cause adverse effects on the adjacent property from overshadowing and overlooking, potentially undermining the privacy of those properties.

Consideration should be given to whether this scale of development is appropriate in this instance given the character of the area and the proximity of existing residential properties. Although ten storey buildings are becoming more common along the Seven Mile Beach corridor and in Camana Bay, this proposal would be the tallest on the North Sound coastline outside of a Planned Area Development. Consideration should be given to the cumulative impacts of the Proposed Development in the context of the already proposed and potential development of the wider area, especially in relation to the viability of tourism as outlined in the socio-economics section above. With several new hotels proposed for development and currently under construction along the Seven Mile Beach corridor including the Grand Hyatt and Hotel Indigo this project will add to the accumulation of hotel capacity for which the need should be suitably assessed.

Conclusions

While the DOE does not recommend the Proposed Development be the subject of an EIA, there are potential significant impacts to the surrounding areas due to the excavation works to expand the canal areas, water quality issues relating to increased length of the canal, overshadowing and overlooking of the neighbouring properties, and traffic impacts. However, an EIA is not considered the most appropriate vehicle to assess these effects. The Department of Planning is developing the draft National Planning Framework which would include carrying capacity studies to examine and determine the potential growth within the Seven Mile Beach corridor which should be used to assess proposals such as this one. Similarly the Revised Tourism Plan for the Cayman Islands 2020 should be considered and give guidance to the suitability of a project like the Proposed Development.

The DOE recommends that a hotel needs assessment is carried out to determine the need for hotels in this area. We strongly recommend that this study is completed and the results are reviewed prior to determining this planning application.

In addition, water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models. Best practice would dictate that this should be required prior to determination of the application. However, if the CPA is minded not to require this in advance of determination, at a minimum it should be a condition of the planning permission.

<u>Screening Opinion for the Proposed Land Ltd. (Prisma) Hotel and Condo. Development 7</u> <u>Jan 2022</u>

Executive Summary

The National Conservation Council's (NCC) Directive for Environmental Impact Assessments (EIAs) notes that all activities listed in Schedule 1 will be considered against the screening criteria outlined in the Directive to determine whether an EIA may be required.

The Proposed Development, Land Ltd. (Prisma) Hotel and Condos, is a proposal including a 9-storey hotel with 44 guestrooms, 5 apartment buildings (7 or 9 storeys in height) with 58 apartments, 10 duplexes, 20 townhouses, 5 house lots, a restaurant, a bar/café, 20 pools, a canal marina, docks and parking facilities. As the Proposed Development is a hotel development, it was screened to determine whether an EIA was required. Five potential areas of impact were identified: transport, socio-economics, water quality, overlooking and overshadowing and cumulative effects.

The main socio-economic consideration in relation to the Proposed Development is the need for a further 9-storey hotel development, particularly in the face of great economic uncertainty associated with the COVID-19 pandemic. The DOE recommends that a hotel needs assessment is carried out to determine the suitability of hotels in this area as per the recommendations of the Draft National Planning Framework and the Tourism Plan for the Cayman Islands 2020. Additionally, water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models.

Other implications should also be assessed in the planning application review, including the impacts of overlooking and overshadowing on surrounding land uses and the impact on traffic.

The Department of Environment is of the opinion that the Proposed Development does not require an EIA in order for these concerns to be appropriately addressed.

Introduction

The process for determining whether an Environmental Impact Assessment (EIA) is needed is a statutory process that is governed by the National Conservation Act (NCA). This first stage, where the relevant authorities decide if a development is one requiring an EIA (i.e. requires an EIA), is called screening.

The National Conservation Council's (NCC) Directive for Environmental Impact Assessments (EIAs) issued under section 3(12) (j) and which has effect under section 43(2) (c) of the NCA, notes that all activities listed in Schedule 1 will be considered against the screening criteria outlined in sections 2 to 3 of Schedule 1 of the Directive to determine whether an EIA may be required. The Proposed Development falls within Schedule 1, i.e. a hotel development.

The screening criteria include:

- *The type and characteristics of a development;*
- The location of a development; and
- •The characteristics of the potential impact.

These screening criteria have been considered with respect to the Proposed Development in order to determine whether an EIA is required.

The Site

The site is located at Block 17A Parcels 170REM1, 145 and 146, on Crighton Drive in Crystal Harbour. Figure 1 shows the site location. The site occupies an area of approximately 6.25 acres surrounded by single home residential parcels, the North Sound Golf Course and the Holiday Inn Hotel. The parcels to the south of the Proposed Development are vacant residential parcels adjacent to the Golf Course. The parcels to the north and west are single family home residential properties. The parcels to the west of the Proposed Development are future apartment developments forming part of the Diamond's Edge project and the existing 3-storey Holiday Inn Hotel. The subject parcel is currently zoned as Hotel/Tourism Zone 1. The site is man-modified and of low ecological value as it was filled during the original works to create Crystal Harbour. However, the works to expand the water ways into the property in order to provide the marina and boat slips has the potential to impact the surrounding canal (see Ecology section below).

The geo-technical characteristics of the site may also be of concern due to the potentially inadequate fill stability from the original works. The site was originally mangroves and the area was transformed into a dredged and filled residential canal development during the 1980s/90s. Although the excavated fill material is typically marl and considered suitable for the building of smaller scale developments such as houses, there are known to be areas where de-mucking of underlying layers of peat was not carried out. These underlying layers of unstable material have caused issues with subsidence in structures including the roads in this area in the past. Geotechnical investigations should be thorough in order to ensure that the site is suitable for the construction of large buildings up to 9-storeys high.

Proposed Development

Description of the Proposed Development

The Proposed Development, Land Ltd. (Prisma) Hotel and Condos, is a proposal including a 9-storey hotel with 44 guestrooms, 5 apartment buildings (7 or 9 storeys in height) with 58 apartments, 10 duplexes, 20 townhouses, 5 house lots, a restaurant, a bar/café, 20 pools, a canal marina, docks and parking facilities. The proposed maximum building height of 120ft conforms to the maximum permitted height of a building of 130ft in Hotel/Tourism Zone 1.

Planning History

There have been no applications or other actions for this site since Crystal Harbour was filled and the parcels were subdivided to create the residential area.

Characteristics of Potential Impact

The baseline conditions, the potential impact of the Proposed Development and any likely significant effects have been qualitatively assessed for each of the below environmental aspects. Having due regard to air quality, architectural and archaeological heritage, climate change, flood risk, ground conditions, and noise and vibrations, there are not considered to be significant adverse environmental impacts in this area. With respect to climate change, the proposed development is set back from the coastline and is proposed to be filled to a ground elevation of 8ft above mean sea level around building footprints, therefore it has low

vulnerability to sea-level rise. However all structures in the Cayman Islands will be susceptible to an increase in the intensity of storms and more intense but fewer rain events.

Ecology

The land area of the site is man-modified, having been historically cleared of mangroves and filled, it is therefore of limited ecological value. However, the canal areas around the site are of ecological value as they contain seagrass beds, benthic algae and multiple marine species which rely on these important habitats.. Although the proposal does not seek to alter the existing waterway areas, direct impacts will be caused in the areas where these are connected to the proposed waterway sections, including the boat slips on the northern edge of the development and the canal extension on the south. The connection of these areas to the existing canal will mean the removal of the existing seawall and excavation of the 'shelf' area which supports it. These works will also potentially cause indirect impacts to the canals by the excavation of the material in the boat slips and canal extension as well as in the construction of the proposed docks. Fine silt is easily disturbed and suspended during excavation in marl areas resulting in detrimental sediment plumes which can impact surrounding seagrass communities and marine organisms that depend on good water quality. Therefore, it is important to limit the impacts of sediment plumes generated during the works through the use of silt screens and other turbidity control measures. The applicant has indicated in their submission that they intend to use silt screens to militate against this risk.

Additionally, the extension of the canal will add further water volume towards the end of a 'dead-end' canal system that may have implications for water quality due to inadequate water movement and flushing. Canals in excess of 8ft water depth often are too deep to allow sufficient ambient light to reach the canal seafloor which prevents the establishment of marine plants and algae responsible for assisting with water quality through absorption of excess nutrients and production of oxygen. Given the massing of boating facilities, marinas and theoretical number of boats proposed for this small area of canal there is a potential for boating related pollution to further exacerbate poor water quality. Consequently, water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models.

Socio-Economics

Socio-economics refers to the analysis of how economic activity affects how societies progress, stagnate or regress because of their local or regional economy, or the global economy. The main socio-economic consideration with the Proposed Development is the need for a further large scale apartment and hotel development, particularly in the face of great economic uncertainty associated with COVID-19.

The negative effects of COVID-19 on the global, regional and local travel industry have been unprecedented. Given the large number of uncertainties around local and international COVID-19 restrictions and reopening strategy, forecasting future hotel demand is extremely challenging. Recovery of the tourism industry on a whole is likely to be difficult to predict

and COVID-19 has also accelerated the adoption of alternatives to travel such as the use of digital collaboration tools reducing the need to travel for face-to-face meetings, which is likely to have long-term implications for business travel demand.

Further, the draft National Planning Framework recognises that "the growth of tourism in the Cayman Islands, particularly the development of large hotels and condos along Seven Mile Beach, can appear to dominate the streetscape and create a perception that overdevelopment is occurring" (section 12, P.100). Goal 1 of the Tourism chapter includes the following action items:

- Ensure that future tourist accommodation is deemed necessary and designed with long term goals in mind.
- Applications should be accompanied by a market analysis that illustrates demand for the proposed development.

The National Tourism Plan (2019-2023) conducted situation analysis which revealed that the spatial distribution of impacts from visitation in Grand Cayman are highly concentrated in the western districts of George Town and West Bay. The districts of Bodden Town, North Side and East End are receiving lower levels of visitation and hence less pressure on tourist attractions (Annex A). The Tourism Plan does not include the objective or goal of further hotel development on the western side of Grand Cayman, instead it notes that the growth in demand for "alternative accommodations" is an important source of competitive advantage for the Cayman Islands, given the Island's significant inventory of vacation homes and condominiums. The Plan notes that the country has an opportunity to attract visitors looking for unique and distinctive accommodation, with substantial unexploited potential for the development of small and micro tourism-related businesses, guest houses, boutique hotels and home sharing accommodation facilities especially in less-visited areas (East End, North Side, Bodden Town, Cayman Brac, and Little Cayman) (Strategy 2.5).

RB5 The Road Back to 500K Air Arrivals Strategic Tourism Plan, Reassessed Goal 2 states "There is significant economic fallout for many small businesses and some larger ones. The focus will now be on helping tourism enterprises to recover and survive when the country reopens. It will not be possible to save all businesses, but urgent efforts will be made to assess and provide support, where feasible. The nature of the support referred to in item (5) will be adjusted so that while focus remains on developing some new businesses there will be a concerted effort to support existing ones."

Item 5 above refers to "Facilitate and attract development of small and micro tourism-related businesses, boutique hotels, vacation homes, and other non-traditional accommodations services in priority sustainable development areas." Appendix 3 of RB5 lists potential and approved/incomplete projects likely to come online that could saturate Grand Cayman's accommodation market at a time when there will be increased competition between destinations and on-island as tourism recovers. Accordingly, there should be an evaluation of the need 6 for further hotel development in the western part of Grand Cayman. Item 5 as detailed above refers to the need to support boutique hotels, vacation homes, and non-traditional accommodation services, and the approval of a further 9 storey hotel goes against this policy.

Transport

The Proposed Development has 223 parking spaces. There is potential for the Proposed Development to cause significant traffic impacts in the Crystal Harbour area with the addition of road users from the hotel and apartment development depending on the usage of vehicles and the amount of journeys taken. This potential is in part exacerbated by the cumulative effect of other large scale developments planned for the Crystal Harbour area, such as the Diamond's Edge residential development, and the limited existing road infrastructure with only one road access connection to the Esterly Tibbett's Highway via Safehaven Drive. However, we do not believe an EIA is required solely to address the issue of parking provision. A Traffic Impact Assessment should be undertaken for evaluation by the National Roads Authority in their consideration of this proposal.

There is also likely to be an increase in boat traffic in the canal system due to the Proposed Development; submitted plans indicate that boat slips and docks to accommodate at least 34 boats will be built. Although this is not likely to result in the congestion of the canal by boat traffic there is the potential for an increase in noise and incidence of use of the canal by commercial boats taking passengers to and from the Proposed Development's hotel. It should be considered whether the Crystal Harbour canal development is suitable for and was intended for the berthing and passage of commercial boats especially given the current single residence land use of the area.

Daylight, Sunlight, Overshadowing and Overlooking

The Proposed Development has three 7-storey buildings and three 9-storey buildings of up to 120ft tall. As the adjacent properties to the north are single family homes in fairly close proximity, there is significant overlook by the Proposed Development. The nearest single family home to the Proposed Development is approximately 175ft from the nearest 120ft tall 9-storey building. The Proposed Development will likely cause adverse effects on the adjacent property from overshadowing and overlooking, potentially undermining the privacy of those properties. Consideration should be given to whether this scale of development is appropriate in this instance given the character of the area and the proximity of existing residential properties.

Cumulative Effects

Although ten storey buildings are becoming more common along the Seven Mile Beach corridor and in Camana Bay, this proposal would be the tallest on the North Sound coastline outside of a Planned Area Development. The proposed development will be visually prominent and there will be visual amenity effects as it will be visible from much of the North Sound Coastline as many of the other large buildings along Seven Mile Beach are. The cumulative effect of buildings of this height should be considered as it will significantly alter the skyline of this part of Grand Cayman.

As previously mentioned, traffic impacts are also a potentially significant negative impact of the Proposed Development and the effects of this would accumulate with the construction of other developments in this area potentially causing traffic issues due to the limited road infrastructure linking the area to the Esterly Tibbetts Highway.

Consideration should be given to the Cumulative impacts of the Proposed Development in the context of the already proposed and potential development of the wider area, especially in relation to the viability of tourism as 7 outlined in the socio-economics section above. With several new hotels proposed for development and currently under construction along the Seven Mile Beach corridor including the Grand Hyatt and Hotel Indigo this project will add to the accumulation of hotel capacity for which the need should be suitably assessed.

Conclusions

While the DOE does not recommend the Proposed Development be the subject of an EIA, there are potential significant impacts to the surrounding areas due to the excavation works to expand the canal areas, water quality issues relating to increased length of the canal, overshadowing and overlooking of the neighbouring properties, and traffic impacts. However, an EIA is not considered the most appropriate vehicle to assess these effects. The Department of Planning is developing the draft National Planning Framework which would include carrying capacity studies to examine and determine the potential growth within the Seven Mile Beach corridor which should be used to assess proposals such as this one. Similarly the Revised Tourism Plan for the Cayman Islands 2020 should be considered and give guidance to the suitability of a project like the Proposed Development.

The DOE recommends that a hotel needs assessment is carried out to determine the need for hotels in this area. We strongly recommend that this study is completed and the results are reviewed prior to determining this planning application.

In addition, water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models.

After considering the Screening Opinion detailed above, the NCC is required to issue its decision to the originating entity on the requirement for an EIA, pursuant to Section 43 (1)

Notice of National Conservation Council Decision Ref:

Proposed Land Ltd. (Prisma) Hotel and Condo. Development

- 1) The Proposed Development, Land Ltd. (Prisma) Hotel and Condos, is a proposal including a 9-storey hotel with 44 guestrooms, 5 apartment buildings (7 or 9 storeys in height) with 58 apartments, 10 duplexes, 20 townhouses, 5 house lots, a restaurant, a bar/café, 20 pools, a canal marina, docks and parking facilities.
- 2) The proposed action is Planning Approval by the Central Planning Authority (CPA) of the Proposed Development.
- 3) The Proposed Development is a hotel development and so falls within Schedule 1 (those proposed activities which need to be screened to determine if an Environmental Impact Assessment is required) of the National Conservation Council's Directive for Environmental Impact Assessments (EIAs) issued under section 3(12) (j) and which has effect under section 43(2) (c) of the National Conservation Act.

- 4) The Proposed Development was considered by the National Conservation Council at its working group session on 19 January 2022.
- 5) Council noted a variety of factors, including but not limited to a. The Department of Environment's Screening Opinion of 7 January 2022 for the Proposed Land Ltd. (Prisma) Hotel and Condo. Development. b. That relevant assessments of the possible impacts of the Proposed Development could be made which would allow the Central Planning Authority to make an informed decision, without recourse to a full Environmental Impact Assessment. c. That a hotel needs assessment should be carried out to determine the suitability of hotels in this area as per the recommendations of the Draft National Planning Framework and the Tourism Plan for the Cayman Islands 2020. d. That water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognised flushing analysis models.
- 6) Under section 41(3) of the National Conservation Act, 2013, the Central Planning Authority shall take into account the views of the Council before making their decision regarding the proposed action.
- 7) Council decided that that the Proposed Development does not require an Environmental Impact Assessment.
- 8) And that this decision would need to be ratified at the next suitable General Meeting of the National Conservation Council.
- 9) It should be communicated to the CPA, and by the CPA through their usual and sufficient means of communication to the appropriate parties, that the CPA or a person aggrieved by a decision of the National Conservation Council may, within 21 days of the date on which the decision of the Council is received by them, appeal against the Council decision to the Cabinet by serving on the Cabinet notice in writing of the intention to appeal and the grounds of the appeal (Section 39 of the National Conservation Act, 2013).

APPLICANT'S SUBMISSION

See below as well as Appendices C through F

Below please find the responses to your comments, and objections:

Comments from Planning:

1. SIDEWALKS AND PARKING WITHIN ROAD ALLOWANCE - REQUEST VARIANCE OR REVISE

A letter from Land Ltd, owner of Block 17A, Parcel 373 has been provided, granting this project the right to use of the Right of Way for construction of sidewalks, curbs, parking spaces and structures necessary for the proposed development. It is also important to note that Land Ltd has in the past provided such variances to homeowners facing the 50' Crighton Drive road reservation, to construct driveways, curbs, parking spaces and or landscape.

2. HAMMERHEAD REQUIRED - NO HAMMERHEAD PROVIDED FOR PROPOSED 5 RESIDENTIAL LOTS -SUGGEST REVISION At a meeting held on January 12th, 2022 between Mr. Popovich and myself, it was agreed that a Hammerhead layout for the end of the interior road was not necessary.

3. SOLID WASTE FACILITIES - ONLY SOLID WASTE STORAGE I COULD FIND WAS AT THE PARKING GARAGE -SUGGEST MORE FACILITIES AROUND CANAL BASIN AND APARTMENT/HOTEL BLOCKS

Project will handle solid waste operationally, to ensure all waste for both residential and commercial is picked up and brought to the single centralized point, located at the parking lot.

4 SEWAGE TREATMENT - COULD FIND NO SEWAGE TREATMENT PLANTS OR SEPTIC SYSTEMS

Sewage system exists in Crystal Harbour. Prisma will connect to it.

5. SUBDIVISION LOT AREAS - REGULATION 11(1)(D) REQUIRES MINIMUM 10,000 SQ FT FOR HOUSES -ONLY ONE LOT SATISFIES THIS REQUIREMENT -REVISE OR APPLY FOR VARIANCE

Plans have been revised to show a single vacant lot for future single-family homes, with a total area of $\pm 42,000$ s.f.

6. ACCESSIBLE PARKING SPACES - COULD ONLY FIND 2 SPACES ON SP1.3 - REQUIRE MINIMUM 6 -REVISE OR VARIANCE REQUIRED

Plans have been revised to show 6 accessible spaces

7. RESTAURANT SETBACK FROM CANAL - MINIMUM 20 FEET REQUIRED -14 9 PROPOSED -REVISE OR APPLY FOR VARIANCE

Plans have been revised to show a 20'-0" setback from the canal

8. TOWNHOUSE 101 CANAL SETBACK - MIN 20 FEET REQUIRED -16 4 PROPOSED -REVISE OR APPLY FOR VARIANCE

Variance to canal setback has been requested for Duplexes and Townhomes

9. TOWNHOUSE 504 SETBACK FROM SIDE BOUNDARY - MINIMUM 20 FEET REQUIRED -5 9 PROPOSED -REVISE OR APPLY FOR VARIANCE

Plans have been revised to show 20'-0" side setback from the adjacent vacant lot

10. TOWNHOUSE CANAL SETBACKS - MIN 20 FEET REQUIRED -4 10 PROPOSED TO POOL -REVISE OR APPLY FOR VARIANCE

Variance to canal setback has been requested for Duplexes and Townhomes

11. APARTMENT BUILDING 1 SETBACK FROM CANAL - MINIMUM 20 FEET REQUIRED -18 1 PROPOSED -REVISE OR APPLY FOR VARIANCE

Plans have been revised to show a 20'-0" setback from the canal

12. HOTEL SETBACK TO CRIGHTON DRIVE - MINIMUM 20 FEET REQUIRED -9 5 PROPOSED -REVISE OR APPLY FOR VARIANCE

Variance for this setback has been requested

13. DUPLEX SETBACKS FROM SIDE BOUNDARIES - MINIMUM 20 FEET REQUIRED -10 8 & 4 PROPOSED -REVISE OR APPLY FOR VARIANCE

As per Amendment to regulation 10, 6(g) side setback shall be 15'-0". Plans have been revised to show 15'-0" setback from side property lines

14. DUPLEX SETBACK FROM CANAL - MIN 20 FEET REQUIRED -2 3 PROPOSED - REVISE OR APPLY FOR VARIANCE

Variance to canal setback has been requested for Duplexes and Townhomes

15. PARKING - TOWNS AND DUPLEXES ARE FINE - APARTMENTS, RESTAURANT, RETAIL AND HOTEL REQUIRE 169 SPACES -154 PROPOSED -REVISE OR APPLY FOR VARIANCE

Plans have been revised to show a total of 239 spaces.

16. COMBINED LOT AREA - PLANS INDICATE 328,508 SQ FT -MY CALCULATION INDICATES 324,418.9 SQ FT

Letter from surveyor confirming the square footage has been provided.

Comments from Government Agencies:

DEH:

Solid Waste Facility: This development will require (4) 8 cubic yard containers with 4 times per week servicing. The drawing must be revised to indicate the number of bins required.

-Plans have been revised to show a Solid Waste Facility with the number of bins required

Restaurant: The following must be provided for review and approval at the BCU stage: 1. Detailed plans showing the kitchen layout with all equipment. 2. Seating capacity for the restaurant. 3. Restrooms must not open directly unto dinning or seating area. 4. Specifications on all equipment including the exhaust system and hot water heater.

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

-All above comments will be addressed during the BCU permitting process.

Fire Department:

As per Building code amendments 310.2 Fire department vehicle access. All R1 and R2 occupancies three (3) or more stories in height shall provide open space of at least twenty (20) feet wide along three side of the building.

-Site plan has been revised to show a 20' wide Fire Lane, as required.

Please depict proposed Fire Hydrants and Fire wells.

-Site plan has been revised to show Fire Hydrants and Fire Wells, and details and calculations will be provided during the BCU permitting process.

DoE

Given the type of development (i.e. A hotel/resort development), the scale and the location of the proposal, the project was screened for an environmental impact assessment (EIA) as outlined in schedule 1 of the national conservation council's directive for EIAs issued under section 3(12) (j) and which has effect under section 43(2) (c) of the national conservation act. The screening opinion was considered and endorsed by the national conservation council at their meeting on the 19th of January 2022 and is provided in appendix 1 of this review attached. It was determined that whilst there are environmental impacts associated with this project, as detailed below and in the screening opinion, the project does not require an EIA to be conducted.

-We welcome the decision that this project does not require an EIA.

The site and ecology:

The land area of the site is man-modified (as shown in figure 1 below); it was historically cleared of mangroves and filled and is therefore of limited ecological value. However, the canal areas around the site are of ecological value as they contain seagrass beds, benthic algae and marine species which rely on these important habitats. Direct impacts will be caused in the areas where the canal is to be filled and those sections of proposed new waterways. Indirect impacts will also be caused by the excavation of the material in the boat slips and canal extension as well as in the construction of the proposed docks. Fine silt is easily disturbed and suspended during excavation in marl areas resulting in detrimental sediment plumes which can impact surrounding seagrass communities and marine organisms that depend on good water quality. Therefore, it is important to limit the impacts of sediment plumes generated during the works through the use of silt screens and other turbidity control measures. The applicant has indicated in their submission that they intend to use silt screens to militate against this risk.

Additionally, the extension of the canal will add further water volume towards the end of a 'dead-end' canal system that may have implications for water quality due to inadequate water movement and flushing. Canals in excess of 8ft water depth (the proposed is to be excavated to 12ft) often are too deep to allow sufficient ambient light to reach the canal seafloor which prevents the establishment of marine plants and algae 5 responsible for assisting with water quality through absorption of excess nutrients and production of oxygen. Given the massing of boating facilities, marinas and theoretical number of boats proposed for this small area of canal there is a potential for boating related pollution to further exacerbate poor water quality. Water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognized flushing analysis models.

-Developer will only allow two boats owned by the strata to moor along the central basin. No other boats will be allowed to moor along the boardwalk or within the central basin.

With regards to the existing canals and proposed extension, it is important to note that the depth of all existing canals in Crystal Harbour vary from 12' to 14'. Developer will consult with a local Civil Engineer to review the options to address the DoE's concerns and will present these options during the BCU permitting process. Additionality, Developer will

consult with the DoE on the sequencing of the canal extension, and the construction of the boat slips.

The site of the proposed hotel and condo development Socio-economics:

Given the large number of uncertainties around local and international covid-19 restrictions and reopening strategy, forecasting future hotel demand is extremely challenging. Recovery of the tourism industry on a whole is likely to be difficult to predict and covid-19 has also accelerated the adoption of alternatives to travel such as the use of digital collaboration tools reducing the need to travel for face-to-face meetings, which is likely to have long-term implications for business travel demand. The draft national planning framework recognizes that "the growth of tourism in the Cayman Islands, particularly the development of large hotels and condos along seven mile beach, can appear to dominate the streetscape and create a perception that overdevelopment is occurring" (section 12, p.100). Goal 1 of the tourism chapter includes the following action items:

- ensure that future tourist accommodation is deemed necessary and designed with long term goals in mind.
- applications should be accompanied by a market analysis that illustrates demand for the proposed development.

Rb5- the road back to 500k air arrivals strategic tourism plan, reassessed goal 2 states "there is significant economic fallout for many small businesses and some larger ones. The focus will now be on helping tourism enterprises to recover and survive when the country reopens. It will not be possible to save all businesses, but urgent efforts will be made to assess and provide support, where feasible. The nature of the support referred to in item (5) will be adjusted so that while focus remains on developing some new businesses there will be a concerted effort to support existing ones." Item 5 above refers to "facilitate and attract development of small and micro tourism-related businesses, boutique hotels, vacation homes, and other non-traditional accommodations services in priority sustainable development areas." Appendix 3 of rb5 lists potential and approved/incomplete projects likely to come online that could saturate grand 6 Cayman's accommodation market at a time when there will be increased competition between destinations and on-island as tourism recovers. Accordingly, there should be an evaluation of the need for further hotel development in the western part of grand Cayman. Item 5 as detailed above refers to the need to support boutique hotels, vacation homes, and nontraditional accommodation services, and the approval of a further 9 storey hotel goes against this policy.

-Although the proposed hotel is 9 stories, it is important to note that it includes only 44 Boutique style guest suites, which are scheduled to be completed in 3 years. It is also important to note that while the proposed apartment and hotel structures vary from 7 to 9 stories, each building contains only 10 and 14 units, respectively, and the hotel offers only 44 rooms. The density allowed for apartments in this site is 189 units, and our proposed development offers 58 (69% less); with regards to hotel rooms, the site allows for 490 rooms, and we are proposing 44 (91% less)

Daylight, sunlight, overshadowing, overlooking and cumulative effects

The proposed development has three 7-storey buildings and three 9-storey buildings of up to 120ft tall. As the adjacent properties to the north are single family homes in fairly close proximity, there is significant overlook by the proposed development. The nearest single-family home to the proposed development is approximately 175ft from the nearest 120ft tall 9-storey building. The proposed development will likely cause adverse effects on the adjacent property from overshadowing and overlooking, potentially undermining the privacy of those properties.

-The orientation and placement of the 7-story and 9-story Apartment and Hotel buildings was carefully studied to ensure the least impact on neighboring properties. It is also important to note that the owner of the nearest single-family home (mentioned above to be 175ft from the nearest 9-story building) has not objected to this application.

Consideration should be given to whether this scale of development is appropriate in this instance given the character of the area and the proximity of existing residential properties. Although ten storey buildings are becoming more common along the sevenmile beach corridor and in Camana bay, this proposal would be the tallest on the north sound coastline outside of a planned area development. Consideration should be given to the cumulative impacts of the proposed development in the context of the already proposed and potential development of the wider area, especially in relation to the viability of tourism as outlined in the socio-economics section above. With several new hotels proposed for development and currently under construction along the seven-mile beach corridor including the Grand Hyatt and hotel Indigo this project will add to the accumulation of hotel capacity for which the need should be suitably assessed.

The overall project, including the hotel has been carefully planned to embrace and enhance the surrounding properties. As explained in the Design Brief provided, the various elements, including the Hotel, have been situated in relation to similar elements, 7 like the existing Holiday Inn hotel, to provide a coordinated project that blends with its surroundings.

Conclusions

While the DoE does not recommend the proposed development be the subject of an EIA, there are potential significant impacts to the surrounding areas due to the excavation works to expand the canal areas, water quality issues relating to increased length of the canal, overshadowing, and overlooking of the neighboring properties, and traffic impacts. However, an EIA is not considered the most appropriate vehicle to assess these effects. The department of planning is developing the draft national planning framework which would include carrying capacity studies to examine and determine the potential growth within the seven-mile beach corridor which should be used to assess proposals such as this one. Similarly, the revised tourism plan for the Cayman Islands 2020 should be considered and give guidance to the suitability of a project like the proposed development.

The DoE recommends that a hotel needs assessment is carried out to determine the need for hotels in this area. We strongly recommend that this study is completed, and the results are reviewed prior to determining this planning application.

-As mentioned above, the proposed hotel, which is planned to be completed in 3 years, offers only 44 Boutique style guest suites. The Developer also has extensive experience in

the hospitality sector and is confident that this product is appropriate for this location and will be welcomed as a positive addition to Cayman's tourism product.

In addition, water quality concerns associated with the extension to the existing canal and its impacts on water movement and flushing on the overall ecological health of the marine waters in the vicinity of the development should be addressed through the use of recognized flushing analysis models. Best practice would dictate that this should be required prior to determination of the application. However, if the CPA is minded not to require this in advance of determination, at a minimum it should be a condition of the planning permission.

-With regards to the existing canal and proposed extension the Developer was the original developer of the canal system and is mindful of any impacts this project might bring and will be using careful study and analysis of the approach and monitoring of the canal excavation Finally, it's important to note that while the majority of Cayman is serviced by 30' roads, Crystal Harbour offers 50' road reservations. Crystal Harbour is also in the process of widening the main Crystal Harbour East access to allow for 2 entrances and 1 exit, which will ease any traffic concerns.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on Crighton Drive, generally across the street from the Holiday Inn.

The proposal is for the following:

- Five apartment buildings (total 58 units) three that are seven storeys and two that are nine storeys
- Five three-storey duplexes
- Twenty three-storey townhouses in a total of five blocks
- One restaurant with owners lounge
- Area for future residential lots
- Two storey parking garage and parking area (Parcels 145 & 146)
- Excavation for canal extension (basin)

A total of 219 parking spaces are required and 235 parking spaces have been provided. The majority of the proposed parking spaces (89) are on parcels 145 and 146. Six accessible parking spaces are proposed for the development.

Notification was served on landowners within 500 feet of the three properties and two advertisements were placed in a local newspaper. Objections have been received and are provided in the Appendix B.

Zoning

The three properties are zoned Hotel/Tourism and Low Density Residential. The basin centred property is zoned Hotel/Tourism whereas parcels 145 & 146 are zoned Low Density Residential.

Specific Issues

1) Parking & Sidewalks within Road Allowance

Department staff note that some of the proposed sidewalks and parking spaces are located within the Crighton Road road allowance.

In general, the NRA and CPA typically require the sidewalks and parking areas to be located within the property boundaries.

Land Limited, the registered owner of Crighton Road, has provided correspondence indicating that they have no objection to these features being located within the road allowance.

2) Concerns of the Objectors

Department staff have provided the letters of objection in an Appendix.

It is noted that the majority of the submitted letters are form letters with similar wording.

3) Combination of Parcels 145 & 146

Should the application be granted planning permission, the Department would recommend that the existing parcels for the proposed main parking area and parking garage be combined into one parcel.

4) Canal Setback for Townhouses (4'10" vs 20')

Regulation 8(10)(ea) states that in areas where the shoreline is canal, all structures and buildings, including ancillary buildings, walls, and structures shall be setback a minimum of 20 feet from the physical canal edge.

The proposed townhouses will be setback a minimum of 4'10" from the edge of the canal.

The applicant has applied for a variance and submitted a variance letter.

5) Duplex Setback from Canal (2'3" vs 20')

Regulation 8(10)(ea) states that in areas where the shoreline is canal, all structures and buildings, including ancillary buildings, walls, and structures shall be setback a minimum of 20 feet from the physical canal edge.

The proposed duplexes would be setback 2'3" from the canal edge.

The applicant has applied for a variance and submitted a variance letter.

SUPPLEMENTARY ANALYSIS

Revised plans have been submitted by the applicant that eliminate the proposed hotel building from the development. The area previously occupied by the hotel is proposed to be landscaped.

The removal of the 44 bedroom hotel from the development also reduces the number of required parking spaces from 219 to 197. The applicant has provided 244 parking spaces, including 6 accessible spaces.

The number of access points onto Crighton Drive has also been reduced by two as a result

of the revision.

The applicant has provided the following correspondence regarding the amended proposal:

Notwithstanding our previous amended plans which were submitted on February 25th 2022, having further considered the issues raised by the Planning Department, and in light of the fact that we still have our own concerns in relation to our late discovery that one very small corner section of the combined site appears to be zoned Low Density Residential and, although we believe our February 25th submittal fully and properly answers any concerns that this issue could potentially bring to an approval of the project we have decided to further amend the application by removing the proposed hotel building in its entirety from this application, so that the project be considered for approval on that basis, without the need to address any issue which may be raised in regards to the very small element of LDR zoned land. The Applicant intends to proceed now with the development comprised in the amended plans and will in the meanwhile consider what may need to be done to address the LDR zoning issue before it decides whether and how to proceed with seeking permission for the Hotel development.

Having completed our review, we hereby submit revision four (4) to our initial application made November 28th, 2021. For ease of reference, and to preserve the integrity of the plans, as well as to accurately represent the scope of the development for which permission is being sought at this time, we are submitting a full set of amended plans for the project including revisions made since the February 9th deferral, revision three (3) and this amendment, revision four (4).

As a result of the removal of the hotel element from the proposed development, you will note that the overall density of the site is reduced by forty (40) units, the building area is reduced by 35,849 sq. ft from 326,980 sq. ft to 291,131 sq. ft., the excess parking is increased from twelve (12) to thirty-seven (37) spaces and the number of vehicular access points onto Crighton drive has been reduced by two.

We believe that the removal of the hotel element, which also results in the removal of the necessity for one of the three previously requested variances, allows the project to proceed to fulfill its potential and bring not only a much-needed variety of residential products to the Seven Mile Beach corridor but also extensive community amenities that will benefit the entire Crystal Harbour community and its surrounds. The removal of the Hotel aspect of the proposed development will also obviously narrow the issues to be discussed and considered by the CPA, and based on the objections which were lodged, should significantly mitigate the concerns of many of the objectors.

3.0 <u>DEVELOPMENT PLAN MATTERS</u>

3.1 Discussion items:

- National Planning Framework
- Seven Mile Beach area

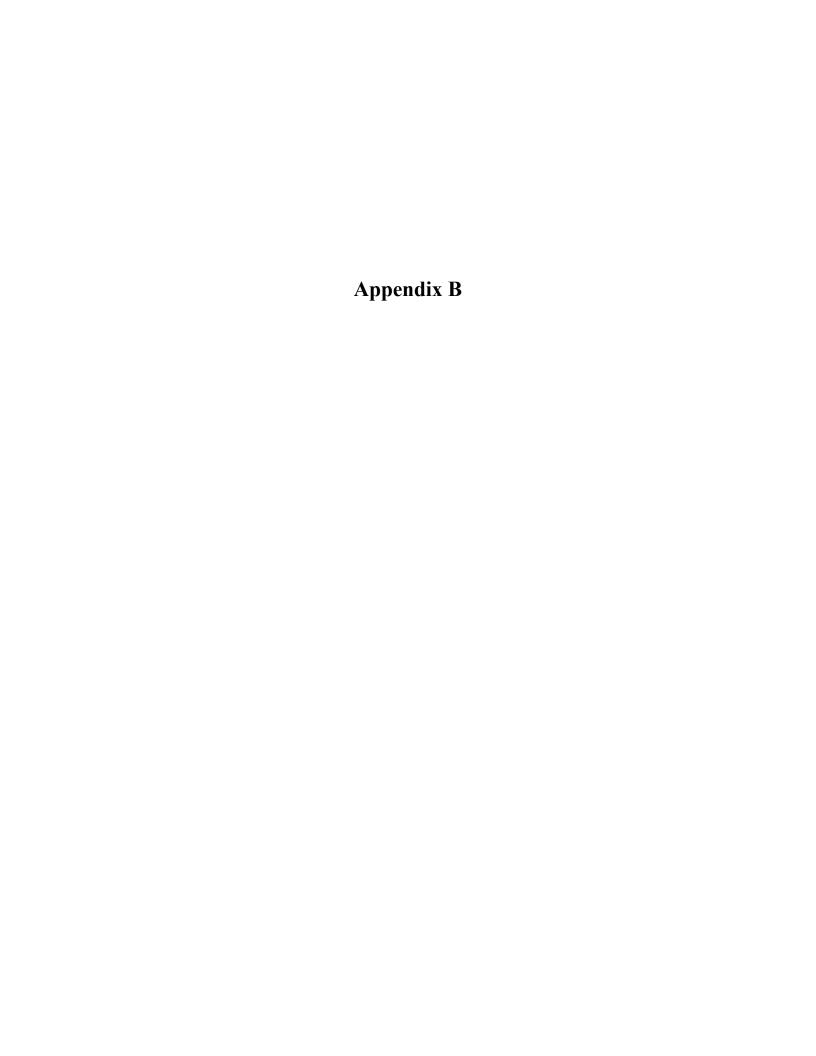
4.0 PLANNING APPEAL MATTERS

5.0 MATTERS FROM THE DIRECTOR OF PLANNING

5.1 Construction Operations Plans (NP)

Discussion of a draft document produced by the Department to address various issue pertaining to Construction Operations Plans.

