

Central Planning Authority

Minutes of a meeting of the Central Planning Authority held on June 21, 2023 at 10:00am in Conference Room 1038, 1st Floor, Government Administration Building, and Elgin Avenue.

14th Meeting of the Year

CPA/14/23

Mr. Ian Pairaudeau (Chair)
Mr. Handel Whittaker (Deputy Chair) (Acting Chair item 2.14)
Mr. Joshua Bernard
Mr. Gillard McLaughlin
Mr. Charles Russell Jr.
Mr. Peterkin Berry
Mr. Peter Campbell
Mr. Kenneth Ebanks (via Zoom)
Ms. Danette McLaughlin (apologies)
Ms. Shakina Bush (apologies)
Ms. Christine Maltman, MCIP, AICP
Ms. Celecia Bancroft (apologies)
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/14/23

- 2.1 ELPHA JOHN (Ian Barnes) Block 40A Parcel 108 (P22-0980) (\$450,000) (JP) 5**
- 2.2 PALM SUNRISE LTD. (Apec) Block 12D Parcel 108 (P23-0143) (\$5.0 million) (NP) 11**
- 2.3 BARRINGTON BENNETT & AMELIA DE WOOD (Eric Cronier) Block 43A Parcels 419 and 422 (P22-1127) (\$30.0 million) (NP) 22**
- 2.4 INVINCIBLE INVESTMENT CORPORATION (Andrew Gibb Chartered Architect) Block 11D Parcel 45 (P22-0735) (\$153,184,000) (MW) 31**
- 2.5 CAYMAN ENTERPRISE CITY (Design Cayman Ltd) Block 21B Parcel 134 (P22-1154) (\$230,000,000) (MW) 76**
- 2.6 KIRK MARINE (New Perspective Design & Construction Ltd.) Block 14BJ Parcel 24 (P23-0137) (\$492,768) (MW) 118**
- 2.7 CARY ENGLISH & RALSTON TAYLOR (Craftman's Touch) Block 28C Parcel 476 (P22-0317) (\$2,216,740) (MW) 127**
- 2.8 TIM NOONAN (MKS International) Block 33E Parcel 28 (P23-0286) (\$125,000) (EJ) 133**
- 2.9 DAVE KELLY (Abernethy & Associates.) Block 4E Parcel 277 & 708 (P23-0196) (\$8,474) (EJ) 139**
- 2.10 KEVIN WINTON (Halfmoon Consulting) Block 8A Parcel 208 (P23-0316) (\$60,000) (EJ) 141**
- 2.11 FRED WHITTAKER (Whittaker & Watler) Block 25B Parcel 392 (P22-0639) (\$14,000) (EJ) 144**
- 2.12 COLLIN BARRETT (GMJ Home Plans) Block 38C Parcel 30 (P23-0421) (\$70,000) (NP) 147**
- 2.13 LENCHA DOCKERY (Craftsman's Touch) Block 38E Parcel 34 (P22-0679) (\$624,000) (NP) 148**
- 2.14 MARK THOMAS (Eric Cronier) Block 10E Parcel 44 (P23-0408) (\$10,000) (NP) 150**
- 2.15 DENNIS FIGUEROA (TSC Architectural Designs) Block 28C Parcel 526 (P23-0142) (\$175,000) (NP) 153**
- 2.16 JOY ROSE FRATER (GMJ Home Plans) Block 28B Parcel 376 Lot 8 (P23-0349) (\$700,000) (NP) 154**
- 2.17 JAMES A. WELCOME (Abernethy & Associates) Block 71A Parcel 130 (P21-0899) (\$9,853) (NP) 158**
- 2.18 STACEY CLARK (Frederick & McRae) Block 12E Parcel 106 (P23-0489) (\$500,000) (NP) 162**
- 2.19 OWEN ROBERTS INTERNATIONAL AIRPORT (AMR Engineers) Block 20C Parcel 78 (P23-0244) (\$140,000) (NP) 163**
- 2.20 JANET OWENS (Sean Evans) Block 20B Parcel 149 (P23-0225) (\$70,000.00) (EJ) 164**
- 2.21 MASCOLO RESIDENCE (Corporate Electric Ltd.) Block 17A Parcel 205 (P23-0229) (\$40,000) (EJ) 166**

2.22 AL THOMPSON (Tropical Architectural Group Ltd.) Block 23C Parcels 236 (P22-0858) (\$3,890,000) (MW) 170

2.23 LYNN BODDEN (OA & D Architects) Block 73A Parcel 105 (P23-0025) (\$137,400) (MW) 178

2.24 LYDIA AND BENJAMIN BOOKER (Kariba Architecture) Block 24D Parcel 73 (P23-0125) (\$13,520) (NP) 189

2.25 AYLSHAM LTD. (ANSR Limited) Block 15C Parcel 304 (P23-0413) (\$50,000) (NP) 190

2.26 PALM SUNSHINE (ARCO) Block 12C Parcel 443 (P23-0133) (\$1.5 million) (NP) 192

5.1 MAINTENANCE OF LAND NOTICE Block 32B Parcel 5 193

5.2 ISLAND PROPERTIES LTD. Block 2C Parcel 201 (P22-0650) 194

5.3 CPA ANNUAL REPORT 194

APPLICANTS ATTENDING THE AUTHORITY'S MEETING

Applicant Name	Time	Item	Page
Palm Sunrise	11:00	2.2	11
Wood Quarry	11:30	2.3	22
Elpha John	1:00	2.1	5
Kirk Marine	1:30	2.6	30
AL Thompson	1:45	2.22	170
Mark Thomas	2:10	2.14	150

1. 1 Confirmation of Minutes CPA/13/23 held on 7th June 2023.

Moved: Handel Whittaker

Seconded: Peter Campbell

Confirmed

1. 2 Declarations of Conflicts/Interests

Item	Member
2.3	Kenneth Ebanks
2.14	Ian Pairaudeau
2.22	Peter Campbell

2.0 APPLICATIONS **APPEARANCES (Items 2.1 to Item 2.6)**

2.1 ELPHA JOHN (Ian Barnes) Block 40A Parcel 108 (P22-0980) (\$450,000) (JP)

Application for 3 apartments, pool, cabana and 4' high fence and wall.

An appearance had been noted as 10:30am, but the applicant arrived at 1:00pm with an invitation letter from the Department noting that the appearance was at 1:00pm.

FACTS

<i>Location</i>	Cliffrock Road, Rum Point
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.42 ac. (18,295.2 sq. ft.)
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Vacant
<i>Proposed building size</i>	2908 sq. ft.
<i>Total building site coverage</i>	9.9%
<i>Allowable units</i>	6
<i>Proposed units</i>	3
<i>Allowable bedrooms</i>	10
<i>Proposed bedrooms</i>	4
<i>Required parking</i>	5
<i>Proposed parking</i>	5

BACKGROUND

April 12, 2023 (CPA/09/23; Item 2.11) – The Authority adjourned the application in order to invite the applicant to appear to address suitability and lot size.

Decision: It was resolved to adjourn the application for the following reason:

- 1) The Authority expressed concerns to the applicant regarding suitability and lot size and the applicant indicated they would submit revised plans for a duplex, not apartments.

AGENCY COMMENTS

The Authority reviewed and considered comments from the Water Authority, National Roads Authority, Department of Environmental Health and Department of Environment are noted below.

Water Authority

Wastewater Treatment & Disposal

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

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
<i>Townhouse (Proposed)</i>	<i>2 x 1-Bed Units</i>	<i>150</i>	<i>300</i>
	<i>1 x 2-Bed Unit</i>	<i>225</i>	<i>225</i>
TOTAL			525

- *The septic tank shall be constructed in strict accordance with the Authority's standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools. Where septic tanks are located in traffic areas, specifications for a traffic-rated tank and covers are required.*
- *Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority's standards. The minimum well casing diameter for this development shall be 4". Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- *To achieve gravity flow, treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4'5" above MSL. The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

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

- 1) If the proposed septic tank will be site-built or precast. (You may use the Water Authority drawing for site-built tanks available from the Authorities website or a Precast septic tank drawing if you intend to use a Precast Tank). Site Built Tanks shall be coated with Epoxytec CPP or ANSI/NSF-61 certified equivalent.*
- 2) All dimensions and materials shall be provided for any site-built tanks.*
- 3) Manhole extensions are permitted up to a maximum of 24" below finished grade.*
- 4) Detailed specifications including make and model for (H-20) traffic-rated covers for septic tanks proposed to be located within traffic areas.*

- 5) *A detailed profile cross-section of the wastewater system clearly showing the plumbing from building stub out to the effluent disposal well achieving the minimum invert connection specified above. (Alternatively details of proposed lift station shall be required)*
- 6) *The Water Authorities updated 2020 effluent disposal well specifications.*
- 7) *A 30ft horizontal separation between the effluent disposal well and any stormwater drainage wells.*

Water Supply

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

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

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

Department of Environmental Health

Solid Waste Facility:

1. This development require 2 (33) gallon bins and an enclosure built to the department's requirements.

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

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

Swimming Pool:

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

Department of Environment

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

The site is man-modified, having been originally cleared for development in the early 2000s. Despite this, significant regrowth of mature vegetation has occurred, including

some seasonally flooded areas of mangrove wetland (refer to Figures 1 & 2). Mangroves are a Part 2 Schedule 1 Protected Species under the National Conservation Act with an adopted Conservation Plan.

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

The site is very low lying and as such, incorporating native wetland vegetation into the landscaping scheme would be particularly appropriate. Any further clearing and filling of the land will reduce the site's natural capacity to retain storm water. We recommend that the applicant considers implementing the following to assist with drainage:

- Maintaining the rear and side setbacks as seasonally flooded mangrove habitat;*
- Using porous or permeable paved surfaces in areas of hard standing, such as the driveway and parking area, to allow rainwater infiltration;*
- Filling only the proposed development footprint (inclusive of townhouse, driveway, hardscaping and utilities) and leaving the landscaped areas at the existing grade; and*
- Planting and incorporating native vegetation suited for wetland areas such as Buttonwood (*Conocarpus erectus*) into the landscaping scheme.*



Figure 1: Aerial imagery showing the applicant's parcel boundary in blue. Note the low lying topography and the fact that the majority of the site is flooded (Source: LIS 2018).



Figure 2: Aerial imagery showing the applicant's parcel boundary in blue. Note further growth of mature wetland vegetation (Source: DoE, 2023).

The Department has witnessed and experienced complaints from members of the public regarding pollution from expanded polystyrene (EPS) beads on construction sites around the island. EPS is used in a variety of applications, including thermal insulation in buildings, civil engineering applications and decorative mouldings and panels. During construction, once EPS is cut, tiny microbeads are blown into the air, polluting neighbouring yards, stormwater drains, and nearby water bodies. Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. EPS beads that make their way to the sea can be mistaken by fish and birds as fish eggs and have the potential to cause blockages in their digestive systems. These beads are very difficult to remove once they enter the water and they do not naturally break down.

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

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

APPLICANT'S LETTER

We have applied on behalf of Ms. Elpha John to Construct three apartments on the abovementioned block and parcel number.

Not with standing regulation 8 (13) (b) (in) the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.

And not withstanding regulation 8 (13) (d) in the case of an application where lesser setbacks are proposed for a development or a lesser lot size is proposed for a development, the adjoining property owners have been notified of the application.

With the registered area of this parcel being 0.42-acre Area (18,295.20 Sq Ft.). Which the proposed development falls short of the required minimum area required for the

development of apartments in the low-density residential zoning, the area which the parcel falls short is approximately 6704 80 sq as mentioned above we would like to request the lot size variance be granted to allow the proposed apartment to be approved as submitted

PLANNING DEPARTMENT ANALYSIS

General

The application site is located in Rum Point in a newly developing subdivision and is accessed from the east. Vacant lots bound the site to the north, west, and south.

The application seeks Planning Permission for three units designed as two side by side and a third one constructed across the top. Additionally, a pool, cabana and wall/fence are proposed.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Suitability

Regulation 9(8) permits townhouses and apartments in suitable locations.

The application proposes three attached units which, based on the design, do not squarely fall within either definition of townhouse or apartment. However, for the purpose of reviewing the Planning application the same Regulations apply whether it is a townhouse or apartment.

Therefore, Members need to consider whether the area is suitable for multi-unit development. Existing permissions and permits in place for the subdivision consist of single family homes or duplexes. No other multi-unit development has been permitted.

2) Lot Size

Regulation 9(8)(f) requires a minimum lot size of 25,000sf.

The application site is 18,295 sf.

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

At 1:00pm, Elpha John appeared as the applicant with her agent, Ian Barnes.

Summary notes are provided as follows:

- The Authority asked the applicant to present the application.
- Ms. John indicated she had received an email that the Board wanted to have a conversation with her.
- The Authority asked her to address suitability and the lot size.
- Ms. John asked if the Board could explain the situation as this is her first time before the Board.
- The Authority explained that the lot size is not what it should be and there is the issue of the suitability of the location where they want to put the apartments.

- Ms. John noted that she thought she had applied for a duplex.
- The Authority explained that the design of the building with three kitchens, bedrooms and living areas means there are three apartments. The Authority again explained that there are lot size and suitability issues to address.
- Ms. John explained that she will live in one section and her parents and grown son in the other areas so they can all have their own space. She explained that is why she designed the building as she did for a duplex to house her family.
- The Authority noted that duplex means two units. There was a general discussion about the design of the building and apartments versus a duplex and it was noted by the Authority that her architect should have pointed out these issues to her. Mr. Barnes indicated that he was new to this process.
- There was another general discussion regarding the changes that would need to be made to change the building into a duplex. The Authority noted that the application could be adjourned so the plans can be revised to show a duplex.
- The Authority explained that the applicant was asked to address suitability because there are no other apartments in the area and it was pointed out that the lot size is too small for apartments.
- Ms. John explained she is in the legal professions as a Compliance Officer and knows she must comply with the Law. She then noted comments made recently by the Premier (whom she mistakenly referred to as Prime Minister) regarding walkable communities and she noted that she spoke with her architect about zoning and that it had not been reviewed for 7 years and there is a need to look at the zoning in certain areas of the Island.
- The Authority noted that a review of zoning is a decision for Cabinet and Parliament.
- Ms. John advised she will re-submit plans for a duplex.

2.2 PALM SUNRISE LTD. (Apec) Block 12D Parcel 108 (P23-0143) (\$5.0 million) (NP)

Proposed Hotel, Restaurant, Retail, Pool & Offices.

Appearance at 11:00 a.m.

FACTS

<i>Location</i>	Esterley Tibbetts Highway
<i>Zoning</i>	Hotel /Tourism
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	53.5 acres
<i>Parcel size required</i>	0.5 acres
<i>Current use</i>	Vacant building shells
<i>Proposed use</i>	Hotel, Retail Offices, Pool & Restaurant
<i>Buildings footprint</i>	28,844 sq. ft.
<i>Proposed buildings area</i>	83,725 sq. ft.
<i>Total building site coverage</i>	8.44%
<i>Number of hotel rooms allowed</i>	47
<i>Number of hotel rooms proposed</i>	14
<i>Parking required</i>	151
<i>Parking proposed</i>	154

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-6) listed below shall be met *prior to the commencement of any site preparation works such as clearing, filling and grading* and before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall provide proof that the site boundaries have been set out on the ground by a licensed land surveyor.
- 2) The construction drawings for the proposed swimming pool filtration system shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool filtration system is constructed in accordance with the submitted plans it will conform to public health requirements.
- 3) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces and the parking area curbed and surfaced with asphalt or concrete.
- 4) The applicant shall provide proof that a Stormwater Management plan has been submitted to the National Roads Authority (NRA). **The applicant should liaise directly with the NRA in submitting the stormwater management plan.**
- 5) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands*

Landscape Guidelines, found on the Planning Department's website (www.planning.ky) under About/Draft Policies.

- 6) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning and must be prepared in accordance with the Central Planning Authority's Construction Operations Plan Guidelines - Template B *found on the Planning Department's website (www.planning.ky) under About/Draft Policies.*

In addition to Building Permit requirements, condition (7) listed below shall be met before a Building Permit can be issued.

- 7) The applicant shall submit the Stormwater Management plan required in condition 4) which has been designed in accordance with the requirements of the National Roads Authority (NRA) and approved by the Central Planning Authority.
- 8) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 9) Construction sites for in-ground swimming pools and spas shall be provided with construction fencing to surround the site from the time that any excavation occurs up to the time of completion. The fencing shall be not less than 4 feet in height.
- 10) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area
- 11) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.

12) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

Additionally, once construction has started, conditions (16-17) shall be complied with before a final Certificate of Occupancy can be issued.

13) The development shall be connected to the West Bay Beach Sewerage System (WBBSS). The applicant is directed to liaise with the Water Authority to ensure compliance with their requirements.

14) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level.

The applicant is reminded that they must receive all relevant approvals from all required agencies.

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage**.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision). More specifically in this regard, the Authority is of the view that the mix of retail, offices, hotel rooms and related facilities provides a balance of development that is consistent with the provisions of Regulation 10(2).

AGENCY COMMENTS

The Authority received and considered comments from the agencies noted below.

Department of Environment

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

The application site is man-modified, having been developed for a hotel / golf course circa 1990. The main hotel ceased to operate following Hurricane Ivan in 2004 and has been unused since. The proposed redevelopment is currently limited to the south west corner of the wider site (refer to Figure 1).

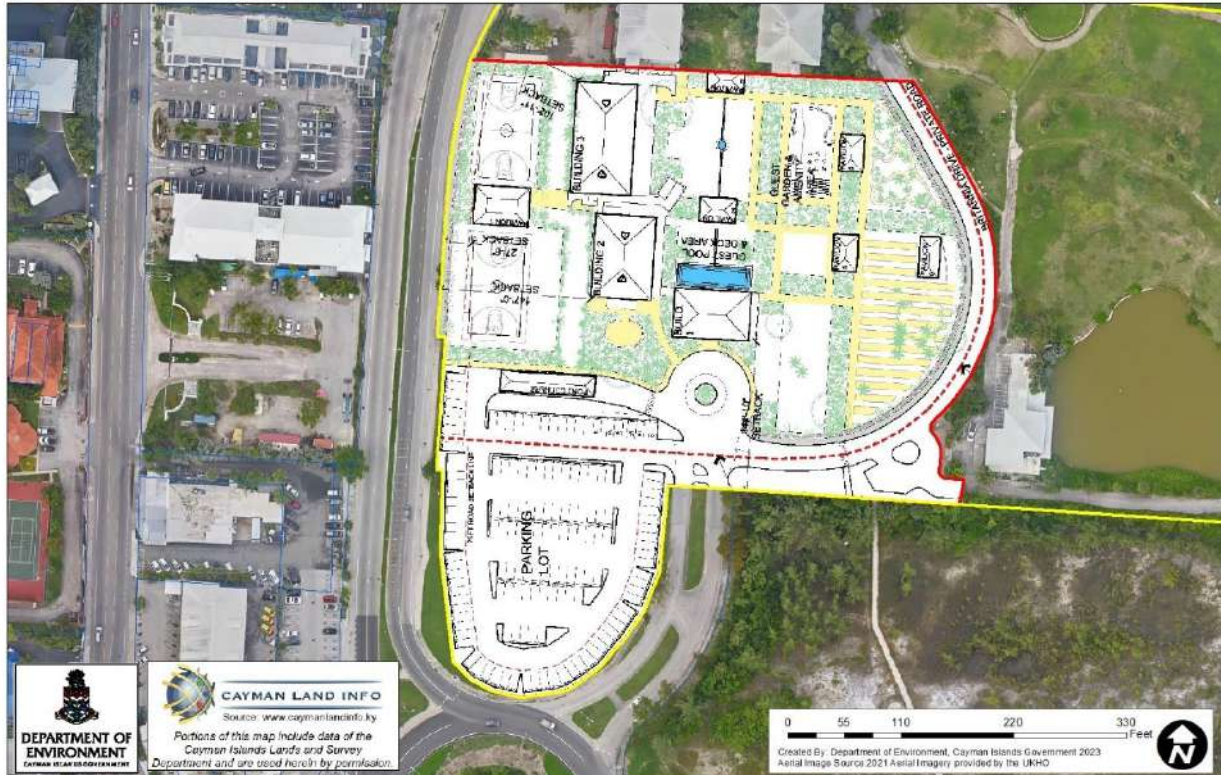


Figure 1: Extent of this application overlaid on aerial imagery. Note the application is limited to only a small portion of 12D108 (Source: Submitted Plans [Job# 0922, DWG A2], Aerial Imagery Source: UKHO, 2021)

Although the site is man-modified, the redevelopment of the site offers numerous opportunities for including biodiversity and sustainability measures.

The site plan incorporates a significant amount of landscaping space. We highly recommend that native plants are incorporated into the landscaping scheme. We do note that some have been included within the landscaping palette in addition to non-native horticultural species. Native plants are best suited for the conditions of the site, including the temperature and amount of rainfall. They are climate appropriate and require less maintenance and irrigation. Landscaping with native vegetation also provides ecological benefits by creating habitat and food for native fauna such as birds and butterflies, promoting biodiversity and providing valuable ecosystem services. Native plants are also part of the identity of the Cayman Islands and can be used for placemaking and to distinguish Cayman from other places and therefore are particularly important to include in tourist facilities.

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

The applicant should consider incorporating Sustainable Drainage Systems (SuDS) into the stormwater management for the site to mitigate against the inundation of the surrounding area. SuDs are drainage solutions that provide an alternative to the direct

channeling of surface water through pipes and deep wells. By mimicking natural drainage regimes, SuDS aim to reduce surface water flooding, improve water quality and enhance the amenity and biodiversity value of the environment. SuDS achieve this by lowering flow rates, increasing water storage capacity and reducing the transport of pollution to the water environment. SuDS could be incorporated into the relatively large amount of landscaping space.

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

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

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

Department of Environmental Health

The DEH has approved the solid waste location.

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 1,400 US gallons** is required to pre-treat 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.*

Elevator Installation

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

Generator and Fuel Storage Tank(s) Installation

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

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.*

Department of Tourism

No comments received by the report deadline.

Fire Department

The Fire Department has stamp approved the drawings.

National Roads Authority

No comments received by the report deadline.

APPLICANT'S LETTER

A new campus featuring creative workspaces, hotel rooms, event space, retail and gardens is proposed on the site of the former Hyatt hotel. The designs sustainably re-use the existing structures to create 70,000 square feet of hospitality, retail and workspaces for lease by local residents and international visitors on a short or long-term basis.

With the growth of the creative economy in the Cayman Islands, there is increasing demand from the fashion, arts, cultural and technology ("FACT") industries for spaces to collaborate, practice and exhibit their work. The new amenities are designed to meet the needs of this sector. The existing structure is an integral part of the design to attract FACT industry consumers whilst also being sustainability oriented by reducing the carbon footprint in the construction process.

The plans propose repurposing the shells of the existing buildings, which still hold structural integrity, with some improvements incorporated into the design. The new facilities include 16 hotel rooms, communal gardens and a range of small, turn-key collaborative workspaces such as photography, music and exercise studios and exhibition spaces.

Ample parking will be available on the property for guests and staff, plus bus stops and amenities at Camana Bay are within easy walking distance.

Programming of the new space will be introduced in phases. The current application relates to the three buildings to the south of the property, with renovations to the two northern structures slated for future phases. The first space to open will be the lobby building at the property's entrance later this year.

The amenities will be operated by Palm Sunrise as part of their portfolio of unique hospitality and lifestyle spaces in Grand Cayman which includes Palm Heights, Tillie's, Paradise Pizza, The Clubhouse, the Garden Club spa and a forthcoming food and beverage concept at the former Deckers location. The project is expected to create new jobs in hospitality, wellness and property management.

The expected timeline for completion of the first phase is two years.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is the site of the former Hyatt Hotel on the Esterly Tibbetts Highway.

It should be noted that the redevelopment has been broken into two phases, a north and south. It is the south part of the former Hyatt property that is subject to this application

and represents Phase 1. The area of this part of the landholdings consist of approximately 7.3 acres.

The property presently contains five building shells, three of which will be renovated as part of the subject application for redevelopment. There is also a new porte cochere (1,629 sq ft) and 6 pavilions (640 sq ft each) proposed as part of the redevelopment.

The three building shells that are proposed to be redeveloped are currently two storeys (building 1), four storeys (building 2), and five storeys (building 3). Buildings two and three are proposed to be increased by one storey each within the existing roof line.

Advertisements were placed in a local newspaper and notices were sent out by Registered Mail. No objections have been received within the requisite time period.

Zoning

The property is zoned Hotel Tourism.

Specific Issue

1) Proposed Offices in a Hotel/Tourism Zone

Regulation 10(1) states that hotels, cottage colony developments, and apartment buildings or townhouses are permitted in the Hotel/Tourism zone.

The proposal includes a significant amount of office space. In this regard, Regulation 10(2) indicates that in certain cases unrelated development may be permitted by the Authority but it will be required to conform to the setback requirements applicable to

hotels as well as to all other requirements applicable to its own particular form of development.

It is noted that the proposed offices meet the Commercial zone requirements of the Regulations.

The Authority should discuss whether the proposed offices are appropriate in the Hotel/Tourism zone in this instance.

At 11:00am, Denis Murphy, Leonardo Mariotti and Alex Russell appeared on behalf of the applicant. Summary notes are provided as follows:

- The Authority asked the applicant team to present the proposal.
- Mr. Russell introduced the applicant team and proceeded to provide several comments:
 - The application is for the renovations of the southern portion of the old Hyatt hotel
 - The structural frames have inherent value and they are trying to think sustainably
 - They want to re-invent the buildings to be best in class
 - There will be a mixture of traditional hospitality rooms and amenities and a unique item they call co-working space
 - They noted the Planning Department's report about commercial space and the reference to non-related hotel use per Regulation 10(2) and this would comply with Hotel/Tourism and Commercial zoning provisions
 - They want to attract local and international clientele
 - The concept of work space with a hotel is not new, but the floor area ratio of commercial is greater here
 - 34% of the gross floor area is co-worker space
 - The proposal will not negatively impact on the area
 - The parking is per the ratios in the Regulations
 - There are internal walkways that connect to the ETH and Britannia Drive
 - The development will be professionally managed
- The Authority asked what the percentage of retail is.
- Mr. Russell advised that the hotel guest areas are 52.9%, retail is 12.9% and co-worker space is 34.2%
- Mr. Mariotti explained he is the General Manager of the Palm Heights hotel. He noted that they have an eclectic clientele, the type of clientele that does not usually come to Cayman. He noted that the Cayman Islands are not just about beaches and finance, there are also a lot of celebrities. He indicated that they share the luxury tourist market with a couple of other places on the island, but

their clientele is different and that this product is trying to meet the increasing demand for a different type of experience.

- The Authority asked how will the commercial space and hotel rooms mix together.
- Mr. Mariotti replied that the commercial space will include an art gallery for local and international artists.
- Mr. Russell explained that the kinds of uses envisioned are not easily defined under the current Planning Regulations; these uses will be more of a hybrid, more fluid. He noted as an example, one week a space may be a typical office and the next week it could be setup as an art studio. He explained the concept is a more fluid, forward thinking and creative way to use the space.
- The Authority noted this is a unique concept for the Cayman Islands and asked if they are satisfied that they have enough back of house facilities for these uses.
- Mr. Russell responded that because some of the space is undefined and the moment by the time they get to Phase 2 they will have a better understanding of their needs. He noted that the amount of retail space is at the higher end of the floor area ratio he thinks it will be likely that some of that space will become back of house space.
- The Authority asked them to explain how the phasing will work because they don't want an active construction site when hotel rooms are open.
- Mr. Russell referred to the site plan which shows Phases 1 and 2. He noted that these are not new structural frames and a lot of lessons will be learned about the construction needs by the time they get to buildings 4 and 5 which may mean Phase 2 comes earlier than currently anticipated. He noted that access for Phase 2 is from the ETH as well as Britannia Dr so this won't disturb Phase 1.
- The Authority asked how many hotel rooms there will be when Phase 1 and 2 are completed.
- Mr. Mariotti replied around 50.
- Mr. Russell noted there would probably be 20 rooms in Phase 2.
- Mr. Mariotti noted these are not traditional rooms; they are lofty, New York style. He noted that old and modern will be put together.
- The Authority noted that their cover letter says there are 16 rooms, but the Department's report says 14 and asked if they could explain the difference.
- Mr. Russell noted there are definitely 14 and some are like suites.
- The Authority asked how will Phase 1 work if Phase 2 doesn't follow.
- Mr. Russell replied that the biggest incentive for Phase 2 is the current state of the buildings. He explained they have to resolve the parking for Phase 2 and there may also be a pedestrian link over the ETH for Phase 2. He noted that as

they do the first three buildings they will better understand the issues and this will give some time to sort out the Phase 2 program.

- The Authority noted that there may be a link over the ETH.
- Mr. Russell advised yes, that is likely. He noted it was also proposed in 2012 with an elevated connection across West Bay Rd and the ETH.
- The Authority asked them to address the existing structures in terms of safety and asked if the floor heights are sufficient.
- Mr. Murphy explained they did an assessment of the structural frame and it can be brought up to current code requirements and they are confident the existing frames are fit for purpose. He noted the floor heights will pose an engineering challenge in order to fit in services.
- Mr. Russell noted that the concrete floors will be left exposed and there will be no build-up of ceiling space.
- The Authority asked if the architecture will be like the old Hyatt and Mr. Russell replied it will be more glazed and open than the old Hyatt. He explained they will retain the frames and fill them in with glazing.

2.3 BARRINGTON BENNETT & AMELIA DE WOOD (Eric Cronier) Block 43A Parcels 419 and 422 (P22-1127) (\$30.0 million) (NP)

Application for a 50' deep (2.3 million cubic yard) commercial quarry.

Appearance at 11:30 a.m.

Kenneth Ebanks declared a conflict and left the Zoom meeting.

FACTS

<i>Location</i>	Meagre Bay Pond, Bodden Town
<i>Zoning</i>	Agricultural/Residential
<i>Notice Requirements</i>	No Objectors
<i>Parcel Size</i>	35.5 acres
<i>Current Use</i>	Vacant
<i>Proposed Use</i>	Commercial Quarry

BACKGROUND

September 5, 2018 (CPA/20/18: Item 2.1) - The Authority resolved to refuse planning permission for a similar quarry application for the following reason:

1. Section 4. A. (1) of the Authority's Aggregate Policy (as Approved by Cabinet on 26 July 2004) states that no new quarries will be approved until the combined total reserves of all licensed quarries reach a quantity equal to a 5-year supply (5 million cubic yards). The Aggregate Advisory Committee has confirmed that the quantity

of reserves of the existing quarries is over 32 million cubic yards; therefore, no new quarries can be permitted at this time. (P18-0154)

May 2, 2018 (CPA/10/18; Item 2.6) – The Authority resolved to adjourn a similar application in order to get up to date aggregate reserves from the Aggregate Advisory Committee. (P18-0154)

Decision: It was resolved to adjourn the application for the following reasons:

- 1) The Authority is of the view that the current Aggregate Policy adopted in 1994, particularly the aggregate reserve thresholds, is out of date and needs to be re-visited.
- 2) The Authority questions the accuracy and realistic application of the current aggregate reserve thresholds and is of the view that the current quarry application should not be refused solely based on that factor.
- 3) As directed by the National Conservation Council via the Director of the Department of Environment, the applicant is required to conduct an Environmental Impact Assessment per Section 43(1) of the National Conservation Act prior to further consideration of the application by the Authority.

AGENCY COMMENTS

The Authority reviewed and considered comments from the Department of Environment, National Conservation Council, Aggregate Advisory Council, Water Authority and National Roads Authority are noted below.

Department of Environment

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

In accordance with Section 43 of the National Conservation Act, the National Conservation Council (NCC) has determined that an Environmental Impact Assessment (EIA) is required for the proposed quarry.

Given the type of development (i.e. a quarry), the scale, and the location of the project, the proposed quarry was screened for an 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 EIA Screening Opinion (enclosed) concluded that the proposed quarry does require an EIA.

It is noted that the Central Planning Authority (CPA) has an Aggregate Policy which was approved by Cabinet and has been in force since 2004. The CPA's Aggregate Advisory Committee (AAC) held a meeting on Friday 17 March 2023 to discuss this application and we have reviewed the AAC's Review dated 20 April 2023. It is our understanding that the AAC has recommended that approval should not be granted based on the Aggregate Policy's Aggregate Reserves Threshold indicating that there is currently a sufficient supply of aggregate at licenced quarries to meet demand.

If the CPA is minded to agree with the advice of the AAC and refuses the application for the proposed quarry, the National Conservation Council supports this decision.

If the CPA is minded to disagree with the advice of the AAC and consider the application, then the application must be adjourned until an EIA is conducted in accordance with Section 43(1) of the NCA and the National Conservation Council provides consultation under Section 41(3) and/or Section 41(4) of the NCA given the presence of the Meagre Bay Pond Protected Area to the southeast of the proposed quarry and the potential of the quarry to cause adverse effects to the Protected Area.

In accordance with the National Conservation Council's Directive for EIAs, the proponent (Barrington Bennett & Luz Amelia Martinez de Wood) shall have a period of up to 28 days to respond in writing to confirm whether they wish to proceed with the EIA or withdraw the application. The period shall commence following notification from the CPA to the Applicant as to their decision.

Aggregate Advisory Committee

The four member agencies comprising the Aggregate Advisory Committee (AAC) met with the proponents of a new quarry application located in Bodden Town district at block 43A parcels 419 and 422 on Friday 17 March to discuss their proposal. Their plan is to excavate approximately 29 acres to a depth of 50 feet in 3 years with an aggregate yield of 2.3 million cubic yards. The plan included constructing an earthen berm along the eastern and southern ends of the quarry area to prevent overflow into the Meagre Bay Protected Area, and at the conclusion of the quarrying a solar farm is proposed as a closure plan.

In reviewing quarry proposals and forming recommendations, the AAC is guided by the strategies stated in the CPA Aggregate Policy and by the Statement of Purpose. Our comments based on these criteria are as follows.

1. Locate quarries in areas with reduced risk of environmental impacts.

The proposed quarry is sited in close proximity to three active quarries, and in the same vicinity as two large quarries to the east. In 2010 the AAC made recommendations to the CPA that future quarries should be located in the area south of the gazetted East-West Arterial, and between Midland Acres and parcel 43A/7 to the west. Therefore in this regard the quarry's location would be suitable. It is important to note, however, that the quarry would be immediately adjacent to the Meagre Bay Pond protected area, which is a wetland of national significance. There is empirical evidence that the mangroves in the protected area have been declining over recent years, and it is hypothesized this is due to impacts of quarrying. If there is a link between quarry activities and the decline of this protected area, then it is essential that an effective solution is implemented to mitigate further damage. The applicants have proposed building a berm around the perimeter of the quarry, but this may be based on speculation of the cause of the impacts to the pond. We also note that, due to the need to better understand the impact of quarrying on the protected area, the National Conservation Council has required an Environmental Impact Assessment for a similar quarry located somewhat further from Meagre Bay Pond before their application may be determined.

2. Optimize Quarry Productivity

A key strategy of the CPA policy has been to increase the yield of aggregate within the licensed footprint by increasing the depth of excavation from 14 feet pre-Policy to the current 50 feet.

The quarry's proponents have indicated the use of a hydraulic excavator with an extended boom. While the AAC cannot say this equipment will not reach 50 feet, we would note that other quarry operators have been challenged to produce consistent results with similar equipment. A productive quarry must excavate to the target depth of 50 feet.