6.0 CPA MEMBERS INFORMATION/DISCUSSION





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The Director of Planning
Department of Planning
Government Administration Building
183 Eighn Avenue
PO Box 113
Grand Cayman,
Cayman Islands
KX1-9000

Sent by: Email only

Dear Sir,

Re: Application for Planning permission (Project No. P21-1260) on Block 17A, Parcels 145,145 and 17DREM1 for the construction and associated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Buildings (between 7/9 stories (10) Deplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Café and associated development and viorks...." ("the Application")

13 (anuajy 2022)

We act for Catherine & Sebastian Sullbord, ("our Clients") the interested party and registered owners of property located in Crystal Harbour and legally described as Block 174, Parcel 157.

Our Clients wish to register their objections to the above mondoned Planning. Application and we request that this objection to make into the record of any happing or meeting concerning this application.

Our Cherc's objections are based on the fellowing principle concerns contained in the enred that is **appended** to this letter.

Reaso do not hardrate to contact our offices at eny time if you should require any further information.

Yours faithfully,



KSG Attorneys at Law

Hal Ebanks

From: sepastian guillia di svelvenie più qui loard com s

Sent: Thousally, lampary 13, 2022 5:36 AM.

To: H4 Danks

Subject: Please lot me know it you need any long lebs.

TO: Director of Planning

 $\mathsf{E}_{\mathsf{A}\!+\!\mathsf{Q}} : \mathsf{Q}_{\mathsf{A}^{\mathsf{A}}}.$

We wish to formely object to the proposed application (or Manning permission (P21, 1280) and wish (or consompliant to be upon the second of any meeting.

We reserve our right to make further representations on this matter through our aprointed legal courses. NSC Atterneys at Law.

There are particular elements of the proposed coval proteint that we object to, as well as transport appear to contradict the Transing and Development Regulations and Act.

1. Spilabilite & Building Helaht

We acknowledge that higher density housing anc/or a hotel use can he approved for this ato, in wester given the character of the noighborhood, we invite the members of the Control Planning Authority ("the CPA") to consider what an appropriate scale may be for a rule ed-use hotel development in an area of or the main fourtim controls which is uncoubtoaly intertwined a till lawer consists restoonful areas.

ATM Mewbot the security map for the Crystal Hartrout area, it seems the may be an anomaly by a past masson plan that never came to be. This piece is now isolated, mainly survivingled by an extendish Allow-density respectual neighbourhood.

Regulation B(Z)(c)(i) allows making in the idings heights of 10 storays/138/for a naturalisand notels, their sections of properties that feach as a control of a residency LDE subdivision, has, the land to the east storage control of a residency LDE subdivision, has, the land to the east storage control Hotel/Totalism, but it is along a long, natural shortelise. The F/I cone extends the entirety of the Yorth Sound shortline, while the remainder of Chyptain academic shored how Denaity Residential (*LDR*) and Appareted from the flotter langer master also intended at one time that have been along the property.

B) Inding heights in this area are 3-storage or reserve in the exception of an approved \star storage apartment development of the Heidelphin Grand Cognomic Reserve only 3 storages.

The applicant is carrest, that this is one of the set large tight places in the area, which means it it's approved for anything higher than 4 stones it will be the only tower and be out or character with the area. We respect tilly submit, that High towers are so table in internatives or area designed for high density fourteen such as Seven Mile Brach and Coange Town, not a gated residential development.

If CPA is minited to approve the development of the site in the proposed reanner, it is stearly not in keeping with the characteristics of the neighborhood and the splitt of the legal framework, underplaning development in the Cayman Islands

Traffic & Road Safety

Expanding the horising within the residential subdictsion will result in maressed commontal position. The design offers nothing to militially the in pacts, but instead we argue, is ries (need to worsen conflict.

Typically, a mixed-use and metal covalogoral call have 1-2 access points from the read and offer an internal disculption system to direct cuests. This prohosal has 11 access drives. It is not designed to minimize trains movements or a residential road. Crystal Hardynn residents are able to walk, run and bike safely throughout the heighhorhood. Ciril remains able to safely distributed without having to worky about specifing (are Traific is predictable and slow.

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3. Boat Trafffe

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4. Parking

If appears all of the restaurant and hatel parking are provided across Originan En Sylon residential loss Parcel 145 B. 146. Are restaurant patrons expected to welk that distance to the restaurant? We submit this progress will create a safety hazard for pecestrians on the property.

The restaurant's texi-turnaround area shows access with the (uplexes and house late. If the restaurant is successful, this will know conflict with access for the restaurant at the text the letter of mixing commercial traintoin a low density residential area. The parallel parking is front at the restaurant – is this for the residences or the restaurant – is there a potential for conflict? With the lack of expreprietely places parking, we rear the bouse lots will not be developed and instead be used for restaurant parking. We train will he was a training for front the subdivision, generating excessionales from vehicles, potential odors from car runtes, and head lights shipping onto educating excess make from vehicles, potential odors from car runtes, and head lights shipping onto educating parking the evenings. If the house of some blocked from parking, this will likely force patrons to park an Grighton Dilve. We charm attention to Reg 3.(1)(c) to a Neighbourhand Commontal ratio or fluid/Tourism zone, breaty-rive per cent of the parking space may be ideated not more than rive handred feet from the respective building.

5. Marso

The listel includes a rection bar and latcher, which will be the first of its kind will an a residential beighbourhood. The proposed bar fives south onto the subdivision. The winds primarily come from the past and therefore the western properties will be negatively impacted by any sounds and odors covering from the root too ber, restaurant, and any large group beating activities.

Any evening evenes will most. Rely have an impact on the neighbourhood with notice and lights which again diminish the owners ability to procedul or joyneant and privacy of their property.

6. Hotel Setback Variance

A small portion of the hotel encroaches the 20' road setpack. The applicant daining the following exceptional products the warrant the variance:

B(13)(0)(0) received because the expression from the site's development parameter.

We argue this is a self-imposed restriction. The site is large (5.34 sames) and vacant, there are no existing circumstances that are conflicted from complying with setpacks. There are a myriad of all local could be employed to allow all solutions to comply with the sepaces.

7. Commercial Use in a Residential Zone

Reg 9(5) states this use of lend within a residential case shall be dangerous, about long or travel offersive odors or anotherwise create a missing or amoyance to others. The anchary passing let with a two-storey commercial building is lessed on a passet zoned 100, We eigher this use at I create hulsance for healthy proporties by thorwising traffic movements on a residential read (3 driveways for a single occupancy use?) and not offering any historian screening to block headights from sharing on the read and adjacent properties.

Furthermare, the architectural style is a simple block, which is not in character with the community's (**siderital nature.) The second floor is to be used for affice of storage — presumably to store necessary hotel stock and house administrative offices. Where will maintenance vehicles, landscape obtains and heavy machinery be stored?

We include a few other items that appear to be comes or conflict with Development & Planning. Populations that we hereby ask that the CPA give its reasoned consideration.

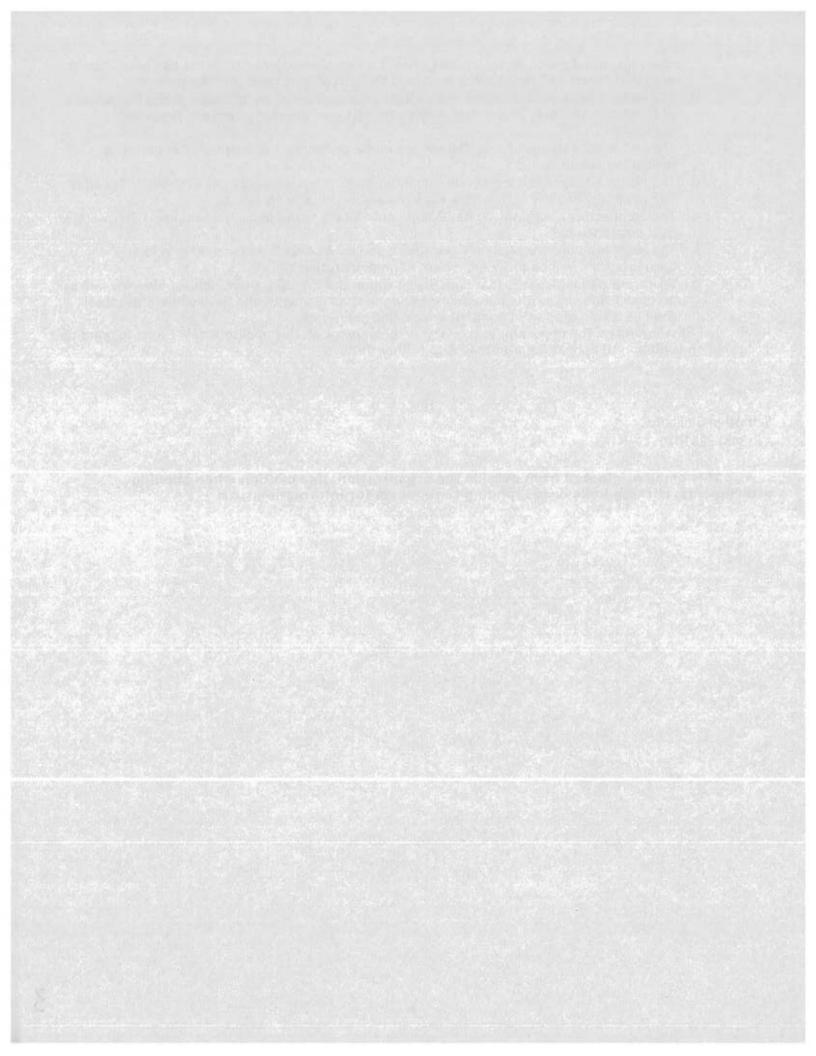
7. The applicant states the proposal area is 7.54 arros, while it is in fact approximately 6.03 acres, to appears the applicant included the whole of Percel 147 when calculating site.

- overlage and density, however 0.84 about the Parcol is excluded from the Alta Hair. Also to note that Parcol 147 is not listed as one of the Hair rail raily property for development.
- 2. The newspaper advertidoes not meter the newspaper template provided in the Department of Planning's website, it does not provide for an small address to hyprine about the application.
- The newspaper advertible dimeiled notices make no mention of a canal extension or a respect at subdivision.
- d. The house late 40 are comply with a minutal ϕ_n size requirements per Regulation 19(1)(c), The applicant has not stated they were requesting let size variances.
- e. The architectural drawings do not include pay rietails of the pedestrian bridge. What will the wall clearance be?
- have notel ground floor plan anly amyldes a shall and details as to whether a lobby backrashoused will be included, extent of administrative of ces.
- 9. There are perking spaces that partially the within the Crighton Billoc Koht-of-way, as we has proposed stockables. It is our undersecting that all elements of a development proposal shall lie within property boundaries, including stockables.

Phank you for allowing us the apport thity to review and conjugent on this application. We look forward to exceed an invitation to appear before the CPA to further elecust.

Sebest'en Guillbard. +1 (346) 3251014

===This email originated from outside the organization. Use caution when opening Attachments, clicking links or responding to requests for information.====



Popovich, Nicholas

France Department of Planning

Seint Priday, January 14, 2022 8:39 AM

To: Papavich, Nicholas

Subject: PAY Objection to PROJECT MO 921-1260, Block 17A Reports 170 8(M 1, 145 and 140)

From: Suy Manning | Campbells (moilto: SManning @campbelsiegal.com)

Sent: Thursday, January 18, 2022 10,39 PM

Tex Department of Pamping Affecting Dept/Deptatys.

Subject: IEX FERNALI Objection to PROJECT NG.F21-1260, Block 17A Parcels 17GRBM1, 145 and 146

(lear Director of Planning)

Lam the revoer of Block 17A Carrel 352 in Coystel Harbour.

Family 1703/961. 145 and 146 cm, the preliminary grounds set out below. In preach of Section 15(4) of the Development and Planning Act (2021 Revision) (the "Act" Land Regulation 8:12A(ja)(iv)) of the Development and Planning Act (2021 Revision) (the "Act" Land Regulation 8:12A(ja)(iv)) of the Development and Planning Regulations (2021 Revision) (as a mendeon (the "Regulations"), there not received notification of the application by refultion unit for observing from the developers. Time has therefore not started to run for the purpose of objecting to the application. For y recently occame award of the proposed development through an act of eight of action News Service and my objections are based on the limited site plans and elevations published on the way, planning by, without the best being served elevated as are find using from plans) which might have been submitted to but not our ished by the Department of Planning. Increase the light to supplement and/or ancine my profining grounds of objection upon being served with making of the Hodination in approximate with my statutory right, and/or upon revised or accit onal plans being served with making of the Hodination in approximate with my statutory right, and/or upon revised or accit onal plans being submitted.

My preliminary group objet dager, is mane as follows:

 The application as published is incomplete and therefore defective, and may contain various branches of the Regulations.

If the plans published on <u>www.planning.ky</u> comprise the cutivet_y of the submitted plans, they do not meet the requirements of the Regulations. For example,

- 1.1 no floor plans are shown on the application (Regulative $\Theta(1)(a)[i]$).
- 1.2 the plans coinct appear to show the water and sanitary distinge systems [Regulation 6[4](f]).
- 1.3 The plans on not appear to have been only tertified [Regulation 6(7)]:
- 1.4 the number of parking spaces named by determined (in particular (but by thou) prejudice to the ground will 2.1 below) because the number of spaces in the multi-storey car park on Block 17A Parcols 145 and 149 is not specified), such that it is not possible to determine whether the application remplies with

each of the applicable requirements as to the total number and location of parking spaces (Regulation 201));

- 1.5 the number of hotel rooms is not specified, such that it is not possible to determine whether the applicable hotel parking requirements (Regulation 8)1((w)) or the limit on frotal rooms per yora [Regulation 10(10)(w));
- 1.5 the number of apartment rooms is not specified, such that it is not possible to determine whether the applicable apartment packing requirements (Regulation 2(1))vii() or the limit on apartment rooms per sore (Repolation 10(1)(b));
- 1.7 as the number of hotel and apartment rooms are not specified and the number of parking spaces cannot be identified, it is also not possible to determine whether the total number of parking spaces is sufficient having regardalso to the obligation to provide 90 dectrated parking spaces for the 5.569 sq ft restourant and additional codicated parking spaces for each detashed nouse and duplex (Regulations S(1))(ii) and (VII);
- 1.3 the site reverage percentage on Bkkk 17/1 Partyl 1708f M1 is not specified, such that it is not possible to determine whether the applicable maximum coverage has been complied with (Regulation 16(c)). It is noted that the owner plots at the west end of the Parcel are shown as being a vector subdivision. No subdivision is mentioned in the place. Deducting the energy file proposed parametrization for the proposed project, but it is not possible to calculate the percentage of coverage because the necessary information has not been provided; and
- 1.9 the site coverage percentage on Block 170 Parcels 145 and 146 is not specified, such that if is not passible to determine whether the multi-storey can park and the parking area on Block 174 Parcels 145 and 146 exceed 75% of the area of those parcels, although they appear to do so (Segulation 5(1)).

2. Actual breathes of the Regulations

- 2.1 The narking areas purposed on Block 17A Parcels 17000A1, 115 and 180 extend beyond the parcel councieries and encreach into Originan Drive. In Originan Drive and the parcels are under common ownership that is the event. Welther the Act nor the Regulations elstinguish between publicly are privately revised coach for this purpose. The privately rewined Original Drive is a read over which rights of each and access exist and the proposed encroachment on it is impermissible.
- The multi storcy car park proposed on Block 17A Panisk 145 and 146 does not fall within the definitions of the Regulations of either "parking area" or "entillary boilding". A "parking area" is defined as "encoren space reserved for parking vehicles related to any building" (emphase added). The multi storcy car park is a building, not an open space, and it is not related to any after building on those parks. (which are separate and distinct from Packel 17006M1); it is the only building. An "and they optiding" is defined as "a garage on other buildings or structure on a lot or partel supportinate to and not forming an integral part of the main or principal building but pertaining to the use of the main building". The multi-storcy car park is not subordinate to or pertaining to the use of a main suithing it is the only building on a parsel in a Hotel/Taudism Zone.
- 2.3 The hotel encroaches on the 20 ft serback in breach of Regulation 10(1).
- 2.4 The duplexes are adjacent to the name arms therefore also enumed for the apprinchle set hack

It and to the extentine Authority regards itself as having a discretion in respect of any aspect of the planning application as currently reminded of its obligations under section 5.04 of the flevelopines. Pain 1007 to apply the Hotel/Tool on Zone pains sincipal materials as calculated to (among other things). "prevent the over-development of sites and to ensure that the stale and density of development are composition with and sensitive to the physical characteristics of the site," and to "ensure minimal that cilinpasts on surrounding properties". The site most be viewed in the contest of the area in which it is mater. Crystia Harboon is a quiet, residential neighbourhood predominantly comprising single family private residences, with just two existing condominants and one small hately name or which exceeds three storages in height. The area is subject to very light traffic. The massive scale of this development would be entirely incompatible with and invensified to the characteristics of the site within the existing heighbourhood, and it would undoubtedly have a major traffic impaction the solutional appoint of.

Sased on any or all of the above prefirm nary erounds of objection, planning permission should be refused.

Yours sincerely.

Guy Manning

Partner, Head of Littleabon, It solveney & Restricturing

Egilatini'g@: unpiglis egali, nT

THE 345 BIG SCHOOL THE REMOVED CHICAN 500 0070 FINITING SHOUSE

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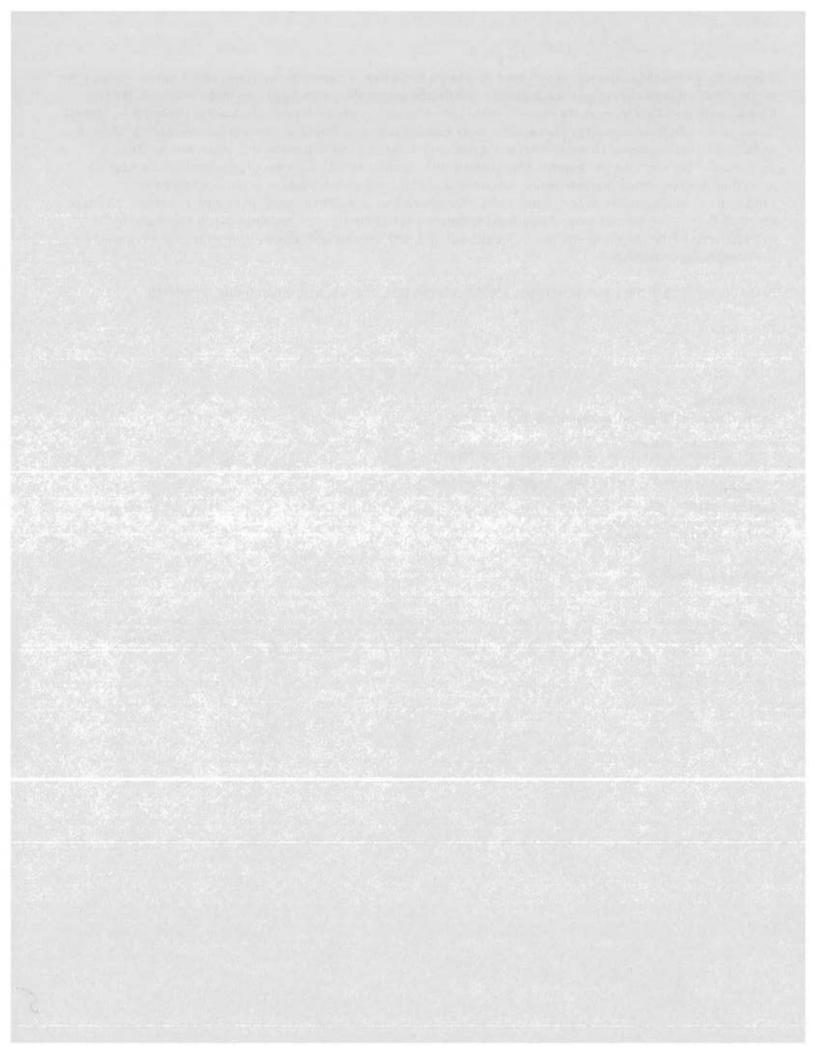
Campbells IIP

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The Director of Planning
Department of Planning
Government Administration Building
133 Eigin Avenue
PO Box 113
Grand Cayman,
Cayman Islands
KY1-9000

Sent by: Email only

Dear £ic.

Res Application for Planning permission (Project No. P21-1260) on Block 17A, Parcels 145,146 and 17DRSM1 for the construction and associated development of "93 repidential units and 44 hotel suites, for a total of 137 units broken down par the following (1) 3-story hotel, 95) Apartment Buildings (between 7/9 stories (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Calé and associated development and works...." ("the Application")

14 January 2022

We act for JIWIC. Utd., ("our Client") the interested party and registered owner of property located in Crystal Harbour and legally described as Block 17A, Parcel 160.

Our Clients wish to register their objections to the above mentioned Planding Application and we necessithet this objection be read into the record of any hearing or meeting concerning this application.

Our Clience objections are based on the following principle concerns contained in the email that is appended to this letter.

Please do not heakate to contact our offices at any briggif you should require any further information.

Yours faithfully,



KSG Attorneys at Law

Hel Ebanks

From: Tim Bred ey stim@bradley.ky>

Sent: Friday January 14, 2002 9:45 AM

Toc Hall Ebanks
Co: James Kennedy

10: Director of Planning

Dec 1 Sin,

We wish to formely object to the proposed application for Planning permission (P23-1250) and wish for our complaint to be read into the record of eny meeting.

We reserve our right to make further representations on this matter through our appointed legal counsely. KSG Attorneys at Law.

There are particular elements of the proposed development that we object to, as well as items that appear to contradict the Planning and Dovelopment Regulations and Act.

1. Sultability & Building Height

We acknowledge that higher donsity nousing and/or a hotel use can be approved for this site, however given the character of the neighborhood, we invite the members of the Central Planning Authority ("the CPA") to consider what an appropriate sosie may be for a mixed-use hotel development in an area off of the main tourism corridor which is undoubtedly interlying, with lower density residential areas.

After viewing the zering map for the Crystal Harbour area, it seems this may be an anomaly for a past hisster plan that never came to be. This place is (*) w iso sted, mainly surrounded by an established law-density making all neighbourhood.

Regulation $\theta(1)(e)(t)$ allows maximum buildings heights of 10 storeys/100° for apartments and notes, to does not guarantee that height as a right nor does it guarantee any mixture of land uses. This is a unique site as it is located in a residential DR subdivision. Yes, the land to the east is also zoned Hatel/To. 4sm, but it is along a long, natural shoreline. The H/T tone excerce the cottacty of the family Sound above the, while the remaindar of Crystal Harbour is somed Low Density Residential (**ODE***) and separated from the Hotel/Tourier** (**H/F***) zone by Crighton Drive. This is an ordering the east there might have help a larger mester plan intended at one time that never came to finition and thus this parcel remained vacant for years

Building heights in this area are 3-storeys or loss with the exception of an approved 4 storey aparament development destined for Buck 17A Parcels 350 & 251. The only hotel (seein the community is the Holiday Inn Grand Caymantan Resort which is only 3 storeys.

The applicant is correct, that this is one of the last large HPT places in the area, which means if it's approved for anything higher than it stories it will be the only lower and be out of character with the area. We respectfully submit that High towers are suitable in urgan areas or area designed for high-density courism such as Seven Hile Booth and George Town, not a gated residential development.

FFCTA is minded to approve the development of the sita in the proposed manner, it is clearly not inkeeping with the characteristics of the neighborhood and the spirit of the logal framework underplaning development in the Cayman Islands.

Traffig & Road Safety

7

Falteriding the tourism within the medantial subdivision will result in increased commercial traffic. The design offers nothing to militipate the impacts, but instead we argue, is designed to worsen conflet.

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S. Noise

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Any excelling exerts will (nost likely leave an impact on the relighbourhood with noise and lights which again durings the paperty.

6. Hotel Sethack Variance

A small portion of the hotel encroaches the 20° road setback. The applicant claims the following exceptional discurrences assured the variance: 5(13)(b)(c) unusual terrain characteristics limit the site's development potential.

We argue this is a self-impresed restriction. The site is large (5.31 acres) and vacant, there are no existing a trumstances that prevent the hotel from complying with setbacks, there are a myriad of options that not if the employed to allow all structures to comply with the sathacks.

7. Commercial Use in a Residential Zone

Rey 9(5) states "No use of isno within a residential zook shift be daygerous, piguixibus, toxic or cause offensive sitora or creditions or otherwise create a nuisance or annayance to offers;". The arkillary parking lot with a two-storey commercial holloting is logated on a percel coned LDR. We argue this use will create outsome for hearby properties by increasing traffic movements on a residential read (3 driveways for a single occupancy use?) and not offering any buffer or screening to block headlights from shiring on the read adjacent properties.

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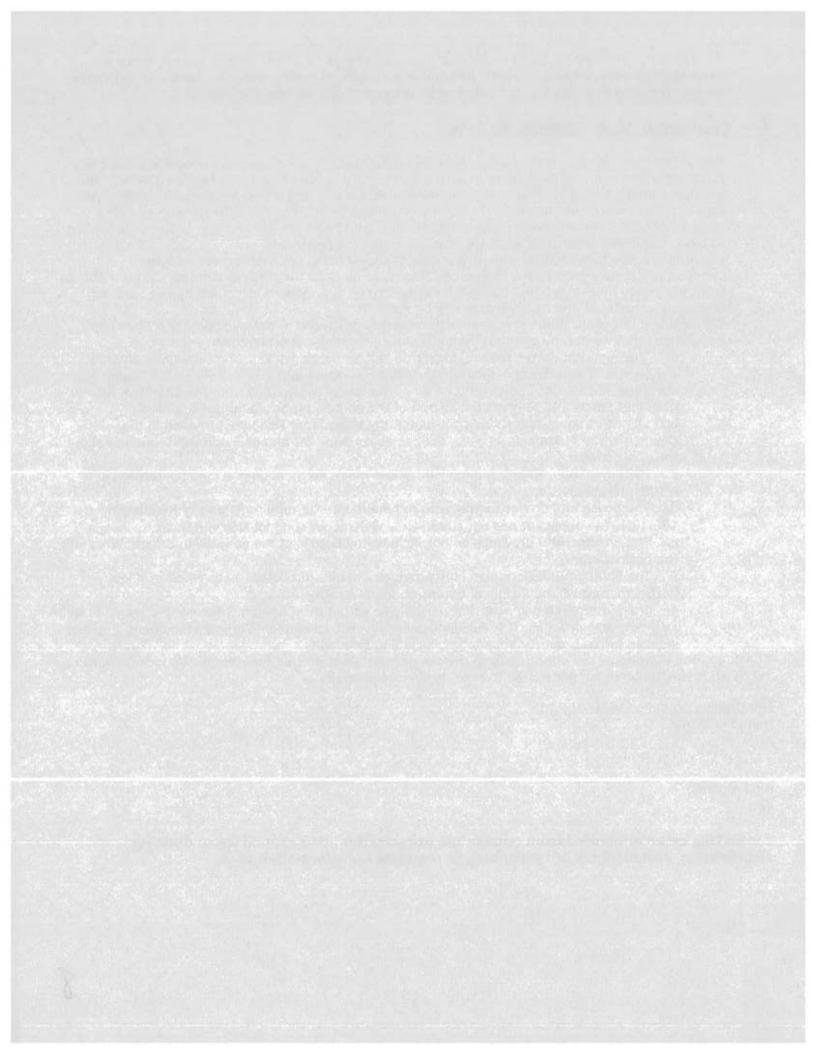
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- b. The newspaper advertices not match the newspaper template presided in the Department of Planning's website. It does not provide for an entail address to incutre about the application.
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- d. The house lots do not comply with minimum lot size requirements per Regulation 10(1)(0). The applicant has not stated they were requesting lot size variances.
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Then's you for allowing us the appartunity to review and common on this application. We rook forward to receiving an invitation to appear before the CPA to find per discuss.

Tim Bradicy on achair of ITWIT, ...to...
It alie of owner!

Kina regarde, Tim







His Hower Haves in Congrey Have Have House in Sci A Philips (255) Grand Espender Krish Hower Coefficial Expense

Tet: 1-745-9 (S-707) you experience (Region, Ry.

erene iking war ke-

The Director of Planning
Department of Planning
Government Administration by Ming
133 Elgar Avenue
PO Box 113
Grand Cayman,
Cayman Islands
KY: -9000

works...." ("the Application").

Sout by: Email only

Dear Sir,

13 January 2007

Ros Application for Planning permission (Project No. P21-1250) on Block 17A, Parcals 145,146 and 170REM1 for the construction and associated development of "99 residential units and 44 holel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Aparlment Buildings (between 7/9 stories (20) Duplexes and (20) Townhouses and 2-story Garage/Storage Building, Partnurant/Owners Lounge & Café and associated development and

We set for **Micron & Michelle O'Mal**bury, (**four Clients**) the Interested parties and registered owners of property located in Crystal Harbour and logally described as 8mtk (7A, Aarcel 154.

The Clients wish to register their objections to the above mentioned Planning Application and we request that this objection be read into the record of any dearing or meeting conserring this application.

Our Client's objections are based an the following principle (oncerns contained in the email that is appended to this letter.

Mease do not nesitate to cantact our offices at any time if you should require any further information. Yours (aithfully,

KSG Attorreys at Law



KIERAN AND MICHELLE O'MAHONY

TACOL CLUB VILLAS INCLA THE CAMMAN ISLANDS MACHTICLUS SEVEN MILE BYADD P.O. BCX SONOS GRAND CAYMAN IKYLATZON, CAYMAN ISLANDS

Thursday, January 13, 2012

Director of Standing

His Devision of the experiment of the control of th

Discount.

We, the co-owners of Black ty A, while this wish to fermiony object to the provised about the the Parting permission (32): 1260) and wish for our complaint to be used that the result of $G_{\rm coll}$ is never by

We have the our regard to make further moneyor arons on this matter through but another each sourced, 650 objectives.

From the particular elements of the provious x -velocitient that we object to, as x, t is 0.004 by, upper the parties of the Plancing and Geographical Regulations and 0.00.

5 Sullability & Building Height

We in knowledge shall higher diorably trousing and/or a hotel use can be applicable for his sile, however given the character of the neighborhood equivalent to members of the Central Harding Authority (ridio CPAT) to the whole who is inscribed sort of may be for a mixed is a notel development in a size off of the multi-like risks consider which is undoestedly intertwined with ower density residence is eas.

After viewing the soming map for the digraph medicularized it seems this may be an opening for the partitions of the map for the second map of the second solution. The second solution is the second solution of the second map for the second m

Pegalation #(2)(2)(4) allows in assumed in Grings the gifts of 30 spore, will follow a parameters and hotels, 2 duals not provide to a unique at a parameter and account abbrevial at a unique of the spore of the analysis of the spore of the account of the accoun

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Hotel/Tourism ("H/T") zone by Cyglston Grave. This is we existence of the seventh services before the seventh the seventh services at the time that moves were in finite and to be to be particle to making a capit for years.

Building beignes in this error are 3-storbys or less with the example: of an 200-2004 4 Storby continent development destined for Block 176 Parcels 350 5, 251. The body hatch use in the community is the highlighy than Grand Covmanian Respit which is only 3 storbys.

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Traffer & Road Safety.

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57 SPA Chaptes to support this application, we wonth ask that continues self-imposed to increase safety by improvements made to Original Drive such as strong of India, leves, likes lenes and salewaks. It supposes the existing right-of-width can allow for such read improvements.

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Diskside tecking is being offered for the expectane necteared, while one much appears to be afforced for the linter. Type aty, a taken entries exterior will offer waterconts or charters, which we assume will occur for this proposal. This will be added commercial beating—self-ody—through—a new service—commercial beating—self-ody—through—a new service—commercial beating—self-ody—through—particularly on recovered imperiors the residents' privacy and enjoyment or their property. An increase of noise that fouring the carallel can and enjoyment or their property, an increase of noise that 'touring the carallel can and the executed covering them of their right to peace of each question of their property.

We would use five to lieve a full understanding of any doestal Werks haven't have may have been, or will be sought to relegion to this december and

Call + 1 (345) 326 3337

Kith

January 15, 5, 5

2000 v. Oll if any or make representations on this aspect.

Parking

It appears of of the restriction, and note parking are provided at now Construct Orlace on the Control of the Parking 141 & 140. Are restourant patients expected the WSP that distance to the restaurant? We subjust this propose will create a walkly became the propose to the propose.

The restaurant's rate (binarious of ankly wholes expect with the copletes one house loss it the restaurant is successful, this will cause won of with excess for the restaurant but the inherent rate of mixing commodal traffic multiple density residenbal area. The whall of parking in transition to the restaurant his this house evidences or the restaurant his to the a potential to conflict?

With the lack of 200 eprilding inverse persing, we near the house loss will not be developed and instead be used for restaurant parking. This will increase right fulffor with the subdivision, generating excess state from out often, put inflat offers from call futters, and head rights withing once adjacent proporties in the eventuge. If the labels loss are blocked from painting, the will likely being patients to park our original finites. We draw extension to foc, \$1,000 or a feelghoodshood dominionally some or makey homes are proporties for the destining space main so received not their from the fundamental respective behinding.

5. Nimag

The held if clacks a like-inplace and signer, which will be the first of its kind only it residently accipheducaded. The process, that where small make the adolisisson, the whole company tome from the east one therefore the always supporting will be negatively impacted, by any smooth and priors towning these theorem park, resonances, and only any up on bushing activities.

APM 692119 2-6: Is milliously akely have a limperings the neighbourhood system have now lightly which again distribution the lower shortly up reached anjoyment of a process of having consents.

6. Hotel Sethack Variance

A sinsilipection of the hotel and call as in 201 hand wetlands $-\infty$ in the oblines the ordering exceptions promistance to we not the white ∞ : S(17,16)(9) invariant in rank constant exists a least the site is development potential.

While quotidity is a self-imposent restriction. The side is to go (\$43) acrost to a vacent. Chello and no recommendes that however the hotel from complying with self-acces. There are a my ice of options that only recommended to allow this contines to make your test self-acces.

Cells III January John

7. Commercial Use in ■ Residential Zone

Well 9(h) states "We use of land withit a residential wave what he dangerous, discussed, there is two-widening enforced conditions or obtaining process of approach of enforced to adversit. The smallery perting for with a two-strong minimum to building is involved on a parcel condition. We argue this use will depart autismate for nearby properties by increasing traffic movements on a residential race [3] disceways for a single accupancy use?) and not offering any builds or streening to block headights from showing on the residence and and adjument properties.

Difference, the architectural style is a simple likely, which is not in character with the partitionally's residential nature. The second floor is to be used for office or storage in presumably to stone hencestary intelligency and notice administrative orders. Where will maintenance volvoes, landscape autipment and heavy machinely be stored?

We include a few other nems that specar to be enters or conflict with Development & Manning Regulations that we hereby ask that the CPA give its research consideration.

- The applicant states the proposal area is 7.56 areas, where it is in fact arranging rely 9.35 acres at appears the applicant evaluated the white of Parcel 147 when calculating site investige and density, however 0.04 so of the Parce is excluded from the situ plan. Assumment the Super 147 is not listed as one of the parcels proposed for development.
- The management advert times not metch the newspaper template organized in the Department of Management western. It does not proving the am email address to inquire about the application.
- The newspaper advertiged mailed notices make no mention of a carmitecture some or an evaluation can.
- I had been to the comply with minimum of size requirements per Pegulation LC(L)(d). The applicant has an stated they were requesting at size variances.
- The erchitectural crawings do not indicate any details of the pesseythms.
 bridge. What will the boat descence by?
- The nated ground noon over only provides a shell no details as to whather a looky barytester and will be provided, as end of acministrative offices.
- There are parking spaces that particity like within the Crichton Drive right-on-way, as well as proposed sidewalks. It is our unconstanting that all chomenis of a revergorent proposal shall be within properly coundaries, inducing sidewalks.

Thank woulder allowing us the prescribing in review and comment or the application. We look forward to receiving an evitation to accept before the CPA to

Call: 11 (145) 38, 1557



sumber discuss.

Singers $\gamma_{\rm c}$

Kicram and Higher & Mennis.

Co-owners of Block 17A; Parcul 184

Cell: 4 1947 324 356



Mr. Ham Harbot niCentre 42 Hamb Church St. 9 St. Roy 2259 Grand Cayman KYN-1187 Cayman syunda

Tel: 1.045/949/2007 ja liesko snovejškojbre ko

warm legglawates

The Director of Planning
Department of Planning
Government Administration Building
133 Eight Avenue
PC Box 113
Grand Cayman,
Cayman Islands
KY1-9000

Sent by: Email only

13 Jahuary 2022

Dear Sir,

Re: Application for Planning parmission (Project No. P21-1269) on Block 17A, Parcelle 145,146 and 170REM1 for the construction and associated development of "93 residential units and 44 hotel suites, for a lotel of 137 units broken down par the following (1) 9-story hotel, 95) Apartment Buildings (between 7/9 stories (10) Duplanes and (20) Townhouses and 2-story Garage/Storage building, Roslaurant/Owners Lounge & Café and associated development and works...." ("the Application")

We get for Nicola Devies, ("our Client") the Interested party and registered owner of property located at 52 Baccaral Quey and legally described as Block 978, Famel 159.

Our Client Wishes to register their objections to the above mercioned Running Application and we request that this objection be read into the record of any lifeting unmeeting concerning this application.

Our Ollend's objections are based on the following principle concerns contained in the email that is **appended** to this letter.

Please do not hesitate to contact our offices at any time if you should require any further information.

Hall Ebanics

≨roni:

Micola Davies indavios na 57 % om al folicina.

Selle

Thursday, January 13, 2022 1130 AM

Tœ

Hall Ebanks

Subject:

Rati CH Development

Tür: Director of Planning.

Dean Bir.

We wish to cormolly Object to the proposed application for Phonologipermission (FE1-1200) and wish for the replace to be read into the readment are making.

We reserve our mant to make harmon impress itsitions on this matter through our approision legal bourses, it KSB Afformays of Law.

There are provided elements of the proposed covelepment that we object to as well as forms that appear to contradict the Planning and Development Recollations and Act.

Suitability & Building Height

We acknow engineral higher density housing and/or a hoos has our Lettep proved for this site. However piven the obtained of the heighborroot, we have the members or the Control Pichting Authority (for a CPA*) in the sides what an appropriate value may be fine in ked-use hetel development in an area of: or the main solution form the whole is undoubted to interwines with lower density resident of areas.

After viewing the zoning map for the Crystat Harbour broat it seems this may be en abordary ronal past tradeter plan that never carry to be in This highers how soluted, matchy surrounded by an established low donally residential registration.

Regulation 8(3)(e)(i) allows maximum buildings heights of its wave year 8(1) for apertments and linkers, the does not operating about onlyticles a right not these of operations are expenses and regions of some taxes. This is a unit to site as at a located in a residential LDR subdivision, Yes, the land to the east is also set to the flooring, but it is along a long, hat to a shoreline line (if zone extends the enurety of the Aorth Saund Argueline, while the terms indunor thystal worker. It alones how the set the sems indunor thystal worker it alones how the set and obtained (11091) and separated from the Hatel/Tourism (1470); ague by Chipmon Trive. This is an obtainaged lot if sooms if we origin; have been a larger master plan introded arone (in yith prover some to finition and thus this pascel remained when it for years.)

Building beights in this area are 3 storogy on his with the exception of an approved 4 storny apartment development costined for Block 17A Parcels 550 S 351. The entry force is quit the common alty is the Holiday and Grand Caymon on Resold which is only 3 storages.

The Approximation correct, that this is one of for last alique in/Tipretee in the area, which means if the approximation anything higher the of some sit will be the only tower and no not of character with the Area. We respectfully submit that High towers are an information areas or area designed for high identity contains such as Seven Mile Beach and George Town, not a gated rapidential development.

Yours Cathfully,

KS

KSG Attorneys at Law

If CPA is thinked to approve the development of the site in the proposed manner, it is clearly not in keeping with the themselvestics of the neighborhood and the spirit of the legal framework underprised in the Covmon Islands.

2. Traffic & Road Safety

Experit rightly to the test within the residential subdivision will make a link reased commercial matter. The design offers obtaing to mitigate the impacts, and hastead we argue, is downed to worsen confine.

Typically, a mised. (A) and notel development will have 1.2 agrees points from the madic of offganonic entire trade on system to direct guests. The proposal has 11 paths trively [] is not designed to minimize traffic in overner as on a residential road. Crystal Harbour residents are also to walk, or hand take sarely throughout the neignborhood. Underen are able to safely visit friends without having to work also it speeding cars. Take to proportional stoye.

If CPA chaoses to support the application, we would ask the conditions be imposed to increase safety by insurprements mode to Crighton Drive such as strong at traiffer area, nikes language success to. It approved the existing right-on-width can blook fix such rived improvements.

3. Boat Traffie

Excession pairs right being entered for the signature restaurant, while not much approve to be differed for the hord. Typically, all out with waterfront will offer we expects on changes, which we assume with order for this propose. This will introduce commerce, scatting activity through a residence canal system. To more the apparate of boats coming through, particularly on weekends independ a garacter grade its privacy and enforcement of their property. An increase or no season of the canally can only be expected they may a further nuisance to the bulketing expects and interctore diminishing as depict any intern or their right to peaked and quiet enjoyment of their property.

We wanted also like to have a full understanding of any Coastal Works Formits that may have been, or will be sought in relation to this development and resolve all highes to make representations on talk happen.

Packing.

It is specified to the resizurant and Pate i parking are provided across Original Privator residential loss Parco, 143-8, 145 – Are resizurant patrons expected to walk. That distance to the resizurant? With a their proposal will create a safety barrent for pedestrians on the property.

The restaurant's case turns round $t \approx t \sin t$ access with the dualoxes and house $t \in \mathbb{R}^n$ the restaurant is successful, this will cause conflict with access for the residences one costs informations of mixing commercial traffic in a low (easily residence) area. The parallel $p \in \mathbb{N}_{+}$ is footief. The restaurant t is this for the restricted conthe restaurant t is there a potential for conflicts

With the lack of a propriately places parkine, we foul the house lets will not be developed and instead be used for restaurant parking. This will increase transmitted within the single vision, denoted an excess make from yeariness lights shiring only objects properties in the even again fill be house loss are blocked from parking, this will likely once patrons to back on Shighten Daive. We are written from Reg. 9 (1000) in a Weightenished Comment (a) core on histely loaded warm, they by five per cent of the panding space may be heated out more than the bandwait feet from the respective building.

Noise:

14

The little individes a rooftop bar and kitchen, which will be the first of its kind within a residential no obtained. The projected bur faces south onto the subdivision. The winds principly rapid from the wast a kitcherefore the western proporties will be negatively impacted by any source and admissionling from the mothery law, resternant, and any large group booting activities.

Any evening events will most likely have an impact on the neighbourhood with regise and highly which again diminish the evene's abbility to hear efficiency menu and privacy of their property.

5. Hotel Setback Variance

A small portion of the hafel enamentes the 201 read setback. The applicant dialness the rallowing exceptional clip interaction to warrant the variance:

 $\mathcal{B}(13)(b)(0)$ (Anished terrain characteristics limit the site's developing a property).

We argue this is a self-imposed restriction. The site is large (5.3) erres) and vacant, there are no existing obtained shows that provent the hate from complying with setpacks. There are a myriad of aptions that could be employed to allow an atructures to comply with the keplacks.

7. Communicial Use in a Residential Zone

Seg 9(5) states five use of rard within a randomhal zone shall be rangerous, obreatous, texto or cause ofference adoles an conditions of order wise create a nazarite or an expanse to order. The and lary parking left with a text-stoney commender outleing is together on a noise! verificing to a left in use will create outsance for nearby properties by increasing traffer movements on a residential road (3 characters in a kingle occupancy use?) and not offering any buffer or streening to plock bracking their shring on the road and adjacent properties.

Firethermore, the architectural style is a simple block, which is the implementer with the community is residential nature. The second floor is to be used for ortics or storage in provincing to zero necessary here! stock and house administrative effices. Where will maintenance vehicles. But suspense equipment and beavy machinery ha storage?

We include a few other terms that appear to the chairs w and in the ψ -polyelopment ψ alarming. Regulations that we harrivy ask that the Life U(V) give its reasoned consideration.

- 4. The applicant states the proposal area is 7.54 acres, while in tails fart appear instally title sures. It appears the applicant he littled the whole of Parcel 147 when calculating site poverage and century, however 0.04 acrolithe Parcel is excluded from the site plan. Also to core that Parcel 147 is not listed at one of the parcels proposed for development.
- 2. The newspaper advertibles not match the newspaper template provided in the Department of Planning's website, it does not provide ran an email address to expire about the application.
- If elitewispeper advertised malled notices make an intention of a densit extension on a residential subfilt sion.
- d. The house lots do not comply with minimum lab size requirements per Regulation 10(1)(a). The applicant has that stated they were requesting lot size value nots.
- e. The architectural drawloop do not look de any plete is of the pedestrian Endge. What will the pedestriance he?
- The hotel ground floor plan only provides a shell represents as to whether a tophy part/respectation.
- g. There are parking spaces that partially lie within the Engliton Drive nont-of-way, as wall as appropriate sidewalks. It is our understanding that all clamants of a development progress shall be within property boundaries, including sidewalks.

mank you for allowing tis. The coperturity to review and common on this application. We lask followed to more invitation to appear before the CPA to forther discuss:

Nicola DaySes

s2 Baccardt Quay.

===This email originated from obtains the organization. Use caution when opening attachments, ellipting links or responding to requests for information.===



eth Tage: Hardesi Centre 47 Andth-Thuch eth 9.0 Best 2255 Stand Comen 473-3-07 Cayman Islands

TH: 1-3-7-910-0002 tarsenkennedußi gataway

error, kaglara, ky

The Director of Planning Department of Planning Covernment As ministration Building 133 Cigin Avenue PO Box 113 Grand Cayman, Eayman Talands KY1-9000

Works,..." ("the Application")

Sent by: Freail only

Dear Sir.

13 January 2022

Re: Application for Planning permission (Project No. P21-1260) on Block 17A, Parcels 145,146 and 1708PM1 for the construction and associated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 93) Apartment Buildings (between 7/9 stories (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Crife and associated development and

We set for Ondy Annette Downling & Malthew Lan Dawning, ("our Clients") the Information parties and registered owners of property located at 25 Baccarat Quay and legally described as Block 17A, Parcel 167.

Our Clients wish to register their objections to the above mentioned Planning Application and we request that this objection be reed into the record of any hearing or meeting concerning this application.

Our Client's objections are based on the following principle concerns contained in the email that is appended to this letter.

Please de not hasitate to contact our offices at any time if you should require buy further information.

Hall Ebanks

France

an Dawning kidawa ng/5%hotmal.com/

Send:

Thursday, January 13, 2022, 12,59 PM.

To:

Hall Ebanks

Ce: Subject: | 25095a162 | mairer1406455692@mailcrop.dip.com | Re: Objection= Styste Herbour Planning Applications

Hida

Please secree Lelowick and criterion per your lost small

Then we workly missed it astiround. Spon working all my mostly

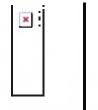
lan and Cindy

hanks for the confirmation on the other entail Jan.

uan a kindle ask that you capy the text of the email (Eclay the line) and set diback to the this will spread as you as I consader for KSB to act for you and will be it a jetter which is appeared to the latter you gus, reviewed.

Маку стал са

Hall Flyanks



10: Director of Placolog

Dear Sir.

We wish to forms γ object to the proposed application for Planning permission (F21-5250) and wish for two complaint to be read into the monor of γ by inequipping.

We reserve our right to make it. Then is mesentations on this matter through our appointed legel quartiel, KSG Attaracys of low.

iffers are particular AAn ents of the proposed development that we on AA to, as well as items that appear to consider at the Flarming and Development Bay datages and Aat.

1. <u>Suitability & B</u>ullding H<u>eagld</u>

We acknowledge that higher density her singler dyor a hotel use can be approved to this site. Independently the control of the neighborhood, we have the members of the Central Planting (

Yours faithfully,

KS

KSG Altomeys at Law

Authority (fit e CPAt) to consider what an appropriate scale may be for a intecd-use hetal development in an area off or the main printism compart which is under highly interswined with lower dansity residence, largest.

After Meeting the voring map for the Crystal Haronin area, it seems this may be an anomaly for a past master plan that never came to be. This piece is new lasted, mainly surrement by an example to he density resident a melabourhood.

Regulation 8(2)(±)(i) allows maximum by idings heights of 10 surveys/32e' for spanments and notels, <u>it offes as</u> gapraness foot solight as <u>within to obes it awarg</u>ards only intahable of takes. This is a unique site as it is located in a residential 100 subglivision. Yes, the land to the dash sites across Hotels fourism, but it is along a long, natural shareline. The H/T some extends the obtthesy of the North Support shareline, while the remainder of Crystal Harborn is zoned town Censity Residence ("LDR") and separated from the Hotel (Tourism ("LDR") sone by Crighten Only). This is an odd shared but it seems there much have been a larger maker plan intended at one time that revenience to fruition and thus this particle medical larger.

Builting neighbor in this area are 3 shortly in Taylow 1, the exception of an approximate apartment development of estimed for 3 obtained Refer by 3.33 ± 3.37 . The range later use in the continuously is the too caylon Grand Caymonton Refer, which is only 3 storage.

The applicant is correct, that this is one of the last large H/T pieces in the area, which muchs if the approved for anything higher than A stories it will be the only tower and he use of character with the area. We respectfully submit that High rowers are suitable in urban areas or area coalgned for high-sensity courism with as Seven Mie heady and George fown, not a garage manifemble devalopment.

MODA is notificated to approve the development of the site in the proposed manner, it is clearly not in sesping with the characters of the despite-ordered and the opinition the logal framework undersidening development, in the dayman island:

Traffic & Road Salety.

Espanding the tourism within the replacet of subdivision will result in increased commercial traffic the departments nothing to militigate, the migratts, but instead we around a coalgorid to written conflict.

Typically, a mission is also have development will have 1.2 across points from the road and olfer an observable modation system to dispersion Bive proposal has 10 across drives. (His not coalgood to minimize the fix in overnends on a roadcode made. Organ. Harboromeyidenss are able to walk, you and take safely throughout the modals mode.) Children are able to safely visit triands without having no worry made streeting cars. Traffic is proportable and slow.

of CPA process to Ripping bits application, we would ask that sand tions to imposed to immeese. Safety by improvements made to CROnton David socially spiriting of traffic sines, bikes lance and sidewarks. It appears the existing right-of-each running for such rand improvements.

3. Boat Traffic

Deckside parking is being offered for the signature restaurand white not much aphears (offer offered for the hidelite repeater, a notel with waterfront will offer waters once or charters, which we assume will about for this proposal. This will be togethe commercial positing about the this proposal. This will be togethe commercial positing about the residence in there will be a paradic of heats coming their glapper collection makes and their residence of help and their residence of help and their residence of high the especial creating a further nulsance to the especial of their engage of all therefore dimensions, or depriving them or the high target of any quiet engages to their engage by.

We would also like to have a full indertrainfling of key (legical works Pennits that may have been, or White sought in relation to this development and resorve all rights to make two esents, one on find above.

4. Parking

If appears all of the restaurant and hotel parking are provided across thichten Erive on residential lets Parcel 145 & 145. Are restricted patrons expected to walk that discorrectly the restaurant? We submit this proposal will create a safety basard for pedesonaris on the proposal.

The Destandant's text-turneround area shares access with the duplexes and house test if the Instantian successful, this fall codes conflict with access for the residences due to the invergent risk of mixing conmercial traffic in a low density residential area. The parallel parking in more at the restaurant – is there a potential for conflict?

With the lack of appropriately places parking, we fear the house lots will not be developed and instead be used for restaurant parking. This will increase traffic further within the schemeter. Controlling excess rouse from vehicles, actential comes from car furnes, and head boths shiring unto selected proporties in the evenings. If the house lots are blocked from parking, this will likely force patterns to their traffic or traffic Drive. We arew attention to they 8/(1)(1) to a treighbourhood Commercial zone or HistolyTourism zone, twenty-five per cent of the parking space may be located more than five hundred feet from the respective building.

5. Notice

The hotel includes a median har and kitchen, which will be the first of its one within a residence of slighted thood. The proposed ban faces south once the subdivision. The wines presently come from the east and therefore the western proper its will be negatively impacted by any sounds and orders coming from the read to har, restaurant, and any large grown booking extinities.

Any evening events will most likely have an impact on the heightheorished with noise and lights. Which again diminish the owners policy to beansful enjoyment and physicy of their property.

6. Hotel Setback Variance

A small portion of the hotel encroaches the 20° road anthork. The applicant claims the following exceptions: prounstance to warrant the variance;

8/15//b)(ii) unusual tarrain characteristics limit (he site's development potantial.

We argue this is a self-imposed restriction. The site is large (5.31 agres) and vacant, there are no existing discumstances that prevent the lipital from complying with setbacks. There are a myriat of antians that should be employed to allow all saturdates to comply with the setbacks.

7. Communicial Use in a Residential Zone

Seq 9(5) states "Golivial within a residencial zone shall be dangerous, choosing, (exclusive effective occurs or constrains or office wise mode a makening or appropriate to orders". The analizing parking int with a two-wisely commercial building is latered on a period zoned 10%. We argue this use will create miseline for nearby proportion by increasing halfid movements on a residential road (U driveways for a single actions, ky use?) and not offering any burier or screening to blod; headlights from Ahimny on the read and adjacent proportion.

Furthermore, the architectural style is a simple block, which is not in character with my community's residential nature. The second had a six be used for office or stylinger a presumably to some necessary hotel stock and house administry, iveryiffings. Where will maintenance whitees, landscape equalment and heavy inadminery be stored?

We include a few other thems that appear to be errors or conflict with Development & Planning Regulations that we hereby ask that the CPA give its research consideration.

- a. The applicant states the proposal arma is 7.54 x (res, while it is in fact approximately 6.33 acros. It appears the applicant mulatied the whole or Parcel 147 when calculating site reverage and density, however 6.84 acros the Paniel is excluded from the site plan. Also to note that Parcel 147 is not list—I as type of the parcels proposed can development.
- b. The nawspatier advertibles not match the newspaper template provided in the paper ment of Manning's website. It does not provide for an amail archesy to inquire about the application.

- The newspaper adventions mailed notices make no mention of a canal extension or a residence, subdivision.
- The house less called up by with π almost in \$22 -equiverients per Regulation 10(1)(c). The applicant has not stated they we less usesting totistic variances.
- c. The architectural crowings do not incude and details of the pedestrian andge, what $w_{\rm c}$ are not observable.
- figure notel ground "loor plan only provides a shall him details as it, whether a lobby partitional and the provided concent of administrative offices."
- There are parking spaces that harbs by lie within the Chiqthen Drive right-of-way, as well as proposed stocker as if the our understanding that all elements of a development proposal shall see within proposal countries for, including a devalpe.

Thank you for allowing us the opportunity to review a relicumment on this application. We look forward to reveiving an invitation to appear their eithe CPA to suither a source.

L]
[in Sile	e Citiwi eri	

Get Outlank for Android

Prom: Hallebanks «Halfzankyűkseglywiky» Sent: Thursday, zanuary 18, 2000. 12.06 PM

To: an Downing.

Et: 2h055af67 (majter1409456832@maildrap.clio.com 5vbjecs: PVC Obje: tipe-1/ryslal Harbour Planning Application.

Thanks for the confirmation on the other email (an i.

Can I kindly eak that you copy the text in the email (below the line) and send back to me, this will solve as your authorization for KSS to act for you and will be the objection which is appended to the letter you just reviewed.

Many thanks

i al Loanksi



ein Dear Faitoù Lanne Az Romh Chumh St P.O. P.X. 2005 Crand Layman Shin 107 Cagresa Islanda

Tel: 1 / elf-P4P-0003 Januaronnedy@kester.kg

ereca, losgiane, ky

The Director of Planning
Department of Planning
Government Administration Building
133 Fight Avenue
PO Box 113
Grand Cayman,
Caymen Islands
KY1-5000

Sent by: Email only

Dear Sir.

Re: Application for Planning paymission (Project No. P21-1268) on Block 17A, Parcels 145,148 and 170REM1 for the construction and associated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Buildings (between 7/9 election (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounga & Café and associated development and works...." ("the Application")

We act for IMAN SHALLD, ("our Dicot") the Interested party and registered owner of property located at 50 Decearat Quay and legally described as Block 174, Force: 164.

Our Client wishes to register their objections to the above mentioned Planning Application and we request that this objection on read into the record of any bearing or meeting concerning this application.

Our Client's objections are based on the following principle concerns on talked in the entail that is appended to this latter.

Please do not hositate to contact our offices at any time if you should require any faither information.

13 january 2022

Yours faltidolly,

KST

K56 Attorneys at Law

Hall Bhanks

From: Mohammad Shikeh@Addirect.com>
Sent: horsday, January 15, 2022, 2,47 pps

Tite Hall Ebenis

Co: in win@nationerg.com

Subject: RF: Notice of application for planning permission- 11 Jep 2022

Attachments: 2022 01 11 Objection Letter Shafiel I) that is

YES, Information in the letter is correct, only change I made in the letter Instit (53 Rectarat Quay) as our property location.

Regards.

Mahan Grist ei

TO: Director of Planning.

Boar Bir.

We wish to framely object to the proposed application for Planning permission (F2 I-1260) and wish for our complaint to be read than the report of any meeting.

We reserve our right to make further representations on this matter chatogh aur appointed legal counsel, KSG Attorneys at the

There are particular dements of the proposed development that we object to, as well as items that appear to contract the Planting and Development Requisitors and Act.

1. Sultability & Building Height

We acknowledge that higher density housing anti/or a high-cover on the approved for this site, ripwever given the character of the neighborhood, we find the members of the Central Playing Authority ("the CPA") to consider what an appropriate scale may be for a mixed-use hose covelopment in an area off of the main housism comider which is uncoubtedly intertwined with lower density residential press.

After serving the zoning map for the Crystel Harbour area, it seems this may be an alignary for a post master plan that riever came to be. This piece is now isclared, majorly surrounded by an established associately residentes original bourbood.

Regulation 6(2)(e)(1) allows maximum buildings heights of 10 storeys/130 for apartments and hotels. It does not guarantee that height as a right not oper it guarantee any mixture of land store. This is a priving site as it is located in a residence. TER subdivision. Yes, the land to the entire a set attend the location of the Hotel/Tourism, but if it along a long related shorteline. The H/T zone extends the entirety of the North Sound shorteline, while the remainder of Crystal Harbour is somed Low Bensey Residence. ("UDS") and separated from the Hotel/Tourism ("H/T") zone by Crighton Citye. This is an odd-shoped for its sound there might have been a larger master after intended as one time that never came to fred on and thus this careel remained vaccour for years.

Building heights in this area are 3-storeys or less with the exception of an approved 4-storey a factment development destined for Block 17A Paniels 350-6 351. The only hotel use in the community is the Heliday Inn Grand Caymanian Resort which is only 3 todays.

The applicant is correct, that this is one of the last large H/T pieces or the area, which means if thy approved for anything nighter than 4 stoyey it will be the only tewer and to our of all area cestigned the area. We dispectfully submit that high towers are sufficiently in urban areas or area designed for high-censity tourism such as Seven M/P Reach and George Town, not a gated readily of development.

If GPA is minded to approve the development of the sitn in the proposed manner, it is died ty not in keeping with the characteristics of the neighborhood and the spirit of the logal framework undernithing development in the deviner Islands.

Traffic & Road Safety

Expanding the faultset within the residential subdivision will result in increased commercial traffic. The design offers nothing to mitigate the imparity, but instead we around is designed in worsen conflict.

Typically, a mixed use and notel development will have in 2 acress points from the road and offer an internal checkston system to direct guests. This proposal has 11 access drives, this are, designed to minimize traffic provements on a residential road. Or your Harbour residents are able to walk, run and bike safety throughout the neighborhood. Onliders are able to walkly visit from ds without having to work, also dispending cars. Traffic is precidable and shape

If CPA chapses to support this application, we would ask that conditions its imposed to increase safety by improvements made to Orighton Driva such as striping of training ones, sikes an as and sidewalks. If approve the existing right-of-width can allow burston mediting (we ments)

3. Boat Traffic

Dockside panking is being offered for the eignature restaurant, while not much appears to be offered for the hotel. Typically, a hotel with waterfront will offer watersports or charters, which writesame will occur for this proposal. This will introduce commercial boaring activity through a residential typical system. There will be a parado of boars coming through, particularly on waterints impacting the residents' privary and enjoyment of their property. An increase of molecular thin so hals' (an only be expected preating a further in sange to the existing owners and therefore disminishing or seartwine them of their significal preaction and quiet enjoyment of their property.

We would also like to have a full inviteration, by of any Coastal Works Permits that may have been an will be sought in sell fromto this development and reserve a mights to make representations on this aspect.

Parking.

foapasars all of the restaurant and hovel parking are provided across Original futive or invacential of Silvius 145 & 145. Are restaurant patrons expected to work the distance to the restaurant? We supplied this proposal will a ware a sofety hazard for processrians on the proposal.

the restaurant's last purpose for the shakes access with the dupleces and house loss if it is to staurant. A subject of this will be use conflict with access for the residences one to the inherent risk of mixing commercial traffic in a lost devisity respectful area. The parallel parking in form of the residences of the residences of the residences of the residences.

With the look of appropriately places parking, we tear the house look will not be developed and his ead be used for restaurant parking. This will increase traffic further within the supplying generating excess noise from vehicles, potential occurs from cardiumes, and head highs sharing onto adjectent properties in the evenings. If the house lock are blocked from parking, this will likely force patrons to pack on Crighton Orive. We are a attention to Reg 8 (1)(a) in a Neighbourhood Commodities copy or idetal/Tourism zone, hearly but the certain the perking space may be located out once that the historial form from the respective boilding.

5. Moise

The nated individes a receiver bar and kitchen, which will be the first origs kind within a resistential field has specified problems bar races south annother subdivision. The winds or interly come from \underline{z}_1

the east and therefore the waktern properties will be negatively impacted by any sounds and odors carring from the 1905 typ bar, restaurant, and any large group beating activates.

Any evening alsents will most likely have an impact on the neighbourhood with holse and lights which again diminish the numbra withity to peaceful enjoyment and privary of their property.

6. Hotel Sethack Yamanca

A whalf you live of the hotel and eacher the 29° road satback. The applicant claims the forewing exceptional of the retained element the variance.

S(\$2)(b)(iii) provided tension therecognizates limit the site's development potential.

We argue this is a soft imposed restriction. The site is large (5.3), dures) and vacant, there are no existing (10.0 estances that prevent the hotel from complying with sottacks. There are a hyphetic options that could be smally with an extraction at structures to comply with the setbacks.

7. Commercial Use in a Residential Zone

Rey 9(5) states "No use or land within a resolectival condition dangerous, obmotion, toxic or cause obtained orders or revolutions or expension among a neighbor or entropy access on a partial rain, we applied the use will create in isability properties by increasing traffic movements on a residential mark (3 driveways for a single occupantly insert properties) and not offering any burfor or screening to the training on the resolution adjacent properties.

Firstherevire, the architectural style is a simple block, which is not in pharacter with the community's residential nature. The second floor is to be used for office or storage – presumably to storage stock and house admin Strative offices. Where will maintenance vehicles, bridstape equipment and heavy maintenance schildes,

We include a few other Items that appear to be errors or controt with Development & Penning. Regulations that we hereby sek that the DPA give its measured consideration.

- The Applicant states the proposal area is 7.54 eures, while it is in fact approximately 6.33 ettes. It appears the applicant induction the whole of Porce 147 when calculating site coverage and density, however 0.84 as of the Parcel is excluded from the site dain. Also so note that Parcel 147 is not listed as one of the parcels proposed for pevelopment.
- The newspaper account does not match the newspaper temptate provided in the Repartment
 of Planning's website. It does not provide ran an email address to anguine about the
 amplitude.
- The newspaper advertional malled prefices make no mention of a canal extresion, or a residence, subdivision.
- The house rots do not comply with minimum tall size requirements per Regulation 10(1)(c).
 The applicant has not stated they were requesting but size variances.
- The architectural drawings the not include any details of the pedestrian bridge, What will the best clearable up?
- The hotel ground floor plan only provides a shall no details as to whether a lottry, paryrestauront will be included, extent of administrative ortices.
- b. There are packing spaces that partially he within the Originton Drive right-of-way, as well as proposed sidewalks. It is our understanding that all elements of a development proposal shall be within proposal from largers, including scenarios.

Thank yet for allowing us the opportunity to review and comment on this application. We not forward to receiving an invitation to appear before the CPA to further discuss.

(MAN SHAPE) 53 Bectara, Quay Block 17A Parcel 104

===This email originated from outside the organization. Use caution when opening altechments, dicking links or responding to requests for information. $\bullet =$



4th Doors Hardwar Ceather 47 North Cherch 文 F.C. Box 3356 County Caymen. KW - 1107 Caremar Islands

TAIL INDAS-AGE-DUDG (a masseonerty file 2 glow, by

phone knotice that

The Director of Planning Department of Planning Government Administration Balleing 132 Liain Avenue PO Bran 113 Great Cayman. Cayman Islands KY1-9000

Sont by: Fmail only

13 January 2022

Déar Sir.

Re: Application for Planning permission (Project No. P21-1260) on Block 17A, Parcels 145,146 and 170REM1 for the construction and accordated development of "P3 residential units and 44 hotel pintes. for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Buildings (between 7/9 stories (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Café and associated development and Works...." ("the Application").

We act for Keranth 5 Terrys Zemnisk, ("our Ollanis") the interested party and registered owners of property inceded in Crystal Harbery and logally described. as Block 17A, Parcel 66,

Can Clients wish to register their objections to the above mentioned Planning. Application and we request that this objection be read into the record of any hearing or meeting concerning this application,

Oill Client's objections are based on the following principle concerns contained: in the email that is appended to this letter.

Please do not hesitate to contact our offices at any time if you should require envirunther information.

Yours fairblelly,

KS

KSG Afformeys at Jaw

Hal Ebanks

Fronce

Tenya Ziemniak stanya: 1002@gneit: mus

Senti:

Thursday, January 15, 2002 B 11 PM

To:

Hall Ebanks

4c; Subject 20095a452 - mytter1409456832@maildrop.sho.com Re: Objection - Crystal Jiarbour Planning Application

Attachements.

2022 01 11 Objection Letter Zemniak deax

Confirmed. Please submit on our lighty [5].

Tanya

Sent from my IPAges

On lan 1), 2022, et 3:00 PM, Hai Ebanks «Helfbenks@kspbqy,kgs-wrote:

HI Tanya,

Thanks for this.

Please see attached draft cover latter for your neview.

Shalld you kindly confirm that you authorize KSG to submit the objection below on your behalf in this matter by a nail reply confirming the same.

Peace reach out at any time if you have any questions.

Kind regarde.

Or Director of Planning Dear Sic.

We wish to formally object to the proposed application for Planning peoplesion (P21-1203) and wish for our complaint to be read into the record of any meeting.

We reserve our right to make further representations on this marker (longly) our appointed legal counsel, KSS Attorneys at Law.
There are particular elements of the proposed development that we object to, as well as items that appear to contract than Planning and Revelopment Regulations and Act.

1. Surtability & Bullding Height

We acknowledge that higher density neuring and/or a hotel use can be approved for this site, however given the character of the nerobacthood, we notife the nien bers of the Central Planning Authority ("the CFA") to consider what an appropriate state may be for a moted-use hotel development in an area off of the main tourism.

contrast which is a doubtedly intertwined with lower density residentity areas.

Arter viewing the zening map for the Crystal Harbour area, it seems the may be an aromaly ratio past master plan that never can elected. This place is now isolated, mainly accompled by an established low-years by residential intight outpool.

Regulation $B(2)(\epsilon)(i)$ allows maximum to infinite being to of 10° Since $p_{ij}(0.00)$ for a partments and those $p_{ij}(\underline{p})$ does not guarantee than seight as a right day river it overented any mixture of land uses. This Is a unique vite as it is located in a resident of EDR good/yislam Max. the land to the past is also zeried. Intolying ram, for it is along a long. natural shoreline. The Hall zone extants the enthery of the North Source sharednes, while the remains arise Crystof Halman, Talkenes, Low-Danking Residence: ("LDP") and sapable of from the Hetely (burds in $(\hat{\Gamma}^{*})(\Gamma^{*})$ zone by Grighton Orive. This is an add proportion $(\hat{\Gamma}_{\Gamma})_{\Gamma}$ begins there might have been a larger master plan interided at one time that Hever came to building and hought a parcel remained vacable for $y_{ ext{deg}(z)}$ Bollothy helpfuls in this area are 3 promys on less extlyings exception of an approved 4. Shirely equipment development destined: for Block 17A Parcels 350 & 351. The only hatel the in the community. Rither folday Inc. Grand Chemanie'r Resort chich is only 3 storeys. The applicant is cones, \mathbb{R} that this is should the last fame $\mathbf{H}(t)$ pieces in 500 Areas emich diesand if this anpinose lifer equiviling higher than 4. stories it will be the only tower and be out or the with with the area. We respectfully submit that High lowers are suitable in urban. areas an area designer. As third adenaity togets misuch as Facer. Mily: Brach and George Town, not a gated residential development. If CPA is minded to approve the development of the site in the proposed from Φ_{ij} , is clearly not in keeping with the characteristics of the neighborhood and the splicit of the legal framework underplanting poveropment in the Cayman Islands.

Traffic & Road Safety

Explaint in the contem within the contential subdivision will result in micreased commercial that it. The design phore nothing to mitigate the improve, in this sead we argue, is designed to worsen conflict spready, a mixed use and thate! development will now 1.7 and explosions from the lose and often an international strong years to practicular that the proposal has 31 access drives, to provide ignorant minimize traffic interests on a residendar cann. Crystal riarbour excitable are sold to work, run and his assets yield throughout the neighborhood. Of line made sold to sately with the add withing having to say at out speeding cars. Traffic is predictable and sow if CPA chooses to support this application, we want ask that chaoticals be in posed to increase sately by in provenients made to tright to Drive such as 4 riping of traffic large, alkes large and order to down? It appears the existing right width some low for such that improvements.

Boat Traffic

Docks do parkling is being offered for the signatum restaurant, while not much appears to be offered for the notel. Typically, a hotel with waterfroat will offer watersourts enchances, which we assume will offer evis proposal. This will introduce compense beging activity through a residential valual system. There will be a paradolal bar, y

coming through, perticularly on weekends impacting the residents' (in New and enjayment of their property. An increase of noise and itsuring the socials' (an only be expected creating a further he same to the existing owners and therefore diginaling andepriving them of their night to peace?) and guest enjoyment of their property. We would also like to have a full indepstanting of any Coastal Works. Periods that may have been, or will be sought in relation to this development and reserve all rights to make representations on this aspect.

4. Parking

It appears all of the restainant, and hate: perxing am provined across Cranton Drive on residential lots Parcel 145 & 146. Are restaurant patrons expected to walk that distance to the restaurant? We submit this proposal will dieste a safety hazard for pediatrions on the property.

The restaurant's task full around area shares access with the displayer and notice fole. If the restaurant is successful, this will be use conflict with access fanche restaurant access fanche restaurant area. The parallel parking in front of the restaurant is this for the residences or tac restaurant is short a potential for conflict?

With the lack of support at the places parallel to the restaurant access.

With the lack of eparaphately places panking, we feer the house lots will not be developed and instead by used for nestaurant parking. This will marched troffer further within the subdivision, generating excess noise from velocies, potential odd is from new forces, and head lights shring anto adjacent properties in the evenings. If the house for any blacked from parking, this will likely force patrons to peak on Engheon force. We then attention to Beg 8.(1)(α) in a Reginbourhood Commercial some or Hotel/Tourism zone, twenty-five per cent of the parking space may be located not many than five hundred feet from the respective building.

Noise

The hotel includes a configurition and kitchen, which will be the floar of its and allthic a residential requisionance. The proposed per faces sent conto the subdivision. The which primarily come from the cast subtractors the western properties will be secatively imported by 2dy solvide and book coming from the tending floar, restaurant, and any large group booting activities.

Any evening events will most likely have an impact on the neighbourhood with noise and fights was tragain durings) the owners about to peaceful enjoyment and proved of their property.

6. <u>Hotel Setback Variance</u>

A small portion of the hotel encroaches the 20' road particle. The applicant dishus the following exceptional circumstance to warrant the variance:

5(13)(b)(0) transition terrain consistentials that the sizes development intential.

We argue this is a self-imposed restriction. The site is large (5.3) above. One werent the hoss from complying with settlecks. There are a mortal of options:

3

that could be employed to a low all structures to comply with the setbooks.

7. <u>Commercial Use in a Residential Zone</u>

Reg 9(3) states fro ose of law? which a residence, ascording to adoptions an objective conditions of adoptions conditions are objected a measurement of the other in the other objected by the other of the other objected by the object of the other objected by the object of the object of the other objected by the object of the object of the other object of the other object of the other object of the object of the other object of the object of the object of the other object of the other object of the object of the other objects of the other object

Lusthermore, the aimhned malistyle is a simple block, which is not in contacted with the community's readential nature. The second from is to be used for office or storage in presumably to storal necessary three stock and not select on storage in the office. Where will maintenance welfaces, lendstable equipment and nearly leadingly be welface. We include a few other terms that appear to be office an office with Development B. Planning Regulations likely we hereby ask that the CPA cive its masched income eration.

The applicant states the proposal many 7.54 agree, while it is in raw coppositively 6.03 acres, it appears the applicant inclined the whole of Parcel 197 when calls follog site coverage and consisty, however, 0.64 as of the Parcel is excluded from the kile parcels for the rote that Parcel 147 8 and 1914d as of a of the parcels proposed for developinger).

The newspaper advert does not month the reways per template provided in the Report over the Planting's website. It does not provide for an area ladoress to inculte a row line application.

ne newspaper advoit and mailed indices it age no mention of a social case is only it area dengal condition.

The house loss do not comply with minimum by, size requirements and Rocalation 10(0.00) three approantings not stand they were requesting lossize with nacks.

The architectural drawlings connect include any details of the needestrian pridge. What will the beat drawn along the

The housing round that print only provides a shell – no dotalls as to whe here liability bar/rescaurant will be included. As $\frac{1}{2}$ if of each mistrative objects.

There are backing spaces that partially its within the Crighton Grove right of they, as well as promoted side As by Othere or named understanding that a relements of a development impossal shell be within property boundaries, including a description

Thenk you can allowing the H \rightarrow operationary to review and common on this Appropriate. We have forward to reactiving an invitation to appear before the CPA to it then also use.

Renneth & Tanya Zemniak

Ital Lbanks

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orn Coor hardean Centre 42 berth Church Sc. P.O. Bee 2555 Librat Cermon 1911-1107 Caymon Nearts

Tel: 1-3-5-949-0103 Jemeskennerfy@koggazilos

амы колам,ку

The Olivetor of Planning
Department of Planning
Government Administration Building
133 Eight Avenue
PO Box 113
Grand Cayman,
Cayman Islands
KY1-9000

Sent by: Small only

Dear Sir.

Re: Application for Planning permission (Project No. P21-1260) on Block 17A, Parcala 145,146 and 170REM1 for the construction and sesociated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Bulldings (between 7/9 stories (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Cofé and associated development and works...." ("the Application")

We act for Cavin Recentally, ("our Client") the Interested party and registered owner of property located at Baccarat Quay and legally described as Diock 17A, Parcel 161.

Our Clieft wishes to register their objections to the above mentioned Planning Application and we request that this objection be read into the record of any hearing or meeting cancerning this application.

Our Client's objections are based on the following principle concerns contained in the small that is appended to this letter.

Please the not hesitate to contact our offices at any time if you should require any further information.



13 January 2022

Yours faithfully,

KS

KSG Attorneys at Law

Hall Ebanks

From:

Gwin Besenoele regevin bakendalo@homisil mans

South

Transdev, January 13, 2022 3:18 PM.

To:

Hall Hamb

CE.

Katherine Tathum, 2h995eff62+metter) 0/8456892@maildrobidio.com

Subject

Re: Stipotion Lemen

Attachments:

imaga365671 jang: image689344.png image159236.png, image7777677 png, 2024.01.11

Objection Letter (Swendale door)

I can confirm, do you need my to sign anything?