3. Manage the number of quarries

A key strategy of the CPA policy has been to manage the number of quarries based on supply and demand. In the past twenty years the AAC has reviewed a dozen new quarry proposals which have not been permitted. The Policy provides an objective criteria for when a new quarry is needed to meet consumer demand, and this is based upon the quantity of aggregate under licence remaining in the footprint of the active quarries. This "aggregate reserve" is the threshold trigger, established as a 5-year supply of aggregate, for inviting applications for new quarries. At the time of the Policy's implementation the minimum reserve was 5 million cubic yards. The AAC accepts that due to population growth, the increased rate of development along with the trend to fill low-lying land and increasing elevation, the annual demand for aggregate is likely higher than 1 million cubic yards and needs to be re-established. The last review in 2021 determined that the aggregate reserve was 32 million cubic yards, and the AAC is confident that this significantly exceeds the 5-year threshold. We would note that this figure does not include aggregate importation, aggregate from the Sister Islands, nor does it include the considerable volume increase from the compacted in-ground to excavated cubic yardage.

The CPA has deferred or refused planning permission for numerous quarries, and as recently as 2018 on the same site as this application, based on the aggregate reserve limit established in the Policy. To grant approval for an application now would seem highly inconsistent. If, in the opinion of the CPA, additional quarries are needed, it would seem prudent to consider those applications that have been deferred / refused in the past along with current applications.

4. Statement of Purpose:

To reduce environmental and natural resources loss associated with quarry operations whilst ensuring the continuing availability of quality construction aggregate and fill material for future development at a reasonable cost.

The AAC discussed the increased price of aggregate to determine if opening additional quarries would potentially reduce prices. A shortage of aggregate could potentially increase the market price. The committee's conclusion was that there is a sufficient supply of aggregate, but on occasion when a major project spikes the demand there is a temporary period when orders for aggregate take longer to fill. The increased purchase price, therefore, seems to simply reflect the general global inflation of most commodities rather than solely a price hike by existing quarry operators.

Conclusions and Recommendations:

This quarry proposal is similar to other existing quarry operations, so the methodology is well known. There is concern about the potential impact on the Meagre Bay Protected Area and the need for effective mitigation. The committee was somewhat sceptical that the proposed equipment could excavate to the target depth, which is essential for productivity. We did not find an exceptional need to disregard the CPA Aggregate Policy strategy of deferring new quarries until the aggregate reserve reaches a 5-year supply. When the time arrives that a new source of aggregate is needed to supply the demand, all previous applicants should be given the opportunity for consideration and only the most suitable proposal/s accepted.

The Policy has served Cayman very well over the past 20 years to facilitate development while minimising its impact on the environment. The AAC intends to update the Policy over the next year to ensure that it continues to provide guidance to meet these objectives.

Water Authority

CPA Aggregate Policy - Consultation with the Aggregate Advisory Committee

The aggregate that is generated at the proposed quarry will be used at other properties than the property on which the excavation will take place. As such, the proposed quarry excavation falls under the provisions of the CPA's Aggregate Policy. Prior to review of the proposal by the CPA, a pre-application consultation is required with the Aggregate Advisory Committee (AAC). The AAC is a multi-agency technical group with members from Water Authority, National Roads Authority, Planning Department and Dept. of Environment, which will advise the CPA on the proposed quarry in the context of the CPA's Aggregate Policy. Please contact the chairman of the AAC Mr. Scott Slaybaugh (Scott.Slaybaugh@gov.ky) to schedule the meeting.

Requirements from the Water Authority

1. Water Authority Act - Requirement for Quarry Permit

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

2. Specific requirements from the Water Authority

Provided the proposed excavation is granted approval by the CPA, a quarry permit will be considered by the Authority upon receipt of a completed quarry permit application form, the application fee and required submittals. The application form may be downloaded from the Water Authority website:

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

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

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

The Water Quality Management Plan shall include Best Management Practices for long term maintenance of the lake upon completion of the excavation.

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

National Roads Authority

The NRA has yet to provide comments regarding the proposal.

APPLICANTS LETTER

SITE PREPARATION

Excavation works will commence at the south part of the quarry and proceed north. The works are to be completed in 6 phases over a 3 year period allowing for approximately 6 months per phase. See attached Phased Plan - Sheet 2.

Excavated material will be stock piled on the south part of 43A 422. Although this area has been designated as a proposed quarry extension from 43A346, no application has been submitted to date. In the event that this happens sooner than anticipated then the stockpiling will occur on the east side of the quarry adjacent the access road.

SITE REHABILITATION

The quarry will be later developed into a green energy using floating solar panel arrays as shown on Sheet 3.

LAKE WATER QUALITY MAINTENANCE PLAN

A berm is to be installed around the edge of the proposed lake at a size and specifications that will be determined with consultations with the Department of Environment. The goal is to prevent overflow of storm water from the quarries into Meagre Bay Pond.

PLANNING DEPARTMENT ANALYSIS

General

The applicant is requesting planning permission for a 50' deep commercial quarry (2,315,000 Cubic Yards). The applicant has satisfied the notification requirements and polling was not required due to the fact that the parcels are zoned Agricultural/Residential.

The plan includes constructing an earthen berm along the eastern and southern ends of the quarry area to prevent overflow into the Meagre Bay Protected Area.

At the conclusion of the excavation, a floating solar farm is proposed as a closure plan

Zoning

The property is zoned Agriculture/Residential.

Specific Issues

a) Zoning and Suitability

Although the site is zoned Agriculture/Residential, the proposed quarry is located adjacent and near to several existing commercial quarries. Therefore, the proposal is consistent, in terms of suitability, with past quarry permissions.

b) Lake Cross-Section

The cross-section provided by the applicant shows the safety shelf with a width of 4', but the Authority would typically require this shelf to be a minimum of 10' wide. The applicant has indicated that they can revise the plans to increase the shelf width.

At 11:30am, Luz A. Martinez de Wood and Barrington Bennett appeared as applicants with their representatives James Kennedy, Eric Cronier, Steve Madramootoo, Dexter Wood and Chanz D. Wood. Summary notes are provided as follows:

- Mr. Cronier provided several comments:
 - The DOE refers to mangroves, but he doesn't think they are mangroves
 - He referred to the historical aerial photography record
 - He noted mangroves take a long time to grow and they don't grow on rock
 - He doesn't believe quarry operations are affecting mangroves around Meagre Bay Pond
 - Regarding the Aggregate Advisory Committee (AAC) numbers they are not accurate or current, for example, Justin Woods quarry is not operating and there are other operators who aren't working their quarries
 - There is as shortage of fill material on the Island
- Mr. Kennedy provided several comments:

- Regarding the CPA's Aggregate Policy he read the purpose of the Policy from the document
- The purpose is to ensure availability of material and at a reasonable cost
- He noted it is an admiral policy, but it doesn't achieve the goal if you can't ensure the fill in the ground reaches the consumer
- The policy is fairly flawed
- He referred to the Minutes of a CPA meeting where another quarry was refused and read page 18 from those minutes
- The aggregate on site under the footprint of a quarry doesn't translate into availability and use so there is a shortage
- The policy creates a bit of a cartel and supply and prices are at those operators whims
- The AAC would have to force operators to produce the fill, but they don't
- The policy is taken advantage of by exiting quarry operators and the policy needs to be improved and updated
- They met with the AAC and the Committee itself admitted the policy is out of date
- There needs to be teeth in the policy or allow other operators to enter the market
- An EIA has been asked for and that should be a condition of approval, not have the application be adjourned and then brought back as there needs to be some comfort for the applicant as an EIA is expensive
- In December the AAC said there is a 25% margin of error in their calculations and that is unacceptable
- Part of the policy is that there be bi-annual surveys, but he doesn't believe that is enforced so they don't know what the reserves are
- The policy is being used as a road block to prevent CPA from using its discretion for new quarries
- The Authority noted that although it is called the CPA's Aggregate Policy the members don't sit on the AAC.
- Mr. Kennedy noted he has a redacted copy of the AAC meeting notes which he got through an FOI request.
- Mr. Cronier advised that in 2018 with that proposed quarry the AAC said they were good to go.
- The Authority asked in reference to the 32 million cubic yard supply is there a breakdown by quarry and Mr. Kennedy replied there is, but the quarry names are redacted.
- There was a general discussion about what quarries are currently operating as it relates to the actual aggregate supply.
- The Authority noted that there is an EIA directive which the CPA has no discretion over, but they do have discretion on the AAC comments.

- The Authority referred to the DOE's comments and noted that the CPA has only two options today, adjourn for an EIA or refuse the application. The Authority noted that the applicant can appeal the NCC's directive regarding an EIA to Cabinet.
- Ms. Wood asked where she can get the NCC comments and the Authority advised they are in OPS and on the DOE's website.
- Ms. Wood noted that with the quarry application in 2018 there was no requirement for an EIA and the Authority advised that this part of the National Conservation Law wasn't in effect then.
- Mr. Cronier advised he asked the AAC who they should use to do an EIA and they said they didn't know. The Authority noted that its understanding is that the applicant needs to provide 3 suggested consultants and they are reviewed by the NCC.
- Mr. Kennedy noted clause 4 of the policy that there should be no new quarries until there is a 5 year supply. He noted that if this is left to a simply adjournment with the need for an EIA, they can do it and then the application comes back and are told the 5 year policy is in place and they can't be approved. He noted they need some assurance that scenario doesn't occur.
- The Authority explained they can't give that assurance.
- The Authority queried for clarification, is the applicant saying existing quarries are purposely holding back material and asked how many operators are on the list.
- Mr. Kennedy replied that in 2021 there were 9 quarries on the list.
- There was a general discussion again about which quarries were being worked and which weren't. It was also noted that the AAC does not seem to have an accurate account of what types of aggregate are available and/or being mined at this time. Their figures are total figures and do not categorize the products which is an inaccurate way of characterizing the market.
- Several comments were made that there is a shortage of shot rock and crusher run.
- Ms. Wood noted that their plan is to provide shot rock which is currently unavailable in Cayman.
- Mr. Bennett noted that some quarries say they will do house lots around the lake, but they are not doing that. He explained that they propose to dig the lake and float solar panels on it.
- There was a general discussion regarding the reserves in the various quarries and Mr. Kennedy advised he could send the Director a copy of the documentation he received.

2.4 INVINCIBLE INVESTMENT CORPORATION (Andrew Gibb Chartered Architect) Block 11D Parcel 45 (P22-0735) (\$153,184,000) (MW)

Hotel Annex & Related Facilities; 213,884 sq. ft., New Conference Facility, Change of Use (Banquet Kitchen, Meeting Rooms, Retail) & 2 Swimming Pools.

An appearance had been scheduled for 1:00pm, but prior to the meeting it was determined that the National Roads Authority had not been consulted per Section 7 of the Development and Planning Act therefore the application could not be considered. The applicant and objector were advised in advance of the meeting that the application would have to be adjourned therefore they were not present for the meeting.

FACTS

<i>Location</i>	West Bay Rd., West Bay
<i>Zoning</i>	Hotel Tourism
<i>Notification result</i>	Objector
<i>Parcel size proposed</i>	8.6 ac. (374,616 sq. ft.)
<i>Parcel size required</i>	½ ac. (21,780 sq. ft.)
<i>Current use</i>	Existing Hotel
<i>Proposed building size</i>	213,884 sq. ft.
<i>Total building site coverage</i>	36.4%
<i>Allowable units</i>	-
<i>Proposed units</i>	-
<i>Allowable bedrooms</i>	559 bedrooms
<i>Proposed bedrooms</i>	559 bedrooms
<i>Required parking</i>	451.5 spaces
<i>Proposed parking</i>	385 spaces

BACKGROUND

September 21, 1994 (CPA/30/94; Item 6.1) The Authority granted planning permission for a 350 room hotel.

May 3, 1995 (CPA/12/95; Item 3.2) The Authority resolved to modify planning permission for a hotel which included expanding a restaurant.

June 22, 2016 (CPA/14/16; Item 2.10) The Authority granted planning permission for a temporary tent, for 12 months only.

June 22, 2016 (CPA/14/16; Item 2.11) The Authority granted planning permission for a 2,912 s.f. hotel addition for administrative offices.

August 3, 2016 (CPA/17/16; Item 2.14) The Authority granted planning permission for a two fuel tanks, sign, pool and cabana renovations, port cochere and 203 s.f. pool

bar expansion.

April 12, 2017 (CPA/08/17; Item 2.15) The Authority granted planning permission for modification to CPA Condition of Approval; 1,212 sq. ft.

December 18, 2019 (CPA/26/19; Item 5.1) The Authority granted planning permission for a Conversion of Two Retail Spaces and a Children's Activity Area to Sushi Eatery and an Expanded Coffee Bar.

February 19, 2020 (CPA/04/20; Item 2.5) The Authority granted planning permission for a laundry facility and storage rooms on Block 11D Parcel 37 to support the hotel use on Block 11D Parcel 45.

February 19, 2020 (CPA/04/20; Item 2.4) The Authority resolved to adjourn an application for a change of use of a spa to a banquet kitchen pending the submission of additional information for the application regarding the proposed parking allocation for the development.

September 16, 2020 (CPA/15/20; Item 2.6) – the application was adjourned in order for the applicant to notify the leasehold owners that fall within the required notification radius.

November 11, 2020 (CPA/19/20; Item 2.1) – the application was considered and it was resolved to refuse planning permission for the Hotel Addition, Conference Facility & Modifications to an Existing Hotel.

October 12, 2022 (CPA/24/22; Item 2.6) – the application was considered and it was resolved to adjourn the application.

March 15, 2023 (CPA/06/23; Item 5.1) – the terms of reference was considered and it was resolved to adjourn the application.

Decision: It was resolved to adjourn the application for the following reason:

- 1) Pursuant to Section 7 of the Development and Planning Act the National Roads Authority must be consulted for comments pertaining to the Traffic Impact Statement and those comments re necessary in order for the Authority to properly consider the application.

AGENCY COMMENTS

The Authority received and considered comments from the Water Authority, National Roads Authority, Department of Environmental Health, Department of Environment (NCC), Department of Tourism, Fire Department and the CI Airports Authority.

Water Authority

Existing Water Authority Infrastructure

The existing development is connected to the West Bay Beach Sewerage System (WBBSS).

*The developer is advised that the Water Authority has existing wastewater infrastructure along the boundary between parcel 11D37 and 11D113 (erroneously identified as 17D262 on the site location plan A1-104; parcel subdivided in February 2020). Unfortunately, as this 6-inch sewer force main was installed more than 30 years ago (i.e., before the advent of GPS equipment), **the exact location of this force main is unknown**, and therefore it could be on either property.*

*As access to the wastewater infrastructure must be maintained at all times to accommodate maintenance and repair, **no structures shall be built over this pipeline**, and adequate space provided for maintenance vehicles and backhoes.*

- ***The developer shall notify the Water Authority's Engineering Department at 949-2837, EXT: 3003, 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)*
 - *the Authority can make necessary arrangements for connection.*
- *The developer shall be responsible for providing the site-specific sewerage infrastructure required for connection to the WBBSS.*
- *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 developer shall notify the Water Authority's Customer Service Department at 814-2144 to make application for sewerage service additions.*

** The existing Westin Hotel already has a connection to the public sewerage system via a sewer manhole on parcel 11D45. Please note that this manhole is very close to the south end of the proposed new ballroom. The proposed new laundry facility will need to be connected, via a wastewater pump station, to the 6-inch sewer force main situated along the boundary between parcel 11D37 and 11D113*

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

Grease Interceptor Required

*A grease interceptor with a **minimum capacity of 6,000 US gallons** is required to pre-treat flows from kitchen fixtures and equipment with grease-laden waste; e.g., pot sinks, pre-rinse sinks; dishwashers, soup kettles or similar devices; and floor drains. The outlet of the grease interceptor shall be plumbed to the sanitary sewage line leading to the WBBSS. Where two tanks are used to achieve the required capacity, they shall be installed in series with the larger tank first (600 US gallon minimum).*

Elevator Installation

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

Lint Interceptor Required - Commercial, Institutional & Coin-op Laundries

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

Hair Interceptor Required

An approved hair interceptor is required for the proposed salon. The developer is required to submit a plan of the salon that includes the number of service chairs and wash basins to determine the capacity of interceptor required. Details can be sent via email to development.control@waterauthority.ky

Generator and Fuel Storage Tank(s) Installation:

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

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

Water Supply

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.

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

National Roads Authority

As per your memo dated August 2nd 2022 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The impact of a proposed ten storey hotel addition of 249,640 sq.ft. and 18,410 sq.ft. of conference space for a total area of 290,846 sq. ft. of Resort area onto both West Bay

Road and the Esterley Tibbetts Highway (ETH) could be considered moderate to significant at this location. Based on this the CPA may wish to consider asking the applicant to do a simple Traffic Impact Assessment (TIA) to clearly ascertain how these proposed upgrades will affect the surrounding road system.

The applicant has proposed to work in conjunction with the NRA to upgrade West Bay Road using the accepted Complete Street concept. This is a good basis in which to handle the increase in traffic that will occur with this proposed project.

Access and Traffic Management Issues

The Complete Streets concept in theory and as proposed along West Bay Road by the applicant is acceptable to the NRA. We will work closely with the applicant to advise and provide any necessary input on what we feel is best suited for West Bay Road. The crossing(s) as part of the Complete Streets Project will need to go to the Traffic Management Panel for ultimate approval.

The proposed parking management and operational plan version 2 is acceptable to the NRA.

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 twenty-four (24) ft.

A six (6) foot sidewalk shall be constructed on West Bay Road and the ETH, within the property boundary, to NRA standards.

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

Stormwater Management Issues

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

- The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*

- *The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.*
- *Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto West Bay Road/Esterley Tibbetts Highway. 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. If 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.*

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 Law (2005 Act). For the purpose of this Law, 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.

TO: DIRECTOR OF PLANNING

FROM: MANAGING DIRECTOR

DATE: MARCH 15TH 2023

OUR REF: RDS/DEV/11D

YOUR REF: P22-0735

SUBJECT: Proposed Traffic Impact Assessment (TIA) for hotel expansion on Block 11D Parcel 45 – Westin Phase III

As per your memo dated March 7th 2023 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

The NRA is satisfied with the TIA proposal presented by the applicant's agent for the above project on Block 11D Parcel 45.