On Jan 13, 2022, at 15:02, Hall Ebanks knalebanks@k-glaw.kya wrote:

Hi Gavin.

Can you kindly review the attached draft cover letter, and confirm that you authorize \$55 to submit the objection below on your behalf.

Kind regards

TO: Director of Planging.

Dicar Sir.

We wish to formally object to the proposed application for Harming permission (F2 \cup 260) and wish for our complaint to be reading the record of any mosting.

We reserve our right to liveke further representations on this matter through our appointed local neurosely is 5.5 witomeyo at Law.

Takes are perticular elements of the programmed downrounent that we object to, as well as Remis that apparance continuous the Planning and Development Regulations and Act.

Sultability & Bullding Height

We acknowledge that higher density housing analysis a notal use can be approved for this site, however given the character of the neighborhood, we make the memoris of the Central Flanning Authority ("the CPA") to consider what an appropriate scale may be for a mixed-use frutel development in an area off of the node inquisity condor which is undoubtedly into twiced with lower density residential areas.

After viewing the coming map for the Crystal Harpour area, it seems this may be equal anomaly for a past master plan that never came so be. This preve is now solated, making 4 anothers by an established low. He sity resident at neighbourdeness.

Regulation $\theta(z)(e)(t)$ allows making on the days neights of 10 showlys/150° by apartments and horely. If we make agreement that he had as a make set agree in a susceptibility site $\theta(z)$ and $\theta(z)$ is a unique site as it is located in a residential LDR site $\theta(z)$ and it should to the past is also zoned. Substituting the horeline The $\theta(t)$ cone extends the only explicitly of the North Sound shoulder, while the remainder of Crystal Hardon is zoned by Density Bosi 16 of $\theta(t)$ and deparated from the hope $\theta(t)$ button $\theta(t)$ and deparated from the hope $\theta(t)$ button in a larger master $\theta(t)$ and $\theta(t)$ and the that north to me to fruit on and thus the partmeter have a seen a longer master $\theta(t)$ and $\theta(t)$ are time that now the means for years.

Building holgost in this erea are e-storeys or loss with the exception of an approximal 4 storey aperunent development destination block 17A Parceis 350 & 351. The party loss, use in the continuity is the Hellday Ion Grant Caymer an Resort which addy 3 storeys

The approand is contact, that this is one of the last large H/T planks in the ered, which means if it's approved for anything highers had a subject will be tabled y 10 which means to cold character with the ered in the respection yout with the High toward are suitable to tribe carees or area designed for high regarding toursmand. Seven Mile Deach and George Town, that a gated residential development.

If CPs is immediate approved the sleveloping it of the site in the proposed manner, it is a early not in knowing with the marattensities of the neighborhood and the spirit of the legal framework upderplanting owner opinion. In the Cayman is ands.

) raffic & Road Safety.

Expanding the four son within the rescential supplicts on will require an agreesed community traffic time design offers pathological editions in empects, but instant we argue, is cas once to we write a figure.

youts iy, a miscolluse and hotel development will have 1.7 access points from the traditional offer an internal proposal basin to direct guests. In its proposal basin access crows. In its not designed to nor mise tratholmovements an accessive branch as food. Crystal hardour residence are able to walk, contains bike sarely changing in the delighborhood. Children accessive to safety years (hends without boying in wying specification of 3.1%). The Trues predictable and plays

If JOA's proceed to support this application, we would less that conditions be imposed to increase catchy by implications in add to unquion drive such as striping of pafficulants, tikes lanes and success to. If angulars the existing right workwidth can allow for such read improvements.

1. Boot Traffic

Dackston packing is being priered for the algorithm restaurant, while not much a tipes to be offered for the hate. Type ally, a hotel with waterined will offer watersports or disaffers, which we assume will cocur for this mapping. This will into taking continuous tenders book as noticely through a residential canal system. There we be a parade of healths puring through, particle any on weekends larger than its minutes making and enjoyment of their property. An increase of noise and coming

26

the Canals' can only be expected creating a further numeroe to the existing panary and therefore diminishing or depriving them at their Agint to head gold and quiet or joyment of their property.

We would also like to have a full unity abouting of any Coastal Works Primits that may have been, or will be yought in relation to this development and reserve at rights to make representations on this segger.

4. Parking

It epocens all of the restaurant and helpf parking are provided coress Original Original or residential loss Pau 61 145 & 146. Are restaurant patrons expected to walk that distance to the resizurance Walshboth this proposal will create a safety hazard for peocestrians on the property.

The restaurant's fact to uncovered area shares occoss with the displaces and house lats. If the restaurant is successful, this will have conflict with screes for the restources due to the inherent risk of making commercial traffic in a law delegty residential area. The parallel parking in front of the restaurant – is this for the residences on the restaurant. Is there a potential for conflict?

With the lack of sparapriately places parking, we lead the house late will not be developed and instead be used for restaurant parking. This will increase the fig. I other within the subdivision, commuting an essignant properties in the evenings, of the neutron bank and head lights shring aste adjacent properties in the evenings, of the neutron cost are blocked from parking, this will likely force between to park on Grighton time. We craw attention to they $\delta_{\nu}(x)(y)$ in a Neighbourhood Communical zone or Hotel/Touthon 2019, (werely-live per cent of the narring space may be littleful and more than five hundred that they if the respective building.

5. Nariwe

Fire total includes a mortop box and Rhohe it, which will be the first of the kind within a residential neighbould cont. The proposed par races touth onto the subdivision. The winds offerably mane from the east and thoreform the western properties will be registively impacted by any sounds and related sounding from the root top bar, restaurant, and any large group posting acousts.

Any evening events will most likely have an impact on the neighbourhood with noise and lights which again diminion the awards allowy to precedul enjoyment and privacy of their property.

6. <u>Hotel Setback Variance</u>

A small partion of the harellenging-ties the 20' road serback. The applicant deings the following exceptional directionatance to warrant the variance:

 $\mathcal{B}(13)(0)(0)$ unusual terrain characteristics finit the shely development cotential.

We argue this is a self-imposed restriction. The sire is large (3.21 acres) and variant, there are no existing since a stence: their prevent the hotel from complying with setbacks. There are a myriae or options that could be employed to allow all structures to comply with the seriously.

7. Commercial Use in a Rasidential Zinge

Neg 3(b) states for the new of land within a residential during shall be congerous. Once there is the estate of the same of the twist charge a residential providence on offernies charactery commends. In the ancience of the land the use will precise this area for nearby properties by increasing the fit makes with a residential road (3 of VOACYS for a single occupancy uses) and the offering any buffer or wheeling to book resolutions from shirt by on the road and administration overties.

Turthermore, the anti-fectural style is a simple brook, which is not in character with the community's respectful nature. The second from its to be used for office of storage in prest, mobily to storage necessary both stock or offices administrative offices. Where will maintenance vehicles, is playable equipment and heavy much very perspections.

We moude a few other iteras that appear to be entire or conflict with Development & CADOUG Regulations that we hearby less that the CPA give its making education.

- a The epolicant states for propose large 2.7.54 peros, while is is in fact approximately 6.33 when it appears the applicant included the whole of Partiel 147 when calculating the property and person, however, 6.84 at of the Partiel Is excluded from the site plan. Assistance that Partiel 147 is not Paled as one of the parties proposed for development.
- b. The newspaper advertibles not mooth the newspaper temprate provided in the Department of Planning's website. It does not provide for an enign address to high the about the application.
- t. He hawspaper accompiled totaled projects make no problem of a capacycles on an elegational deadly/sign.
- **d.** The hallot of a lighted comply with infall manners are requirements per Regulation 10(1)(d). The analisant has not stated they were required size variances.
- e The architectural drawings do not include any details of the nedestrian Empty." What will the local diserrance boy
- The hotelig round for a lider proy provided a shear into letters as to whether a libbing like free aurent will be input for a extent of edim histrative of ross.
- B. There are provided spaces that partially followithin the Grighton or vehicle way, do well as proposed sidewalks. It is our understanding that a relating of a development proposed site within property turn there is all ding slower sy.

That Kiyou for showing up the appropriately to review and comment on this application. We look forward to receiving an invitation to a reading the gap to further discuss.

Godin Bayendale

Hall Ebanks

Ha Chenicomksglaw.ky www.koglaw.ky Policerus:

Adı Florir Harbour Serine, 42 North Elizadi Shreet, George Town, PO Box 2265, kryl-1107, Deymen Blands

Durishment for This e-right and bity I ke transmitted with their confidencial and side; that some for the use of gray original to unitary to a they are entirespect. If you have nearest the e-most in any oldest notify the sender introduced by a the additional above and debte massage in any distribution of the employed of the massage in any distribution of an unsuchorted e-right his consequence of the probabilist.

PCSG Attorities are the freehors name of Roca Attorities benties, a body corporate too, and create the Legal Premittees. (Happanaled Premittee) Remarkdors (Scienceal). Services are consided on \$1, class of our current service of nations, which can be executed by \$2.5 (MASS, LA) of terminated from Horse(SG) pdf.

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dho Fiskir Hardean (Xellins 42 homb Chillian Sci P.D. Buy 1256, Ghard Caymen Rhystyllas

hein in 343 des cook. Jacobskein leis Sikwyt kaky.

AND MEDICAL REPORTS

Сорима (Калаж

The Director of Planning Department of Planning Government Administration Rullding 193 Sign Avenue PO Box 110 Grand Cayman, Cayman Islands KY1-5000

Sent by: Email anily

Dear Sir.

Re: Application for Planning permission (Project No. P21-1260) on Block 17%, Perceis 145,146 and 170REM1 for the construction and associated development of *93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Buildings (between 7/9 stories (10) Ouplexes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Café and Resociated development and works...." (*the Application")

We ass for **Techni Charles Leshivar**, ("our Client") the Interested party and registered switch of property located in Grysfal Harbour and legality described as **Block 17A, Parce, 206**.

Our Orent wishes to register their objections to the above mentioned Planning. Application and we request that this objection be read into the record of any hearing or meeting concerning this application.

Our Client's objections are based on the following principle concerns contained in the small that is **appended** to this lefter,

Please da not hesitate to contact our offices at any time if you should require any further information.

13 Jarmery 9927

Yours faithfully,

KS5 Attomeys at Law

Hall Ebanks

From:

TC Lesiskar (Cr) >toloshikan@pac.com>

Seral:

The radey, January 15, 2022 \$ 48 AM

To:

Hall Ebanis: James Kennedy

Stablecto

Objection: Crystal transport Ranning Application.

TO: Director of Planning

Dear San,

We wish to formally object to the proposed application for Planning permission (F21-1260) and wish for our complete to be readily to the record of any meeting.

We reserve our right to make further representations on this matter through our appointed legal counsel, KSG Attoineys at Law.

There are particular elemants of the proposed development that we object to, as well as items that appear to controlled the Planning and Development Regulations and Act.

1. <u>Sulfahlfity & Building H</u>eight

We acknowledge that higher density housing and/or a hotel use can be approved for his site, however given the character of the neighborhood, we invite the members of the Central Planning Authority ("the CPA") to consider what an appropriate scale may be far a mixed use hotel development in all area of of the main families, consider which is undoubtedly intertwined with lower density residential areas.

After viewing the zening http://or the Crystal Harbour area, it seems this may be an artificially for a past master plan that never came to be. This piece is now booted, mainly surrounced by an established low-density realignful neighbourhood.

Regulation 9(2)(a)(i) allows maximum buildings neights of 10 storeys/1301 for apartments and hotels, if does not contained that solight as a right for a residential LIDR stordivision. Yes, the land to the east is also concil Hotel/Tourism, but it is along a long, nature istraction. The H/T cone extends the entirety of the North Saund shareline, while the remainder of Crystal Harbour is concil low Density Residential ("LDR") and separated from the Hatel/Tourism ("H/T") cane by Grighton have. This is an odd-shaped lat hit seems there might have been a larger master plan intended at one time that never came to follow and thus this parcel remained value to repeats.

Bulloing Arights in this area are 3 storrys or less with the exception of an approved 4-storey appropriate development destined for block 17A Parcels 350 9-351. The orly hotel use in the community is the Höiday Inn Grand Caymanian Resort which is only 3 storeys.

The applicant is correct, that this is one of the last large HyT ploces in the area, which means if its approved for anything higher than 4 startes it will be the only tower and be cut of character with the area. We respectfully submit that Figh towers are suitable in urban areas or area designed for high-derivity tourism such as Seven Mile Beach and George Town, not a gated residential development.

If CPA is minded to approve the development of the site in the proposed manner, it is dearly not in keeping with the characteristics of the neighborhood and the spirit of the logal framework underplanting development in the Coveran Islands.

Z. Traffic & Road Safety

Expanding the tourism within the residential AutoMajon will result in Increased commercial smillion design affers nothing to milligate the impacts, but instead we argue, is designed to worsen conflict.

Typically, a mixed-use and hotel development will have 1-2 access points from the road and offer an internal circulation system to direct guests. This proposal has 11 access drives. It is not designed to minimize treific movements on a residential mad. Crystal Harbour residents are able to walk, run and bite safety throughout the neighborhood. Children are able to safety visit friends, without having to worry about exceeding cars. Traffic is pradictable and slow,

けている chanses hit support this application, we would ask that conditions be imposed to increase sefety by improvements made to Erighton Prive such as striping of traffic lanes, blics lanes and stockalles. It appears the existing right-of-width can allow for such mad improvements.

3. Boat Traffig

Dockstop parking is being offered for the signature restaurant, while not much appears to be offered for the hotel. Typically, a hotel with waterfront will offer watersports or charters, which we assume will occur for this proposal. This will introduce commercial posting activity through a residential kanal System. There will be a paradic of boars coming through, particularly on weekends impacting the residents' privacy and enjoyment of their property. An increase of noise and 'fourting the canals' son only be expected creating a further nulsance to the wisting expert and their property.

We would also like to have a full understanding of any Coastel Works Permits that may have heep, or will be sought in relation to this development and reserve all rights to make representations on this aspect.

4. Pariding

It appears all of the restaurant and hood parking are provided across Original Drive on residential lots Parcel 145 & 146. Are restaurant patients expected to walk that distance to the restaurant? We submit this property.

The restaurant's taxi-luminatured area shares access with the duploxes and house jots, (7 she febluarant is successful, this will cause conflict with access for the residences due to the inherent risk of mixing commercial () affic in a low density restcential area. The parallel parking in (rout of the restaurant – is this for the residences on the restaurant – is there a potential for conflict?

With the lack of appropriately places parking, we four the house lots will not be developed and instead be used for restaurant parking. This will increase trains further within the subdivision, generating excess house from vehicles, potential odors from our furnes, and head fights shiring onto adjacent properties in the exentings. If the house lots ere blocked from parking, this will likely force patrons to bank on Crighton Drive. We craw attention to Reg 8.(1)(c) in a Melghbourhood Commercial core or Notely fourism zone, twenty Mrs per cent of the parking space may be located not more than the hundred fact from (he respective building).

5. Naise

The bote linelaces a rooflop ben and latchen, which will be the first of its kind within a societable neighbourhood. The proposed han faces could onto the subc Vision. The winds printedly come from the cook and therefore the western proporties will be negatively impacted by any sounds and odors continue from the roof top bar, restainant, and any large group botting activities.

Any evening events will most likely have an impact on the neighbourhood with noise and lights which again diminish the owners ability to peaceful enjoyment and privacy of their property.

6. Hotel Setback Variance

A sinal portion of the hore annihables the 201 road sectods. The applical 1 dains the following exceptional probable to warrant the variance:

 $\delta(13)(b)(b)$ unusual terrain characteristics limit (i.e.site's development cohortis).

We argue this is a self-imposed matriction. The site is large (5.31 acros) and yearst, there are no existing charmstances that prevent the notel from complying with setbacks. There are a myriad of uptions that could be employed to allow all structures to comply with the setbacks.

7. Commercial Use In a Residential Zone

Reg 5(5) states "No use of land within a residential zone shall be dangerous, obsorbus, took on CAUSE Wilensive adults or conditions or obtained wise create a constant or anneyworse to objects". The encillary parking lot with a two-stoley commercial building is located on a parcel zoned LOR. We argue this use will create nuisance for nearby projecties by increasing traffic movements on a residential road (3 driveways for a single occupancy use?) and not offering any buffer or screening to block headflights from shring on the road and adjacent properties.

Suthermore, the architectural style is a simple block, which is not in character with the community's residential Paluire. The second floor is to be used for office or storage - presumably to store necessary hotel stock and house administrative offices. Where will maintenance vehicles, landscape equipment and neavy machinery be stored?

We include a few officer items that appear to be errors or coeffet with Development & Flanning Regulations that we hereby ask that the CPA give its reasoned consideration.

- 8. The applicant states the propose larea is 7.54 acres, while it is in fact approximately 6.33 acres. It appears the applicant included the whole of Parcel 347 when taken ating after coverage and density, however 0.84 acros the Parcel is excluded from the site plan. Also to note that Parcel 147 is not listed as one of the parcels proposed for development.
- Di The newspaper adverticioes not match the newspaper template provided in the Department of Planning's website. It does not provide for an emeil address to inquire about the audication.
- c. The newspaper advertiand mailed notices make no mention of a tenal exception of a residential subdivision.
- The house lots do not comply with minimum following requirements per Regulation 10(1)(0), the applicant has not stated they were requesting for size variances
- The architectural drawings do not include any details of the podestrian bridge. What will the boat clearance ke?
- The hotel ground find plan only provides a shell no details as to whether a looby baryrestawark will be included, extent of administrative offices.
- Q. There are parking spaces that partially lie within the Erighton Date right of-way, as well as proposed sidewalks. It is our understanding that all elements of a development proposal shall be within property boundaries, including addewalks.

Thank you for allowing us the opportunity to review and comment on this application. We look forward to receiving an invitation to appear before the CPA to further discuss.

TOdon Charles Leshitan

T.C. Leghillar

PwC | Partner, Tax Office: 345-914-8616 Email: http://kar@pwc.com ProcesslerbouseCoopers 19 Forma 1400, P.O. Box 258, Grand Cayman, Ceytean Islands Effective http://www.pwa.com/ky

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Working lander

The Director of Planning
Department of Planning
Government Administration Building
133 Eight Avenue
20 Rox 113
Grand Cayman,
Cayman Islands
kY1-9000

Sent by: Email only

Dear Sir.

Res Application for Planning parnslasion (Project No. P21-1260) on Block 17A, Parcela 145,146 and 170REM1 (or the construction and associated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Aparlment buildings (between 7/9 stories (10) Duplemes and (20) Townhouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Onfe and associated development and works...." ("the Application")

We act for Shart Scymour, ("our Client") the Interested party and registered swhen of property located at Baccaret Quey and legally described as Block 17A, Parce: 106.

Our Client wishes to register their objections to the above mindioned Planning. Application and we request that this objection be read into the remotion bearing or receased executing this application.

Our Client's objections are based on the following principle concerns conjugately in the entire that is appendical to this letter.

Please do not healtate to contact our offices at any time if you should require any further information.

13 January 2022

Yours faithfully,



KSG Attorneys at Law

Hal Ebanfçs.

From:

Shar- Seynyan Ashar 275@merronge

Sumb

Treaseley, January 18, 2022-10-44, Apr.

To:

Hel Ibanks: James Keymerly

Publicit

Objection - Gyeralic arbour Planning Application

TO Director of Planning

Doar Sit.

We wish to formally object to the proposal suplication for Phoning permission (921, 1780) (or level) for approximate to be read into the record of any monthly.

We reserve our right to make further representations on this matter thinkingly our appointed legal counsely. Assumely, all leads

Chara a vigor-builds elements of the proposed dovoloament of at we object to, as well ay literal that appear to contradict the Planning and Development Pogulations and Att

1. Suitability & Audicing Height

We acknowledge that higher density housing and/or a notating-tight be approved for this site is never award the character of the neighborhood, we invite the moral error the Control Maining Augment by (1) + (1) to conside, what an appropriate size A may be long mixed day hotel the element in an area off of the main foundable consider would be endoubtedly intertwined with lower density regionated areas.

After vicking the zening man for the Crystal Barbot, haldon it seems this may be an anomaly for a past master pain that never came to be. This piece is now polared, my hily surrounced by an essentiation mediance mediance in eighbourhood.

Regulation 6(2)(e)(t) allows making in by dings halgets of 10 storeyer 130; for aptimients and notels, <u>it assess</u> act governees that hought as a right for these it quantities was constant of that quantities on the first and uses. This is a unique site as it is in a top on a resident a 10R subdivision. Yes, the last tip is a solvenee Heart/Tomism, but it is along a long, natural shorether. The H/T some extends the solventy of the North Sound shore the, while the remainder of Grystal hardour it round time the eaty Residential CEDP () and separated from the Home/Tourism (*, /!!) some by Grig dum Crive. The is an ead shaped of the tip seems them in given even a larger master plan interced at one time that needs there cannot be an effectively.

Suitfully heights in this wiee are U-storage of law with the exception of an approved 4-storage apartment days our enticetylned for \mathbb{P}_{A+k} 176 Parce's 3.30 A 3.51. The pray noted use in the Common by 19 the Helledy in a Grand Laymon on Besself will this only 2 storage.

The applicant is printing, that this is one or the indicate (All discending the All All the approved for anothing higher than a stones if we had the only in wer and be out of the action with the area. We respectfully submit that high toward (i.e. suitable in order areas or area deponds for high density for each as Severe Mile Beach and George Town, but it gated residential development.

If SPA is minded to apartize the development of the site in the proposed manner, k is nearly not in keeping with the characteristics of the helphormond and the sprit of the legal framework materialism of development in the Sayman Islands.

Treffic & Road Safety

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Typically, a mixed use and hotel development will have 1-2 access points from the read and offer an internal distribution system to direct quests. The proposal has 11 access drives, tors not designed to minimize traffic movements on a residential road. Erystal Harbour institutis are able to walk, two and bike safety fursighout the holy bloomhood. Children are able to safety visit triends within it having to worry about specific case. Fraffic is predictable and slow.

If CPA chooses to pulpoon this application, we would ask that conditions be imposed to increase safety by improvements ender to drighton three such as strong of traffic lanes, bikes lanes and sidewalks. It appears the existing right of width san allow for such read improvements.

3. Boat Traffig

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We would also like to have a full understanding of any Zoosta. Works Primits (that may have been, or Wik half-bught in relation to this development and 1244 we all rights to make representations and this expect.

4. Parking

It appears all of the restaurant and hyder parking are provided across Chichten Brive on residential labs Paradi 145 & 146. Are restaurant patrons expected to walk that distance to the restaurant? We solvrift this proposal will create a safety hazard for pedestrons on the property.

The restaurant's task-turnaround area shows an east with the dispress and house loss of the restaurant is successful, this will nause conflict with access for the restaurant is successful, this will nause conflict with access for the restaurant of partial partial for the male and the restaurant of t

With the lack of appropriately placed periong, we fear the house loss will not be developed and instead on used for restaurant parking. This will increase traffic further within the suborysion, generating excess halse from vehicles, proended relate from car furnes, and head lights shiring onto actacent paraeitles in the evenings. If the house lots are brocked from parking, this will likely face patrons to back on drighton drive. We draw attention to Reg 8 (10%) in a Neighbourhood Commercial space or Hotel/Tourism some, twenty-five per cent of the parking space may be located not more than five innovinced feet from the respective building.

Noise.

The hotel includes a mortal, because kitchen, which will be the first of its kind within a rasic ential adjoint or thick, the proposed partiages shotly ento the soud vision. The winds primarily come from the east and therefore the western properties will be negatively impacted by any solutionary and coors coming from the roof top bar, restaurant, and envilong group beating adjivities.

Any evening events will coost likely have an impact on the neighborhood with noise and lights, which each of ministrate owners ability to proveful enjoying at and oriency of their property.

Hotel Salback Variance

A Sinal provious of the hotel encroarably $A \in \mathbb{R}^n$ road settack. The μ η financellaring the following exceptions is microscopic to wastent the variance:

B(I3)(b)(b) into the Lemans of smarteristics I(ab) the side is development pointwist.

We argue this is a self-imposod rewritcher. The site is range (5.31 above) and vacang there are no existing orderestances that prevent are noted from contribing with setbacks. There are a myriad of appoint the titled belong open to allow $t=s(r_0,t_0)$ to comply with the setbacks.

Commercial Use in a Residential Zone.

Reg. 9(1) states the near of land within a respondant zone shall be deaggroup, observed, boxinus cause offensive odors or escapsions or enumerical outlengt a narrange or particular the life end of a smull any parking lot within a two Righey commercial outlength within the particular of a particular or a single this use in the edge of sense for nearby and entire by increasing traffic movements on a neither that read (3 on viewbys for a single occupancy coof; and not offering any patient sense had supplied that can gifts for a shring on the read and supplied a properties.

Figurers the architecture bryin is a shaple block, which is not in character which the control of the control of the second floor to be used. Where we maintenance vehicles, the second floor processary hotel struct and house administrative (floor). Where we maintenance vehicles, the decape compliant and heavy meditinery be secret.

We include a few officinitients that appear to be empty or print in with Development 5 mainting. Both of one that we have by subthall the CPA give its reasoned consideration.

- all the applicant words the proposal area is 7.04 boxes, while it is in fact approximately 6.35 boxes. The opens the applicant indicator the whole of Percei 147 when calculating site coverage and constry, however 0.04 actor the Parcol is excluded from the site plant. Also to note that Felicel 347 is not listed as oan above harders proposed for payelaphrain.
- b. The increasing or accept dives not insuch the inevapopor or my are provided in the Doga innovaof Planting's website, to does not inspire for an email address to Inquire about the application.
- . The newspaper advect and mallion invoces make no mention of a carbin edge sign on a residential is the vision.
- The nation obtation rely with imminum of sala requirements per Regulation 10(1)(d).
 The applicant less of stated they were requesting byte variances.
- e. The architectural drawings up not include any details of the pedestrian bruge, what will make book a garance be?
- 1 The hotel 6 to melificate plantomy provides a site in mortetails as to whether a littling by the stautent will be inclined, less entire strative ortices.
- **8.** The Alexander spaces that partially like within the Cognition Drive front of way, as well as proposed sidewalks. If is only inderstanding that all elements of a development proposal shall like within a reperty poundaries, inclineing sloaks, $x_2 = \frac{1}{2}$

Thank you for allowing us the opportunity to review and comment on this application, we look forward to secreting an invitation to appear before the CPA to first or discuss.

Sharl Seymour

Reccarat Quay Block 174 Parcel 166

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A Intion Harboo Candre Ad North Connective, P.O. Para 2273 Crisho Caylina 1014 - 107 Coyman Takhna

mejri i dun legelgang Jemieksenne degkvoglavi kyl

www.ksql.ee.ky.

The Circtor of Planning
Department of Planning
Government Administration Building
133 Ekjir Avenue
PO Box 113
Githa Cayman,
Cayman Islands
CY1-9000

Sent by: Equal only

Dear Sir,

13 January 2022

Re: Application for Planning permission (Project No. P21-1200) on Block 17A, Parcals 145,146 and 170REM1 for the construction and esecciated development of "P3 residential units and 44 hatel sultes, for a total of 137 units broken down per the following (1) 9-story hatel, 95) Apartment Buildings (between 7/9 stories (10) Duplexes and (20) Townhouses and 2-story Garage/Storage building, Residurant/Owners Lounge & Café and associated development and works...." ["the Application")

We set for Katherine Tathum ("Our Client") the interested party and ragistered owned of property located at 9 Batternat Quay and legally described as Block 176, Parcel 277.

Our Cliant wishes to register their objection to the above mendioned Planning. Application and we request that this objection be read into the record of any bearing or meeting concerning this application.

Our Client's objections are based on the following principle concerns construed in the entail that is appended to this letter.

Please do not healtate to context our offices at any time if you should require any further information.

Yours faithfully,

KS

KSG Attorneys at Law

Hell Ebanks

From:

 $\textbf{Katherine 18thum} + \textbf{kmtathum} \underline{\textbf{S}} \textbf{gmail} \textbf{ torms}$

Senti

Wednesday, January 12, 2022-6-21 Pyril

Tox

Hai Ebonks; James Kerejegy.

Subject:

Objection- Crystal Harbour Planning Application

Attachments:

2022-01-11 Object on Letter Fallminisha ki

TO: Director of Planning

Dear Sir.

We wish to formally object to the ensposed aphilization for Planning germission (F2.1 : 260) and wish for our completible be read into the import of any injecting.

We reserve our night to make forther representations on this matter through our appointed togal you used, ASC Action aya at Lew

Thore are perduction elements of the proposed development that we object to, as well as items that appear to contradict the Panning and Development Requestions and App

Suitability & Boilding Meight

We acknow edge that higher consists non-ingland/or a notel use can be depicted for the site, however given the it intercted of the neighborhood, we have the members of the Control Planning Authority ("the CPA") to consider what an appropriate scale may be for a missed new acter development in an amount of the main tourism comider which is impossible, y intertwined with lower don try new entire areas.

After viewing the zoning map for the Dystal Harbury area, it seems this may be an enginely for a past reactor plan that never to be to be. This place is now tertain to apply to rounced by an established low-density reordental heighbor movel.

Regulation $\theta(z)(e)(\cdot)$ allows maximum buildings be unto of 10 storows/130° for apartment. And hole s, <u>in d</u>action glass and glass when because a pathners does in glass and maximum of isometries. This is a unit up site as it is located in a result ential CDR subarysian. Yes, the long to the east is also speed. Into yillowing, but it is along a long, natural shown at The HVT cone extends the antiroty of the North Sound shoromore, while the remainder of crysts. Harbour is zoned tow. Detectly best ential ("LOR") and separated from the HotelyTourism ("HVT") zone by Cryphon Davo. This is an odd shaped to restor their might have noted a larger master plan inconded at a φ time that seeks it an eith mutter and thus this panel remained vacant for yours.

Durding heights in this area are 0-storeys on less with the comprise of a reportived distancy apartment development destined for Black 17A Parties 350 & 051. The only hatelinship (Legisland) as the Heilday for Group Cayman an Resort which is only 3 storeys.

The applicant is context, that this is one of the last lands #JT hisses in the area, which moons it if the approved for anything higher than 4 stolles it will be the only tower and he out of character with the area. We respectfully so only that high towers are suitable in orbit wheat or area designed tary high consists (or not as Seven Mile Brach and CA) by Yown, not a gated residence in development.

If CPA is attnded to approve the development of the site in the proposed dual her. It is clearly not to according with the distractoratios of the seighborhood and the spirit of the legal framework tout explining development in the Cayman Islands.

2. <u>Traffic & Road Safety</u>

Expanding for housiest within the residential subtrasion will mouth an increased commercial traffic. The design offers nothing to minigate the impacts, but indeed we argue, is designed to worsen conflict.

Typically, a mixed-use and hotel development, will have 0-2 access painty from the road and offer an intential discussion system to direct greece. This proposal this 11 access drives. It is may designed to minimize the flucinovements on a residential road. Crystal Harmour residents are able to walk, turn and take sately throughout the neighborhade. Citibrien are sale to carely with friends will but having to worry about speeding cars. Thirds is predictable and slow.

If CAA chooses to support this application, we would ask that conditions to increase safety by improve tents made to Original Drive such as safety of traffic large, black area and selewalks. It appears the original application-width can allow for such road improvements.

3. Bust Traffic

Noticed parking is being offered for the signature resignant, while not much appears to be offered for the notel. Protectly, a hotel with waterfront will offer enterpoint or charters, which we assume will occur for this proposal. This will introduct compared a boating activity through a residential canal system. There will be a parade of boats coining through, particularly on weekends impacting the residents' arrivably and eligoginary or thoso proporty. An increase or note and 'huming the canals' can only an expected creating a forther milestic to the existing payment of their property.

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The restaurant's taxing the equal area sharps across with the duplexes and house lots. If the restaurant is such estful, this will cause conflict with acress for the residences type to the inherent risk of $m \times ng$ commencial halfs, to a low consity residential energy. The parameter parking in the restaurant. Is this for the residences on the regioner till as there a potential for conflict?

With the lack of appropriately places parking, we fear the nouse loss will not be developed and Instead be used for resourant parking. The will increase traffic further within the subdivision, generating excess noise from yet des, potential orbits from per furnes, and head lights shring acto adjacent properties in the evenings. If the house lots are blocked from parking, this will likely finite patrons to park on Grighton Drive. We craw aftention to Rey 8.(1)(c) to a Meighbourhood Commercial zone or Hole/Tourism zone, fiventy-five per cent of the parking space may be located not more than the burghed fresh through the respective boulding.

Notee

The hotel inclinies a rowkey behand weeken, which will be the first of the kind within a residence neighbourhood. The oraposed har forest south ento the subdivision. The winds primarity come from the cost and therefore the western proporties will be regatively impacted by any sounds and odors to part from the receive had nested with any large group boaring activities.

Any eventor events without likely have an impact on the religious food with noise and lights. Which against costs the awards applied to peace to enjoyment and privacy of the cymerty.

Motel Setback Vangage

A small portion of the half-likely resolves the 20° road perhaps. The approach, dained the following exceptions in inconstance to warrant the value of

50.373000 products because characteristics from the site is development on project.

We argue this is a solf-imported restriction. The site is larger (5.3) Hirles) and vacant, there are no existing office between that prevent the hotal frame (any yang with sotteaks. There are any year job out one that could be ampleyed to all-lay all structures to comply will the setbacks.

Commercial Use its a flexidential Zone.

Ros 9(5) status 1 Minuse of tend within a residential some shelf the dangerous, obtactives, that, or those offensive coars of conditions in reflectives present a residence on accordance to others). The ancillary parking im with a two-storey commercial brilliting is located on a percollection (TDR, Walaigne III) is useful present nuisance for healthy properties by increasing outfin movements on a residential road (3 driveways for a single accurancy disc?) and not offering any performance to brook healthy is from shiring as the model in anjectic properties.

Furthermore, the architectural style is a simple book, which is not to marketly outpline community's residential dature. The second from is to be used for office or storage in prosumally to store necessary hope stock and house within strative offices. Where will maletery use vehicles, and second equipment and heavy machinery be stored?

We use use a few uplies items that appear to be extress in you like with Development & Planning. Bey detions that we hereby task that the CPA give its reasoned consideration.

- 5. The applicant states the proposal area is 7.54 cours, while it is in fact approximately 5.33 erres. It appears the applicant included the whole of Parcel 147 when or other inguite coverage and include, however 0.64 ac of the Parcel It as most from the site plan. Also to come that Parcel 147 is not isted as one of the parcels proposed for development.
- b. The newspaper advertidees not motth the newspaper ten plate provided in the Department of Planning's website. If does not provide for an einal laderess to Inquire along the application.
- The newspaper of tentral is in arted notices make no monitor of a solid respectation or a restricted subdivision.
- d. The boundings (a) not comply with min mem let size in order dents per Regulation . D(-(y)). The applicant has not stated they were requestively obsize variances.
- 6. The aid lifeturial unwrings do not include any details of the pedestrian bridge, what will the upat clearance bo?
- The notel ground floor plan only involves a shell in not sets it as to whother a largey bar/ressaurant will be included, extent or administrative offices.
- 5 There are parking spaces that partially lie within the Crighton Orivo right of way, as well as proaced sidewalks. It is our understanding that all clames is of a developing the proposal shall be within properly boundaries, and, diny sidewalks.

Thank you for allowing us the opportunity to review and commont on this application. We look forward to receiving an invitation to appear before the CRA to further discuss.

Sincenely,

KATHERINE TATHUM

9 BACCARAT QUAY 17A 272

PO BOX 7666, KYL-1801

345-926-0242

== This small originated from outside the organization. Use couldon when exeming attachments, clicking links or responding to requests for information,===

Poperick, Michalas

Fram:

Department of Fisheling

Septi:

Thresday, January 13, 2022; 11.5 AM

To:

Populijski Michelysi

Suita le-cit

-Wt (LX LKNAL) Kir. Application for Planning permesion (Project No. -21-1260) on

3 ock 17A, Parcels 145,145 and 17BREM1 for the construction and associated development of 193 resident a units are 44 hotel sulles, for a total of 197 units broken.

-kran per

Fram: Tanua Ziemnisk [ma@to:tangaz00002എഎrah.com]

Sent Thursday, January 13, 2022 11 (4 AM)

To: Department of Ranning «Planning Dept@geviky»

Subject: "FOTERNALL Re: Application for Planning permission (Project No. P21-1268) on Stock 174, Parcels 145,146 and 179RLM1 for the construction and associated development of 197 residential units and 45 notel states, for a total of 137 units broken down per t...

TO: Director of Flanning

Dear Sir.

We wish to formally object to the proposed apporation for Planning permission (P21-1260) and wish for our complaint to be read into the record or any meeting.

We reserve our right to make further representations on this matter through our appointed legal counsel, it KSG Automeys at Law.

There are particular elements of the proposed development that we object to, as well as items that appear to controdict the Planning and Development Regulations and Alf.

1. Suitabilite & Building Neight

We acknowledge that higher density housing and/or a hotel use can be approved for this site, nowever given the character of the helighborhood, we lovite the members of the Central Planning. Authority ("the CEA") to consider what an appropriate scale may be for a mixed-use notel development in an area off of the main tourism confider which is undoubtedly into twined with lower density residential areas.

After viewing the zening map for the Crystal Harbour area, it seems this may be an anomaly for a hast master plan that never dame to be. This piece is now solated, mainly surrounced by an established low-censity residential neighbourhood.

Regulation B(Z)(c)(i) allows maximum buildings heights of 10 storeys;130° to apartments and notels; it does not determine that itel the analysis as a right workwest determine and mixture of land of the east uses. This is a unique are as it is located in a residential LDR subdivision. Yes, the land to the east is also rened. Hotel/Tourism, but it is along a long, national shoreme. The H/T zone extends the land entirely of the North Bound shoreme, while the remainder of Crystal Harbour is zoned low Densit ().

Residential ("LDRC) and separated from the Hotel/Tourism ("T/T") zone by Chighton Drive. This is an odd-shaped of His seems there might have been a larger master plan intended at one time that never came to fruition and thus this parcel remained vacant for years.

Finishing heights in this area are 3-storeys or less with the exception of an approved 4-storey apartment development destined for Block 17A Parses 350 & 351. The only hatel use in the community is the Holiday Inn Grand Caymanien Resort which is only 3 storeys.

The Applicant is correct, that this is one of the last large 1)/1 becomes in the area, which means it it's approved for anything higher than 4 stories it will be the only tower and be only of character with the area. We respectfully submit that High lowers one suitable in urban areas or area designed for high-density tourism such as Seven Mile Beach and George Town, not a gated residential development.

C CFA is minded to approve the development of the site in the proposed menner, it is clearly not in Keeping with the characteristics of the neighborhood and the spirit of the logal framework underprinting development in the Cayman Islands.

2. Traffic & Road Safety

Expanding the fourism within the residential subdivision will result in increesed commercial traffic. The vesign offers nothing to intigate the impacts, but instead we argue, is designed to wo son conflict.

Typically, a mixed use and hotel development will have 1-2 agress points from the road and offer an internal production system to direct quests. The proposal has 11 access drives, it is not designed to minimize traffic movements on a residential road. Cuystal Hartour residents are able to walk, from and hike safety throughout the neighborhood. Children are able to safety with friends without having to worry about speeding cars. Traffic is predictable and slow.

If CPV chapses to support this application, we would ask that conditions to imposed to increase safety by improvements made to Originian Billion Applies stripping of participates, takes large and Atlawelks. It appears the existing right-of-width can allow for such read improvements.

S. Boot Traffic

Dockside parking is being offered for the signature restaurant, while not much appears to be effered for the hotal. Pypically, a hotal with waterbord will offer watersports or charters, which we assume will occur for this proposal. This will introduce commercial boating activity through a restochtal canal system. There will be a parade of hosts coming through, particularly on weekept's impacting the residents' privacy and enjoyment of their property. An increase of noise and 'touring the canals' can only be expected creating a further nuisance to the existing owners and therefore diminishing or dearlying them of their right to page for applicating overers and therefore

We would also like to have a full orderstanding of eny Ocestal Works Permits that may have been, or will be sought in relation to this development and reserve all rights to make representations on this aspect.

4. Parking

The pears all of the restaurant and hotel perking are provided across Originton Drive on residential loss Parcel 112 B. 116. Are restaurant patrons expected to wolk that distance to the restaurant? We submit this proposal will prote a safety hozard for pedesorians up the property.

The installings for introduced who shares access with the dopletes and house lets. If the restaurant is successful, this will cause conflict with access for the residences due to the inherent.

risk of mising commercial traffic in a low density residential area. The parallel parking in final of the resourence is this for the residences on the restaurant – is there a potential for conflict?

With the lack of appropriately places parking, we tear the house loss will not be developed and instead be used for restaurant parking. This will increase traffic further within the subdivision, generating excess noise from vehicles, potential odors from car turnes, and head lights shining only adjacent properties in the evenings. If the noise lots are blocked from parking, this will likely force patrons to bank on Ongliton Drive. We draw adjention to Reg 8.(1)(c) in a Neighbourhood Commercial zone or HareyTowton zone, twenty five per control for parking space may be located not more than five bounded feet from the respective booking.

5. Noise

The hotel includes a recitor pair and kitchen, which will be the first of its kind within a residence neighbourhood. The proposed bar faces south onto the subdivision. The winds primarily come from the cash and therefore the western properties will be negatively impacted by any sounds and adolescenting from the roof top bar, restainant, and any large group boating activities.

Any evening events will most likely have an impact on the neighbourhood with noise and lights which again diminish the awards ablicy to peaceful enjoyment and privacy of the impagenty.

6. Hotel Setback Variance

A small portion of the hotel encroaches the 20' road setback. The applicant claims the following exceptional droumstance to waitzent the variance:

S(TS)(h)(0) unusual bornie characteristics limit the site's development potential.

We argue the is a self-imposed restriction. The site is targe (5.31 scree) and vecang there are no existing circumstances that provent the hetel from complying with setbacks. There are a myriad chaptions that could be employed to allow all structures to comply with the setbacks.

7. Commercial Use in a Residential Zone

Reg 9(3) states "No use of large within a readential zone shall be denoted; obnovious, total or cause offereive odors or conditions or otherwise create a noisance or smillipance (clothers). The ancillary parking let with a two-storey commercial building is located on a parcel conce LDR. We argue this oper will create unisance for deathy hoper lies by increasing building any buffer or streening to block headlights from salting on the read and adjacent properties.

furthermore, the architectural style is a simple block, which is not in character with the sommunity's residential nature. The sessine floor is to be used for office or sto age in presumably to store necessary hotel stock and house administrative offices. Where we maintenence vehicles, landscape equipment and heavy machinery be stored?

We likely de a few other terms that appear to be extres or conflict with Development & Planning. Regulations that we hereby ask that the CMA give its reasoned consideration.

- a. The applicant states the proposal area is 7.54 acres, while it is in fact approximately 6.35 acres. It appears the applicant included the whole of Pamel 147 when calculating 1860 acres and density, however 0.81 acrof the Parcel is excluded from the site plans A-50 to note that Parcel 147 is not listed as one of the parcels proposed to development.
- In The newspaper advertidues not maintridue newspaper template provide tin the Denortmont of Planning's website. It does not provide for an email address to inquire about the approvation.

- The devispaper advertigral instead notices make no mention of a care, extension on a residential subcivision.
- d. The house lots do not comply with minimum let size requirements per Regulation 10(1)(d). The explicant has not stated they were requesting lot size variances.
- c. The architectural drawings do not include any details of the podestrian bridge. What will the boot decrands be?
- The hotel groups floor plan only provides a shell no details as to whether a lobby bat/restaurant will be included, extent of administrative offices.
- g. There are perking spaces that partially lie within the Orighton Brive right of way, as well as proposed sidewalks. It is our understanding that all elements of a development proposal shall lie within property boundaries. Including sidewalks.

Thank you for allowing us the opportunity to review and comment on this application. We look forward to readying an invitation to appear before the CPA to further discuss.

Tanya and Kenneth Ziemniak block and parcel 174 96

Troya Seru frum my iPhone

Popovich, Nicholas

Fram:

Department of Planning

Sent:

Thursday, January 13, 2022 1, 50 AM.

Too

Popovich Nicholes

Subject

PARTIEXTERNAL JOB LECTION: Application for Planning permission (Project No.)

221 (260) on 5 cd: 174 Farcels 145 (45 and 170REM).

From: Samuel R. Banks [maltn.sam.banks@gmall.com].

Servi; Introduction topicals 13, 2022 9, 34 AVA

To: Department of Planning «Planning.Sept@goviky».

Subject: [EXTERNAL] ORIECTION: Application for Planning pormission (Project No. 921-1260) on Black 174, Perceid

145,146 shd 1700LMC

The Director of Planning
Department of Planning
Government Administration Building
133 Light Avenue
PO Boy 113
Grand Cayman,
Cayman is ands
KVL-Cone

12 January 2022

Sent by Email arty, glanning,dept@gos.kg

Dear Sit,

Re: Application for Planning permission (Project No. P21-1260) on Block 17A, Parocks 145,146 and 170REM1 for the construction and associated development of "93 residential units and 44 hotel suites, for a total of 137 units broken down per the following (1) 9-story hotel, 95) Apartment Buildings (Between 7/9 stories (10) Buplexes and (20) Townbouses and 2-story Garage/Storage building, Restaurant/Owners Lounge & Cité and associated development and works __." ["The Application")

I would like to object to the above stated application on the following counds:

Suitability & Building Height

We acknowledge that higher density housing and/or a hotel use can be approved for this site, however given the character of the neighborhood, we wish the CPA to consider what an appropriate scale may be for a milited-use hotel development in an area of following main tourism confloor.

After viewing the zoning map for the Crystal Harbour area, it seems this may be an anomaly for a past master plan that never came to be. This piece is now isolated, mainly surrounded by an established low-density residential neighbourhood.

Although Regulation 8(2)[a)(i) allows maximum by Idlings helgots or 10 storegy/130° for apartments and hotels, it does not guarantee that height as a right nor does it, guarantee any misture of and uses. This is a UI (ne site as it is located in a residential LOR subdivision. Yes, the land to the east is also somed Hotel/Tourism, but it is along a long, natural shore the LIP cone extends the entirety of the North Sound shoreline, while the immalineer of Crystor Harbour Is zoned LOR and separated from the H/1 zone by Crighton Orive. This is an edd-

39

shaped for 4s seems there might have been a larger master plan intended at one time that never came to intuition and thus this parcel remained vacant for years.

Building heights in this area are 3-storeys or less with the exception of an approved 4 storey agartment development destined for Block 17A Parcels 850 & 851. The enty hotel use in the community is the Holiday line Grand Caymanian Resort which is only 3 storeys.

The applicant is correct, that this is one of the last large H/T pieces in the area, which means if it's approved for anything higher than 4 stories it will be the only tower and be out of theracter with the area. Trigh towers are sulfable in ordan areas or area designed for high-density tourism such as Seven Mile Beach and George Town, not a geted residential development.

Traffic & Road Safety

Expending the tourism within the residential subdivision will result in immased commercial traffit. The design offers nothing to mitigate the impasts, but instead we argue, is designed to worsen conflict.

Typically, a minod use and hotel development will have 1-2 access points from the road and offer an internal circulation system to direct guests. This proposal has 11 access drives, it is not designed to minimize the Tic movements on a residential road. Crystal Harbour residents are able to walk, run and tike safely throughout the heighborhood. Of lidren are able to safely visit friends without having to worry about speeding cars. Traffic is predictable and slow.

If CPA chooses to support this application, we'd like to see improvements made to Enghton Orive such as striping of traffic lanes, bites lanes and sidewalks. It appears the existing right-of-width ran at my for such road improvements.

Boot Traffic

Bookside parking is theirg offered for the signature restaurant, while rick much appears to be affered for the hotel. Typically, a hotel with water run, will offer waterspores or charters, which we assume will occur for this proposal. This will introduce commercial boating activity through a residential conal system. There will be a perside of boats coming through, particularly on weekends impacting the residents' privacy and enjoyment of their property. An increase of noise and 'touring the conals' can only be expected.

Partone.

It appears all of the restaurant and hotel parking are provided across Originan Orige on residential lots Parcel 145 & 146. Are restaurant patrons expected to walk that distance to the restaurant?

The restaurant's taxistic manning area shares ercess with the duplexes and house late, if the restaurant is successful, will this cause out file; with access for the residences? The parallel parking in front of the restaurant is is this for the residences or the restaurant in is there a potential for conflict?

With the lack of appropriately places parking, we fear the house lots will not be developed and instead be used for restaurant parking. This will increase traffic further within the subdivision, generating ameas noise from vehicles, potential odors from san furnes, and head lights shining onto adjacent properties in the evenings. If the house lets are blocked from parking, will patrons then choose to park on Orighton Drive?

Noise

The hotel includes a motrop bar and kitchen, which will be the first of its kind within a residential neighbourhood. Note the bar faces south onto the subdivision. The winds primarily come from the cost and therefore the western properties will be negatively impacted by any sounds and odors coming from the roof top because it, and any large group boating activities.

Any evening events will most likely have an impact on the neighbourhood with noise and lights.

Hotel Setback Vanance

A small portion of the hotel encroaches the 201 med setback. The applicant claims the following exceptional discursorance to warrant the variance:

8(13)(b)(V) IntoSatif terrain characteristics limit the site's development potential.

We argue this is a self imposed restriction. The site is large [5.31 acres] and vacant, there are no existing occumstances that prevent the hotel from complying with sethacks. There are a myriad of options that could be employed to allow all structures to comply with the sethacks.

Commercial Use in a Residential Zone.

Regi 9(5) states "Nervise of kind within a residential zone shall be dangerous, obnavous, tomo or couse offensive odors or conditions or otherwise create a nuisence or annoyance to others". The antillary parking for with a five stately commercial building is located on a parcel consider CR. We argue this use will diede outside to nearly properties by increasing traffic movements on a residential road [3] thireways for a single occupancy use?) and not offering any builter or screening to block headlights from shiring on the road and an accent properties.

Furthermore, the architectural style is a simple block, which is not in character with the community's residential nature. The second floor is to be used to coffice or storage in presumably to store occassary bodel knock and house administrative offices. Where wild maintenance vehicles, landscape equipment and heavy machinery be stored?

We include a few other items that appear to be entire or conflict with Development & Planning Regulations.

- 1) The applicant states the proposal area is 7.54 stres, while it is in fact approximately 6.03 acres, a appears the applicant included the whole of Parcel 147 when calculating she coverage and density, however 0.84 according to excluded from the site plant. Also to note that Parcel 147 is not listed as one of the parcels proposed for development.
- 2) The newspaper advect does not match the newspaper template provided in the Department of Planning's website. It does not provide for an email address to inquire about the application.
- 3) The newspaper advertised mailed notices make no mention of a canal extension on a residential subdivision.
- 4) The house lots do not compty with minimum lot size requirements per Regulation 13(1)(d). The applicant has not stated they were requesting lot size variances.
- 51. The architectural grawings do not include any details of the pedestrion bridge. What will the boot include boot include boot.
- 6) The hotel ground floor plan only provides a shell—no details as re whether a labby har/restaurant will be included, extension administrative offices.
- 71 There are parking spaces that partially lie within the Crighton Crive right-of-way, as well as proposed sidewalks. It is our understanding that all elements of a development product shall be within productly boundaries, including sidewalks.

Therekyou for adoving us the opportunity to review and comment on this application. We look forward to receiving an invitation to appear before the CP4 to further discuss.

SAMUEL A BANKS DIRECTOR EPHESIAAI CAPITAL

BLOCK: 17A PARCEL: 16Z

Semuel R. Banks, Jr. M.A. Applied Economics, LL.B. (Hons) Lond. Amornoy-st-Low	

CONFIDENTIAL ITY NOTICE. The referenshing in this enoughness be confidented sixt/or legally privalegial. This email is

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From: En ique Tasonde «En ique Tasondo/yderiJoy»

Sento Wachesday, January 12, 3922, 1949 PM

floating Figure 10, Nicholas, Department of Planning

Go: Majoela C'Alessio

Subject: PW: [DCLRNDU] Object on letter.

Sood morning Mr. Popovich,

We have hed an opportunity to helter understand the ongless hand wish to add onto non-original dejection which was got-field at account tannary 1075.

There are particular elements of the development that we object to as well as items that appear to contradict the Planning and Development Regulations and Act

Saltability & Building Helght

We arknowledge that higher density housing and/or a hotel use can be approved for this site, however given the character of the neighborhood, we wish the CPA to consider what an appropriate scale may be for a minerialise botel development in an area off of the main too small which what is a specific for a minerialism.

After viewing the sening map for the Crystal Parbour area, it seems this may be an anomaly for a past mester plan that never came to be. This piece is now so atec, mainly surrounded by an established low-density residential neighbourhood.

A Hongy-Regulation 8(7)[a](5) allows maximum buildings heights of 10 storeys/1301 for apartments and hosels, it does not guarantee, that height as a light nor does it guarantee any mixture or land uses. This is a unique site as it is located in a resident all L2R subdivision. Yes, the land to the east is also coned Hotel/Teurism, but it is along a long, natural share line. The H/T same extends the entirety of the North Sound shareline, while the remainder of Crystel Herbour's samed LDR and separated from the H/T same by Sirighton Drive. This is an odd-shaped let in seems there might have been a larger master plan intended at one time that never come to fruition and thus this partial remained vecant for years.

Building heights in this area are 3 storteys or less with the exception of an appreved 4 stortey apartment edvelopment destined for Block 17A Parcels 880 & 881. The only hate use in the community is the Heilday inh Grand Caymanian Resert which is only 8 storteys.

The applicant is correct. In othis is one of the I-K large H/T pieces in the areat which means if it is approved for anything higher than is one with other the only tower and be not rolls brancher with the area. High towers are suitable in Libbah areas or area designed for high-density tourism such as Seven Mile Boach and George Tewn, not a goted residential development.

Traffic & Road Safety.

Repanding the courism within the residential subdivision will result in increased commendal traine. The design offers nothing to mit gate the impacts, but instead we orgue, is designed to worsen conflict.

Typically, a mixed-use and his elicecelopment will never all access points from the read and offer an internal directation system to direct guests. This proposal has 11 access this established the indirect entitle movements on a respectful mad. Crystal Hadwor residents are able to walk, run and blike tofely throughout the heighborhood. On idroniary and cosability sit if ends without having to work y about speeding cars. Training procedurable and slow and also appears to the content of the content

If CFA chapses to support this application, world the telecolomprovements made to Edgmen Drive such as striping or traffic lanes, blice lanes and sidewalks. It appears the existing right of width san allow for such road improvements.

Boar Traffic

Dockside parking is being offered for the signature restaurant, while not much appears to be offered for the libited. Typically, a bodel with waterfront will offer watersports or charters, which we assume will occur for this proposal. This will introduce non-mercial boating activity through a residential capal system. There will be a parade of boats conting through, paradularly on week and impacting the residents' privacy and enjoyment of their property. An increase of noise and 'bouring the capals' can only be expected.

Parking

it appears all of the restaurant and hatel parking are provided across Originan Drive on residential lots Parcel 145 & 196. Are restaurant patrons expected to walk that distance to the restaurant?

The restaurant's taxif turnarcune area chares access with the duplexes and house lots. If the restaurant is successful, will the rause conflict with access for the residences riThe parallel parking in front of the restaurant – is this for the revidences or the restaurant – is there is potential for conflict?

With the lack of appropriately places parking, we rear the house loss will not be developed and instead be used for restaurant parking. To swill increase training author within the subdivision, generating excess noise from vehicles, potential odors from car filmes, and head lights shining onto adjacent properties in the evenings. If the house lots are links head from parking, will be consist their chance to park on Configure 15 year.

Notes

The hotal hododes a need up har well kitchen, which will be the first of its knot within a residential neighbords and Note the bar faces south onto the subdivision. The winds printerly come from the east and therefore the western properties will be negatively impacted by any sounds and occurs coming from the roof top bar, restaurant, and any large group posture archites.

Any evening events will most likely have an impact or the neighbourhood with neise and lights.

histel Setback Verience

A small portion of the hotel encreashes the 20 iroad setback. The applicant claims the following exceptional circumstance to warrant the variance:

 $\mathcal{B}(13)(b)(b)$ unassum terrals enorgateristics limit the site's development potential.

We argue this is a self-imposed restriction. The site is large [5.84 sores] and violant, there are recentisting circumstances that prevent the laster from complying with sedbacks. There are a myriad of applicability could be employed to allow all structures to comply with the ambacks.

Commercial The in a Resident at Zone.

Weg 9(5) states "No use of fand within a residential case shall be dangerous, obnavious, tout or cause offensive adors or conditions on otherwise create a number of average to others". The end libra parking lot with a two-storey examiners is a building in located on a parcel zoneo 100. We argue this use will create exacance for nearby properties by increasing traffic movements or a residential toad if diseaselys for a single succeptory use?) and not differing any buffer on screening to block hecolights from shiring on the read and adjacent properties.

For thermore, the architectural style is a simple block, which is not in character with the community's residential nature. The second floor is to be used for office or storage a presonably to store necessary but el stock and broce administrative critices. Where will maintenance webloks, landscape equipment and heavy machine vibe storage?

We include a few other items that appear to be orrars or conflict with Dave space of & Naming Regulations.

- 1) The applicant states the proposal area is 7.54 aures, while it is in fact approximately fulfill agree. It appears the applicant included the whole of Porcel 147 when calculating site coverage and density, travelynd 0.84 ac of the Parcel is excluded from the site plan. Also to note that Parcel 147 is not bejud no one of the parcels perposed for development.
- The newspaper advert coes not make the newspaper temptate provided in the Department of Planning's
 website. It does not provide for an exacil address to inquire about the application.
- 5) The newspaper advert and mailed notices make no mention of a canal extension or a residential subdivision.
- 4) The house lots connor comply with roll mumber for size requirements are Regulation H(1)(0). The applicant has not select they was requesting for each samples.
- 5) The architectural trawings do not methologically details of the pedestrian bridge. Who, will the boat clearence be?
- 6) The hotel ground floor plan only provides a shell no details as in whether a lobby hor/resreason with be included, extent of administrative offices.
- ்). These are parking spaces that partially he within the Originan Drive uphable sy, as well as proposal according to some independently of a development proposal shall be within property commanies, including subwalks.

Than't you for allowing us the opportunity to review and common on this application. We look known to be leiving an implication to appear before the SPA to further discuss.

kind Reyends,

Enrique and Marsels Tasonde

owner of Work 174, Parcel 169.

Enrique Tesende

Serie: West Providers Activation at the St

Dard

O,41845 6415421 N +1740 2251606 O +1840 640562

Estate of the desired de-

PHYSICAL ADDRESS: 41 Kinner Wiley Consultation of the Consultation of Agency (2005). PARTY C. ADDRESS: 10 Consultation of Agency (2006). Address of Agency (2006). Address of Agency (2006).

Carlify Iraligram Tababbok Unkadir

Disassessors that the located or time and monopolitic location point by this occu-

On This Jan 11, 2022 at 9 07 AM Popovich, Nicholas «Shohalin» Propovic n@goviky≥ whate

My Tasemie.

Thank you for the nojection etter.

I will pessy por email on to the applicant.

They may or may not reply:

Objection letters will only be received ontil midnight on the 14 January.

Therefore, your letter proposed to be submitted on the \$1 teroagowoold not be presented to the CPA.

I hope that helps

Niel

Nick Popovich M.PL, MCIP, RPP, AICP

Planning Officer | Current Planning



Covernment Administration Building

raa Eight Avenue [Reorige Town

P.G. Bux 111 | Grand Casman RV1-9000 | CAYMAN ISLANDS

★ +1 395 244-6501 (Main) | ★ +1 345 244-6538 (Direct)

This empili including any aftertiment, is whichly confidential and may also be exhibitorn, again problems and other professes. No confidential by or privilegia is also provided the providential provided to the providential pro

From: Department of Planning

Sent: Tuesday, January 11, 2022 8 57 AM

Tee Pepavidir, Nicholas «Nichola», Propovir Inglype ka».

Subject: FW: IDCTERNAL) Colection letter

From: Findique Tasende (maiguretase 372)Zigman com/-

Ser4: Monday, January 10, 2022 10:14 PM.

To: Popovish, Nicholas <u>«Nicholas Popovico) jack key,</u> Department of Planning <u>(Flanning Indio) Sov. N</u>o; Marcola

K<u>iliuda (Aveboo euri</u>) Y

Subject: [LXTERNOL] Clojection letter:

somate caselty actival chocan application for planting paratitions for the surpose of \$1 mode to individual \$1 for it is let up to a total of 19 totals buston down purificated borders (No. 2004). Application of 19 totals buston down purifications (No. 2004). Application of 19 totals buston (No. 2004). There is also \$2 to \$2 to \$3 totals buston (No. 10). Displates, and (No. 2004) borders, and several buston (No. 2004) and a surpose of the following the following of the content of the landscaped paths (No. 2004) and the surpose of the following of the following totals (No. 2004). The content of the following of the following following the following of the following following following following the following following

The Application of a brief state of the Department of Planaums 1995 Eight Avenut. The Cutefficiant is for instration if ill Super Covery Favor Towns Property in Section of the Cutefficiant of the Superiment of Su

Mrt. Papawich.

i am the registered owner or block 17% Parcel 100 and ille within the notification radius for the above referenced application. I wish to lodge on objection to the application in order to be able to present some concerns for the EPA to us sided, I was streit to dewrite application details earlier this week and given the complexity and streig of the progress it may take a few days to sufficiently outline my concerns. Finding the last day to submit objections is Priday. January 14th and in the risk I'm unable to provide my full concerns by that date, I nitrol a few cuestions below for the applicant.

- 1 What is the antimpated presing schedule? Where will construction operations be staged ourling each phase?
- Fow will the access gates from Safehaven and C year! Harbour south be manager?
- What type of watersports will be offered by the hote? Where will the assess be period?
- 4. Can you provide color renderings of the proposal (day and night). I'm particularly interested in any accentilishing.
- 6. It's not dear what works are proposed for the existing servial and capal. How will dredging and construction of the dupley boat siles be managed?
- Will the signature retrautant be open to the general public? Will hill be a 5-meal restaurant? Hims will parting be menuped as there show not epipes; to be any designated parking for this use.
- Will the notel poor banks open to hotel guests only or the general public?

firthe applicant chooses to respond to the above queries before the application is scheduled for CPA, I would appreciate receiving a capy.

I will be going over my notes in the next few days and will submit a formal letter no later than I inday. January 21% if that is acceptable.

Thank yeu,

Financia:

Department of Hanning

Sent

Woonesday, January 12, 2022 11/40 AM.

To:

Popovirir. Vidro asi

Subject:

DV [SXT50NAL] P21- 290 (Aje tion)

From: phopr@re-qs.com [mailto:philipt@re-qs.com] Sent: Wednesday, January 12, 2022 11:13 AM To: Department of Planning (Planning,Dept@gaz.ky)

Subject: RL: [LX UPRAL] P21-1260 objection.

Dear Biner; or of Plancores.

We have not an opportunity to better understand the proposal and wish to addicate my original objection for apt Owner Philip Inficio (Lot 3 M-35a).

There are particular elements of the development that we object to as well as items that appear to contradict their Planning and Dove epiment Regulations and Act.

Suitability & Building Height

We acknowledge that higher density housing and/or a notelluse can be approved for this site, however, given the character of the incligit both and, we wish the EPA to consider what an appropriate scale may be for a mister use notell development, in approach service of influences to rism support.

After viewing the coming map for the Crystal Harbaut area it seems this may be an accomply for a past may end another never came to be. This piece is now sclared, mainly surrounded by an established, low-density residential in a school mande.

Although Regulation 8[2](e)(i) cilows maximum buildings heights of 18 storeys/180° consport ments and histois, it does not guarantee that height as a right particles of guarantee any minture of land uses. This is a unique at easilis hosted that residential LOR subdivision. Yes, the land to the east is also coneditately founds, but it is along a long, nature than along the H/T same extends the entirety of the Nerdi Sound shoreline, while the remainder of Grypal Hardour is coned to same general efficient intended to one time that hever came to fruntion and thus this particli remained vacant for years.

Building heights in this area are 3 starcys or less with the exception of a happroved 4 storey apartment development destined for Mock 19A Panels 350 & 191. The ring restell use in the community is the Holiday too Grand Cagonanien. Responsehilts only 3 storeys.

The applicant is correct, that the is one of the last large HAT bledes in the area, which means if it's approved for anything higher than 4 stodies it will be the only tower are be out of disrector with the area. High towers are suitable in urban shear or size designed for high-density towns means Seven Mile Heach and George Town, not a gated resident at development.

Traffic & Road Safety

Expanding the tourism within the residential subdivision will result in increased commercial traffic. The design offers nothing to mitigate the impacts, but historic we argue, is designed to worsen conflict.

L

Typically, a tribuduse and hotel development will have 1-2 auxiess points from the usual end offer an internal circulation system to direct guests. This proposal has 11 access drives. It is not designed to minimize traffic movements on a residential road. Cryotal Harbour residents are able to walk, run and take safety throughout the neighborhood. On large are able to safety with the residence without having to entry about speeding cars. The Tipic is predictable and also.

If CPA chooses to support this application, we'd like to see improvements made to Original Drive such as striping of traffic lands, blices lands and sidewalks. It appears the existing right-of-widths an edge for york road improvements

Boat Traffic

Dockside parking is being offered for the signature restaurant, while not much appears to be offered for the flootel. Typically, a factor with distribution if laffer waterspects as charters, which we assume will reconsider the proposal. This will introduce our merential booting activity through a residential canal system. There will be a parade of boats coming through, particularly on weekends impacting the residents' privacy and enjoyment of their property. An increase of noise and flouring the canals' can only be expected.

Farking

It appears all of the restaurant and hotel parking are provided across Originan Brive on residential ions Partel 345 & 146. Are restaurant patrons expected to wall that distance to the restaurant?

The restaurant's text-turnaround area shores access with the dublexes and house lots. If the restaurant is successful, will this cause conflict with access for the residences? The parellel parking is front of the restaurant, — is they for the residences on the residences — is there a potential for conflict?

With the laction appropriately places parking we fear the loace late will not be developed and instead be used for textendant parking. This will increase traffic further within the subdivision, generating excess noise from venides, potential odors from confumes, and head lights shiring onto adiacent properties in the overlings. If the house late are blocked from parking will patrons than unable to park on Grighton Drive?

Noise:

The hotel includes a rooftop bor and kitchen, which will be the flist of its hind within a residential heighbourhene. Note the bor faces south onto the subdivision. The winds primarily come from the west and therefore the west employeet is will be negatively improbed by any sounds and orders coming from the roof top bor, restaurant, and any large group hosting activities.

Aby evening events will most likely have an impact on the neighbourhood with noise and lights.

Hotel Settlack Variance

A small portion of the hotel encreaches the 20' road withack. The applicant dators the following except analytical metapole to wanter: the sections:

B/13)(b)(f) unusual tecrain characteristics finds the site's development putential.

We argue this is a self-imposed restriction. The site is large (5.81 acros) and vasam, there are no existing a number was. That prevent the hotel from complying with self-acts. There are a myrisol of options that could be employed to allow all some large to rumply with the setbacks.

Commencial Use in a flexidencial Zone.

Reg 9(5) states "No sec of knild withly in residential cone shall be dangerous, introvious, toxic or cause offensive adors on translations in otherwise create in missione or annoyance to others". The ancillary parking lot with a two-storey commercial building is located on a parcel coned EGR. We argue this use will create nukance for nearby properties by increasing matter movements and residential read (5 of Newboys for a single incorpancy use?) and not inflying any buffer or supering to block headignts from chining on the read and adjacent properties.



Frathermore, the architerumal style is a simple block, which is not in character with the community's residential nature. The second floor is to be used for office or storage – presumably to store necessary hotel stack and nause administrative offices. Whenevell malmonance vehicles, landscape equipment and heavy markinery here mind?

We include a few other items that appear to be cross arrowflet with Development & Planking Regulations.

- 1) The opplicant stores the proposal area is 7.54 cores, wit to mis or fact approximately 6.53 acres. It appears the applicant included the whole of Paccel 147 when calculating site coverage and density, nowever 0.84 so of the Paccel is excluded from the sate plan. Also to note that Parcel 147 is not listed as one of the porcels proposed for development.
- 2) The newspaper advertidoes not match the newspaper template provided in the Department of Planning's website. It does not provide for our erral holdress to the table of the application.
- 3). The newspaper advertished mailed matter make no mention of a cancil extension of a residential subdivision.
- 4). The house loss do not comply with minimum for size requirements per Regulation 10(1)(e). The applicant has not stated they were requesting for size variances.
- 5) The ordinary of the wings (4) net melock any data its of the backs nian beinge. What will the buat elemance be?
- (i) The hotal pround Love plan only provides a shell—no details as to whether a linkly bur/restaurant will be included, extent of admin shorize offices.
- 7) There are parking spaces that partially lie within the Coghton Drive right-of-way, as well as proposed salawaks. It is not oralizabling that all clemants of a development proposed shall lie within property boundaries, including sidewalks.

Thank you for allowing us the opportunity to review and comment on this application. We look knowed to receiving an institution to appear before the CPA to first bendiscuss.

Prom: <u>philiph≌re-es.gom</u> egh<u>ill</u>on@rg qs.coms Sem: Wachesday, January 15, 2022 15:66 AM

In: Cleaning Depo@yow ky' «<u>Plantang Dept@http://ky</u>w.

Subject: Re: [EXTERNAL] F21 1260 objection:

Here is my formal objection:

My name is Philip Ruffolo, owner of Block and Parcel: 17A-356 in Crystal Harbour.

I would like to object to the proposal of the plan for Block 17A. Buccel: 170REMI on the following grounds:

- 1. Hotel tourism allows 5 storeys or 65' heights in general hotel Tourism areas and only in Hilliante 1 and 2 it permits 10 storeys. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to Inform this to the public.
- 2. The application is incomplete as what has been made available to the public is only a site plan and elevations. No floor plans are shown on this application, neither information required as per below:

- 20. A site numbrais with information for property size.
- 2h. Number of units with number of bedrooms
- 2c. Rotal number of bedramas.
- 2d. Number of parking spaces proposed for the limit and the restaurant. For 13:334 of of restaurant in developer is required to provide 67 parking appears. For the Hetel the developer is required to provide parking as per number of rooms however the analysis has not been provided.
- 2c. The site coverage should not exceed 40% of the property size as per plasning laws and the numbers are not shown on this application.
- 3. In Hotel tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that on Crighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - Ba. The parking areas proposed on Crighton Drive are notside of the property line.
 - 3b. The hotel is encreaching on a 20 ft setback, the encreachment will be even more on a setback of 25 ft. As it should be for this zone.
 - 3c. The duplexes, as proposed, are encrouching into the sethick of 25 ft for Hotel tourism on the morth exhal.
- 4. If variances are requested they have not been mentioned on the outification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the sensity of the proposed project but again calculations have not been displayed on this application.

From: <a href="mailto:congre-c

Helo

just wanted to confirm that my objection has been noted?

If 3 clear that this development ordates several Hotel & Tool smanles regarding number of units per acre of land and site coverage.

Regards, Philip

From: Phillo Raffolo sphillar@ic-us.com> Sout-Sacureay, January 1, 2022 9,48 AM

To: Planning.Deat@goo.ky

Subject: RU: [LXTERNAL] F21-1250 objection

Thanks. Please take this email as my objection to this plan.

Good externoon Mr. Ruffeld.

Given that your property wooks fall within the required notification radius, you have the right to lodge an objection. You can simply email in to ship address. We will acknow edge receipt and you will be invited to attend the CPA meeting when the epotical continuous labered where you will have an opportunity to write your comments in person, or via Zoom.

Kirch regards

Ban Sandgram

Deputy Altrestor of Physiologi Corrent Planning

Department of Planning | Capman Islands Government | Government Administration Building.

(All Right Avence, 1911 Box, 179, Grand Chyman, Dhyman Islandy WY 1-0000.

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This emptill not riting any efforment, is emittly contident at anomaly also the sudject to legal professional and char privilegs. No Co4 contains of providing its valves by the Co4 contains a contain the above of the respect to the subject to the



From: Philip Ruholo (maite. philipr⊛ n. qa.com). Sent: Sunday, Detart sen 26, 2021 \$1:40 AM

To Planning Info ki<u>nfo ω olynning Boy ky</u>o: Department of Planning k<u>ilozofing Deck ω boy ky</u>o

Subject: [EXTERNAL PZ1 1250 cb]ection.

Hello,

I lower a lowneighboring this proposed development (lot 1/6 356), is there an opportunity for moto object to a 10-story building in my backyord?

Its not really dear an your website how I would go about doing this or if its possible. Any halp would be greatly appreciated.

Regains,

Philip Ruffele



From:

Department of Planning

Sent:

Wednesday, January 12, 2024 11:40 AM.

To:

Popovich Nightless

Subject:

PW: (EXTERNAL) P21 1268 abjection

Brown: philiph@re-qs.com [mailto:gn lipr#-re-gs.com]

Servi: Wednesday, January 12, 2022 11:00 AM

To: Department of Flanning KPStodog Dept回gov kys.

Subject: Run [UXTERNAL] P21-6260 objection.

Here is my formal objections

My name is **Philip Ruffolo**, owner of **Block** and Parcel: **17A-356** in Crystal Harbour.

I would like to object to the proposal of the plan for Block .7A. Parcel: 170(0):MI on the following grounds:

- 1. Hotel tourism allows 5 storeys or 65' heights in general hotel Tourism areas and only in Hill zone 1 and 2 't pennits 10 storeys. The application coes not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to Inform this to the public.
- The application is incomplete as what has open made available to the public is only a site
 plan and elevations. No floor plans are shown on this application, neither information
 required as per below:
 - 2a. A site conlysis with information for property size
 - 2b. Number of units with number of bedrooms
 - 2c. Hotel number of bedraous.
 - 2d. Muniforr of parking spaces proposed for the lintel and the restaurant. For 13.336 of of restaurant a developer is required to provide 67 parking spaces. For the Hetel the developer is required to provide parking as per number of rooms however the analysis has not been provided.
 - 2e. The site coverage could not exceed 40% of the property sive as per planning laws and the numbers are not skewn on this application.
- 3. In Hotel tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that on Orighton Drive the setback proposed is 20 ft and not 25 ft as recurred.

 3a. The packing areas proposed on Orighton Drive are outside of the property line.

- 5b. The bacel is encounciling on a 20 B setback, the encounciment will be even more on a serback of 25 ft. As it should be for this zone.
- So. The duplexes, as proposed, are encroseding into the setback of 25 ft for Hotel tourism on the north gungl.
- 4. If variances are requested they have not been mentioned on the notification to the public.
- 5. The comer plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the censity of the proposed project but again calculations have not been displayed on this application.

From: <u>philips@neaps.com</u><<u>philips@neaps.com</u>⊅ Sent: Wednesday, languay 12, 2022 10:35 AM

To: 'Planning Dept@gov.ky' < Planning Dept@gov.ky>

Sublect: RE (EXTERNALIPED 1269 objection)

Sella.

just wanted to confirm that my objection has been noted?

It is clear that this development violates several Hotel & Tourism rules regarding number of units per core of land and site coverage.

regards. Polip

From: Philip Purtolo sphillor(Pyc qs.com» Sent: Salmiday, January 1, 2622 5:48 AM

Tox Planning Deer (Overo. to.

Subject: RB: [UXIDIUAN] P21-1210 objection

Thanks. Please take this small as my objection to this plan.

---- On Wed. 20 Dec 2021 15:35:66 | 0500 Planning Depb@gov.kg erote ----

Sood afternoon Mr. Rufford,

Given that your property would fell within the required notifics tion rector, you have the right to lodge an objection. You can simply email into this address. We will acknowledge receipt and you will be invited to attend the CPA meeting when the abolication is considered where you will rave an opportunity national your comments in person, or via Zoono.

Kind regards,



Ron Sumbownin

Hepaty Chreging of Plantang Domesic Planning

Department of Phonoing (Capmon Islands Coverment) | Government Asiatinistration Building.

roal Kigin Averte | PH Bast I. 8, Groud Digmon, Digmon Islands NY I-8003.

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From: Phug Ruholo [mailleron ilpr@nolqs.com]
Sent: Sunday, December 26, 2021 11:40 AV
Tex Planning India optiosio syminal pay sys; Department of Planning (<u>Planning December)</u>>
Subject: [LX108.NAC] P21-1260 objection

Let o.

I own a lot neighboring this processed development (lot 17A 356). Is there an opportunity for moto object to a 10 story building in my hackyard?

Its not really clear on your website how I would go about doing this or if its possible. Any help, would be greatly appropried.



Regards,

Philip Ruffolo



France Department of Mauring.