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

Department of Environmental Health

In order for the department to complete the environmental health assessment of this application the following additional information is required:

- 1. The applicant must submit the following for review and approval:*
 - a) Detailed floor plans for the 3 Meal restaurant, Sky Bar, pool bar and restaurant; all kitchens within this proposal.*
 - b) Detailed floor plans for the Salon*
 - c) Each treatment room shall have a hand wash sink installed.*
 - d) Approved BCU mechanical drawings for the kitchen hoods.*
 - e) Mechanical drawings for the laundry*
- 2. In addition, a swimming pool application for the new pool and the Spa pool must be submitted for review and approval prior to constructing the pool.*
- 3. The purpose of the underground cistern should be stated.*

Department of Environment

BLOCK: 11D PARCEL: 45

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

EIA Screening Background

*The application site is man-modified and is the current location of the Westin Grand Cayman Seven Mile Beach Resort and Spa (Westin). The site is adjacent to the Seven Mile Beach Marine Reserve (a Protected Area under the National Conservation Act (NCA)). It is located on a turtle nesting beach; approximately 253 feet from **critical turtle nesting habitat** in the National Conservation Council's Interim Directive for the designation of Critical Habitat of Green turtles (*Chelonia mydas*), Loggerhead turtles (*Caretta caretta*), Hawksbill turtles (*Eretmochelys imbricata*), Leatherback turtles (*Dermochelys coriacea*) and all other species that may occur in Cayman waters including Kemp's Ridley turtles (*Lepidochelys kempii*) (issued under Section 17 (7) of the National Conservation Act (2013)).*

The DoE reviewed and provided comments for two similar proposals from the Applicant in 2020. Both applications were screened for an Environmental Impact Assessment (EIA) given the scale and location of the project, 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 NCA.

The modifications from the previous proposal have been reviewed and the current proposal is not likely to have additional significant effects and the identified

environmental aspects detailed in the Screening Opinion do not change. Therefore, EIA Screening Opinion dated 03 July 2020 remains valid.

The Screening Opinion (enclosed) concluded that the proposed development ***does not*** require an EIA. This conclusion was endorsed by the National Conservation Council, as outlined in the enclosed letter, dated 13 July 2020. Possible adverse impacts of the proposal have been highlighted in the sections below and conditions have been recommended to minimise those adverse effects.

Impacts on Turtle Nesting

The beach of the subject parcel is a turtle nesting beach. All marine turtle species are listed in Part 1 of Schedule 1 to the NCA, as being 'protected at all times'. There are currently adverse impacts from the existing resort to nesting and hatchling sea turtles from the artificial lighting which directly illuminates the nesting beach. The Applicant has not indicated the use of turtle friendly lighting in the proposed development. Historical nesting on the site has been concentrated to the south (see Figure 1). Currently, a low-level restaurant building occupies the southern section of the resort. With the construction of the proposed 10-storey hotel tower, the impacts of artificial lighting on the historical nesting area of the beach are likely to be amplified due to the cumulative increase in lighting.

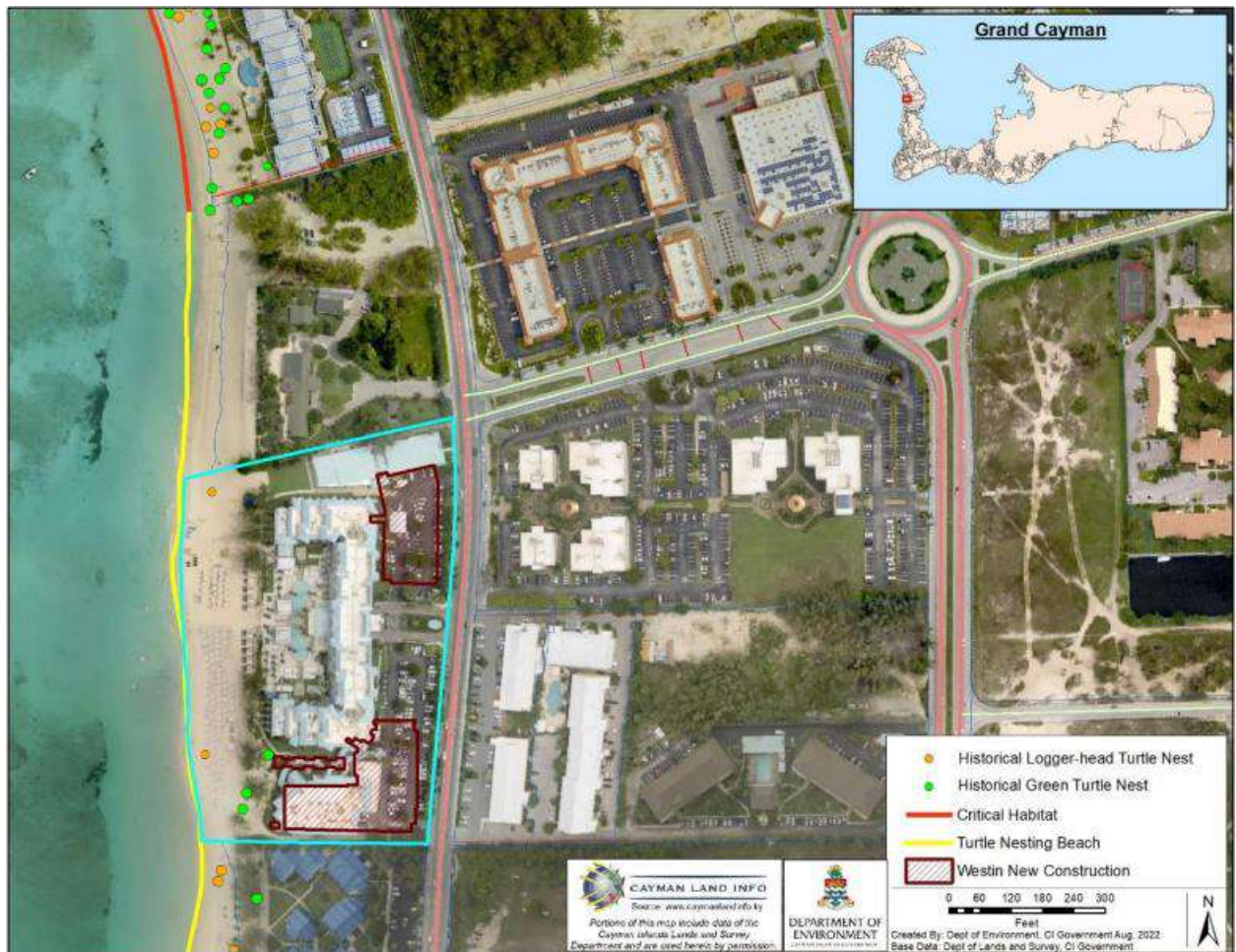


Figure 1: LIS 2018 aerial imagery with the outline of the proposed new buildings from the Applicant's site plan overlaid. Green sea turtle nests are shown in green and

Loggerhead turtle nests are shown in orange. The red line delineates the designated critical sea turtle habitat.

The DoE welcomes the removal of the hard structures (including portions of the proposed pool deck, the proposed outdoor seating area, walkways and the proposed fire lane) which were previously included in the 2020 proposal and located within the 130-foot coastal setback and areas which previously experienced turtle nesting.

The DoE reached out to the Applicant's agent to confirm that these structures will not be added at a later stage and received the following response:

"We have taken the walkways and fire lane access route off the application documentation until we have properly resolved with the Fire Department how appropriate lanes and turnaround geometry can be effected within the 130'-0" setback zone to their and the satisfaction of the Central Planning Authority in due course- this would require the input of landscape designers and be the subject of an entire beach walk installation exercise."

Any hard structures located within the 130-foot setback i.e. the fire lane on the beach will decrease the size of the potential turtle nesting habitat. The DoE strongly recommends that all hard structures including the fire lane and any future walkways be designed to meet the minimum 130- foot coastal setback rather than encroaching on the nesting beach.

We have also found that large objects and structures left on the beach overnight act as an impediment to turtle nesting. We have experienced less nesting in areas where structures such as rows of beach chairs are left out overnight suggesting it may deter nesting females. We recommend removing as many beach chairs as possible from the beach or stacking them to one side overnight during the turtle nesting season (May-November) to allow the turtles room to nest.

Artificial lighting on turtle nesting beaches is another threat to the survival of Cayman's endangered sea turtle nesting populations. Bright lights on the beach can deter female turtles from nesting and cause baby turtles to crawl away from the sea, where they die from dehydration, exhaustion, predators or vehicles.

The DoE has been working with properties along Seven Mile Beach in areas of critical turtle nesting habitat to retrofit to turtle friendly lighting. We have also reviewed and approved numerous turtle friendly lighting plans. Turtle friendly lighting has been well received and there are now several retrofitted properties (see Figures 2-4).



Figures 2-4: Local condos on Seven Mile Beach Grand Cayman which have been retrofitted to turtle friendly lighting.

In addition, turtle friendly lighting has been a legal requirement in areas of the United States for over 20 years, shown below (Figures 5-10) are Westin Resorts in the U.S.

with turtle friendly lighting. We recommend that any exterior lighting which may be visible from the beach and forms a part of this proposal is turtle friendly.

Turtles are a part of the Cayman Islands' history and its culture. Turtle friendly properties present a unique opportunity for low season ecotourism. Beaches with safer turtle nesting conditions such as those free from artificial lighting and large structures have allowed many residents and guests to see turtle nests and turtle hatchlings in their natural habitat for the first time. Should the applicant wish to learn more about creating a turtle friendly property, we encourage the applicant to reach out to the DoE for more information.



Figures 5-7: Turtle friendly lighting at the Westin Fort Lauderdale Beach Resort, USA



Figures 8-10: Turtle friendly lighting at Salty's Oceanside Bar & Grill, a restaurant at the Westin Jekyll Island in Georgia, USA.

Climate Change

The proposed development is likely to both contribute to climate change and be affected by climate change; this has been discussed in the attached Screening Opinion. The effects of climate change on the proposed development are most likely to be related to an increase in the intensity of storm events, sea-level rise and more intense but fewer rain events.¹

We are not aware of any climate-resilient design features or alternative forms of energy being proposed with this application. However, the DoE recommends that, wherever possible, sustainable design features are included in large-scale development projects such as this. For example:

- The incorporation of renewable energy, especially given the target that 70% of energy generation be renewably sourced by the year 2037 within the National Energy Policy 2017- 2037, i.e. the installation of solar carports at on/off-site parking locations to introduce opportunities for renewable energy integration and reduce solar heat gain of asphalt surfaces through shading.

- *The incorporation of high reflectivity and high emissivity hardscape materials (pavers, etc.) into the design, and the minimization of asphalt parking or provide alternate surfacing to reduce the heat island effect.*

- *The use of greywater systems for irrigation.*

- *The use of native vegetation and drought-tolerant vegetation in the landscaping scheme.*

- o *Native coastal vegetation is best suited for the habitat conditions of the site and requires less maintenance (i.e. minimizes the demand for potable water for irrigation) which makes it a very cost-effective choice.*

- 1 Climate Studies Group. (2014). Climate Profile for the Cayman Islands. The University of the West Indies for Smith Warner International Ltd.*

- o *When designed effectively landscaping can assist with shoreline protection of structures; provide appropriate shading and cooling of buildings, hardscape and people; attenuate noise and provide windbreaks to trap airborne particles/debris.*

Construction Debris Impacts on Marine Protected Area

We have experienced developments along the coast inadvertently polluting the marine environment from wind-borne debris. The DoE has witnessed and experienced complaints from members of the public regarding pollution from expanded polystyrene (EPS) beads on construction sites around the island.

EPS is used in a variety of applications, including thermal insulation in buildings, civil engineering applications and decorative mouldings and panels. During construction, once EPS is cut, tiny microbeads are blown into the air, polluting neighbouring yards, stormwater drains, and nearby water bodies. Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. EPS beads that make their way to the sea can be mistaken by fish and birds as fish eggs and have the potential to cause blockages in their digestive systems. It is almost impossible to collect the polystyrene beads once they have become wind-borne.

We strongly recommend that Best Management Practices are adopted during the construction process to ensure that construction-related debris does not enter the MPA.

Impacts Regarding the Removal of Sand Reserves

Although the subject parcel is predominantly man-modified, it still consists of massive sand reserves as shown in Figure 14 and the removal of these reserves is a concern. The reserves are important to the resilience of the beach system and are a natural source of sand which replenishes the beach profile after major storms. A significant amount of sand may result from the excavation of the foundations and pool. Once excavated and removed from the beach system, these sand reserves can never be recovered, making the beach system increasingly more vulnerable to erosion, which is exacerbated by the impacts of climate change, especially sea-level rise. We recommend that any excavated sand is kept on-site and placed landward of the High-Water Mark to retain sand reserves and create depth in the beach profile.

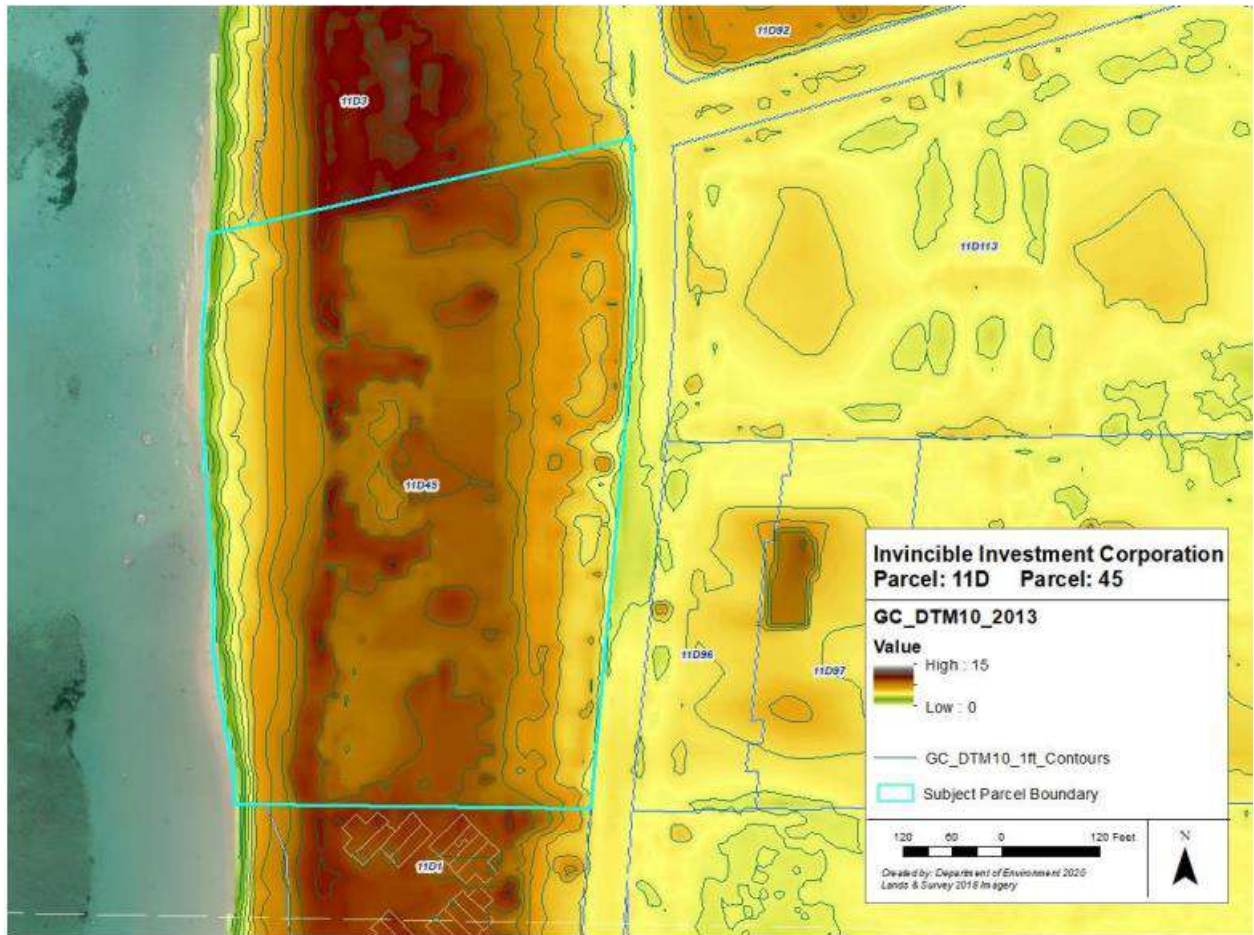


Figure 14: Digital Terrain Model (DTM) for the application site. The higher areas of the site are indicated in red and orange and show the beach ridge and sand reserves within the site.

CONCLUSION & RECOMMENDATIONS & DIRECTED CONDITION

This application has been screened for an EIA under section 43(2)(c) of the National Conservation Act. The Screening Opinion (enclosed) concluded that the proposed development does not require an EIA. This conclusion was endorsed by the National Conservation Council, as outlined in the enclosed letter, dated 13 July 2020.

Although the application does not require an EIA, several potential adverse impacts were identified and have been discussed in this review.

DIRECTED CONDITION

The site is adjacent to an MPA. Without appropriate environmental management practices, the construction of the proposed development is likely to cause an adverse effect on a Protected Area under the NCA, namely the discharge of dissolved or suspended minerals or solids, waste materials or other substances at levels that may be harmful to wildlife or the ecological or aesthetic value of the area (Section 2(f) of the NCA). The construction-related impacts as a result of stockpiling excavated sediments and construction materials too close to the water must be mitigated through the inclusion of conditions as directed under Section 41(5) of the NCA.

Therefore, in the exercise of powers which have been conferred through express delegation by the National Conservation Council, pursuant to section 3(13) of the National Conservation Act (2013) the Director of DoE **respectfully directs** that the following condition be imposed by the Central Planning Authority or Department of Planning, as part of any agreed proposed action for planning approval:

1. All construction materials shall be stockpiled a minimum of 75ft from the Mean High Water Mark.

This condition is directed to prevent run-off and debris from entering the Marine Protected Area causing turbidity and impacting sensitive marine resources.