Sent: Tuesday January 1, 2022 8,57 AMI

To: Popovich, Meno asi

Subject: PW: [EXTERNAL] Objection letter

from: Freigne Tesende, mailtogstese 372@@mail.com/.

Sent: Monday, January 10, 2023 10:14 MM.

To, Reperion, Nithelas «Nithelas Popovich@gov.ky»; Department of Planning «Hanning,Deon@gov.ky»; Marce al

emistal@administrativ

Subject: [LXTUI04At] Objection letter.

Service has described the empolishing in pouring pourisins (0) the proposal of personal standard for the proposal of League 1905 steps Head, (1) Apartment Studdings (1) Associated personal for the proposal of League 1905 steps Head, (2) Apartment Studdings (1) Associated (1) Devaluations. There is also a 5-stopy George Storage in League 1905 as a seed for tars because bounds and or careging a more accounting a Resistant Owner of Louige 1904 (1), Figure 1904 and participated on the careging and public geodesic on the color of the proposal section (1), Standard (1), League 1905 (

The Application can be received as the Deptate are of the entry 173 (Fig. 1 Avents. The Construents Objectives on Building, George Power Count Congress into mining and application you should do so it, writing a range your greater grounds which 2014 is WiNest Dearly. The date of postion, When convenients thruld be addressed to the Director of Planning, P.D. Sao 11.3. Grand Country KY1-9000. Planning State of the convenients of the Country of Planning Country of the convenients.

Mr. Popovich.

application. I wish to lodge an objection to the application in order to be able to present some concerns for the CFA recognised. It was note to view the application details earlier this week and given the compresity and scale of the original at may take a few days to sufficiently out indicated in concerns, indicated the less days to sufficiently out indicated any forecast, and or the less days to sufficiently out indicated any full concerns by that cate, in other a few cuestions below for the applicant.

- What is the anticipated phasing school is? Where will construct on operations be staged during each phase?
- How will the access gates from Safehaven and Custral Harbout south hermanaged?
- J. What type of watersports will be offered on the hotel? Where will the vessels be corked?
- Can you provide color renderings of the proposal jeav and highti, imparticularly interested in any acconting lighting.
- 5. It's not clear what works are proposed for the existing seaws land canal. How will diedging and construction of the duplex boot siles be managed?
- 6. Will the signature restainant be open to the general poid of WPD be a 3-mast restaurant? How will part dog be managed as there does not appear to be any designated parking for this use.
- Will the hotel pool banke open to hotel guests only on the general public?



If the applicant chooses to respond to the above queries before the application is scheduled for CFA, I would appreciate receiving a copy.

I will be going over my notes in the next few days and will submit a formal letter no later than Friday, January 23° . If that its acceptable.

Thorse great



From: Department of Planning

Sent. Tutsday, January 11, 2022 8:56 AM

To: Proposidit, Nicholasi

Subject: PW PATERMAN Residence to PROJECT NO P21-1260, Plack 170 Percet; 170REM1.

From: 5029 Hanna (mailto:sua)hanna@me comili

Sent: Menday, January 10, 2022 (1.05 PM)

Tex (tep-rimen, of Planning of English, (text/#poy.kys.)

Subject: [EXTERNAL] Re: Objection to PROJECT NO.P21 1250, Black 17A Parcel, 170REM1.

My name is Dr. Suzy Hanna, owner of Block and Parcett 7A-38 in Crystal Harbour.

I would like to object to the proposal of the plan for Block 17A. Percel: 170REM1 on the following grounds:

- 1. Hotel tourism allows 5 storeys or 65' neights in general hotel Tourism areas and only in HI zone 1 and 2 it dermits 10 storeys. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to inform this to the public.
- 2 The application is incomplete as what has been made available to the public is only a site plan and elevations. No floor chans are shown on this application, neither information required as per below;
 - 2a. A site analysis with information for property size.
 - 2b. Number of units with number of bedrooms
 - 2c. Hotel number of bedrooms.
 - 2d. Number of parking spaces proposed for the hotel and the restaurant. For 13,336 sflot restaurant a developer is required to provide 67 parking spaces. For the Hotel the developer is required to provide parking as per number of rooms however the analysis has not been provided.
 - 2e. The After coverage should not exceed 40% of the property size as perstanning laws and the numbers are not shown on this application.
- 9. In I-puritourism the minimum mad and rear setback is 25 ft. As per processed plans it is noted that or Orighton Orive the setback proposed is 20 L and not 25 ft as required.
 - 3a. The parking areas proposed on Orighton Drive are outside of the property. Time.

- 3b. The hotel is encroaching on a 20 ft setback, the encroachment will be even more on a setback of 25 lt. As it should be for this zone.
- Bo. The duplexes, as proposed, are encroaching into the setback of 25 ft for Hutel tuurism on the north canal.
- 4. If variances are requested they have not been mentioned on the notification. to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification. letter. Deducting the area of the proposed vacant plots increases the density.

of the proposed project but again calculations have not been displayed on this application Or. Suzy Hanna



Persons Department of Marring

Sewit Michigay, January 10, 2022 2:22 PM

To: Popewidt, Nicholas

Subject: PAY: [EXTERNAL] Objection to Project No F2 I 1250 Black ITA Parcel, 1703 FM I

From: rosaleen corton@grapil.com [mailto:rosaleen.corbon⊠gmail.com]

Sent: Monday, January 10, 2022 1:44 PM

For Department of Planning «Planning.Dept@gov.ly».

Subject: [LXIUPAAt] Objection to Project No.P21-0260 Glock(17A Parcer 170RLM1

Dear Director of Planning,

Re: Objection to PROJECT NO P21-1260, Block 17A Parcel: 1703EM.

My name is M. Rosaleen Corbin, owner of West Bay Beach North Block, Parcel: 174 / 33 in Crystal Harbour.

I would like to object to the proposal of the plan for Block 17A rangel: 1708 DM1 on the following grounds:

- Hotel tourism allows 5 stories or 65' heights in general hotel Tourism areas and only in HT zune 1 and 2 it permits 10 stories. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 stories being proposed. The Department of Planning should enforce the developer to inform this to the public.
- The application is incomplete as what has been made available to the pulsus is only a site plan and elevations, no floor plans are shown on this application, neither information required as per below;
- 2a. A site analysis with information for property size.
- 2b. Number of units with number of begrooms
- 2c. Hotel number of bedrooms.
- 2d. Number of parking spaces proposed for the hotel and the restaurant. For 13,336 sf of restaurant a developer is required to provide 67 parking spaces. For the Hotel, the developer is required to provide parking as per number of rooms however the analysis has not been provided. 2e. The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.



- 3. In Hotel tourism the minimum road and man setback is 25 ft. As per proposed plans it is noted that on Criphton Unive the setback proposed is 20 ft and not 25 ft as required.
- 3a. The parking areas proposed on Erighton Drive are outside of the property line.
- 3b. The hotel is enemaching on a 20 ft setback, the encroachment will be even more on a setback of 25 ft. As it should be for this zone.
- But The duplexes, as proposed, are enomaching into the setback of 25 ft for Hotel tourism on the north canal.
 - 4. If variances are requested, they have not been mentioned on the notification to the public.
 - 5. The corner plots of the west end of the property are shown varant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

With thanks for considering my objections.

M Rosaleen Corbin rosaleen.corbin@gmail.com

KIERAN AND MICHELLE O'MAHONY



YACHT CLUB VICEAS, NO 4 14E CAYMAN ISLANDS YACHT CIUR SEVEN MILE AFACH POLIDX 30835 GRAND CAYMAN KM1-1204, CAYMAN ISLANOS.

The Director of Planning The Department of Planning Cayman Islands Government FO Box 112 Grand Cayman KY1-9000 CAYMAN ISLANDS

Filplanning dass@gav.sy. Elinfo@planning.gov.ky

Sunday, January 09, 2012

Degri Director of Fleorika.

Re: Objection to PROJECT INC P21-1290 | Block ITA Parcel: 173REM1 |= Crystal Harbour - Moga development = "-hrama" - (the "Proposal")

My name is **Michalle O'Mahony**, co-owner of Block: 17% and Parcel; 164 in Crystal Harbour.

I would like to abject to the Proposar of the plan for Dlock 17A Sarget 170RFW1 on the following grounds

- 1. Hotel toursmallowe (c) 5 etalege of 85 heighte in general Hotel/Toursm ("HIT") areas and only in till zone 1 and 2 does it peoplie to atways. The application does not specify it this property is zone 1 or 2 to abow for the 7 wikl 9 stoneye being proposed. The Department of Planning should recurre the developer to inform the applicable zoning designation to the public.
- 7 If tableve the application to be incomplete as what has been made available to the public telenity is site a an and elevations with the number of floor plans shown, on this application. The following information is, I halleve, required, as per below.
 - a. A site analysis with details/information on property 6.24.
 - Betaiting the number of units and the number of pedroome.
 - Recalling hole! bedroom numbers.
 - Debying the number of parking spaces proposed for the hotel and the restaurant.
 - For 13,335 shipt restaurant, I understand that a developer is required to provide 67 parleng spaces. For the hotel the developer is required to

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Titione: -0.245 046-2264

 $\Phi_{\rm GM}$, $(2.64 \pm 0.044) 914-5721$.

provide parting as per number of rooms however this analysis has not been provided.

- I understand that site coverage should not enceed 40% of the property eige as per (reming laws. This detail does not appear to be provided to the public on this application.
- 3 by noted tourism, I understand the minimum roads/Zeffront and as well, the minimum rear setback is 25 ft. As par the proposed plans it is noted, I understand, that an Originian Drive the setback proposed is 20 ft and not 25 ft, as a required.
 - a. The nerking stress, it appears that are proposed on Originan Diffusions of the property lime.
 - 6. The hotel is already, it appears, end on thing on a 20 ft earback. This endoachment will be even more on a setoack of 25 ft. (as it sky, at her for this zone).
 - It eppears that the duplewes, as proposed, are encreaching into the selback of 25 ft set back for fold fourtsmion the north care).
 - d. If variances are requested. It appears that they have not been mentioned on the notification to the public.

The corner plots at the west end of the property are shown as being both recent and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but seein calculations have not been provided on the application.

Over all, from what is available to sea, this proposal is a high density, "megal development. It is not at all in keeping with the nature, scale and aesthetias of the Crystal Harbour neighbourhood. When we sought our proporty in September of 2008, the reference point for what constituted thetal fourtains in the area was the "Holiday Inni. This proposed mage development is no Holiday Inni. It is size, its density. Is height and the impact that it will have on a collet residential religible, when it is all. I supposed in its sourcent form, negatively impact the entire Crystal Harbour area – from an aesthetics and account of view. Further it will cause significant traffic flowhams with associated noise and account of view. Further it will cause significant traffic flowhams with associated noise and account of view, as well as change the very fabric of Grystal Harbour from a prademinantly family orientated neighbourhood to a fourtail rap. Has dent, but especially children and older people will not be safe playing and welling in the neighbourhood one to the significant increased traffic flow.

I find the whole application process to be apaque with nadequate detail provided. This is not a good harbinger of the type development we would want in our vicinity.

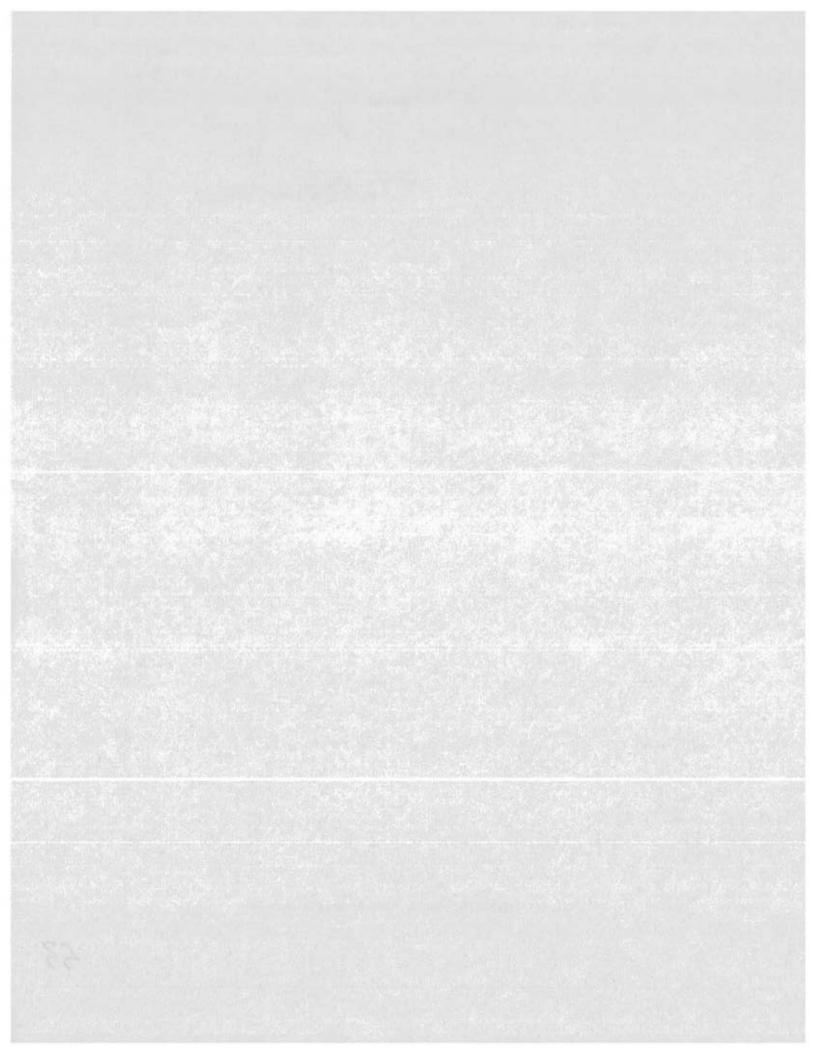
I finished object to that trian and lessed method of posting our proposed planning notifications to impacted neighbours just before the Christines owice in order that the trickedy Season with reduce the numbers of property owners picking up their post and responding to the proposal. This smooths of thokety, plain and simple, it is a ruse used to dissevenings property owners in the neighbourhood, irrespective of whether it is becomesty within the provisions of the law.

This proposal is completely at odds with what is currently "Crystel Herbrun" and should on these grounds not be approved.

Coll: - 1 (Mp) 336 3131; Email: Michelle Kinna@coude.kr.

 $J_{\rm accomp} \approx 20^{4.5}$

Michelle O'Mahory Email: Michello_Kman@candwiky



KIERAN AND MICHELLE O'MAHONY



YACHT CLUB VILLAS, NO.4. THE CAYMAN ISLANDS YACHT CLUB. SEVEN M LE DEACH.

PIOL BOX 30835 CRAND CAYMAN. KY1-1204 CAYMAN ISLANDS.

The Director of Planning. The Department of Planning Cayman Islands Government PO Bex 113. Stand Cevities KY1-9380. CAYMAN ISLANDS:

E: planning dept貴gav.kv. E: info為planning.gov ky .

Sunday, January 09, 2022

Dear Director of Flanning.

Re: Objection to PROJECT_NO.P21+1280. Block 17A_Parcel: 170R5W1 - Crystel. Harbour - Mega development – "Prisma" - (libe "Proposal").

My name is Kieren O'Mahony, on-owner of Block; 17A and Parce: 154 in Crysta-Harbous.

- t wants two to object to the Processi of the plan for Block 17A Percel, 17GREM1 on 199. following grounds:
 - : Hotel burier: slowe for 5 storege or 65' heights in peneral Hotel Lourism ("HVT"). ыных буд сум ја HT zone 1 and 2 does dipermits 10 storeys. The application : does not specify it this property is zone 1 or 2 to allow for the 7 and 9 slurgys. haing proposed. The Department of Planning should require like developer to Inform the applicable zoning designation to the public.
 - I policye the application to be incomplete se what has been made everlable to the. public is only a site plan and elegations with the number of floor plans shown, on this application. The following information is ill believe, required, as per below:
 - a. A site analysis with detail shromation on properly size.
 - Detailing the number of units and the number of bedrooms.
 - Detailing hotel bedroom numbers.
 - it. Detailing the number of parking spaces proposed for the hotel and their restaurant.

For 13,333 of of restaurant ill understand that a developer is required to grouping 67 parking spaces. For the hotel the developer is required to

Work (disease): 11 des 知中配用

₩M554 | 11.348.5254959.

House: +1 345 ME 7014

- provide parking as per number of rooms however this analysis has not been provided.
- e. I understand that site coverage should not exceed 40% of the property size as per planning laws. This detail does not appear to be provided to the public or ship application.
- In hotel tourism. I understand, the minknum readside/front and as well, the minimum rear setteck is 25 ft. As per the proposed plans if is noted, I understand, that on Onghian Drive the setteck proposed is 20 ft and not 25 ft. as is required.

a. The parking areas, it appears, that are proposed on Grighton Drive are outside of the property line.

- b. The Initial is attentify it appears, encroacting on a 20 ft setback. This encroachment will be over more on a setback of 26 ft. (as it should be for this zone).
- It appears, that the dupleces, as proposed, are encreaching into the secteds of 25 it set back for total tourism on the north remail.
- d if vertences are requested, it appears that they have not been montioned on the mittigration to the public.

The corner plots at the weat end of the property are shown as being both vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacent plots increases the density of the proposed project but again calculations have not been provided on this application.

Over all, from what is available to see, this proposal is a high density. 'Image' osvelopment, it is not at all in keeping with the nature scala and seatherles of the Crystal Herbour helphbourhood When we bought our property in September of 2003, the retarence point for what constituted 'hoselfoursm' in the area was the "Hotiday Inn". This proposed mega development is no Holiday Inn in its size, its defially, its height and the impact that it will have on a quiet residential neighbourhood. It will, it approved in its current form, negatively impact the entire Crystal Harbour erea – from an earthetics and scale point of view. Further it will cause aignificant traffic flowingers with associated noise and air polition, as well as change the very fabric of Crystal Harbour from a predominantly family orientated neighbourhood to a bourist trap. Resident, but especially children and older people will not be safe playing and waiving in the neighbourhood due to the significant increased traffic flow.

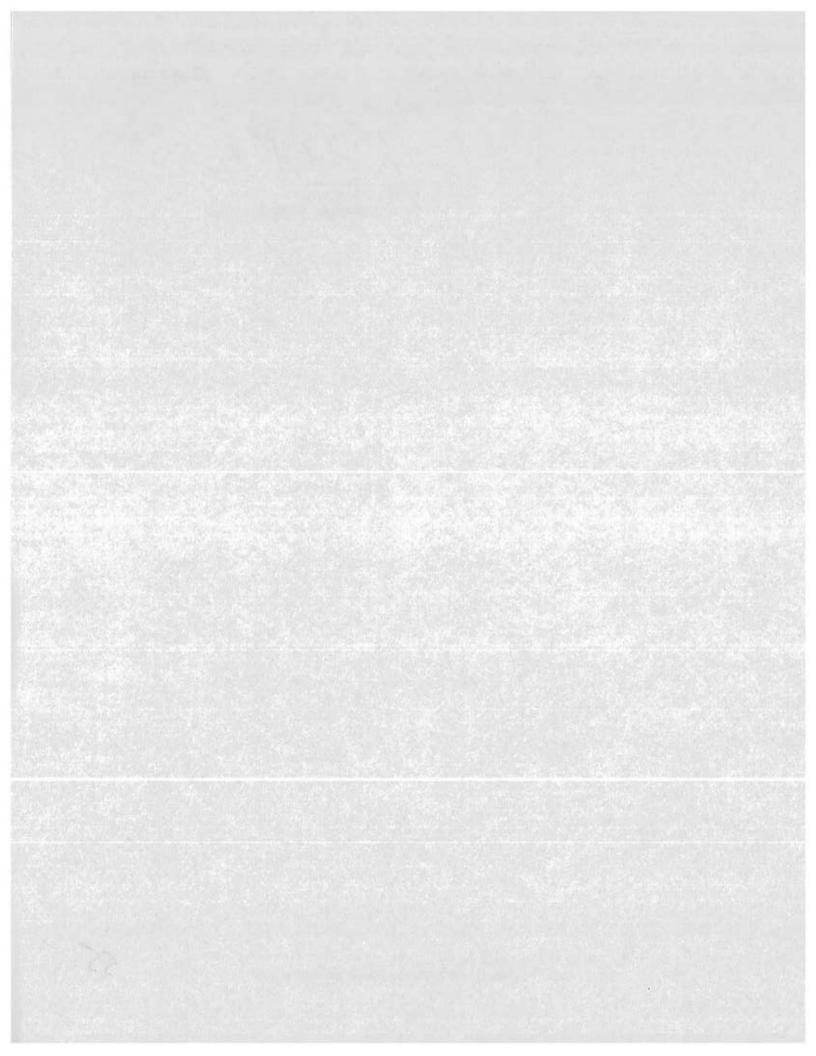
I find the whole application process to be opaque with inadequate datail provided. This is not a good harbinger of the type development we would want in our vicinity.

I further object to that tried and tested method of posting out processed planning notifications to impacted neighbours just before the Christmas period in order that the Holday Season will reduce the numbers of properly owners picking up their post and responding to the proposal. This smacks of trickery, plain and simple It is a ruse used to deadvantage property dwiners in the neighbourhood, irrespective of whether it is secondarly within the provisions of the law.

This proposal is completely at edds with what is currently "Crystal Harbour" and should on these grounds not be approved.

Sincerety,

Kieran O'Mahony Email: KieranKman@nya com



From:

Department of Planning

Sent

Monday, January 10, 2022 9:43 AM

Tœ

Paper att, Nicholasi

Subject:

Attachements:

PAY, FENTERNALI Prisma. Crystal Harbour. Lotter of Objection to the Development.

2022-01-09 Leiter CCOgértion to PRISMA Cystal Harbou. I pof.

Freih: Kleran O'Mahany (malita:k crankman@me com).

Sent: Manulay, January 10, 2022 7, 10, 4ML

To: Department of Planning s Planning (Lept) $\Theta(g)_{s}$ by s Planning Info KindoGn anning god kyb.

Cat Michaile O Mahony kMichaile. Kman@candwikys.

Subject: "DVTCDNM | Prisms - Crystal Harbour - Latter of Objection to the Bevolopment."

Dear Director of Planning.

Please find attached a letter of objection to the proposed development to build 93 residential units, 44 hotel Suites, a 9 story hotel, 5x apartment buildings at 7/9 stories, 10x duplexes, and 20 townhouses, also a 2 story garage/ storage, 5 residential lots and amenities (including a restaurant) on blocks 17A145/146/170REM1 in Crystal Harbour.

This mega development is completely out of character with the residential, family neighbourhood that is Crystal Harbour and would significantly, negatively impact my properly at Block 17A: Parcel 154.

Please acknowledge receipt of this letter of objection/email.

Thank you.

Regards, Kieran

Kteran OMahony kterankman@ne.com

56

From: Department of Planning:

Sent: Monday, January 10, 2002 940 AM

To: Popovich, Nichelix:

Subjects PAN (EXTERNAL) Development Proposal for 8 oct 17A Parcel 170REM I

Frein: Micholas Teasdale (mailte: ntcasda o mic.com)

Sent: Sunday, January 9, 2022 4:40 PM

To: Department of Planning «Planning Sept@poy ky».

Subject: EXTERNAL J Dovologment Proposal for Black 17A Parce 17DREM1

My name is **Nicholar TeastEle**, owner of Block 17A, Parcel 34 in Crystal Harbour. I would like to object to the proposal of the plan for Block 17A, Parcel 170**REM1** on the following grounds:

- Hotel tourism allows for 5 stones or 65' heights or general hotel. Isomerateas and only in 11' zone 1. This is a neighborhood of 2 stories family homes, which is completely inconsistent with the neighborhood, and if it was it must be a mistake and it should be rectified. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 story buildings being proposed. The Department at Planning should enligate the developer to inform the public and not allow construction allows 5 stones that is already completely unlikely the range of homes of the reaghing thould in which it is located.
- The application is maniplete and what has been made available to the pulsie is telly a site plant and devations. No floor plans are shown on this application, and pointer is the following information neutrally required:
- A rate analysis with information for property size.
- Number of units with rounber of bedrooms.
- Number of bedrooms in hotel.
- Number of parking spaces proposed for the hotel and the restaurant. For 13.336 sf of restaurant a
 developer it would be required to previde 67 parking spaces. For the Hetel the developer is required to
 provide parking as per number of rooms however this analysis has not been provided.
- The site enverage should not exceed 40% of the property size as per planning laws and the numbers
 are not shown on this application.
 - In Hotel tourism the minimum road and rear screack is 25 ft. As per proposed plans it is need
 that on Grighton Drive the setback prepased is 20 ft and not 25 ft as required.

- The parking areas proposed on Orighton Drive are rotated of the property line, this must not be necepted, the property should be self-contained for its own parking spaces as required by the regulation and there should not be a property that is designated single family residential used for a parking building.
- The hatel is enumerating on a 20 ft sethack, the encroachment will be even more on a setback of 25 ft. As it should be for this zone.
- The duplexes, as proposed, are encroaching into the setback of 25 ft for Hotel fourism on the north exami.
 - 4. If variances are requested, they have not been mentioned on the notification to the public.
 - 5. The corner plots in the west end of the property are shown vacous and as a subdivision. This subdivision is not mentioned on the notification leater. Deducting the men of the proposed vacous plots increases the density of the proposed project but again calculations have not been displayed on this application.

We purchased run home in Crystal Harbour based on the belief that it was a residential neighborhood with only 2.3 story homes. Crystal Harbour is a quiet and family friendly neighborhood with low density. Bringing this bage development with radically change the nature of the neighborhood and certainly the traffic within it.

The proposed development will bring a much high density of population to our neighborhood but also traffic and also cars parked everywhere on the mods (as there is not enough parking space on the proposal considering the amount of units). Significantly higher densities and increased traffic will impact not only impact on the quality of life but also on the safety of our kids who ride their blkes and walk their days.

I'm very surprised that an application for a project of this acope is being considered by the planning department when so much information about the development is missing.

If there is a separate parking in a separate pascel being considered, this should not be considered as a separate application, under which it is more than obtain that a parking building cannot be approved in a single fornity designated procel.

Given all that is expressed above I strongly encounage you to reject this application which should be sent back to the drawing burst.

Nincerely, Nicholas Teasdale

Prom:

Department of Planning

Sent

Monday, January 10, 2020 9,47 AM

Tex

Figure 11, Nicholas

Subject:

DA: NOTICE OF OR CCTOOK FOR KOUCHING, P21-1260, BLOCK 174, PARGEL 1708-MIT

From: Tanya I-mreson (mai todamryfoc/2000hotmail.gom)

Sent; Sunday, January 9, 2022 10:57 AWI

To: Bepartment of Planning < Planning. Dearghgowky> Got len, Junieson dantamies m與 pedelkn Vincoms

Subject: [LXTERNAL] NOTICE OF OUR LOTION TO PROJECT NO. P21-1260, BLOCK 17A PARCEL 170REM1.

Dear Sit/Madam - Director of Planning

Our names are landamieson and Tanya Jamieson, the owners of Olock 174 Parcel 218 in the Crystal Harbour neighbourhood. We wish to submit our objections to the planning application P21 1260. Below is a list of graunds of pojection:

- 3. Hotel tour smallows a storeys of 6.5' heights in general hotel Tourism areas and any in PT zone 1 and 2 if permits 10 storeys. The application does not specify if this property is 2 one 1 or 2 to allow for the 7 and 9 storeys being proposed. The Cepartment of Planning should request that the developer informathe public appropriately.
- The application is incomplete. There is only a site plan and elevations. There are no floor plans shown on this application, Certher information required as peribelaw:
- 3 2a. A site analysis with information for property size.
- 4 2b. Number of units with number of bedrooms.
- 2c. Hatel number of bedrooms.
- 6. 2c. Number of parking spaces proposed for the notel and the restaurant. For 13,836 of of restaurant at flow loom is required to provide 67 parking spaces. For the Hotel the developer is required to provide parking as permumber of rooms however the analysis has not been provided.
- 3. The site coverage should not exceed 40% of the property size as peoplement, awayed the numbers, are not shown on this application.
- 4 In Hotel tourism the minimum road and reshsetback is 25 ft. As per proposed plans it is noted that on Crighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - 4a. The parting a reas proposed on Orighton Drive are outside of the proporty line.
 - The hotel is encroaching on a 20% setback, the encroad ovent will be even in ore on a serback of 25% ft. As it should be for this zone.

4c. The duplexes, as proposed, are entroaching into the setback of 75 ft for Hotel tourism on the north canal.

- 5. If variances are requested they have not been mentioned on the notification to the public.
- ii. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the not floation letter. Deducting the area of the proposed vacant plots increases the censity of the proposed project, but again calculations have not been displayed on this application.

7.

8. In summary, the area of Crystal Harbour is a very quiet residential area. We purchased and and are in the process of building a family home in Crystal Harbour. We are complying with the Crystal Harbour. rowstants purselves in ensuring our own home is limited in size and height and to bear now that all huge multiple storey and high density development is now being planned just a few made away is not. we believe in compliance with and/or not reflective of corrent planning whidelines for this area. There is an existing hotel in the neighbourhood. The Holiday lun, scross the road from this planned development however it is significantly set back from the road and is in keeping with height restrictions and precedents of the neighbourhood and respects the general guidenes dential feel of the area. There is no precedent in Erystal Harbour that allows for such large and dense structures which. will effectively tower over neighbouring homes and which will impose an their quiet enjoyment and privacy. The increase in participle to the level of contensing of units into this plot of land will have a detrimental effection traffic flows and continuing damage to existing estate roads, which were not built for and are not conditioned for such heavy traffic. This is both in the short term as the property is: being built but also in the long term with increased density on such a small piece of land. We also have reservations based on our understanding of the developer's history with previous developments, i.e. that what is submitted to planning will not be adhered to, to the detriment of neighbouring properties. and the environment.

Many thanks.

tantennieson and Tanya Jemieson Owners of Block 17A Parcel 318



Proper Department of Planning.

Sent: Resday Jenuary 4, 2025 Std AM.

To: Popewith, Nicholas

Subject: FA!. [EXTERNAL] Objection to PROJECT NO F21, 1260, 8 occ 174 Parcel: 170REM I

Frame Generale labes juralite.gjalles@gmail.com/

Sent: Monday, January 3, 2022 1/92 PM.

To: Department of Planning «Flanning.Dept@gov.ky».

Subject: [EXTERNAL) Objection to PROJECTIVO P21-1260. Block 174 Patriol: 1708FM1.

Dear Director of Planning.

Re: Objection to PROJECT NO P21-1260, Block 17A Parcel 170REM1

My name is Gonzalo Jalles, co-owner of Block and Parcel: 17A 85 in Crystal Harbour.

I would like to object to the proposal of the plan for Block 17A. Parcel < 70REM1 on the following grounds:

- Hotel tourism allows bistories or 65' heights in general hotel Fourism areas and only In HI zone 1. This is a neighborhood of 2 stories family homes, for sore this could have not been designated to build above 5 stories and if it was it must be a mistake that should be rectified. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Oppartment of Planning should enforce the developer to inform this to the public and not allow construction above 5 stories that is already completely outside the neighborhood in which is located.
- 7 The application is incomplete as what has been made available to the public is only a site plan and elevations. No floor plans are shown on this application, neither information required as per helpw:
 - 2a. A site analysis with information for property size.
 - 2a. Number of units with number of bedrooms
 - 2d Hotel number of hydrooms.
 - 2d. Number of parking spaces proposed for the hotel and the restaurant. For 13,336 sf of restaurant a developer is required to provide G7 parking spaces. For the Hatel the ~ 2

developer is required to provide parking as per number of rooms however the analysis has not been provided.

2e. The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.

- 3. In Hotel tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that or Erighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - Sa. The parking areas proposed on Crighton Drive are outside of the property line, this must not be accepted, the property should self-contain its own parking spaces as required by the regulation and there should not be a property that is designated single family residential used for a parking building.
 - Ah. The hotel is encroseding on a 20 ft artback, the encrosedment will be even more on a setback of 25 ft. As it should be for the zone.
 - Bot The duplexes, as proposed, are encrusoling into the setback of 25 It for Hotel tourism on the north canal.
- 4. If variances are requested they have not been mentioned on the notification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

On top of all the above, when we bought our lot many years ago, we specifically asked about the lot in objection and we were told that nothing too big or tall was going to be built as this area is a residential area.

Crystal Harbour is a quiet and family friendly neighborhood with low density, bringing this huge development will be totally against the idea of what it is right now as it will bring a very high density and also cars parked everywhere on the roads (as there is not enough parking space on the proposal considering the amount of units); it will also bring a lot more traffic and danger to the safety we have now for kids to ride bike and walk dogs.

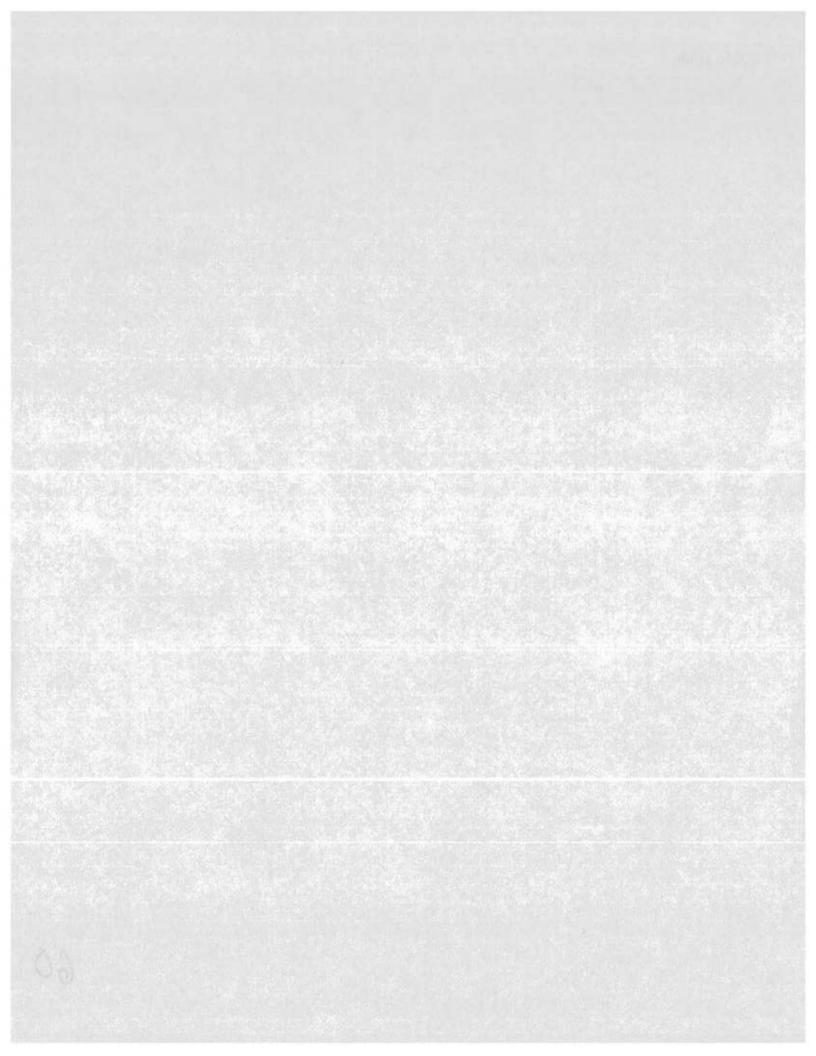
I'm very surprised that an application for a project is accepted by the planning department when so much information about the development is missing.

If there is a separate parking in a separate parcel that should be considered as a separate application, under which is more than clear that a parking building can not be approved in a single family designated parcel.

Given all that is expressed above tistrongly encourage you to reject this application which needs to go back to the drawing board.

Sincerely,

Gonzalo Jalles



France

Department of Planning

South

Tuesday January 4, 2022 9:88 AM

To:

Papavich, Nicholas

Subject:

PMI CArection to PROJECT NO PC1 - 250, Reak 17A Pag-41 - 2009M t

From: Rowers, Gragory, mailtaispiegory ameks@rbc.com/

Sent: Mondey, January 3, 2007 12:32 PM

Tax Department of Planning «Planning.Dept@gev.ky».

Ce: Greg Brooks ogragorooks@mc.comv

Subject: [LK 1884A1] Objection to PPOJECT NC P21-1250, Plack 17A Parcel: 1708UM1

Pear Director of Planning.

Re: Objection to PROJECT NO.P21-1260. Black 17A Parcel: 170REMI.

My name is Gregory Brooks, nymer of Block, 17A, and Parcel 78 in Crystal Hurbour.

I would like to object to the proposal of the plan for Block TOA Parcel. I 208 CMT on the following arounds

- 1. Hotel familia mollows 5 starteys at 65° heights in general botel. For own sites sectionly to HT weight and 2 of permits 10 storeys. The application does not specify if this progetty is Zone 1 or 2 to allow for the 7 and 9 stereys being proposed. The Department of Planning should enforce the developer to inform this to the public
- 2. The application is incomplete as what has been made available on the public is only a site plan and sky strong. You floor plans are shown on this application, norther information respined as per polaries.
- 2a. A situanalysis with information for property sixe.
- 2h. Nuraber of units with murber of bedrooms
- Hotel number of bedrooms.
- 2d. Number of packing spaces proposed for the Lotel and the restaurant

For 13,356 slied restaurant a developer is required to provide 67 parking spaces.

For the Hotel the developer is required to provide parking as per number of rooms however the analysis has not been provided.

- 2s. The site coverage should not exceed? It is the property size as per planning laws and the numbers are not above on the good sation.
- In Hotel tourism the arimmum road and rear sofback is 25 ft. As per proposed plans it is noted that enfinighten thrive the settings proposed is 20 front ool 25 ft as required.
- The parking make proposed on Criphton Drive are educate of the proporty land.

- Sh. The hotel is preparelying on a 20 ft solback, the encreachment will be even more on a solback of 25 ft. As it should be for this zone. Be. The duplexes, as proposed, are encreaching into the setback of 25 ft for Hotel fundament the next could.
- 4. If writerway are expressed they have not been mentioned un the nutification to the public.
- 5. The counterplats at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Destructing the sites of the proposed vacant plats increases the density of the proposed project but again calculations have not been displayed on this application.

Please do let me know if you have any ougstions.