A person aggrieved by a decision of the National Conservation Council to impose a condition of approval may, within 21 days of the date on which the decision is received, appeal against it 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).

In addition, to prevent heavy machinery destroying nests and to minimise the threat of artificial lighting on nesting and hatchling sea turtles the DoE recommends the following conditions of approval:

2. The applicant shall, prior to the issuance of a Building Permit, prepare and submit a turtle friendly lighting plan which minimises the impacts of artificial lighting on sea turtles. The plan shall be reviewed and approved by the Department of Environment, in accordance with the DoE's Turtle Friendly Lighting: Technical Advice Note (September 2018) available from <https://doe.ky/marine/turtles/tfl/>.

3. Prior to the commencement of works, the applicant or applicant's agent shall contact the DoE to check for the presence of turtle nests; written approval shall be obtained from the DoE that no nests will be impacted by the commencement of works.

4. Beachside construction fencing associated with the works shall be installed and positioned at least 75 feet from the coastal property boundary and as far landward as possible to minimise impacts on the turtle nesting habitat. The fencing shall be erected so that it fully encloses the beach-facing area of works and is embedded at least 2 feet into the beach profile to prevent turtles from entering the construction site or digging under the fencing. The property owner shall contact the DoE to check for the presence of turtle nests prior to the installation of the fence and written approval shall be obtained from the DoE that no nests will be impacted by the installation of the fence. The DoE shall inspect the fence after installation and written approval shall be obtained from the DoE that the installed fence is suitable for the exclusion of turtles.

5. All construction material shall be stockpiled landward of the beachside construction fencing.

6. No construction work, vehicle access, storage of equipment/ materials or other operations shall take place on the beach during turtle nesting season (1st May – 30th November yearly) without the express consent of the DoE.

7. If the construction is using insulating concrete forms (ICFs), measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely

captured on-site and does not impact the surrounding areas or pollute the turtle nesting beach and adjacent Marine Protected Area offshore.

8. Exterior lighting and/or specifications for visible light transmittance shall be installed and maintained in accordance with the turtle friendly lighting plan which has been reviewed and approved by the DoE.

9. Once construction is complete and the exterior lighting fixtures and specifications for visible light transmittance have been installed, prior to the issuance of the Certificate of Occupancy, the DoE will inspect the exterior lighting and/or specifications for visible light transmittance for compliance with the approved turtle friendly lighting plan.

10. Any sand excavated during construction shall be retained on-site and beach quality sand shall be placed along the active beach profile. If sand is to be placed on the beach during turtle nesting season (1st May – 30th November yearly), the express consent of the DoE is required to ensure that turtle nests are not adversely impacted.

11. If there is an excessive quantity of sand that cannot be accommodated on-site, and the applicant would like to move such sand off-site, it should be the subject of a separate consultation with the National Conservation Council.

To improve climate resiliency and retain historical turtle nesting habitat we recommend the inclusion of the following conditions:

12. Any sand that is to be excavated during construction should be retained on-site and beach quality sand should be placed along the active beach profile. If there is an excessive quantity of sand that cannot be accommodated on-site, and the applicant would like to move such sand offsite, it should be the subject of a separate consultation with the National Conservation Council.

13. A revised plan shall be submitted showing all hard structures including the fire lane and ancillary features setback a minimum of 130 feet from the High-Water Mark as per Planning Regulations.

We also strongly recommend:

- *A high-level assessment of visual impact, daylight and sunlight on the receptors in the units of the Villas of the Galleon.*

Additional Recommendations to the Applicant

The DoE recommends that, wherever possible, sustainable design features are included in development projects such as this. For example:

- *The incorporation of renewable energy, especially given the target that 70% of energy generation be renewably sourced by the year 2037 within the National Energy Policy 2017- 2037, i.e. the installation of solar carports to introduce opportunities for renewable energy integration and reduce solar heat gain of asphalt surfaces through shading.*
- *The incorporation of high reflectivity and high emissivity hardscape materials (pavers, etc.) into the design, and the minimization of asphalt parking or providing alternate surfacing to reduce the heat island effect.*
- *The use of greywater systems for irrigation.*

- *The use of native vegetation and drought-tolerant vegetation in the landscaping scheme.*

o Native coastal vegetation is best suited for the habitat conditions of the site and requires less maintenance (i.e. minimizes the demand for potable water for irrigation) which makes it a very cost-effective choice.

o When designed effectively landscaping can assist with shoreline protection of structures; provide appropriate shading and cooling of buildings, hardscape and people; attenuate noise and provide windbreaks to trap airborne particles/debris.

- *The removal of large structures such as beach chairs from the nesting beach overnight during the turtle nesting season (May-November yearly) to allow the turtles room to nest.*

Updated Screening Opinion for Invincible Investment Corporation Proposed Westin Stage III Hotel Annex & Conference Facilities

03 July 2020

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.

A Screening Opinion was issued on 22 April 2020 for a similar development on this site. However, the planning application that was the subject of this Screening Opinion was subsequently withdrawn by the applicant. A revised submission has been made and this Screening Opinion has been updated to reflect the revised proposals. The updated proposal includes the following:

- *The change of use of 18 existing guestrooms in the Westin Resort to be variously retrofitted as retail/hotel back-of-house and meeting spaces.*
- *The change of use of existing retail space in Westin Resort (Spa) to be retrofitted as a banquet kitchen for general resort catering requirements as well as specific catering for banquets to be hosted in the conference facility.*
- *Change of use of existing retail space in Westin Resort (Spa) to be retrofitted as a temporary laundry/back-of-house operation. The application's submission states that the laundry facility is to serve existing 343 key Westin Resort during demolition of existing restaurants, laundry and other back-of-house facilities. Post-demolition this laundry facility will be dismantled and relocated to new premises within the Annex. This space will then revert to back-of-house functions (hotel administration offices etc.).*
- *The demolition of the existing restaurant block south of the existing guestroom block (restaurants, kitchen, back-of-house and staff facilities, administration and laundry facilities), existing covered walkways adjacent to the restaurant block and the pump room adjacent to the existing Governor's Ballroom.*
- *The construction of a new 10-storey hotel tower with 234 guestrooms, restaurant, lounge bar, fitness/wellness facilities and a spa- including a rooftop bar and lounge with landscaped pool and deck. This brings the total room stock*

(existing and proposed) to 559 guest rooms. This building will be constructed on the site of the above-mentioned demolished infrastructure.

- The construction of a new subdivisible conference facility and ballroom with pre-conference areas, and related facilities. The proposed conference facility is 19,048 sq. ft. (and replaces the existing 10,000 sq. ft. facility). 2*
- The construction of a second outdoor pool.*
- The construction of a fire lane on a section of beach along the southern parcel boundary.*

The site is located at Block 11D Parcel 45 and is the current location of the Westin Grand Cayman Seven Mile Beach Resort and Spa (Westin). The beach of the subject parcel is a turtle nesting beach, located approximately 253ft from proposed Critical Habitat under the Draft Conservation Plan for Sea Turtles (2019).

The planning application was considered against the screening criteria outlined in the EIA Directive.

There are moderate adverse impacts on ecology due to increased artificial lighting and loss of turtle nesting habitat due to hard structure encroachment on the nesting beach. There may be minor beneficial effects to socioeconomics regarding increased room stock which has the potential to increase local expenditure. There may be minor adverse impacts for noise and vibration during construction and a range of adverse impacts regarding the cumulative over-development of Seven Mile Beach. These effects should be considered by the Central Planning Authority. There could also be adverse impacts involving driver delay and pedestrian amenity. These effects should be considered by both the Central Planning Authority and the National Roads Authority. Compared to the existing development on-site, the effects of climate change are considered to be negligible. There may also be adverse effects to visual impact, daylight, sunlight and overshadowing that should be considered further due to the prominence of the proposed southern hotel tower on the beach and we have recommended additional studies to assess these effects.

The Department of Environment is of the opinion that the proposed development does not require an EIA. Conditions have been recommended to minimize those adverse effects which have been identified.

Introduction

The process for determining whether an Environmental Impact Assessment (EIA) is needed is a statutory process that is governed by the National Conservation Law (NCL). This first stage, where the relevant authorities decide if a development is an EIA development (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 NCL, 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. hotel and resort development adjacent to a Marine Protected Area.

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 11D Parcel 45 and is the current location of the Westin Grand Cayman Seven Mile Beach Resort and Spa. The application site is owned by the Crown and leased to the applicant. It is an area of 8.6 acres located on Seven Mile Beach. The site is located on a sea turtle nesting beach, located approximately 253 feet from proposed Critical Habitat under the Draft Conservation Plan for Sea Turtles (2019). The site location and its proximity to proposed critical turtle nesting habitat in the area are shown in Figure 1.

The existing development is not considered to be an architectural heritage asset and currently forms a 5-storey hotel consisting of 343 guest rooms, a pool, a spa facility, 10,000 sq. ft. of meeting and conference space and 2 restaurants. The existing landscaping and hard structures are set back approximately 120 to 160 feet from the Mean High-Water Mark.

The site is adjacent to a Marine Protected Area – the Seven Mile Beach Marine Park.



Figure 1: Aerial imagery showing the site location and the distance of the application site (circled yellow) to habitat identified as critical for nesting in the Draft Conservation Plan for Sea Turtles (2019) shown as a red line.

Proposed Development

Description of the Proposed Development

The updated proposal for development includes the following:

- The change of use of 18 existing guestrooms in the Westin Resort to be variously retrofitted as retail/hotel back-of-house and meeting spaces.*
- The change of use of existing retail space in Westin Resort (Spa) to be retrofitted as a banquet kitchen for general resort catering requirements as well as specific catering for banquets to be hosted in the conference facility.*
- Change of use of existing retail space in Westin Resort (Spa) to be retrofitted as a temporary laundry/back-of-house operation. The application's submission states that the laundry facility is to serve existing 343 key Westin Resort during demolition off existing restaurants, laundry and other back-of-house facilities. Post-demolition this laundry facility will be dismantled and relocated to new premises within the Annex. This space will then revert to back-of-house functions (hotel administration offices etc.).*
- The demolition of the existing restaurant block south of the existing guestroom block (restaurants, kitchen, back-of-house and staff facilities, administration and laundry facilities), existing covered walkways adjacent to the restaurant block and the pump room adjacent to the existing Governor's Ballroom.*
- The construction of a new 10-storey hotel tower with 234 guestrooms, restaurant, lounge bar, fitness /wellness facilities and a spa- including a rooftop bar and lounge with landscaped pool and deck. This brings the total room stock (existing and proposed) to 559 guest rooms. This building will be constructed on the site of the above-mentioned demolished infrastructure.*
- The construction of a new subdivisible conference facility and ballroom with pre-conference areas, and related facilities. The proposed conference facility is 19,048 sq. ft. (and replaces the existing 10,000 sq. ft. facility).*
- The construction of a second outdoor pool.*
- The construction of a fire lane on a section of beach along the southern parcel boundary.*

The applicant has also included a concept for a proposed pedestrian pathway linking Block 11D Parcel 45 with Block 11D Parcel 37, however, this pedestrian path does not appear to form a part of this proposal and may come under a separate application (if planning permission is required at all).

A previous proposal for a banquet kitchen fit-out under Planning Ref: P19-1186 has been withdrawn and combined with the current proposal under Planning Ref: P20-0196. Also, associated with this proposal but under a separate and previous application is a proposed 9,970 sq. ft. laundry and administration facility (Planning Ref: P19-1187 for the original application and P20-0053 for the modification) located on a separate parcel (Block 11D Parcel 37). The building on Block 11D Parcel 37 is intended to house a dedicated in-house laundry facility with the capacity of handling up to 600 guest keys equivalent laundry processing including washing, drying and pressing all linen and cotton goods required to serve those keys daily. The facility also includes electrical and mechanical equipment rooms and service workshops for servicing and maintaining general Westin furniture, equipment, fixtures and fittings.

A concept for an enhanced pedestrian pathway has been discussed briefly in the Transport section of this Screening Opinion. The laundry and administration facility has not been considered.

Planning History

The site was the previous location of the Galleon Beach Resort. The Galleon Beach Resort closed, and the building was demolished between 1971 and 1994. The new hotel building was constructed between 1994 and 1999 and is the current location of the Westin Grand Cayman Seven Mile Beach Resort and Spa.

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, flood risk and water quality and ground conditions, there are not considered to be adverse environmental impacts in these areas.

Ecology

*The site is located on a sea turtle nesting beach, located approximately 253 feet from proposed Critical Habitat under the Draft Conservation Plan for Sea Turtles (2019), see Figure 1. Based on the DoE's 20 years of monitoring sea turtle populations, the site has experienced nesting from green (*Chelonia mydas*) sea turtles in the past however there is still the potential for loggerhead (*Caretta caretta*) sea turtles to also nest on the beach. There are currently adverse impacts to nesting and hatchling sea turtles from the artificial lighting which directly illuminates the nesting beach from the existing resort. The Applicant has not indicated the use of turtle friendly lighting in the proposed development. Historical nesting on the site has been concentrated to the south (see Figure 2). Currently, a low-level restaurant building occupies the southern section of the resort. With the construction of the proposed 10-storey hotel tower, the impacts of artificial lighting on the historical nesting area of the beach is likely to be amplified due to the cumulative increase in lighting.*

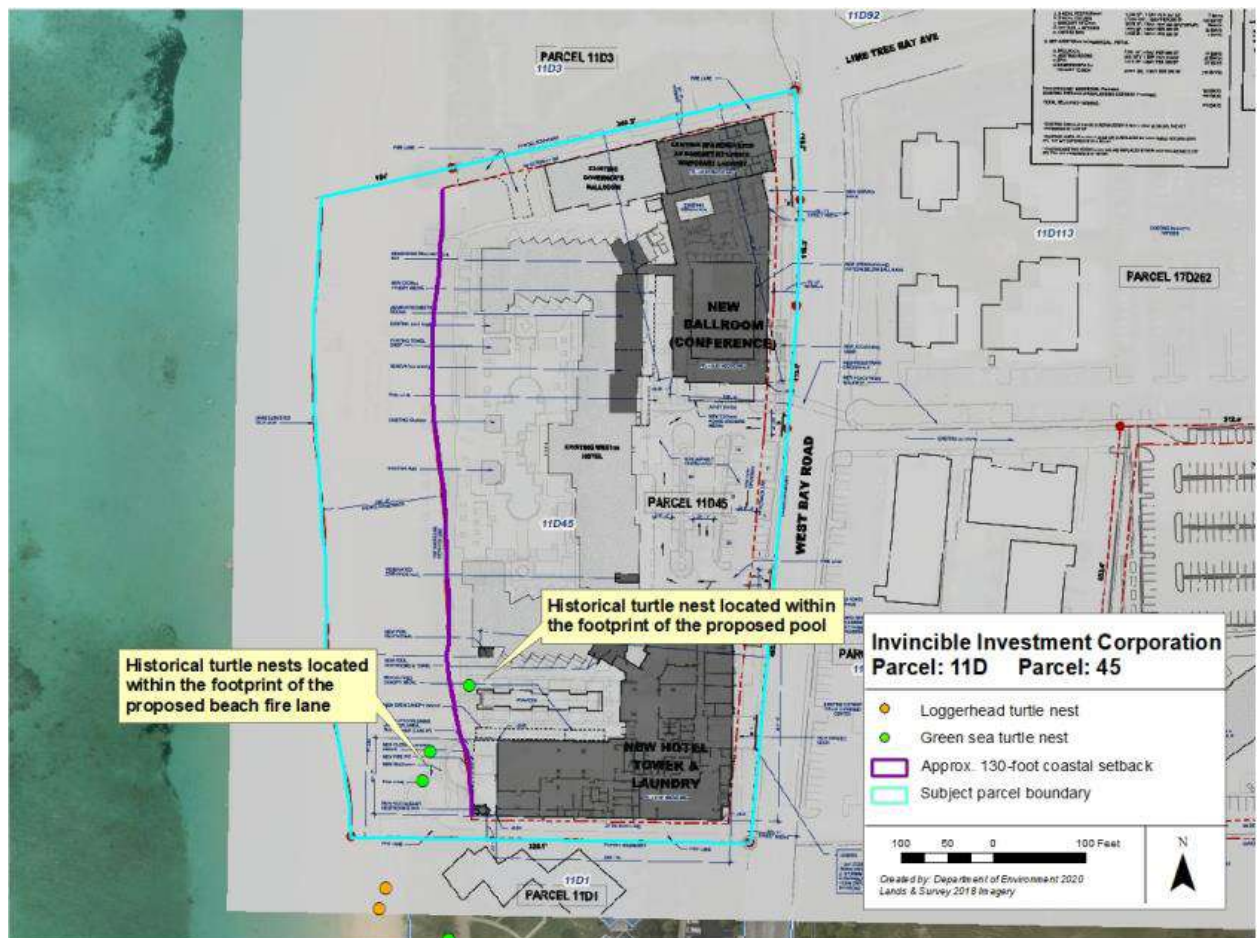


Figure 2: LIS 2018 aerial imagery with the Applicant's site plan overlaid. The approximate minimum coastal setback of 130 feet is shown in purple. Green sea turtle nests are shown in green and Loggerhead turtle nests are shown in orange. Note that all historic nests on the site are within the proposed development's footprint.

The Applicant has not requested any variances to the Development and Planning Regulations coastal setbacks, however, as shown in Figure 2, portions of the proposed pool deck, the proposed outdoor seating area and the proposed fire lane are all located within the 130-foot setback from the Mean High Water Mark. These areas of the proposed development also have historical turtle nests located within their footprints. Hard structures located within the 130-foot setback e.g. the fire lane on the beach, decrease the size of the potential turtle nesting habitat.

The Applicant has not provided a Landscaping Plan with this proposal. Current landscaping on-site consists of nonnative landscaping plants and invasive casuarina trees. The Applicant could include the use of native vegetation in new landscaping associated with the proposed development.