Years arrespectly,

Gregory Breaks 916 5848 PO BOX 1140 KYT 9006

This pleas' heavy be of wileyed another combination, and measurement of what and obligations. Any discribing your incorporation when the wiley is a series of a series of the series of

Department of Planning From:

Santa Tuestas, January 4, 2022-058 AM

Approving Nicholas, Toc

Subject TW: [LXTLENVL] Objection to PROJECT NO.-21-1260, Block T/A Parce: 178REM 1

From: Rebekah Brooks [mailto:repekah@cendw.ky]

Sent: Morday, January S. 2022-12-22 PM.

To: Department of Plansing &Planning Geot@gooless.

Subject (EXTERNAL) Objection to PROJECT NO F21 (200, Block 17A Parcel: 170RSM1

Dear Director of Planning.

Rer Objection to PROJECT NO.P21-1290, Block 17A Percei: 170REM1

My name is Rebeksh Brooks, owner of Block 17A, and Farce, 78 in Crystal Hardour.

I would like to object to the proposal of the plan for Block 17A Parcell 170REM1 on the following: prounde:

- Hetel tourism allows 5 storeys or 65' heights, a general hotel Tourism areas and only in 5T zene 1 and. 2 if permuta 10 shortlys. The application closes not specify if this property is Zone \pm or 7 to allow Joy the 7and 9 storeys being proposed. The Department of Planning should enforce the developer to inform this to the public.
- $1. \,$ The application is incomplete as what has been made available to the public is only a sec pion and $\,$ elevations. No floor plans are shown on this application, heither information required as per below:
 - Za. A afte analysis with intermation for property size.
 - 2b. Number of traits with humber of bedrooms:
 - 2c. Hatel number of pecroams.
 - 2σ . Number of parking spaces proposed for the notel and the restaurant. For 14.396 of σ^2 restaurant σ developer is required to provide it? parking spaces. For the Hotel the developer is required to provide parking as par number of rooms however the analysis has not been provided.
 - 2e . The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.
- 3. In Hotel tourism the minimum road and rear settiask is $25\,\mathrm{ft}$. As per processed plans it is notice that an Drighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - Ba. The natking areas progosed on Orighton Drive are outside of the property line.
 - $35\,$ The hotelis encroaching on a $20\,$ N setback, the encroachment will be even more on a setback of $25\,$ As it should be for this zone.
 - åd. The duploxes, as proposed, are engreathing into the setback of 25 ft for Hotel four smion the northsanal.
- 4. If variances are requested they have not been greationed on the notification to the public.
- The corner plots at the west end of the property are shown vacant and as a subdivision. This: subdivision is not mentioned on the notification letter. Beducting the area of the proposed vacent /2

plots increases the density of the proposed project but again calculations have not been displayed on this application.

Please do let me know if you have any questions.

Yours shoerely.

Rehekah Emolis

From:

Department of Planning

Sent:

Tuesday, January 4, 2002 9,59 AM

To.

Popovidis, Nichalas

Subjects

FW. POTESNALI Objetu a 15. 200.50T NO 221-1260, Black 174 Percer 1700UM1.

From: Nicela Davies | mailtoudevicsura57@gmail.com|

Sent: Sumber, January 2, 2022 3:49 PM

To: Department of Planning of anning Dept (#gov.ky>)

Subject: [63TFRNAL] Objection to PROJECT (50.727-1266, Black 17A Panial: 170RFM1.

Dear Director of Planning,

Objection to PROJECT NO.P21-1260, Block 17A Parcel: 170REM1

My name is Nicola Davies, owner of Mock and Parcel: 17A Parcel: 159, in Crystal Harbour.

I would like to object to the preposal of the plan for Block 17A Parect: 170REM! on the following grounds:

- 1. Heart tourism allows 5 storeys or 65° heights in general hotel fourism areas and only in HT zone 1 and 2 it permits 10 storeys. The application does not specify if this property is Zone 1 to 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to inform this to the public.
- 2 The application is incomplete as what has been made available to the poblic is only a site plan and elevations. No floor plans are shown on this application, neither information required as per below.
 - 2a. A site analysis with information for property size.
 - 2b. Number of units with number of badrooms.
 - 2c. Untel number of bedroners.
 - 2d. Number of parking spaces proposed for the hotel and the resonant. For 13,336 still testament a developer is required to provide 57 parking spaces. For the Hotel the neveloper is required to provide parking as per number of mores between the analysis has not been provided.
 - Ze. The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.
- In Hote, found in the minimum road and rear setback is 25 lit. As per proposed plans it is noted that on Grighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - 3s.. The parking areas proposed on Crighton Drive are outside of the property line.
 - 35. The hotel is encrouching on a 20 ff setback, the encronchment will be even more on a sethack of 25 lit. As it should be for this zone.

- 3c. The duplexes, as proposed, are encroaching into the setback of 25 ft for Hetel tourism on the north equal.
- 4 . If variances are requested they have not been mentioned on the notification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

Kind regards Napla Davies



Frome

Department of Planning

Send:

Tuesday, January 4, 2023 9:37 AM

To:

Poparytch, Nicholas

Saubjact.

PW [EXTERNAL] Objection to PROJECT NO P21-1240 Block 17A Panel 170RDM1.

#rom: Darke Ebanks [mai ta.darina@canew.ky]

Sent: Sourley, Jennary 2, 2022 1:51 PM

To: Department of Planning «Planning,Depa@gov.ky».

Subject: [EXTERNAL IDb]ection to PROJECT NC.P21, 1260, 8 pc : 17A Parcel: 17CRRM1.

Dear Director of Planning.

Re-Objection to PROJECT NO.P21-1280 Block 17A Parcel: 170REM1

My name is Darlee Ebanks owner of Block and Parcel: 17A 165 in Crystal Harbour.

I herby submit my objection to the proposal of the planfor Block 17A Parcel: 170REM1 on the following grounds:

- 1. Hotel tourism allows 5 storeys or 65' heights in general hotel Tourism areas and only in HT zone 1 and 2 it permits 10 storeys. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the develope: to inform this to the public.
- 2. The application is incomplete as what has been made available to the public is only a site plan and elevations. No floor plans are shown on this application, neither information required as per polow;
 - 2a. A site analysis with information for property size.
 - 2b. Number of units with number of bedraams.
 - 2c. Hotel number of begrooms.
 - Number of parking spaces proposed for the hotel and the restaurant. For
 - 13,336 sf of restaurant a developer is required to provide 67 parking

64

spaces. For the Hotel the developer is required to provide parking as per number of rooms however the analysis has not been provided. Ze. The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.

- 3. In Hotel tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that on Crighton Orive the setback proposed is 20 ft and not 25 ft as required.
 - 3a. The parking areas proposed on Crighton Drive are outside of the propertyline.
 - 3b. The hotel is encroaching on a 20 (Lisetback, the encroachment will be even more on a setback of 25 ft. As it should be for this zone.
 - 3c. The duplexes, as proposed, are encroaching into the setback of 25 ft for Hotel tourism on the north canal.
- 4. If variances are requested they have not been mentioned on the notification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

I trust you will take my objection into consideration and deny permission for this development.

May you he so kind as to confirm receipt of my email.

I look forward to bearing from you.

Thank you. Darlos Ebanks

Sout from any iPhone

From: Department of Hanning

Sent Idesday, January 4, 2022 9:37 AVI

To: Papawish, Nicholasi

Subject: PW [EXTSPNAU] Objection to present number P21 - 250.

From: gisels gamba joralbo:giscla.gamba@goral.com

Sent: Sunday, January 2, 2022 11:15 AM

Tax Department of Planning «Planning.Depa@gov.ky».

Subject: [FXTFBNA1] Object or Expenses tomorber 271-1260

Dear Director of Planning,

Re: (96jeption to PROJECT NO.P21-1260, Block 17A Parcel: 170REM1

My name is Giscla Gamba Fernandez, co-owner of Block and Parcel: 17A 85 in Crystal Harbour.

I would like to object to the proposal of the plan for Block 17A. Percel: 170REM1 on the following grounds:

- 1 Hotel tourism allows a storeys or 65' heights in general hotel fourism areas and only in H1 zone 1 and 2 it permits 50 storeys. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to inform this to the public.
- The application is incomplete as what has been made available to the public is only a site
 plan and elevations. No floor plans are shown on this application, relither information
 required as per below:
 - 2a. A site analysis with information for property size.
 - 2b. Number of units with number of bedrooms.
 - 2c. Hotel number of bedrooms.
 - 2d. Number of parking spaces proposed for the hotel and the restaurant. For 13,336 sflof restaurant a developer is required to provide 67 parking spaces. For the Hotel the developer is required to provide parking as per number of rooms however the analysis has not been provided.

- 2r. The site coverage should not exceed 40% of the property size as per planning laws and the numbers are not shown on this application.
- In Note! tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that on Crighton Drive the setback proposed is 20 ft and not 25 ft as required.
 - Ba. The parking areas proposed on Orighton Orive are outside of the property line
 - 3b. The hotel is encroaching on a 20 ft setback, the encroachment will be even more on a setback of 25 ft. As it should be for this zone.
 - An. The duplexes, as proposed, are encroaching into the setback of 25 ft for Hotel tourism on the north canal.
- 4. If variances are requested they have not been mentioned on the notification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the notification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

On top of all the above, when we bought our lot many years ago, we specifically asked about the lot in objection and we were told that nothing too big or tall was going to be built as this area is a residential area.

Crystal Harbour is a quiet and family friendly neighborhood with low density, bringing this huge development will be totally against the idea of what it is right now as it will bring a very high density and also cars parked everywhere on the roads (as there is not enough parking space on the proposal considering the amount of units); it will also bring a lot more traffic and danger to the safety we have now for kids to ride bike and walk dogs.

I'm very surprised that an application for a project is accepted by the planning department when so much information about the development is missing.

I hope you take this objection scriously as this proposal is very incomplete.

Sincerely, Gisela Gamba Fernandez

Frunc

Department of Planning.

Service:

Tuesday, January 4, 2022 9:57 AAI

To:

Poppeith Nichelas

Subject:

PW Objection to PROJECT NUMBER P21-1260 SUSCENTIAL PARCEL 170 REM1.

Fram: P. St-insky Jurai, masteinsky@s.einskyenterpriseskomi.

Sent: Sunday, January 2, 2022-9:32 AM

Tax Department of Planning «Planning.Dept@gev. (yelfor R. Steinsky systeinsky@steinskyenterprises.com)

Subject: (LX CRNAX) Objection to PROJECT NUM 3CR -423-1200 DECCK 17A-PARCECT/U REMI-

Dear Mr. Pandohie,

Rs: Objection PROJECT NUMBER P21-1260, BLOCK 17A PARCEL 170REM1

My name is Rudolph Steinsky, colowner of Parcel: 17A30 in Crystal Harbour.

I would like to object to the proposal of the plan for **Block 17A**

Parcel: 170REM1 based on the following grounds:

- 1. Hotel tourism allows 5 storeys or 65' heights in general hotel Tourism arcs. and only to HT zone 1 and 2 it permits 10 storeys. The application does not specify if this property is Zone 1 or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planning should enforce the developer to inform this to the public.
- The application is incomplete as what has been made available to the public is only a site plan and elevations. No floor plans are shown on this application, neither information required as per below:
 - 2a. A site analysis with information for property size.
 - 2b. Number of units with number of bedingins
 - 2c. Hotel number of bodrooms.
 - 2d. Number of purking spaces proposed for the hotel and the restourant. For 15.336 sf of restourant a developer is required to provide 67 parking spaces. For the Hotel the developer is required to provide parking as per number of rooms however the analysis has not been provided.
 - 2c. The site coverage should not exceed 46% of the property size as per planning laws and the numbers are not shown on this application.
- 3. In Hotel tourism the minimum road and rear setback is 25 ft. As per proposed plans it is noted that or Crighton Orive the orthack proposed is 20 ft and not 25 ft as required.

- 3a. The parking areas proposed on Orighton Drive are outside of the property line.
- 3b. The hotel is encreaching on a 20 ft sethack, the encreachment will be even more on a setback of 25 ft. As it should be for this zone.
- 3c. The Cuplexes, as proposed, are encrosching into the actback of 25 ft for Hotel tourism on the routh canal.
- 4. If variances are mguasted they have not been mentioned on the notification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned on the antification letter. Deducting the area of the proposed vacant plots increases the density of the proposed project but again calculations have not been displayed on this application.

Thank you for your consideration, Rudolph Steinsky

Frame Department of Plansing

Servit Thursday, December 30, 2021 of 11 MM.

To: Popovich, Nicholasi Subject: PW (EXTERNAL)

And soit begins

From: TC Leshikar (KY) [mai to:tr. eshikar區 (war.uws]

Sent: Thursday, December 30, 2021 0:49 PM.

To: Department of Planning «Planning.Depa@gov. «y»

Subject: "FXTFRMAT"

Dear Percetor of Planning.

Re: Objection to PROJECT NO Pol-1260, Block 17A Parcel: 170REM.

My manie is TOthon Leshiwar, owner of Block and Parcel: 17A 306 in Crystal Harbour.

I would like to object to the proposal of the plan for Block IVA Parcel: IVOREM can the following stounds:

- Hotel tourism allows 5 storeys or 55' heights in general botel Tourism areas and only In HT zone a read wit permits an storeys. The application does not specify if this property is Zone a or 2 to allow for the 7 and 9 storeys being proposed. The Department of Planking should enforce the developer to inform this to the public.
- The application is incomplete as what has been made available to the public is only a sine plan and elevations. No floor plans are shown on this application, neither information required as nec below:
 - vn. A site analysis with information for property size.
 - 2b. Number of units with number of hemoonis.
 - ze. Hexel rumber of hedrooms,
 - 2d. Number of packing spaces proposed for the hote! and the restaurant. For 13,336 of of restaurant indeveloper is required to provide 67 packing spaces. For the Hotel the developer is required to provide parking as per number of records however the analysis has not been provided.
 - 2e. The site coverage amount not exceed 40% of the property size as per planning laws and the numbers are not show) on this application.
- 3. In Hotel traitism the minimum read and scan orthodolis 25 ft. As per proposed plans it is need that on Crichton Drive the arthur's proposed is 20 ft and not 25 ft as required.
 - 3a. The parking areas proposal on Crighton Drive ate outside of the property line.
 - 3b. The botchis encroaching on a 20 ft setback, the encroachment will be even more on a setback of 25 ft. As it should be for this zone.
 - 30. The duplexes, as proposed, are encrosclung into the aethack of 25 ft for Flotel tourism on the north senal.
- artheta . If variances are requested they have not been mentioned on the modification to the public.
- 5. The corner plots at the west end of the property are shown vacant and as a subdivision. This subdivision is not mentioned as the medication letter. Deducting the area of the proposed.

variant plots increases the density of the proposed project but again calculations have not been displayed no this application.

T.C. Leshikar

PwC | Partner, Tax Office: 345-914 8646

Email: <u>Indeshikan@gown.com.</u> PrinewaterhouseCompers

16 Forum Lane, P.O. Box 258. Grand Cayman, Cayman Islands Kiir-1194.

http://www.pwc.cum/ky.

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Frührlich

Pandebie, Hanson

Seret

Thursday, December 30, 2021-2-22 AM.

Tn:

Poppidd Nichelss

Sublect:

Pwt: [XTERNAL] Planning objection

Dear Nick.

Plense see helaw letter of altreation.

With kind cookids,

Haroon Pandelma MCRP, MBA, AICP Director of Planning Department of Planning C1 base amont (145) 244-6566

From: -: 1/2*:- <:syman_liczard@yaliob.com>

Sent: Wednesday, December 29, 2021 11.58 AM.

To: haroen.pandehie@igev.ky.

Subject: (ESTERNAL) Planning objection.

Dear Director of Planning

My namons Florabols Lytux and I am a home owner of 17AS4.

Tain structly objecting to the application to build 93 resident about a 44 hot. USciena, 9 story buttel, 5 apartment in (1) magnet 7/9 are used to address 5, 2 story ground structure. Succeeding the main magnitude in its electronic 17.4.14.7/144/170R FMT

I am concerned on so many levels.

- 1. Way to stamy buildings, just too extrame for the area and naighborhood.
- 3. Weny 'valeight- 7/9 tied? '99 What annow apre-
- 3. The mack coming in and act can't bandle the traffic expecially during mining season.
- 4. This would be puriously live didn't have and build here to those to that type no againess, at's very open the minimus something like this would pass through planning.

If they that a contribute is probable to this how more it is would be one thing but this is just hoge, a <u>by and not need of</u> Pursonally anothing the evenes the row bey like our becomes the small result in Small Romal and have a brandful error ask that if they if like their back yord in locate this wall?

Being Caymanian, asking fellow Caymanians, please don't approve this eyescre, let try and ask for more beauty and taste in the things as two heaving both of

Неданьы

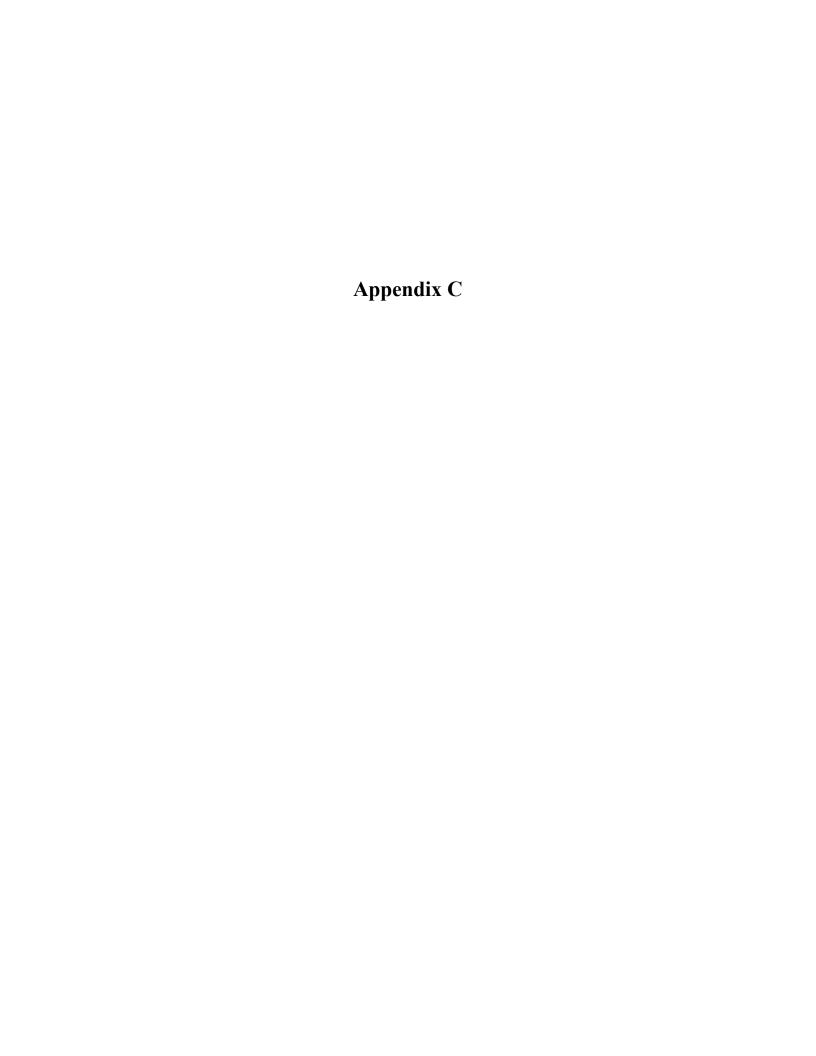
Liz

PO Dox 32134 Grand Cayman KY1-19%

949 9212

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all realized Sections of the Control C





Nevember 28, 2021 Control Piencing Authority Ref Ptisma Development, 17A-1707EW1 + 17A-145, 145

The Prismo Project treing proposed by Land Ltd. The original developer of Crysia. Harbour, is designed to meet the exploring needs of the Crystal Narbour community, the sun to brighted modernoods, and the broader island.

Biriging logether amis of residental offerings, including to have appriments. Identifying a depletes, and single-family homes this natioenthines them with a series of infiniale commercial reliable all food and beverage offerings waven around an intimate markle basin, all unchared by a Boalique Hatel, firstnative basin, all unchared by a Boalique Hatel, firstnative basin, are create its own commonly and be a meeting a ace for the honorads of families who two works waking distance of the site and currency have little or no public amendics to analysis.

In equition. Crystal Heroduris one of the most perive neighborhoods for walking ane/or jugging but lacks a safe place for beople to gather. The public places in Prisma provides the

The dembination of product efferings also allows for a amod range of purposees to be painted the community, from singles and young families through to multi-generational housestaires.

Prisma k located on the last large pargette Crysto) Halpstor, to architect the contact before to the Crystol Halpstor community, Frience's designed well below who is allowed under the regulations for this site.

If is delow in height, below in density and exceeds what is required for barking. Describing 1966 on what's needed to meet its objective as a focul point for the community, with softwerwhelming the rest of Crystal Borboon.

The elements incrimate on Prismal have also been carefully ossiliated to interface appropriately with the surroundings such as the obalique hale being studied across from the existing trictions from the existing trictions from the deviated across the condition similar space homes.

Careful densideration has been given to minimizing with automatics with an emphasis an pedestrion flow and public spaces and incorporating electric transport and shared vehicle approaches. The project has also been designed to embrace the surmanding.

CANMANIELANES

15 Forein Lane, suite 5501, 3º Hoor. Comana Bay, Grand Caymon | ..57 | 210174 (Street, Unit 1717 | Sunny ides Sepan, F 33180

Tric-Ard Liberds (2001)



waters bringing them into the neart of the development surrounded by the pedestrian promenage, bridge and public gardens

Design specifications also emphasize the need to both construct and operate in the most ecologically sustainable way, focusing on renewable options, minimizing water usage, efficient MEP systems and, as stated above, minimizing vehicular recuirements.

1. Project Location;

Crystal Harbour & a residential community in the district of West Bay South, and it contains various types of residential shootures, varying from conal front Single-Family Harnes, Dyplexes, Townrames, and a Hotel, Below are Tuerrations of these structures:

Crystal Harbaur.



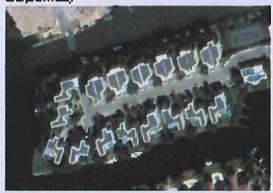
Single Family Homes:



Jownnomes



Duplaxes:



Hotec



2. ŞHq:

Block & Parcel 17A-1703EM1 + 17A-145 + 17A-146.

Area): 328 508 Sci. Ft. = 7.54 Acres.

Zoning. HotelTourism.

Processed Use. In orel, Residential Commercial.

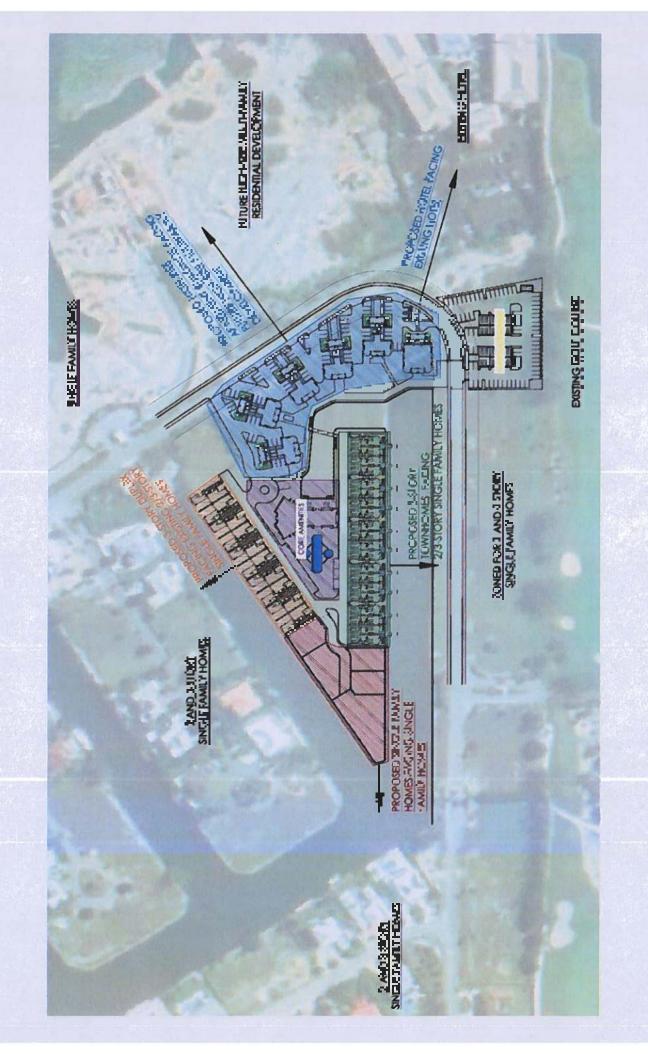
3. Project Description:

Frismu consists of (1) 9 slory Holel. (5) Apartment Buildings (between 7 and 9 stories) (10) & slory Duplexes. (20) & story townhouses, a 2 story garage/storage building, a less designated for single family homes, and a contral amortily structure consciring a Signature Restaurant, Caté, and an Owner's Leunge, all interconnected via tissulands appearanced pathways, countycret, briego, and public garriers.

The development proposed a total of 93 residential units and 44 hard renew to 19. total of 197 units.

4. Neighborhood bonding:

The Testimber below shows the symblodic relationship between the vortices types of proposed structures and the surrounding epitrocycling.



below please find a detailed description of each structure, and then use:

$+4\pi cm^{-1}$

Prisma Tare iblary Story building, with a Coppy/Restaurant on the ground level, 44 Hotel Suites on Bridges, and a Root replicatione peet.

Aportment autidings 1, 3 and 6;

Buildings 1, 3, and a era kistories, with a 2019 squera fact retail space on the ground level and 10 apart northings each, for a fetal of **30** units.

Apodmert Sulebigs 2 and 4;

Ruidings 9 and 4 are 9 states, with a 2,019 square technologisease on the spound evel and 14 apparament units each, for a total of 28 or its

- Dublexest

There are 6-3 story Duples stroots as containing a rotatiof **10** cm/s

- Townhouses.

There are 3-3 story Townhouse's rub dies containing 4 onits each, for all to a of **20** onits.

الخلفيات

There are 3 serviced tots for future single family residences.

Amenifies:

The Amenines structure consist of a 2 story building conteining eigenfunctions and community pool. Signature Restaurant, a Calé, an Owner's Lounge, and community pool, the creation of the Marine Basin and related Prome tade, to of periods, bridge, and public gardens will enhance the projecties well as the surrounding neighborhood's public species.

Other amenities will be de varadivie community raquise gammentique retail afterings in the lower leves of the eponement buildings are consughting Boungue Hotel.

Gordne/Slorade

The Garage/Storage structure consists of a 2-story bolkfing containing 12 covered parking garages on the ground level rand 7.548 square feet of storage space on the second level

5. Compliance with Development and Flamina Regulations:

Zoring: H-Me/T-xu/sm

Fegnilled uses:

Hotels, potkige colony developments and apartments

Freposed uses: compled-

Residenticija

- Hotel, Aportments, Townhouses, Ouglexes, Single family homes, and Jory & Amentiles;
 - Resteurant, Retail, Garage/Storage.

Lot Size:

Required: 0.5 data = 21.780 tq. ft.

Provided: 7.5 darsk = 328,909 sq. ft. complied

Sile Coverage:

Allowed: 47%

Provided: 24% completi-

Density:

Hotel

Allowad: 65 per obre

Provided: 6 per ocregon plied:

Appertments:

Allowed: 25 per ocre

Provided: 8 per ocreasin plied

ownhomes:

Allawad: 25 per ocre

Provided: 3 per octa complied

Lup ex:

Allowed: 3.6 per nore.

Providee: I par not approplied

Single Ferrity Homos

Allowed: 4.3 per nere.

Provided: I perform perplied.

Height:

Allowed: 130 - 10 storics.

Provided: 120 = 9 stortex complied.

Parking:

Required: 209

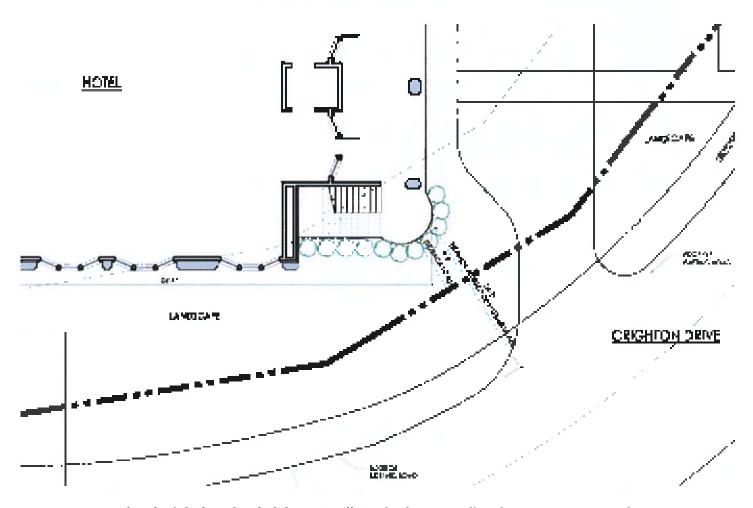
Provided: Y23 complied

Vodences:

The design of the project underwent (notifieful multiped review (not development process and cespite the widerunge of elements included was able to achieve its intent with only the 2 variances that are being requested.

On behalf of our client, we are requesting the following variances to be granted:

 The Southeast comer of the Horal Building is encreating an to the tront salbook by 9'.5'. It is imperior to note that the distance between the existing edge of the road and the proposed building is 26'-1'. Please see Shalrotton below:

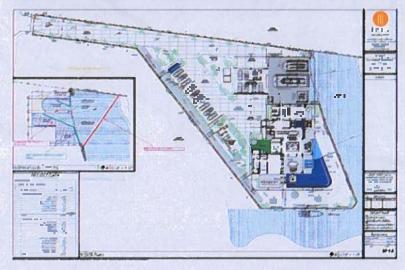


as can be decicted on the skatch above, the rollowing exceptional or numsyanges nepty:

- $oldsymbol{eta} = oldsymbol{eta} o$
- B((1))的(b) the proposal extract be inclerions detrine matter persons residing or working.
 In met violatly, to the adjacent property its the neighborhood or to the public welfore.

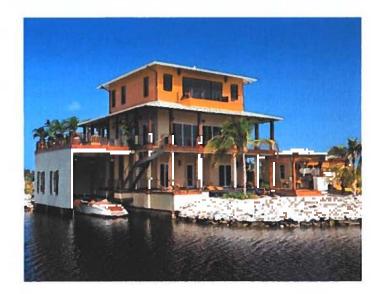
- The Duplexes and Townhomes are being proposed along the eagle of the existing section), entmodifing no to the complicationals (his important to note the following previously approved projects with similar conditions:
 - Outhorne Besidence, located at Diamond's Edge, Immediately adjacent to Prisma. The Pionning number for reference is P20-0340, which was approved in September, 2020, See below for exact location and delate;







b. Witt Deck Houses

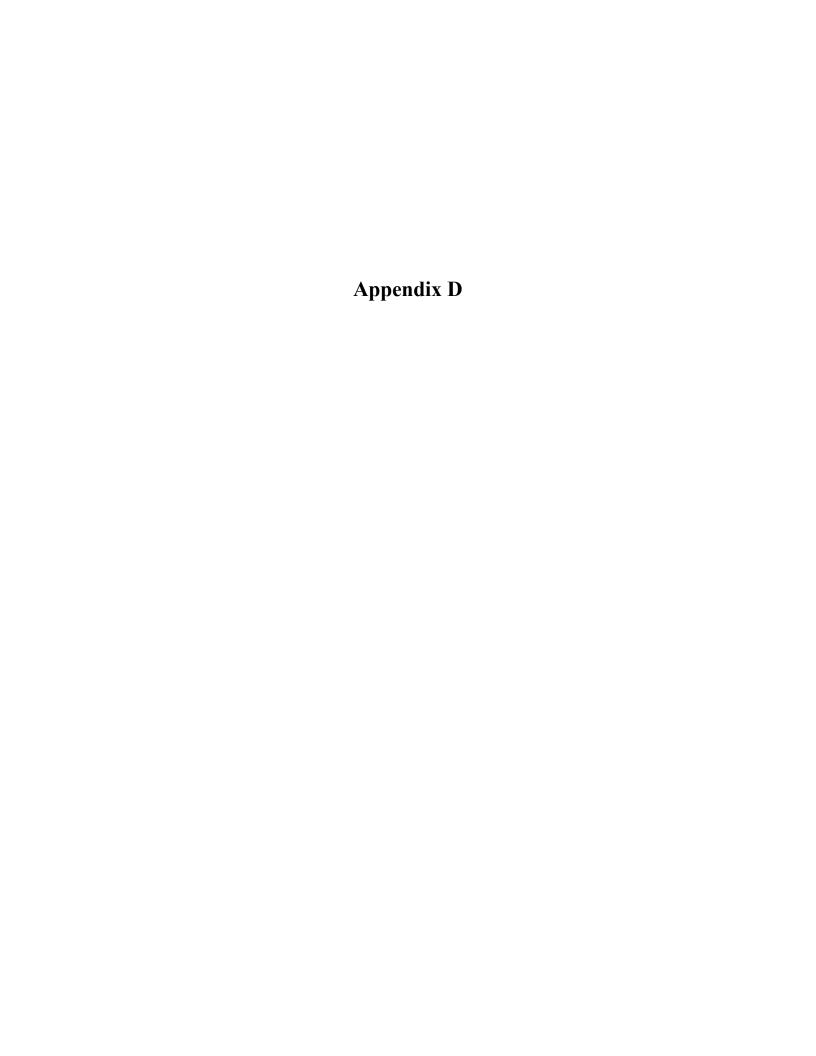


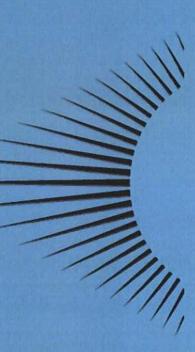
wyder, buildeolafee on the descriptions above, the latiowing exceptional elegantstances apply:

- $\theta(\beta)(\beta)(\beta)(\beta)$ the plane of evidence resolved as zero and the manufactor with a Θ -corrector of the surrounding area.
- B(73) (b)(N) the proporal will not be materially dominantal to persons restaing or working.
 in the wainly, in the negatives property, to the neighborhood, or to the public warfare.

The two conditions from aggree the variance recites result from the efficit to provide their maximum public space within the development.

entre de la companya La companya de la co





PRIBART OF THE CRYSTAL

Design Brief - Prepared December 2021

INTRODUCTION TO PRISMA





DESIGN VISION

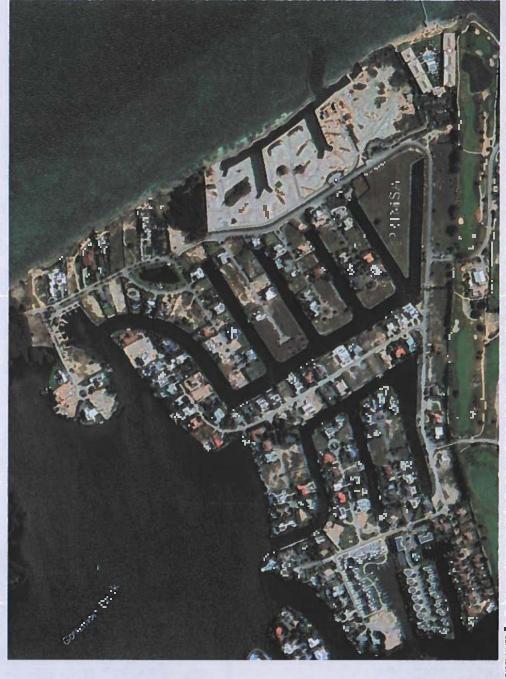
Dismostational universal development a located in the Hoam of Costal Derbour

as the community and the Stand has crawn its requirements have evalved must how or caregine by not party meet. Show of being but a sate the proform has the Catalog and subjecting and subject to be been do been community and the professional states of the wider objects to be absent.

Prisms is designed to presse community ay sanging logorher a wide veriety or residently offerings all find logorher in a processe antituer and subsolved by public americles there will enhance the blessity and the recollects are the subsolved by public americles that when expending the processes and the recollects are the subsolved by page 1 Helmin or mining.

Although, as stand above. Phyma provides for a wide variety of and lynes and spraiges in many smaller haddings, all the element a use that logerhed with the signature wildows and facade cloments that create a tonce we another this statement.

CRYSTAL HARBOUR





DISCLARIER TO THE REPORT OF THE PROPERTY OF TH

INTRODUCTION TO PRISMA

Sours datument of the Charles of the Source of Long Commission to create a community of the Post of the Seven Mile Hearth Commission, received The applicant Last Limited, is the prognet developer of Chyriat Herbour and the sale on which the Prognet with sit who, from the castely sounded to be the box by and connecting all elements to the North countries or moutly which seguit offer a climant and subset lifes yet in Greno. parent to brook to district community the tape of smenthes and services that a mature community would need end servi The bright and control with war appeal to the design and Found Tourism in mean these goods for it needed the community to grow to the point where there was sufficient residential occupation to both need and support the higher levels of survice and amendias that this project brings. With over four hundred nomes phases on all no lin the community if his now rewhed had primi The pressing each of the Sever Mile Bead. Carridonies also necessitated new solutions to create ethecting and appealing runnin miller had also pressite and experimental profits in the little are multiple and all mings are not gather other intermediate. Given its potential and importance to Givalal Harbour and the purpoint its communities, the applicant has spent more than the years alwaying elis sidt yaar weesta ar ewele whel di leets is taa die ook as was een die die die die die



Introduction continued/...