Overall, the proposed development is likely to have moderate adverse impacts on ecology through increased artificial lighting and hard structure encroachment on the turtle nesting beach. However, we do not believe these impacts require an EIA. There is the potential to minimize these impacts through the inclusion of the following conditions:

- All hard structures shall be set back a minimum of 130 feet from the Mean High-Water Mark and there shall be no fire-lane construction on the active beach or within the 130-foot setback.
- The applicant shall prepare and submit a plan to the Department of Environment for turtle friendly lighting, which minimises the impacts on sea turtles. All lighting shall be installed in accordance with the plan, to be approved by the DoE. Guidance on developing a lighting plan can be found in the DoE's Turtle Friendly Lighting: Technical Advice Note (September 2018).
- Prior to the commencement of works, the property owner shall contact the DoE to check for the presence of turtle nests; written approval shall be obtained from the DoE that no nests will be impacted by the commencement of works.
- No construction work, vehicle access, storage of equipment/ materials or other operations should take place on the beach during turtle nesting season (1st May – 30th November) without the express consent of the DoE.
- No construction materials shall be sited within the 130-foot setback and shall be placed as far back from the beach as possible to maximise nesting habitat. Any materials on the beach during turtle nesting season (May to November) shall be fully enclosed in fencing embedded at least 2 feet into the sand.
- Any sand excavated as part of the construction works shall remain on-site and be returned to this beach system. If the volume of sand is deemed too great to retain all sand on-site, any removal from the site shall be the subject of a separate consultation with the Council.

Noise and Vibration

The surrounding noise environment is relatively quiet and predominated by road traffic noise. While the proposed development is not likely to generate additional noise during operation, it has the potential to temporarily generate noise through demolition, clearing, filling and construction. There are adjacent residential receptors to the north and south, and commercial and residential receptors to the east. The effect is not considered to be significant and therefore it is the role of the Central Planning Authority to consider ways to minimise or mitigate the effects of the temporary noise associated with the construction of the proposed development.

Socioeconomics

From the time of its development, the land use of the application site has been Hotel/Tourism-related.

The application site currently consists of a hotel with 343 guest rooms, a pool, a spa facility, 10,000 sq. ft. of meeting and conference space and 2 restaurants. The Applicant is proposing a change of use for 18 of the existing guest rooms to retail, meeting spaces, back-of-house facilities, and the addition of 234 guest rooms. This brings the total room stock (existing and proposed) to 559 guest rooms.

Also being proposed within the new 10-storey hotel tower is a multi-functional 3-meal restaurant, lounge bar, fitness /wellness facilities, a spa and a rooftop bar and lounge with landscaped pool and deck. The proposed conference facility is 19,048 sq. ft.

The increased room stock of 234 rooms and doubling of the conference facility square footage may increase local expenditure and create additional jobs therefore there may be negligible to minor beneficial socioeconomic effects.

Transport

The Applicant has requested a variance to allow for an off-site parking allowance of 90.77% compared with the current allowance under the Development & Planning Law Regulations s.8(1)(c) which states in a Hotel/Tourism zone 25% of the parking spaces may be located not more than 500 feet from the respective building. The identified off-site parking area on Block 11D Parcel 37 is located approximately 516 feet away from the Westin resort building. Block 11D Parcel 37 is another Crown-owned parcel being leased to the Applicant. This parcel also houses the Sunshine Suites Resort.

The Applicant currently provides 198 parking spots to accommodate the Westin facility. The Applicant also provides Sunshine Suites guests (who share the Westin Resort's amenities) access to two 10-person electric shuttle carts which run continuously between the two resorts. There is also an existing crosswalk over West Bay Road to the south of the Westin for pedestrians to cross the street.

The applicant is proposing 35 parking spots to remain for the application site (Block 11D Parcel 45) and the provision of 344 off-site parking spots located at Block 11D Parcel 37. The Applicant has also included a concept for a pedestrian pathway in their submissions. Although the pedestrian pathway does not form a part of the current Planning Proposal, the Applicant offers to create an enhanced pedestrian and non-vehicular experience along West Bay Road to encourage guests and residents to explore local shopping and restaurant destinations located along the proposed landscaped roadway. The enhanced pedestrian pathway concept will need to be reviewed and approved by the National Roads Authority at a later date. The Applicant states in their Parking Operational Plan that concept is part of the "West Bay Road beautification initiative – the initial pioneer project based on the National Roads Authority's 'Complete Street' principles and concepts to create a more amenable West Bay Road pedestrian experience through the use of landscape, traffic calming and incorporating a safe pedestrian and shuttle crossing point with user request and scheduled crossing control systems".

With the increased room-stock and the proposed doubling of the size of the conference facility, there may be potential trip generation impacts as well as a steady flow of guests crossing West Bay Road via the pedestrian crossing which could potentially slow vehicular flow or cause driver delay.

Should the enhanced pedestrian pathway concept be implemented, there may be minor beneficial impacts on pedestrian amenity. However, as it stands, allocating over 90% of the facility's parking to an off-site facility with the existing pedestrian crossing could have adverse impacts on pedestrians and possibly vehicular flow. The enhanced pedestrian pathway does not form a part of this proposal and current congestion at the resort is not considered significant, however, the accommodation of off-site parking and its impacts on pedestrians and the surrounding area should be considered by the National Roads Authority and Central Planning Authority.

Climate Change

Climate change is likely to have severe impacts on the Cayman Islands, including the site. The Cayman Islands are inherently vulnerable to climate change because of the small size, remoteness, low-lying areas and other environmental factors, demography and economy¹.

The proposed development is likely to both contribute to climate change and be affected by climate change. The proposed development is likely to contribute to climate change

during construction and operation. There will be vehicle movements and resource consumption associated with construction and operation.

The effects of climate change on the proposed development are most likely to be related to an increase in the intensity of storm events, sea-level rise and more intense but fewer rain events.²

The existing landscaping and hard structures are set back approximately 120 to 160 feet from the Mean High Water Mark. The existing development to remain and proposed development are predominantly set back 130 feet from the Mean High-Water Mark except for portions of the proposed pool deck, the proposed outdoor seating area and the proposed fire lane. Regardless of the setback, the risk of the effects of climate change remain and structures located within the 130-foot coastal setback are at a greater risk of wave inundation.

No climate-resilient design features or solar /alternative form of energy has been included in the proposal. The proposal should incorporate renewable energy to provide climate change resilience and mitigation, particularly considering the prediction for an increased number of warmer days and nights.

Compared to the existing development on-site, there are negligible effects concerning climate change. However, we strongly recommend that all structures including walkways and fire lanes are located landward of the 130-foot coastal setback and the inclusion of renewable energy and other climate-resilience features to adapt for and minimize the effects of climate change.

Visual Impact; Daylight, Sunlight and Overshadowing

The proposed development will be set back 20 feet from the northern and southern parcel boundaries. The neighbouring property to the north (The Governor's House) is located a little over 20 feet from their southern boundary. The southern neighbouring property's (Villas of the Galleon) northern side setback ranges from 8 feet to 14 feet. The application site and the neighbouring properties to the north and south all have a similar setback from the Mean High-Water Mark ranging from 120-160 feet (see Figure 3).

1 National Climate Change Committee. (2011). Achieving a Low Carbon Climate-Resilient Economy: Cayman Islands' Climate Change Policy (draft).

2 Climate Studies Group. (2014). Climate Profile for the Cayman Islands. The University of the West Indies for Smith Warner International Ltd.

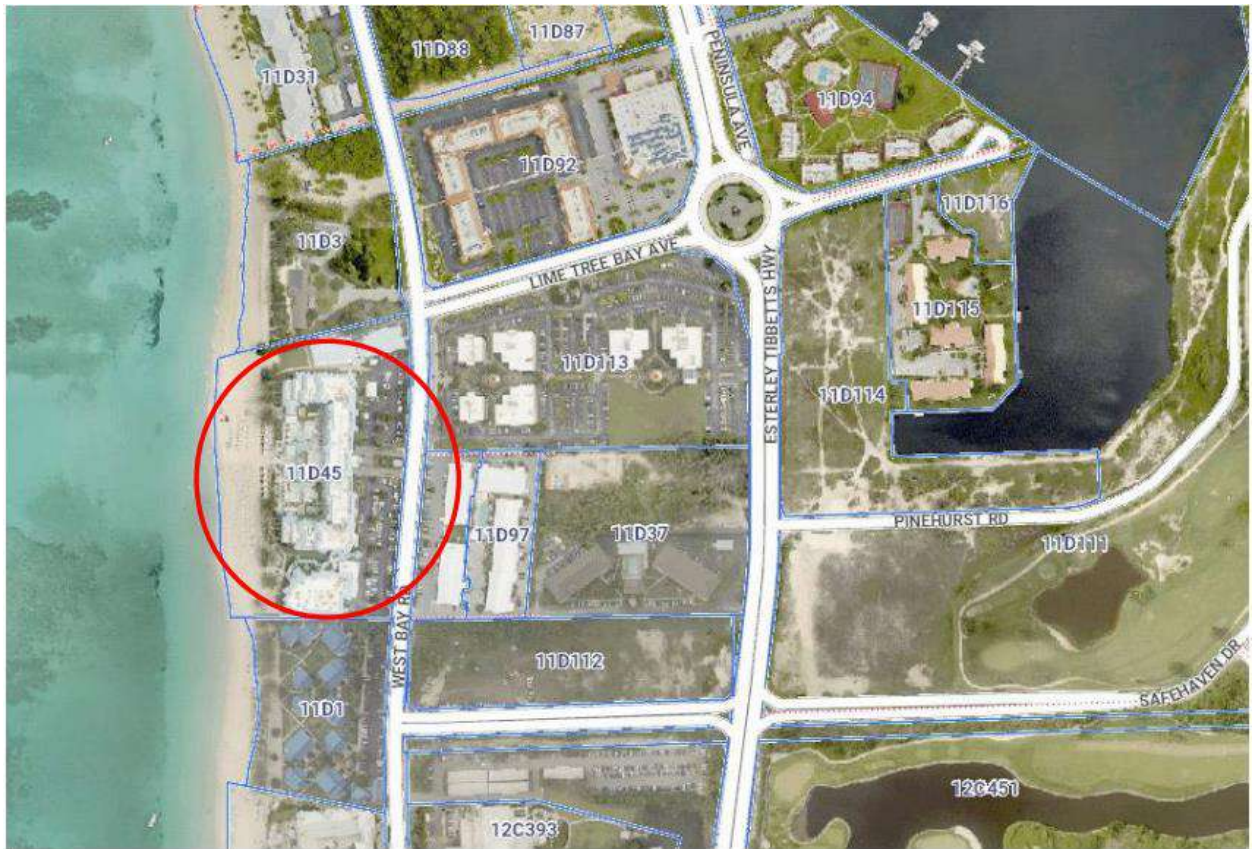


Figure 3: Location of the application site and neighbours. The image illustrates the similar coastal setbacks of the application site (circled in red) and the properties to the north and south.

With the demolition of the southern single-storey building and the construction of a 10-storey hotel tower in its place, even if repositioned to comply with the minimum required setback under the Development and Planning Regulations, it will be very visually prominent on the beach. When the proposed 10-storey hotel tower is constructed it may block daylight, sunlight and views from the northern units of the neighbouring residential property to the south (Villas of the Galleon) (see Figure 4).



Figure 4. The proposed 10-storey hotel tower will predominantly be set within the existing footprint of the southern building (see red arrow) which may block daylight, sunlight and views from the units within northern units of the neighbouring residential property, Villas of the Galleon (bright blue roofs).

We do not believe an EIA is required to assess these effects; however, we strongly recommend that the Planning Department/CPA require the following:

- *A high-level assessment of the visual impact on the receptors from the Villas of the Galleon and the Governor's House; and*
- *An assessment of daylight, sunlight and overshadowing for Villas of the Galleon.*

Cumulative Effects

There have been several sites which have been redeveloped along Seven Mile Beach over the years (i.e. the Kimpton site previously the Courtyard Marriott, the Ritz Carlton Grand Cayman site, previously Holiday Inn and the current application site, previously the Galleon Beach Resort). Full-scale redevelopments and major renovations to sites along Seven Mile Beach are likely to continue with the increased 10-storey building height allowance in Hotel/Tourism zone 2.

Draft National Planning Framework for Public Consultation (November 2018) lists a goal of Hotel/Tourism zones as "The prevention of the over-development of sites and to ensure that the scale and density of development are compatible with and sensitive to the physical characteristics of the site."

As building heights increase, the character of Seven Mile Beach will change. More people will be introduced onto the beach and the demolition of low-rise structures to be replaced with high-rise buildings like the proposed hotel tower will cause visual amenity effects as the view of Seven Mile Beach from the beach, from the water and West Bay Road changes from low-rise to high-rise.

Consideration should also be given to the land uses of the surrounding areas. The applicant is proposing that 35 parking spots will remain at the application site (Block

11D Parcel 45) and that they will provide 344 off-site parking spots located at Block 11D Parcel 37. Block 11D Parcel 37 currently houses the Sunshine Suites Resort.

Neighbouring parcels between the Application site (Block 11D Parcel 45) and the proposed off-site parking site (Block 11D Parcels 96 & 97) consist of The Falls Shopping Centre and the Residences at the Falls. Adjacent to these 3 parcels (Block 11D Parcels 37, 96 & 97) is the Regatta Business Park (Block 11D Parcel 113).

Should the proposed off-site parking parcel (Block 11D Parcel 37) be redeveloped in future, the over-development of the application site (Block 11D Parcel 45) could mean that the Applicant may be unable to accommodate parking on the application site. At this time, in the absence of a Seven Mile Beach Tourism Corridor Area Plan, this matter should be considered by the Central Planning Authority.

Conclusions

The Department of Environment is of the opinion that the proposed development does not require an EIA. There are moderate adverse impacts on ecology due to increased artificial lighting and loss of turtle nesting habitat due to hard structure encroachment on the nesting beach; we have recommended conditions to minimize these impacts below. There could be minor impacts for noise and vibration during construction and impacts regarding the cumulative over-development of Seven Mile Beach. These effects should be considered by the Central Planning Authority. There may be minor beneficial effects to socioeconomics regarding increased room stock and the doubling of the size of the conference facility which has the potential to increase local expenditure. There are impacts to transport and pedestrian amenity, which should be considered by both the Central Planning Authority and the National Roads Authority. Whilst the effects of climate change in comparison to the existing development on-site are negligible, the proposed development should be required to meet minimum coastal setbacks and incorporate the use of renewable energy and other climate-resilient features to minimize its effects. There may also be adverse effects to visual impact, daylight, sunlight and overshadowing that should be considered further due to the prominence of the proposed southern hotel tower on the beach and we have recommended additional studies to assess these effects.

The moderate adverse impacts on ecology can be minimized through the inclusion of the below conditions as part of the planning permission:

- All hard structures shall be set back a minimum of 130 feet from the Mean High-Water Mark and there shall be no fire-lane construction on the active beach or within the 130-foot setback.
- The applicant shall prepare and submit a plan to the Department of Environment for turtle friendly lighting, which minimises the impacts on sea turtles. All lighting shall be installed in accordance with the plan, to be approved by the DoE. Guidance on developing a lighting plan can be found in the DoE's Turtle Friendly Lighting: Technical Advice Note (September 2018).
- Prior to the commencement of works, the property owner shall contact the DoE to check for the presence of turtle nests; written approval shall be obtained from the DoE that no nests will be impacted by the commencement of works.

- *No construction work, vehicle access, storage of equipment/ materials or other operations should take place on the beach during turtle nesting season (1st May – 30th November) without the express consent of the DoE.*
- *No construction materials shall be sited within the 130-foot setback and shall be placed as far back from the beach as possible to maximise nesting habitat. Any materials on the beach during turtle nesting season (May to November) shall be fully enclosed in fencing embedded at least 2 feet into the sand.*
- *Any sand excavated as part of the construction works shall remain on-site and be returned to this beach system. If the volume of sand is deemed too great to retain all sand on-site, any removal from the site shall be the subject of a separate consultation with the Council.*

We also strongly recommend:

- *A high-level assessment of visual impact, daylight and sunlight on the receptors in the units of the Villas of the Galleon; and*
- *The inclusion of climate-resilient features and/or renewable energy sources to increase climate change resiliency.*

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).

Fire Department

Please advise if Fire well and Hydrants or existing or Proposed as some depicted is not accessible by Fire department.

Department of Tourism

1. Project at a Glance

The Department of Tourism has been asked to provide comments on the Planning Application for the project named “Amended Application for Planning Consent: Motivation” Westin Grand Cayman Resort located at Block 11D Parcel 45.

2. Tourism Recommendations

The Department of Tourism (DOT) has reviewed the documentation provided on the above proposed project.

Original plans outlined that the Westin Grand Cayman Resort was to use the Block 11D and Parcel 45 for the expansion of a laundry facility. This project scope has been revised to include a new hotel tower, laundry facility and an additional conference facility.

As outlined by the developer, the new hotel tower will be 10 stories with 234 guest rooms, a multi-fuctions 3 meal restaurant, lounge bar, fitness and wellness facilities including a spa, roof-top bar and lounge with landscaped pool and deck. This tower will also house a new laundry facility. The new conference facility will include sub-

divisible conference facilities and ballroom with pre-conference areas and related facilities.

It is noted within the application that these additional features will remove significant parking space for the hotel. The applicant has outlined that accommodated parking will be allocated at a site 400ft away from the property. This site would provide parking for staff and employee parking with a continuous shuttle back and forth to the parking facility and hotel. This area would also provide parking bays totalling 384 to accommodate the 559 guest rooms that the hotel would service, should, these additional plans be approved. The developer has proposed shuttle service and valet from this location and an effective, identifiable and well-lit pedestrian crossing point on West Bay Road. Consideration should be given to the guest experience and safety with regards to this proposed plan for parking. The expanded rooms and conference facility adds to the competitive capabilities of the destination. This will position the Cayman Islands Government significantly in the MICE market.

With regards to the additional tower and facilities, the Department of Tourism has no further questions. The CIDOT do emphasize the importance of the shuttle service and the safety of those being transported at all times.

Of Reg

N/A

CIAA

No objection on current design (3-8-22)

APPLICANT'S LETTER

BLOCK 11D45 WEST BAY BEACH NORTH GRAND CAYMAN

APPLICATION FOR PLANNING CONSENT: MOTIVATION

Westin Grand Cayman Resort: New Hotel Annex, New Conference Facility ('Ballroom'), Change-of-Use (Banquet Kitchen, Meeting Rooms, Back-ofHouse) & 2 Pools

_____ We act for Applicant /Owner /lessee Invincible Investment Corporation as agent, and hereby make application to the Central Planning Authority for planning consent for

- a new 10 storey Hotel Annex including a Spa; and*
- a new Conference facility with ancillary banquet kitchen*
- existing Westin Resort change-of-use space to new meeting rooms, 'back-of house' services and a Kid's Club facility;*

at the Westin Grand Cayman Resort, West Bay Road, Seven Mile Beach (parcel 11D45). The application includes two new guest swimming pools at 1 st floor and 10th floor decks respectively.

DEVELOPMENT SCOPE:

A New Hotel Annex:

New 10-storey hotel tower with 234 guestrooms, multi-functional 3-meal restaurant, lounge bar, wellness facilities, roof-top bar and lounge with landscaped pool and deck

Approximate area: 195,414 sq ft

B New Conference Facility:

New sub-divisible conference facility and ballroom with pre-conference areas, and related facilities

Approximate area: 18,410 sq ft

C Change of Use (existing Westin Resort):

C1 18 existing guestrooms in Westin Resort to be retrofitted as

6 guestrooms to meeting space 2,139 sq ft

3 guestrooms as hotel guest-only 'Kid's Club' facility 1,063 sq ft

*9 guestrooms as hotel guest-only facilities or
'back-of-house', services /corridor space 3,215 sq ft*

C2 Existing retail space in Westin Resort (existing Spa) to be retrofitted as a banquet kitchen for general resort catering requirements as well as specific catering for banquets to be hosted in the Conference facility

3,578 sq ft

C3 Existing retail space in Westin Resort (existing Spa) to be retrofitted as a temporary laundry /'back-of-house' operation

2,901 sq ft

Total approximate area: 12,896 sq ft

*1 Temporary laundry is to serve the existing 343 key Westin Resort while demolition of existing restaurants, laundry and other BoH facilities and consequent construction and completion of the new Hotel Annex is effected. This temporary laundry is to be dismantled and installed in new premises within the Hotel Annex and the space will revert to BOH functions (hotel administration offices etc) **NOTE: Applicant intends making application to CPA in due course to modify planning consent grant CPA/04/20 Item 2.5 (P19-1187) to omit this Laundry facility.***

PLANNING DATA:

<i>Parcel 11D45 Area:</i>	<i>8.60 Ac</i>	<i>374,616 sq ft</i>
<i>Maximum permitted Coverage:</i>	<i>40.00%</i>	<i>149,847 sq ft</i>
<i>Existing Building Coverage:</i>		<i>92,819 sq ft</i>

<i>Existing Covered Walkway Coverage:</i>	<i>2,845 sq ft</i>
<i>Total Existing Building Coverage:</i>	<i>95,664 sq ft</i>
<i>Total Building Coverage %:</i>	<i>25.54%</i>
<i>less:</i>	
<i>Total Demolitions:</i>	<i>(23,071) sq ft</i>
<i>add:</i>	
<i>New Hotel Annex (Tower):</i>	<i>34,506 sq ft</i>
<i>New Conference Facility (Ballroom):</i>	<i>18,410 sq ft</i>
<i>New Covered Walkways:</i>	<i>10,971 sq ft</i>
<i>New Total Building Coverage:</i>	<i>136,480 sq ft</i>
<i>New Total Building Coverage %:</i>	<i>36.43%</i>
<i>Existing Walkway, Roads & Decks Coverage:</i>	<i>101,720 sq ft</i>
<i>Existing Walkway, Roads & Decks Coverage %:</i>	<i>27.15%</i>
<i>less demolitions /breakup:</i>	<i>(38,044) sq ft</i>
<i>New Total Walkway, Roads & Decks Coverage:</i>	<i>63,676 sq ft</i>
<i>New Total Walkway, Roads & Decks Coverage %:</i>	<i>17.00%</i>

Density Allowance:

<i>Maximum Allowable Guestrooms (65 rooms/acre):</i>	<i>559 rooms</i>
<i>Existing Guestrooms (Westin):</i>	<i>343 rooms</i>
<i>less: Guestrooms Change-of-Use:</i>	<i>(18 rooms)</i>
<i>New Guestrooms (Hotel Annex):</i>	<i>234 rooms</i>
<i>Total Proposed Guestroom Provision:</i>	<i>559 rooms</i>
<i>Total Proposed Guestroom Provision %:</i>	<i>100.00%</i>

Development Area (Gross):

<i>Existing:</i>	
<i>Total existing Building Area:</i>	<i>213,955 sq ft</i>
<i>less: demolitions</i>	<i>(23,071) sq ft</i>
<i>Total amended existing Building Area:</i>	<i>190,884 sq ft</i>
<i>Proposed:</i>	
<i>New Hotel Annex Area:</i>	<i>195,474 sq ft</i>
<i>New Conference Facility Area:</i>	<i>18,410 sq ft</i>
<i>Total Proposed Planning Consent Area:</i>	<i>213,884 sq ft</i>
<i>Total Change-of-Use Area:</i>	<i>12,896 sq ft</i>

PARKING PROVISION ANALYSIS:

Parking provision required on parcel 11D45 for existing Resort 2 : **198 bays**

New parking provision requirements:

*Additional guestroom allocation (216 guestrooms \pm 1 bay /2 rooms):***109 bays**

Restaurant Facilities (net new /adjusted areas) **45 bays**

3-Meal Restaurant 1 bay /200 sq ft 2,834 3 sq ft: 15 bays

3-Meal Kitchen 1 bay /200 sq ft (1,182 4) sq ft: (6) bays

Banquet Kitchen 1 bay /600 5 sq ft 3,578 sq ft: 6 bays

Sky Bar + Kitchen 1 bay /200 sq ft 4,291 sq ft: 22 bays

Foyer Coffee Bar 1 bay /200 sq ft 1,271 sq ft: 8 bays

Event Space (net new /adjusted areas) **16 bays**

Conference 1 bay /300 sq ft 7,297 sq ft: 25 bays

Meeting Rooms⁶ 1 bay /300 sq ft (2,656) sq ft: (9) bays

Retail Space **17 bays**

New Spa 1 bay /300 sq ft 7,810 sq ft: 27 bays

Reverse exist Spa 1 bay /300 sq ft (2,901) sq ft: (10) bays

Total Additional Parking Bay Provision required: **187 bays**

Total Parking Provision required: **385 bays**

2 Refer to Exhibit A 'Existing Parking Provision Analysis' dated 26 July 2022

3 4,950 sf demolished replaced by new 7,784 sf facility

4 5,198 sf demolished replaced by new 4,016 sf facility

5 difference between 1 bay /300 sf retail (spa) and 1 bay /200 sf restaurant (kitchen)

6 existing conference venue in restaurant block to be demolished

Request and Motivation for Variance to allow increase in Allowable Off-Site Parking Provision:

Off-Site Parking Allowance (s.8(1)(c) Development & Planning Regulations 2022):

This Regulations provides that in a Hotel/Tourism zone, 50% of the parking spaces may be located not more than five hundred feet from the respective building, as part of a Parking Management Strategy prepared to the satisfaction of the Central Planning Authority.

<i>Total Required Parking:</i>	385 bays
<i>50% Parking to be located on subject parcel 11D45:</i>	193 bays
<i>50% Parking to be located on remote parcel 11D37:</i>	192 bays

The draft Westin Resort Parking Management Strategy (subject to review and acceptance by the Central Planning Authority) is submitted to the Authority in fulfilment of Regulation 8(1)(c), Development & Planning Act (2021 Revision) as part of this application for planning consent.

Off-Site Parking Location Parcel 11D37:

Parcel 11D37, also leased by Applicant, is the site intended for locating the off-site parking provision provided for under Regulation 8(1)(c) and is located within 500ft of the Resort buildings as intended by the regulation.

Parking Provision Variance Motivation- 90% Off-Site Parking Provision Allowance:

We respectfully request that the Central Planning Authority grants Applicant a variance in terms of s. 8(13)(b) Development & Planning Law Regulations to allow the off-site parking currently provided for in terms of s.8(1)(c) to be increased from a maximum of 50% to approximately 90% as derived below without loss of amenity for or to the detriment of guests and residents in the Seven Mile Beach Corridor neighbourhood.

This variance, if granted, will permit Applicant to provide resort parking as follows:

<u>Total Required Parking:</u>	385
<i>bays</i>	
<i>approx 9% Parking to be located on subject parcel 11D45:</i>	35 bays
<i>approx 91% Parking to be located on remote parcel 11D37:</i>	350
<i>bays</i>	
<u>Total Provided Parking:</u>	385
<i>bays</i>	
<i>Total parking provision on parcel 11D37:</i>	443
<i>bays</i>	
<i>existing parking provision</i>	85 bays
<i>additional parking (planning consent P20-0053):</i>	358
<i>bays</i>	
<i>less parking allocations:</i>	(93)
<i>bays</i>	
<i>Sunshine Suites (132 guestrooms):</i>	66 bays
<i>Sunshine Grill (approx 2,280 sq ft restaurant):</i>	12
<i>bays</i>	
<i>Laundry facility (consent P20-0053):</i>	15 bays

Unallocated bays on parcel 11D37 available for additional Regulation 8(1)(c) parking in favour of Westin Resort 'overflow' requirements:

350 bays

We motivate the grant of this variance in Applicant's belief that

- the development proposal as comprised in this application for planning consent, will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and that*
- several factors implicit in the developed environment of the West Bay Road corridor along Seven Mile Beach give rise to the need to 'shed' required parking provision from parcels west of West Bay Road (i.e. with Seven Mile Beach frontage) onto parcels east of West Bay Road that are less sensitive to loss of amenity so that parcels west of West Bay Road will enjoy significantly enhanced amenity due to such re-allocation of parking provision.*

Applicant also believes that in responding to these various factors as drivers for improvement and in increasing significantly the percentage of off-site parking currently allowed under Regulations, the level of amenity for both guests and residents in this important hospitality and residential precinct of Seven Mile Beach be significantly enhanced.

Our proposed specific developmental responses in enhancing amenity in this regard are inter alia to:

- 1. allow more efficient use of the available land on those parcels in order to create better hospitality product with more amenable beach and landscape experiences for guests and residents;*
- 2. reduce vehicular access to those resorts as far as possible by restricting the need for localised casual parking adjacent points of entry and arrival;*
- 3. provide more remote parking facilities for the dedicated use of resort staff served by pedestrian route and shuttle service access to the resort to eliminate the predilection by staff for parking on road verges and sidewalks in the immediate precinct of the resort;*
- 4. create a better pedestrian and non-vehicular experience along West Bay Road as a pleasant and safe alternative to beach walks etc that encourage guests and residents to explore local shopping and restaurant destinations located along these landscaped roadways; and to*
- 5. divert as far as possible vehicles from needing to access resorts only from West Bay Road and providing parking opportunities accessible off Esterley Tibbetts Highway for guests and residents and with easy pedestrian access to the destination resort itself.*

We thank you for your consideration of this application for planning consent.

Yours sincerely

Applicant Response to DOE

The Director of Environment's comments on behalf of the National Conservation Council are noted and commended.

DIRECTED CONDITION

Applicant recognises and supports this directive to CPA to impose this Directive as a condition of planning consent.

1. *All construction materials shall be stockpiled a minimum of 75ft from the Mean High Water Mark.*

This condition is directed to prevent run-off and debris from entering the Marine Protected Area causing turbidity and impacting sensitive marine resources in the adjacent Marine Protected Area.

RECOMMENDED CONDITIONS

Applicant agrees with the imposition of the following conditions of planning consent as recommended by the Department of Environment (DoE):

2. *The applicant shall, prior to the issuance of a Building Permit, prepare and submit a Turtle Friendly Lighting Plan which minimises the impacts of artificial lighting on sea turtles. The plan shall be reviewed and approved by the DoE in accordance with their published advisory "Turtle Friendly Lighting: Technical Advice Note" dated September 2018.*

- (i) *Exterior lighting and/or specifications for visible light transmittance shall be installed and maintained in accordance with the above Turtle Friendly Lighting Plan.*
 - (ii) *On completion of construction and exterior lighting fixtures and specifications for visible light transmittance have been installed, DoE shall, prior to the issuance of the Certificate of Occupancy by the Department of Planning, inspect the exterior lighting and specifications for visible light transmittance thereof, for compliance with the above Turtle Friendly Lighting Plan.*

3. *Prior to the commencement of construction work, applicant shall contact DoE to check for the presence of turtle nests for written approval that no nests will be impacted by the commencement of such work.*

4. *Beach-side construction fencing associated with the works shall be installed and positioned by applicant at least 75 feet from the coastal property boundary and as far landward as possible to minimise impacts on the turtle nesting habitat. The fencing shall be erected so that it fully encloses the beach-facing area of works and is embedded at least 2 feet into the beach profile to prevent turtles from entering the construction site. Written approval shall be obtained by applicant from DoE that no nests will be impacted by the installation of the fence. DoE shall inspect and approve the fence after installation for suitability for the exclusion of turtles.*

5. All construction material shall be stockpiled landward of the beach-side construction fencing.

6. No construction work, vehicle access, storage of equipment and materials or other operations shall take place on the beach seaward of the construction fencing during turtle nesting season (01 May to 30 November annually) without the express consent of DoE.

7. If the construction contemplates using insulating concrete forms, measures (such as screens or other enclosures along with vacuuming) shall be deployed to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the turtle nesting beach and adjacent Marine Protected Area.

8. Any beach sand excavated during construction shall be retained on-site and shall be placed along the active beach profile.

(i) If beach sand is to be placed on the beach during turtle nesting season (1st May – 30th November yearly), the express consent of DoE is required to ensure that turtle nests are not adversely impacted.

(ii) If there is an excess of beach sand that cannot be accommodated on-site, the removal of such sand off-site by applicant if so desired, shall be the subject of a separate consultation with the National Conservation Council.

Applicant Response to Objector

We act for Applicant /Owner /lessee Invincible Investment Corporation as agent.

We hereby submit for consideration by the Central Planning Authority in due course, our Statement of Rebuttal dated 13 June 2023 in this regard.

We also submit an amended version each of the architectural planset originally submitted in support of our application for planning consent and the draft Parking Management Strategy (both dated 05 May 2023)- these documents having been amended to indicate the northern PROW over parcels 11D96 and 11D97 as being of minimum 20' width as correctly pointed out by the objector in their letter dated 21 August 2022.

APPLICANT'S RESPONSE TO LETTER OF OBJECTION SUBMITTED ON BEHALF OF MEOW LTD

APPLICATION FOR PLANNING CONSENT: P22-0735 *Page 1*

Date: 13 June 2023

To: Central Planning Authority ("CPA")

Re: Baker & Partners letters to Director, Department of Planning:

Objections to Application for planning consent P22-0735

Westin Resort: New Hotel Annex, Conference Centre & Associated

Facilities on Parcel 11D45, West Bay Beach North, Grand Cayman

Applicant hereby rebuts the objections raised by Meow Ltd ('Objector'), leaseholder of parcels 11D97 and 11D98 comprising The Falls commercial retail centre and residential apartments to planning consent application P22-0735 ('the subject application'), in their letters from their counsel Baker & Partners to the Department of Planning dated 21 September 2022 ('Letter 21/08/22') and 07 June 2023 ('Letter 07/06/2023') respectively.

The Falls is a 2-storey strip mall located directly opposite The Westin Resort and which consists of ground floor shops and restaurants fronting onto West Bay Road including Captain Marvin's Watersports, Legendz Bar, Eats Cafe diner and Yoshi Sushi restaurant, with several offices and business service outlets on the upper level.

Letter 21/08/22 Objection 1: [Alleged] adverse impact upon the tenants of 96/1 and 97/1 (Letter 07/06/23 p.2 'Parking at the Falls')

This first objection by the Objector asserts that Applicant falsely accuses The Falls tenants and customers of using the Westin parking spaces without substantiation. At the same time however, the Objector asserts similar claim against the Applicant without merit, offering anecdotal conjecture, false accusations, and contortion of an email from Applicant as evidence. Applicant finds the tactic offensive and without relevance.

Applicant further offers the following support that The Falls centre is clearly under-parked and which would violate planning regulation-stipulated parking requirements, causing The Falls tenants and customers to have to find parking elsewhere, including the Westin Resort parking lot.

Under-provision of parking facilities at The Falls:

Applicant estimates by observation The Falls parking derivation to be as follows:

- *Gross area of general commercial and restaurant square footage at the Falls is estimated at 32,800 sq ft*
- *Based on Planning required parking ratio of 1 bay per 300 sq ft for general commercial use and 200 sq ft for restaurant use, the Falls estimated required parking is 123 bays for general commercial and restaurant usage*
- *The Falls currently only provides an estimated 84 parking bays, leaving a significant parking deficit of 39 bays or 46% shortfall to current planning requirements*

This significant shortfall of parking provision has had a negative effect on the relationship between The Falls and the Westin Resort as there is a perception that The Falls is losing potential customer parking space to Westin Resort guests, patrons and staff. We contend that rather than The Falls' parking being used by Westin staff or patrons, it is entirely likely that at The Falls' busy restaurant and bar patronage time, quite the reverse situation arises- there is a parking availability shortfall at The Falls resulting in the Westin Resort parking provision being used by The Falls patrons.

Guests of the Westin Resort provide considerable patronage of The Falls' retail businesses by guests resident at the Westin Resort, particularly the food and beverage outlets offering a different food and bar experience to that of the Resort. The benefits of this custom is appreciated by the food and beverage operators at The Falls. As a

bonus, Westin Resort guests do not use The Falls' parking facilities and so reduces pressure on the centre's limited parking availability.

During recent interviews with the main restaurant tenant of three separate restaurants at The Falls, they expressed their appreciation and vital contribution of Resort patrons coming over to dine in their restaurants. They have also expressed an interest in the Applicant's proposed parking lot to provide much needed overflow parking conveniently located adjacent to their restaurants. Applicant has already commenced conversations with them regarding an agreement in this regard.