Divine in seeing the see the best of Crystal History and other being residents and the surpurd to community to poster with differing with mid the the try the eveling constrained the North Sound, and the bash is headed by a sobotecular two story place signature restaurant resider into green extremes interfail epister, purkagander weeks a bradge and promenades, all currounding the merine bas to he designed

Degman. As described more fully polow, the project has Lofts for people starting and an abundang Townhomes for growing families and to solder be outsides its goods, Person personal entirelies for a wide vertely or residents that reflects the charged and changed and changed and fourthern for larger more established not scholds, all redicting the surrounding Chysial Harbour community

All of these residential elements are enhanced and supported under the amends with all a fire-sub-basis purchasing. A listed word on the high these cases of an extraordative this is greatly are seen to be manifely method. the commerce!/while areas, located on the ground floor of the Loft towers, are sociated to the promenade of that they welcome in the of the missible see the designed to be a neglect for the extrammity and entropy trained growing repression as the cultivary capital of the position is when the property of the property of the property of the two story glassinate learned restaurance that have Inventer to minute our time ment on though built into the decign. They are planted to include such services as a ceffee shap, cell-9,8110, our

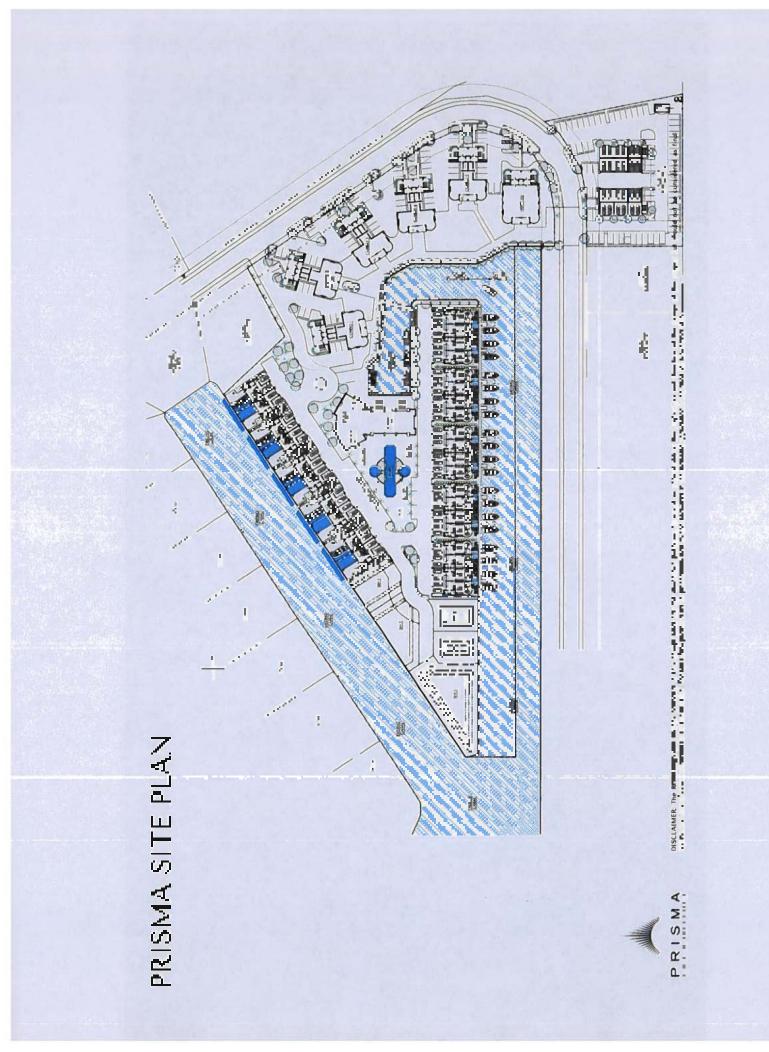
The exercises of the region represents in designing and executing complex ground-proading are cots that expand what Comman has to offer and in dicing an arrange the resent or most



PLAN ш S PRISMA

Prisma Design Brief





S

SPACE

COMMUNIAL

Prisma Design Brief



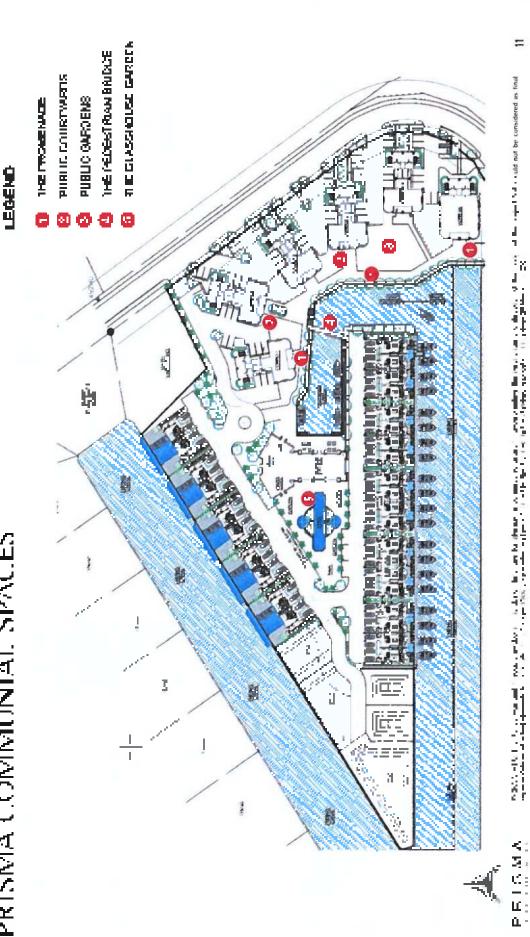
PRISMA COMMUNIAL SPACES

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PRISMA COMMUNIAL SPACES





























































































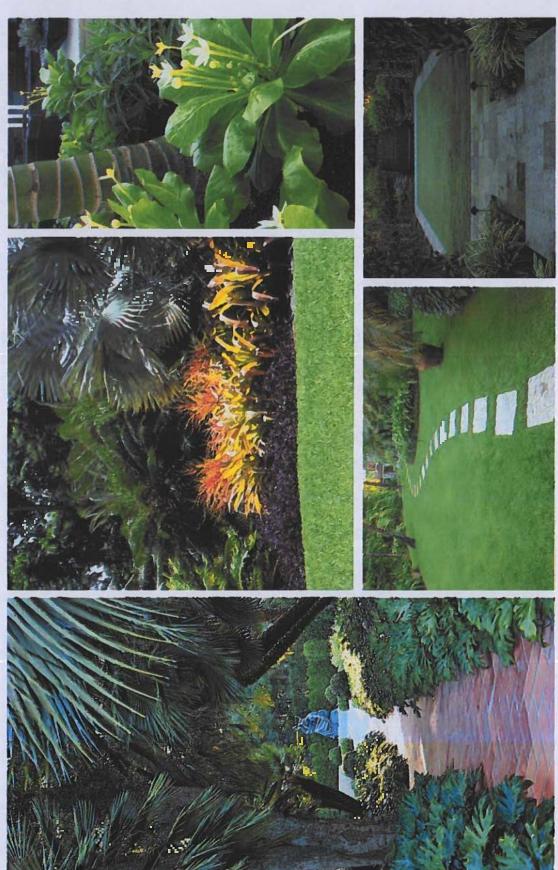








3 - PUBLIC GARDENS





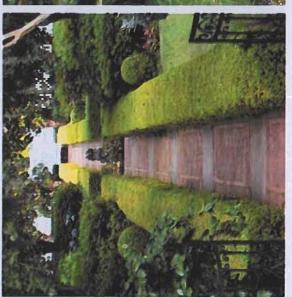
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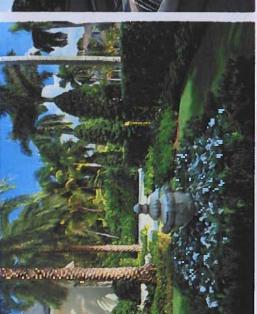
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8 - COLORFUL LOCAL PLANTING































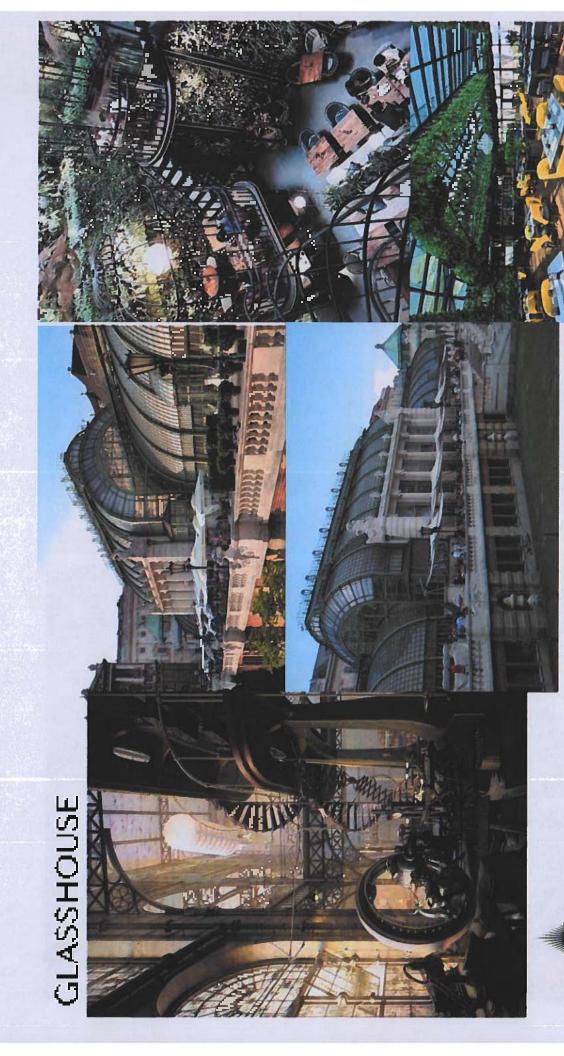










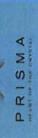


PARKING

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PRISMA PARKING

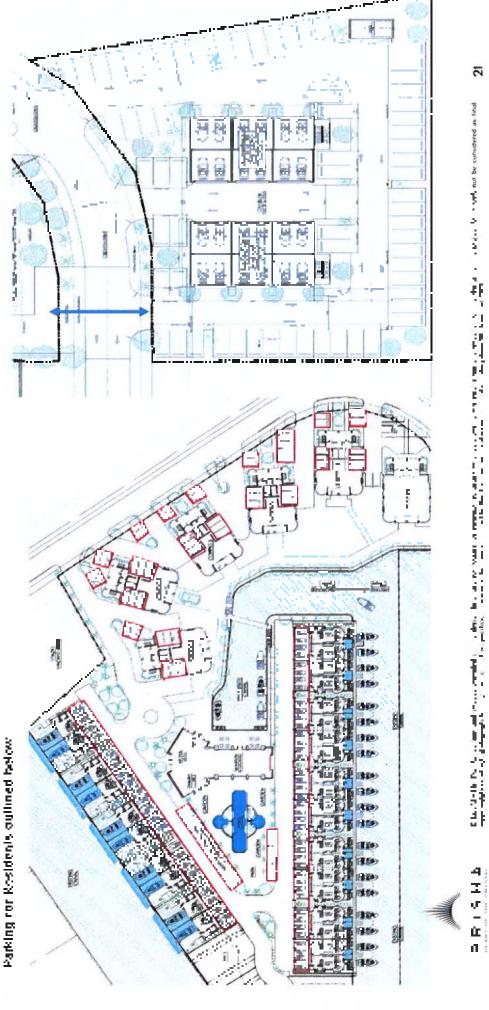
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publicity on the main portion of the site. This pertine heads directly maithe ordinesede providing casy and setts ascess for parmes a city or the main portion of the site. Pheme's site elso includes a larger percol of land on the southous: to ner decidated by parking and stereor, epening up mare areas for Community members alike the variety of unit types also ellows for decembs and parking with each teamhouse and duo ex having a minimum of two dedicated spaces. Crecib > hone of the-

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Provided: 223





Prisma's design focuses on supporting alternative transport options CETTING AROUND THE COMMUNITY:













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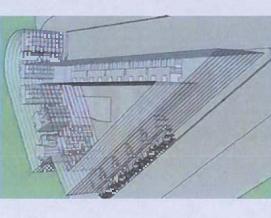


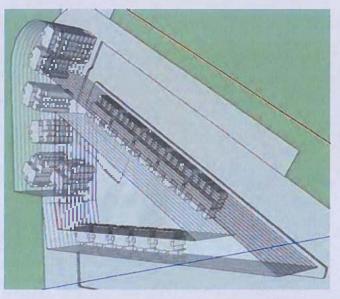
SITE COVERAGE & COMMUNITY INTERFACE

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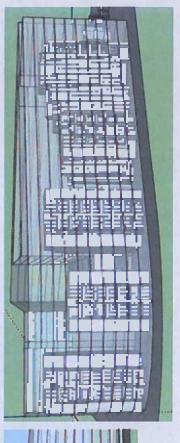
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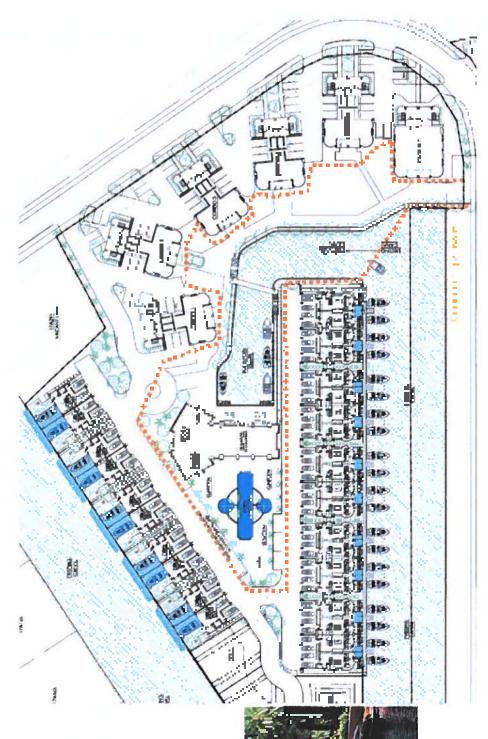






SITE COVERAGE & COMMUNITY INTERFACE / Cont

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SITE COVERAGE & COMMUNITY INTERFACE / Cont

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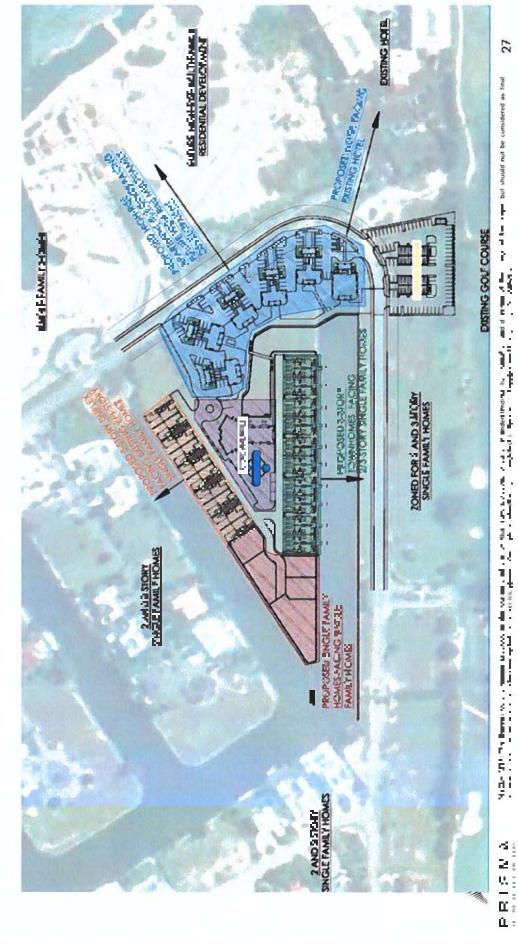






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SITE COVERAGE & COMMUNITY INTERFACE / Cont



PRISMA OPTIONS

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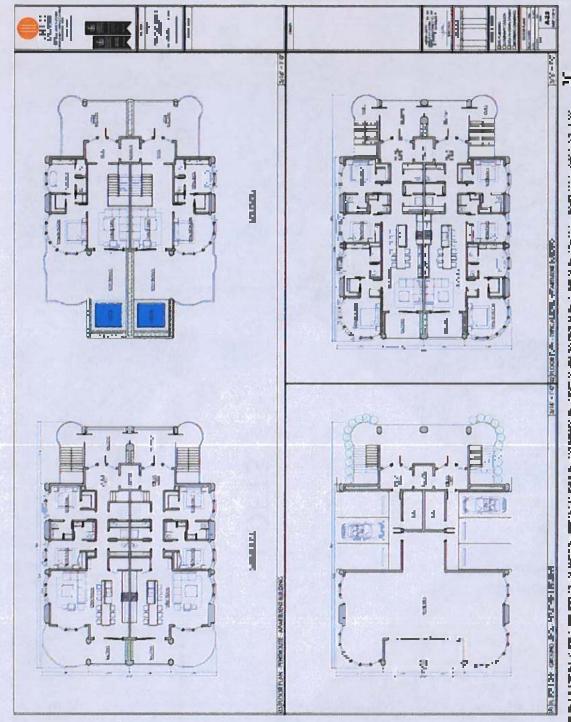




PRISMA LOLLIS

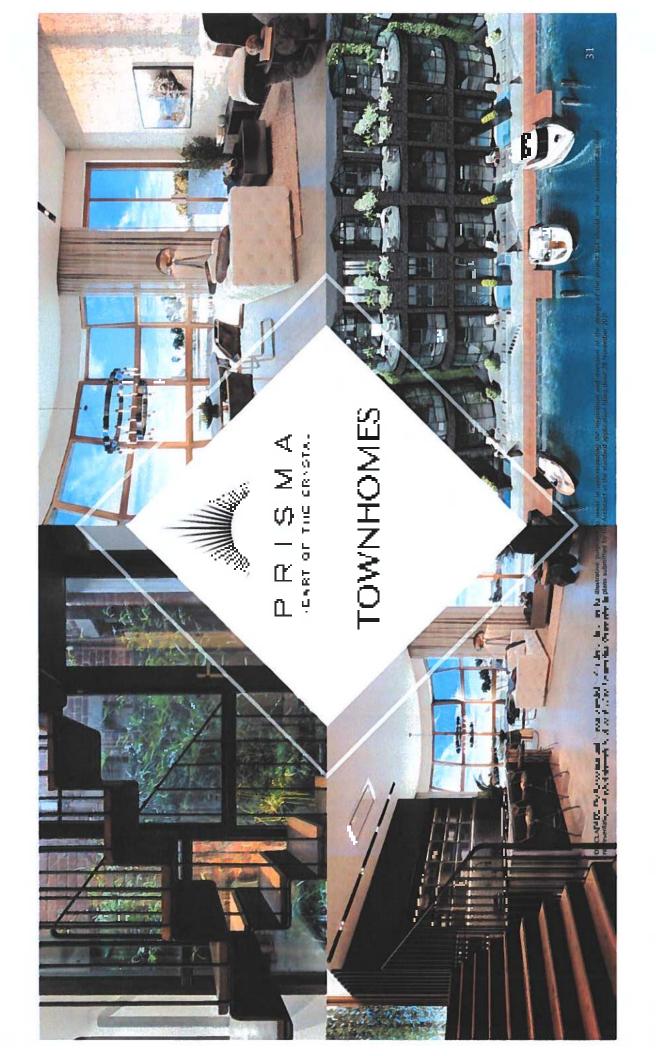
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With only two units par floor, saing the signature clading approach, they have extensive netural light with with with with with each one west sides.





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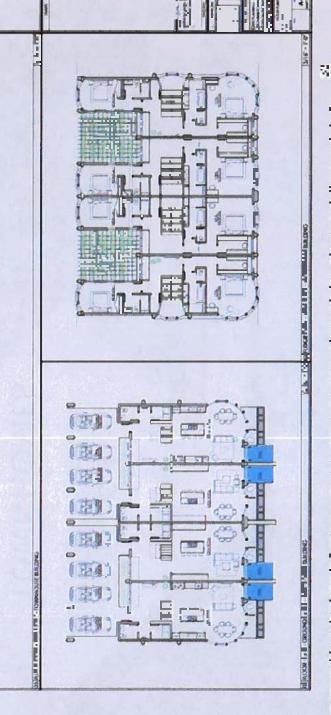


PRISMA TOWNHOMES

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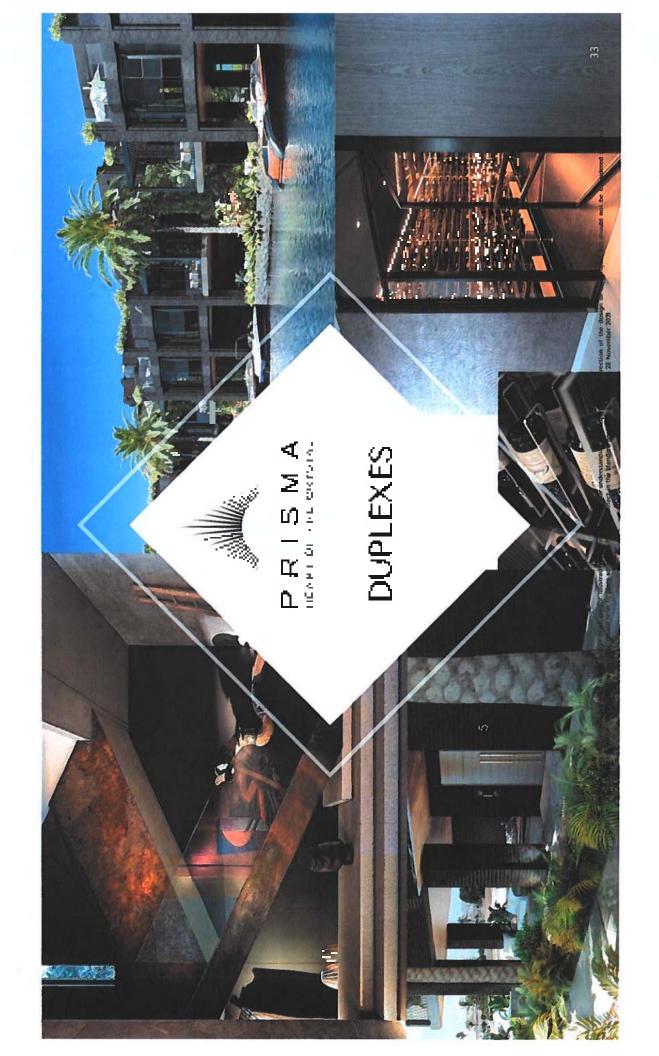
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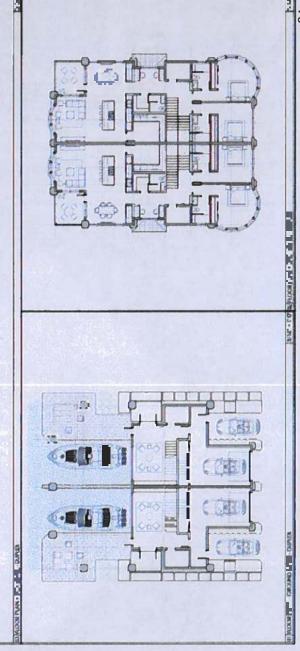
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PRISMA DUPLEXES

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PRISMA BOUTIQUE HOTEL

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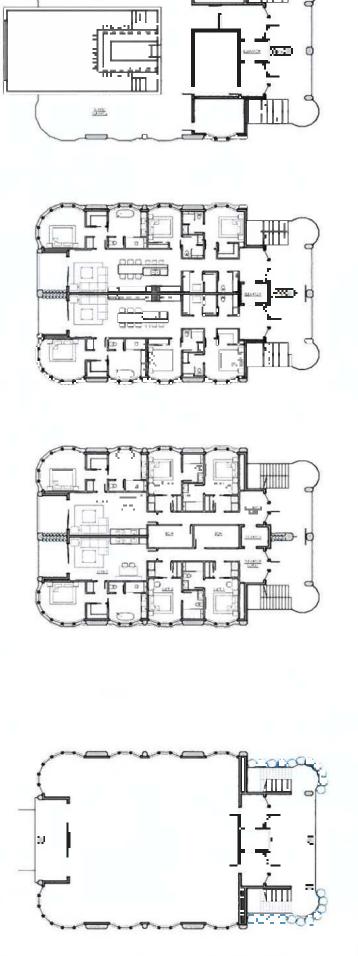
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the developer have proven and neurons scars of perfected delibering the final testing places in Casman



PRISMA BOUTIQUE HOTEL FLOOR PLANS



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BOUTIQUE HOTEL INSPIRATION









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Prisma Design Brief

PRISMA SUMMARY





PRISMA SUMMARY

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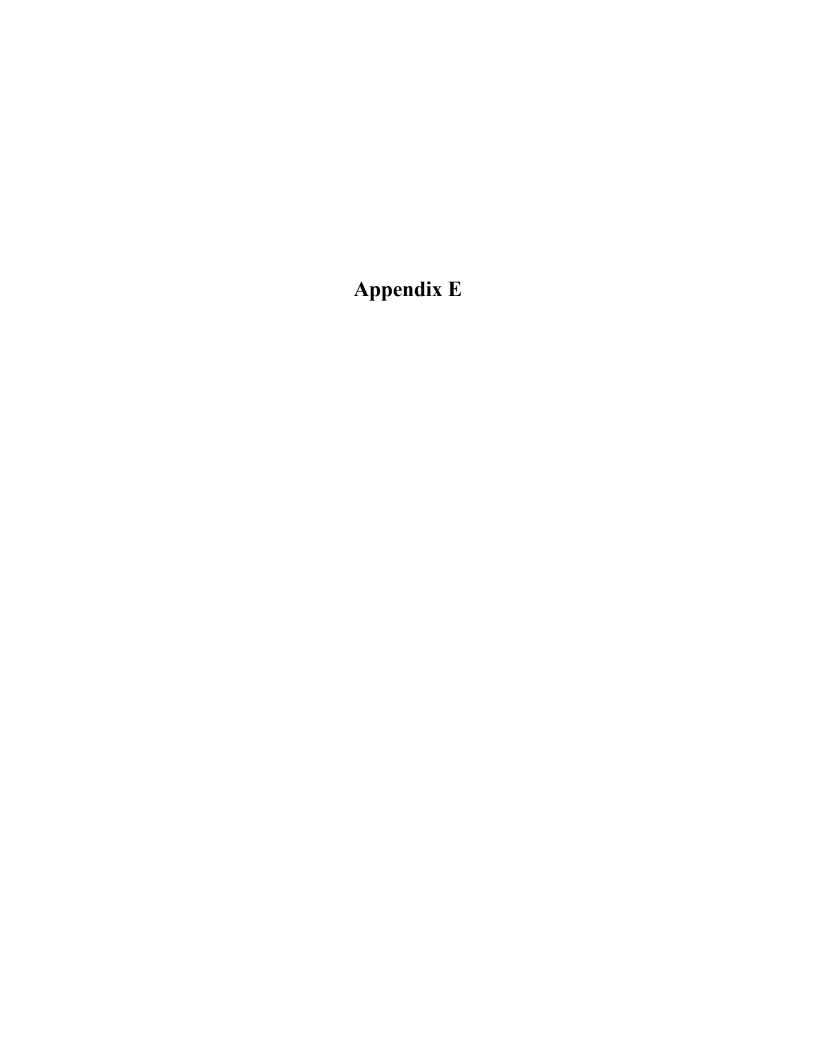
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17 January 2022

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Dear Sit.

REF USE OF BLOCK 17 A - PARCEL 373

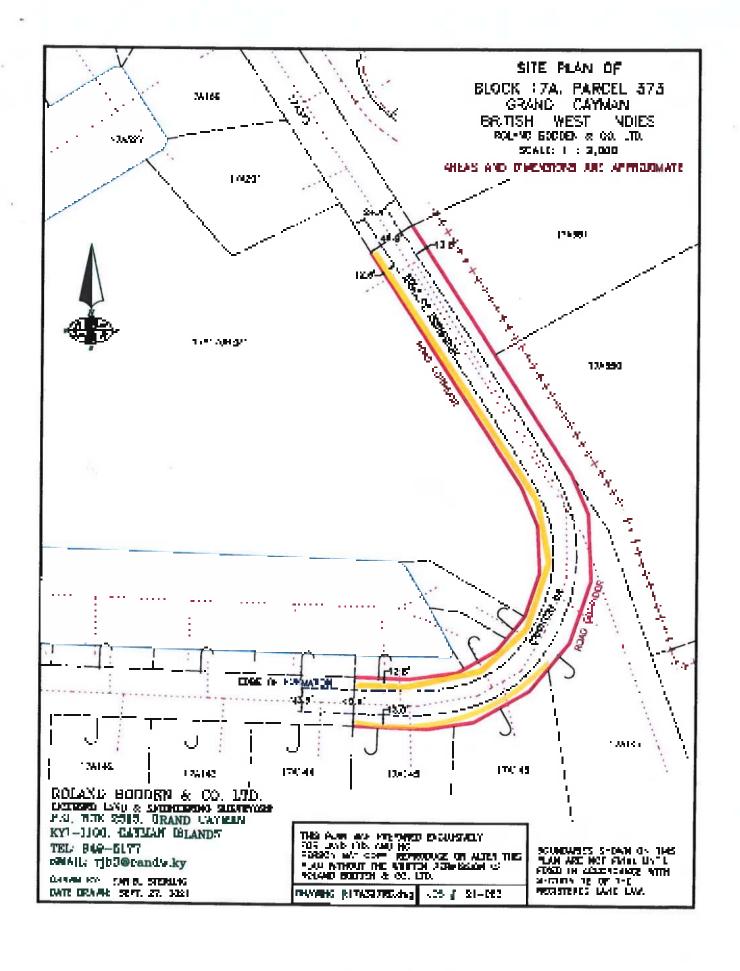
Fancely 1703[M1, 145 and 146 the right to use the section of Block 17A. Parcel 378, as further described and pullined in yellow in the attached survey, for the construction of such sidewalks, surbs, parking spaces and structures as arcinecessary for its planned development knowless Prisma on these parcels.

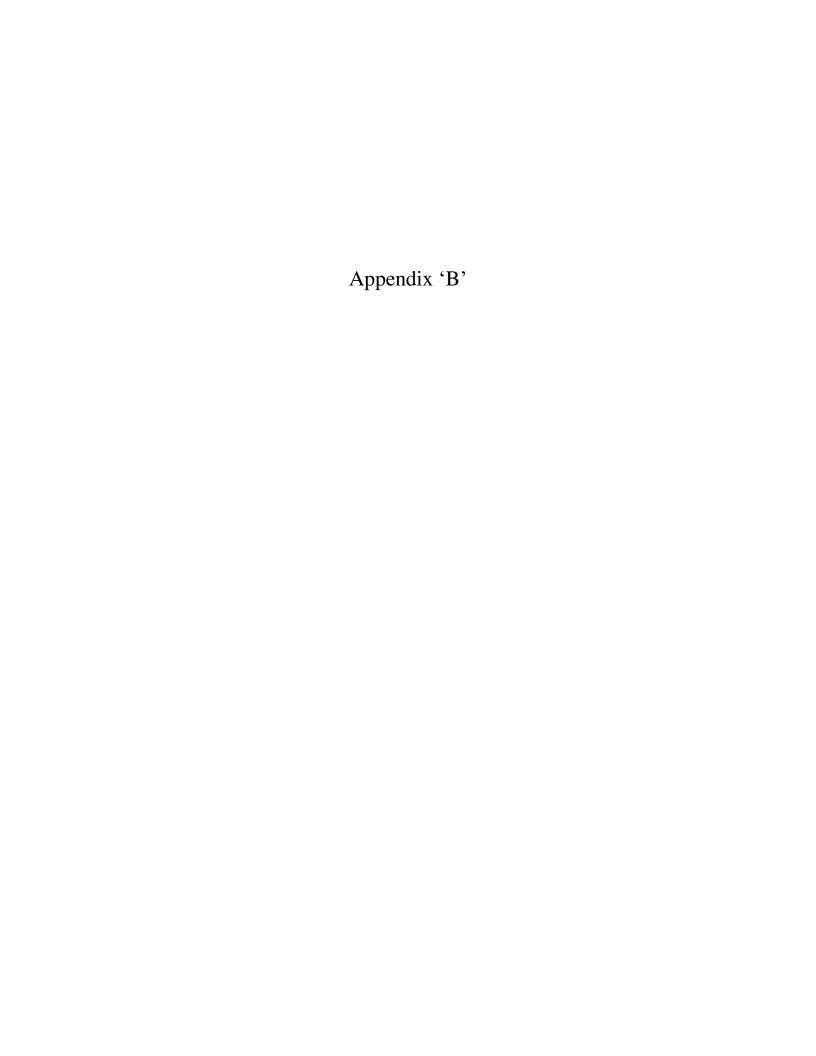
Yours sincerely.

For and on behalf or Land Limited.

Dale Carist ten

Director







The Chairman,
C/O Executive Secretary,
Central Planning Authority,
Government Administration Building
Elgin Ave, George Town
Grand Cayman, Cayman Islands

March 28, 2022

Dear Sir,

<u>LEGAL SUBMISSIONS - Prisma Development – Block 17A, Parcels 170REM1, 145 and 146</u>

As you are aware, we act on behalf of the Applicant in the captioned matter, which was adjourned by the CPA on the 9th February, 2022, as a result of certain matters being raised late in the day by the Planning Department with regard to the status of the canal and applicable zoning requirements relating to the Hotel building, as well as the presentation at the hearing of written legal submissions by KSG Attorneys-at-Law, on behalf of a number of objectors, which related to the-then proposed hotel element of the development.

Our client has considered its position and the legal issues raised and has decided to not proceed with the hotel element of the development at this time, which obviates us having to address any of the legal arguments raised by KSG in its letter of 9th February. Amended plans depicting what is now being proposed have been submitted to the Planning Department and should by now have been distributed to the objectors who have legal standing in this application for their consideration.

We are therefore hopeful that any further legal argument relating to the hotel will be reserved for the future, in the event that our client decides to submit an application for the hotel.

In light of the amended application, these submissions are made in relation to the other matters raised by the Planning Department in their analysis, at page 33 of the CPA Agenda for the adjourned hearing, under the heading "Specific Issues", regarding the provision of sidewalks and the proposed roadside parking, as well as the two setback variances which are being sought in respect of the proposed residential development on the canal frontage of North and South sides of the development site.

Roadside Parking and Sidewalks within Road Allowances

Whilst neither of these two things this should be an issue, since the land comprising the roadways and road shoulder ("road parcels") is owned by the Applicant, for the sake of record, we will address these matters briefly.



- (i) Roadside Parking: The CPA should be cognizant that there are many instances of roadside parking which has been permitted, all over the island. We are not certain what the concern could be, since there is more than adequate space for parallel roadside parking, as well as a sidewalk which can be utilized by everyone in the Crystal Harbour area, without compromising the existing roadway or provision for pedestrian traffic. Indeed, the road reserve was created with this express purpose in mind and is consistent with the use of this reserve by many existing landowners with the Crystal Harbour development.
- (ii) Sidewalks within the "road allowance": As regards the NRA recommendation that the CPA should require sidewalks on the development site, which sidewalks they obviously intend to be used by public pedestrian traffic, it is submitted that wherever planning permission is be conditioned so as to require a publicly accessible sidewalk to be located on private land, without any legitimate acquisition of that land, such in fact is tantamount to an illegal acquisition/dispossession of private land and constitutes an unlawful interference with the rights of a proprietor by a public authority, which is constitutionally prohibited. Worst yet, the irony is that typically the basis for the NRA insisting on such an unlawful condition being imposed on planning permission is that the NRA has itself failed in its statutory duty to provide adequate facilities for public pedestrian traffic. However, fortunately, in this instance, since all of the road parcels in Crystal Harbour are privately owned, and, unlike what the NRA has done in many instances with new public roads, the Applicant, who owns the road parcels has reserved adequate land along the side of the roadway so as to be able to place sidewalks (as well as roadside parking) along the side of the existing roadway, as that area was always intended for that purpose. That being the case, there is no need or justification for locating the sidewalks inside the boundaries of the development site, which will at some point become privately owned strata

Combination of Parcels

Again, this is not an insurmountable issue, as the CPA can simply do what it has done in countless cases and grant permission subject to a condition precedent that the parcels must be combined prior to commencing construction of any buildings.

<u>Setback Variances for Townhouses and Duplexes</u>

common property.

The Townhouses proposed on the southern side of the site are proposed to be located some 4'10" from the physical edge of the canal, rather than the twenty feet required by



Regulation 8 (10) (ae) of the Development and Planning Regulations (2022 Revision). It should be noted that the southern canal is bounded on the opposite side by a narrow sliver of land and then the road parcel, so the nearest neighbouring development would be on the South side of the road and well over 150' away from the Townhouses.

The Duplexes proposed on the Northern side of the site have setbacks from the canal that are reduced from the prescribed twenty feet to 2' 6", albeit only at the upper level of the building, as the ground floor level is set back for a boat slip which is covered by the overhanging second level.

The bases for the two variances being sought have already been outlined by the Applicant's architects in their letter of November 28, 2021, on the statutory grounds set out under regulation 8 (13) of the Development and Planning Regulations (2022 Revision).

We would submit that in order to better demonstrate the exceptional circumstances upon which we are making the variance requests, we would first draw the CPA's attention to the stated purpose of setbacks, as set out under Section 2.6 of the Development Plan, Planning Statement, which provides:

"The provisions for development setbacks are for achieving the following purposes:

- (a) To provide adequate natural light, ventilation and privacy to all buildings;
- (b) to provide amenity and space and to facilitate landscaping around the buildings;
- (c) to maintain and enhance the quality and character of development fronting a road;
- (d) to provide a buffer between buildings on neighbouring lots; and,
- (e) to avoid or minimize any negative impact the development or use of one lot may have on the occupants of a neighbouring lot."

We would therefore pray in aid the instruction given by the provisions of Section 2.6 of the Planning Statement and ask the CPA to note that whilst the design of both the townhouses and the duplexes is intended to implement the theme of enhancing amenity and public space whilst enhancing the "waterfront living" theme, the positioning of those two aspects of the development are actually in keeping with the spirit and intent of the zoning requirements and the provisions of Section 2.6.

We would submit that it should be borne in mind in particular that in both instances, the canal is comprised of a 100' privately-owned strip of land which is owned by the Applicant and that, in and of itself, is an exceptional circumstance, since the canal parcel itself provides a buffer with the neighbouring lots, so there can be no valid concern that the



proposed development is too close to the buildings on the lots on the opposite side of the canal. Also, given that the design of the Townhouses and Duplexes is such that the usual ancillary docking features are located further away from the opposite side of the canal, this actually promotes the "buffer" effect between the developments on opposite sides of the canal.

Our client would also like to point out that the positioning of the both the Townhouses and the Duplexes is essential to the ability of the development to provide the extensive public space within the development which is designed to create a safe pedestrian area, with open public spaces, restaurant, amenities and services, which will be open for the use of the entire Crystal Harbour community, and without the requested setback variances the overall functionality of the development would be significantly adversely impacted. In any event, it is submitted that the proposed setback variances conform to the spirit and achieve the intent of the provisions of Section 2.6 of the Development Plan and will not cause harm to any material planning interest.

We would therefore submit that, based on the exceptional circumstances outlined above, there is good and sufficient reason to grant the variances sought for the canal frontage setback.

Respectfully Submit	ted,