Adequate provision of parking facilities at The Westin for guests and staff:

In the draft Parking Management Strategy required under planning regulations, Applicant has provided a parking analysis demonstrating that the current parking facilities adequately provide the necessary parking demand as follows:

Current on-site parking provision (bays) 198 less

average daily patron airport rentals 16

average daily on-site available rentals 4

current shift staff parking 80

Parking available for 'public' use 98

There is thus rarely a situation where the Westin Resort parking lot is ever full. If so, what would the motivation be for Resort patrons to need to park at the Falls? The situation Objector is asserting likely rarely if ever happens due to the adequacy of parking available at the Resort. If on casual observation there are noticeably more vehicles in the Resort parking area, the logical explanation must be that they are all 'fly' parking while either patronising The Falls, accessing the beach by either of the two shoreline access easements adjacent to the Westin Resort or are otherwise engaged in the vicinity for whatever reason. Irregular 'fly' parking is occurring at the Westin Resort (and possibly at the The Falls) due to a general under-provision of public parking facilities in this immediate precinct of Seven Mile Beach.

Proposed mitigation of alleged irregular use of The Falls parking facilities by Westin staff (and others):

Objector refers in Letter 07/06/23 to an email received from applicant /owner representative Joe Gould, and claims that the email appears to infer acceptance of the existence of these alleged parking issues. However, nowhere in the email correspondence does Mr. Gould acknowledge or imply acceptance thereof. Knowing that Objector had concerns about illegal parking, with or without merit, the purpose of this email correspondence was to assuage Objector's concerns in a neighbourly manner by sharing details of applicant's reasoned draft Parking Management Strategy in an effort to get support for the proposed development. This email is not, nor should it be viewed as, applicant's acknowledgment of Objector's allegations in this regard.

Nevertheless, applicant regards resolution of this matter and the establishment of a working relationship with The Falls ownership as a matter of high priority that would mitigate the mutually negative effects of this under-provision of parking spaces at The Falls. The need for this mutually beneficial relationship is recognised in the context of the draft Parking Management Strategy submitted in support of this application to the

Central Planning Authority in terms of Regulation 8(1)(c). Mitigatory strategies in this regard include

- *provision of dedicated Westin Resort employee parking in the proposed off-site parking area- parking restrictions will be enforced using appropriate technology preventing Resort employees from parking in The Falls retail parking spaces;*
- *deployment of parking monitor personnel at The Falls during high demand periods to ensure parking enforcement at Westin Resort expense, including during periods of construction activity at the Resort;*
- *provision of improvements to the ROW road way over The Falls property serving the proposed off-site parking area and provision of landscaping between the Falls and adjacent Regatta Office Park to enhance the general amenity of these areas to the mutual benefit of the Westin Resort and The Falls; and*
- *provision of a dedicated shuttle connection from the proposed off-site parking area to the Westin Resort for use by staff, guests and patrons during peak demand periods to encourage legitimate parking lot usage vs the alternative of irregular 'fly' parking at The Falls.*

Letter 21/08/22 Objection 2: [Alleged potential disturbance to residents on] Parcel 97/1

This objection arises over the alleged potential increase of traffic using the adjacent PROW and West Bay Road during Westin Resort-hosted functions that would disturb the peace and quiet of the tenants of residential apartment units, particularly at night during a large event at the Resort. Objector also alleges that as a consequence of such potential disturbance, tenants would terminate their leases and vacate their units causing financial loss to Objector.

This is patently false as this portion of Seven Mile Beach, like most of the West Bay Road precinct, is at the heart of Grand Cayman's hospitality and tourism zone, and which zone is characterised by substantial hospitality-generated people interaction and related traffic along West Bay Road and its feeder routes. The owner of The Falls decided to build the development in this zone in order to rent commercial premises to retailers, restaurant operators and service providers aimed at the tourism and hospitality patron markets- and subsequently developed residential apartments for tenants who sought the immediacy and interaction with the Seven Mile Beach hospitality scene, not the peace and quiet of a suburban residential precinct.

Increased traffic levels that may be induced by the proposed expansion of the Westin Resort will not result in an associated degradation of tenants in The Falls. The expansion of the Westin Resort will in fact enhance the demand for restaurant, retail and multi-family tenancy in the vicinity, resulting in a significant increase in property value and retail sales generation, benefitting both the owner of The Falls and the economic base of the Cayman Islands.

Objections against developments within a Hotel /Tourism zone arising from the assumption that such development would cause degradation to Objector's adjacent

commercial investments and personal economic harm, are not valid, as such objections are based on protectionism and the exclusion of development opportunities that would otherwise benefit the economic base of the Cayman Islands. Furthermore, it is not within the CPA's purview to assess the economic impact of developments and the CPA must be careful not to be engaged in that discussion. The precedents are very clear on this point.

Letter 21/08/22 Objection 3: [Previous] Planning Department Analysis and Parking Regulations (Letter 07/06/23 p.2 'Off Site Parking Ratios')

This objection arises out of the previous application for planning consent made by applicant on or about 14 July 2020 and which was refused planning consent. The current application is based on an updated set of parking requirement derivations, and is made in conformance with revised Development & Planning Act Regulations and which make specific reference to higher levels of off-site parking permissible and the provision of a Parking Management Strategy as part of the compliance requirements provided for under the revised Regulations.

The Central Planning Authority is not bound to take into account previous planning applications made- or any other application made for similar recent or historical developments. For this reason, the Authority should determine the current application on its specific merits, and grant any variation requested of it if found to be reasonable in terms of s.8(13)(iii) of the Development & Planning Act Regulations (2022 Revision)

Letter 21/08/22 Objection 3(b)

Applicant concedes that the closing of portions of the Westin Resort parking area during the period of renovations and refurbishment operations over the period referred to in the objection (2017/2018) resulted in the unfortunate consequence of overloading other available parking in the local area without adequate provision of alternative parking facilities.

Applicant affirms that this will not occur should the Westin Resort expansion programme mobilise. The proposed off-site parking area will be completed and commissioned prior to the mobilisation of the Resort development itself, and all construction-related parking will be relegated to the new parking area.

Letter 21/08/22 Objection 4: [Public Vehicle] Right of Way Matters (Letter 07/06/23 p.3 'Off Site Parking Access')

Letter 21/08/22 Objection 4(a):

Objector has correctly pointed out that the northern Public Vehicular Right of Way easement as granted by them to the lessee of parcel 11D37, is not 30'-0" wide but of 'varying width' - from 20.1ft to 25.5 ft wide over its extent from West Bay Road to parcel 11D37 which it serves.

It is worth noting that the easement was in fact 30 ft wide as originally registered on or about 1982, but according to research of title undertaken as part of a due diligence exercise by applicant, the author notes that

... this is the easement which has been encroached upon by [Objector] Meow Ltd., though we should make clear that encroachment does not appear to be material and/or contentious. The easement comprises the northern access to the property from West Bay Road, and the encroachment on that easement is the result of an extension to the kitchen which serves the restaurants in the commercial element of the Meow Ltd.

parcel. The extension to the building was added post-Hurricane Ivan. The easement was originally for a 30 foot easement (i.e. the width of the access road) when it was granted back in the 1980s, but as a result of the encroachment, the easement is in the process of being modified to reflect the true position, i.e. that this is now a 20 foot easement.

Applicant's documentation in support of the application for grant of planning consent has been duly amended where reference is made to this easement.

Furthermore, the Pedestrian Walkway proposed under the subject application will negate this encroachment by restoring the vehicular roadway to 22'-0" wide as required under planning regulations.

Letter 21/08/22 objection 4(b)

Objector claims that applicant, as owner of parcel 11D45 on which the proposed development that is the subject of this planning application, does not have the right to use the PROWs that serve as access from West Bay Road to parcel 11D37 on which the remote parking facility intended to provide the required parking for the development, is proposed to be located.

This objection is groundless as applicant anticipates that the grant of planning consent would be subject to a formal commercial agreement and lease between the owner of parcel 11D45 (site of the Resort) and the owner of parcel 11D37 (the site of the remote parking area) for the purpose of providing the requisite parking space for the use of and by guests, patrons and staff of the Westin Resort.

Objector also claims that any planning consent granted for a development or use on parcel 11D37 would of necessity rely on access to West Bay Road via one or both of the PROWs that serve as such access, would adversely impact the value of their properties by excessive use of the easements.

This objection as it relates to the type of development or land use that may or may not be granted planning consent on parcel 11D37 is baseless and without merit as the zoning of Hotel/Tourism permits development that can be significantly more intensive than the current proposed parking area. The owner of parcel 11D37 and their guests, patrons, agents and employees as well as their successors in title, are and would be legally entitled to traverse the registered easement over Objector's parcels 11D96 and 11D97.

Letter 07/06/23 p.4 'Off-Site Parking Access'

Objector asserts that the subject application should not be considered further until a separate application is submitted for vehicular and pedestrian right of way over parcel 11D133 (the Regatta office complex). Objector has no ownership interest or any other rights in parcel 11D133, therefore their objections regarding it are completely without merit and totally misplaced. Furthermore, applicant does not see any rational reason why this would require a separate planning consent grant apart from Objector's apparent desire to create further delays and impediments to the subject planning consent application.

The Pedestrian Promenade proposed over parcel 11D133 is clearly laid out in the planning consent application documents, and applicant has had numerous substantive discussions with the parcel's owner who is supportive of the subject application and is willing to allow the construction of the Pedestrian Promenade over the parcel.

Applicant contends that Objector's stance regarding the Pedestrian Promenade over parcel 11D133 is not a substantive or serious complaint, and is rather a merit-less attempt to distract the Central Planning Authority from considering fairly the thoughtfully constructed subject application.

Letter 07/06/23 p.5 'Exceptional Circumstances'

Applicant is of the firm belief that the provision of what is essentially a large public parking lot in immediate proximity to both The Falls and the Westin Resort, will be an amenity of considerable convenience to patrons of both establishments, and that this amenity significantly benefits persons residing or working in the vicinity, at the adjacent properties, this part of the Seven Mile Beach community and the public welfare in general. . In fact, we have affirmation from The Falls largest restaurant tenant that the additional parking would be greatly beneficial to their business.

In his application for planning consent, applicant requests Central Planning Authority to grant a variance as allowed under Regulation 8(13)(iii) for these reasons:

- *the development proposal as comprised in this application for planning consent, will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and that*
- *several factors implicit in the developed environment of the West Bay Road corridor along Seven Mile Beach give rise to the need to 'shed' required parking provision from parcels west of West Bay Road (i.e. with Seven Mile Beach frontage) onto parcels east of West Bay Road that are less sensitive to loss of amenity so that parcels west of West Bay Road will enjoy significantly enhanced amenity due to such re-allocation of parking provision.*

Applicant also believes that in responding to these various factors as drivers for improvement and in increasing significantly the percentage of off-site parking currently allowed under Regulations, the level of amenity for both guests and residents in this important hospitality and residential precinct of Seven Mile Beach be significantly enhanced.

Applicant has specific developmental responses in enhancing amenity in this precinct. These are to

1. *allow more efficient use of the available land on those parcels in order to create better hospitality product with more amenable beach and landscape experiences for guests and residents;*
2. *reduce vehicular access to those resorts as far as possible by restricting the need for localised casual parking adjacent points of entry and arrival;*
3. *provide more remote parking facilities for the dedicated use of resort staff served by pedestrian route and shuttle service access to the resort to eliminate the predilection by staff for parking on road verges and sidewalks in the immediate precinct of the resort;*
4. *create a better pedestrian and non-vehicular experience along West Bay Road as a pleasant and safe alternative to beach walks etc that encourage guests and residents*

to explore local shopping and restaurant destinations located along these landscaped roadways; and to

5. *divert as far as possible vehicles from needing to access resorts only from West Bay Road and providing parking opportunities accessible off Esterley Tibbetts Highway for guests and residents and with easy pedestrian access to the destination resort itself.*

OBJECTIONS

Letter of Objection (Meow Limited)

See Appendix A

Letter of No Objection

Development of a new hotel annex, associated facilities and new conference facility

We represent the Proprietors of Strata Plan No. 12 (“Villas of the Galleon”) in respect of an application for planning permission by Invincible Investment (“The Applicant”) to develop a new hotel annex, associated facilities and new conference facility on Block and Parcel 11D45 (“The Site”).

On 25 August 2022, we sent a notice of objections by email to the email address: planning.dept@gov.ky

We are pleased to notify you that following constructive and helpful discussions with The Applicant, we are instructed by our clients, Villas of the Galleon to withdraw the notice of objections dated 25 August 2022 in its entirety.

PLANNING DEPARTMENT ANALYSIS

General

The applicant is requesting planning permission for a Hotel Annex & Related Facilities; 213,884 sq. ft., New Conference Facility, Change of Use (Banquet Kitchen, Meeting Rooms, Retail) & 2 Swimming Pools. The application includes the following elements:

- 234 guest rooms
- Two restaurants
- Conference rooms
- Ground level pool
- Rooftop pool
- Off-site parking
- Off-site laundry facility (**applicant intends making application to CPA in due course to modify planning consent grant CPA/04/20 Item 2.5 (P19-1187) to omit this Laundry facility.**)
- Floor plan modifications to existing hotel.

Zoning

The property is zoned Hotel Tourism

DISCUSSION OF DEVELOPMENT PLAN

Specific Issues

1) Suitability

The proposed annex complies with the maximum building height as it will have 10 stories and measures at 114'8". The site is located within the Seven Mile Beach corridor, where there are a few 10 storey developments in various stages of construction.

The immediate adjacent properties are relatively low-density development within the main tourism corridor. To the north is the Governor's residence and a public beach. To the south is Villas of the Galleon, a three-storey multi-family development. Across West Bay Road is a two-storey commercial center and Regatta Office Park.

2) Off-Site Parking

A breakdown of the required number of spaces per use is provided below.

Hotel Rooms (existing & proposed)	559 beds	279.5 spaces
Restaurants	17,362 sq. ft.	87 spaces
Conference Facility	9,953 sq. ft.	34 spaces
Retail	2,901 sq. ft.	10 spaces
Spa & Salon	7,810 sq. ft.	26 spaces
Off-site Laundry Facility	14,498 sq.f.t.	15 spaces
Total Spaces Required		451.5 spaces

The proposed hotel annex and conference facility reduces the number of on-site parking spaces from the existing 204 spaces to 35.

At the February 19th 2020 meeting, the Authority approved an application for an off-site laundry and storage facility to support the existing hotel. Despite the facility only

requiring 15 parking spaces, the Authority approved a site plan that provided 358 spaces (P20-0053).

Based on the information provided by the applicant, the overall development required 451.5 spaces, however only 385 are provided, a deficit of 66.5 spaces. The 451.5 spaces includes outdoor dining for the ground floor restaurant (15 spaces), the lobby coffee bar (8 spaces) and the new spa & salon (26 spaces). The Authority could determine if these areas should be considered only available to hotel guests and not the public, therefore being excluded from the overall parking requirements.

The off-site parking location is approximately 365' from parcel to parcel or 383' driveway to driveway. Regulation 8(1)(c) allows up to 50% of the required parking to be located not more than 500' from the respective building. Based on the proposed expansion, up to 225.75 spaces may be located off-site, however that means the remaining 50% of the required spaces (451.5) should be on-site.

Proposed access to the off-site site is through an existing driveway that supports the Cayman Falls commercial center and apartments. The photographs below show that parking for the apartments back directly onto the easement and there are repeated occurrences of customers and tenants parking in the easement, thus reducing the ability for two-directional traffic and safe pedestrian passage.

The applicant has provided details as to how this access way will be improved (See Westin Parking Management Strategy V2)(Appendix A).

The Authority is recommended to discuss whether the off-site scheme, lack of on-site parking, and shared access is functional for two hotels along a major and busy tourism corridor.

3) On-Site Laundry Facilities

The expansion includes an on-site laundry facility to support both the existing and proposed hotel. Per their letter (see Appendix D), the recently approved off-site facility will be temporary and demolished once hotel construction is complete.

It could be argued if the off-site laundry facility remained, the proposed on-site facility could be removed and make space for more on-site parking.

Supplemental Information

The board should be reminded the above-mentioned application was seen on November 11, 2020 (CPA/19/20; Item 2.1) and it was considered and it was resolved to refuse planning permission.

In addition to the above the Board should be reminded the application was seen on October 12, 2022 (CPA/24/22; Item 2.6) the application was considered and it was resolved to adjourn the application for the following reason:

- 1) The applicant is required to submit a Traffic Impact Assessment (TIA) based on the requirements of the National Roads Authority and approved by the Central Planning Authority. The Assessment will assist the Authority in making a fully informed decision regarding traffic impact, including the proposed off-site parking, and the

pedestrian/vehicular interface along West Bay Road. Prior to commencement of the study, the Terms of Reference for the TIA shall be approved by both the NRA and CPA.

2.5 CAYMAN ENTERPRISE CITY (Design Cayman Ltd) Block 21B Parcel 134 (P22-1154) (\$230,000,000) (MW)

Modification to PAD

An appearance had been scheduled for 1:30pm, but prior to the meeting an objector's Attorney-at-Law contacted the Department requesting that the application be re-scheduled as they had just been retained and needed sufficient time to take proper instruction from their client. The applicant and other objectors were contacted and advised that the application would be re-scheduled.

FACTS

<i>Location</i>	Off Fairbanks Rd., George Town
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	Objections
<i>Parcel size proposed</i>	75.5 ac. (3,288,780 sq. ft.)
<i>Parcel size required</i>	-
<i>Current use</i>	Approved buildings (under construction)
<i>Proposed building size</i>	-
<i>Total building site coverage</i>	-
<i>Allowable units</i>	-
<i>Proposed units</i>	-
<i>Allowable bedrooms</i>	-
<i>Proposed bedrooms</i>	-
<i>Required parking</i>	-
<i>Proposed parking</i>	-

BACKGROUND

December 9, 2015 – Planned Area Development – the application was considered and it was resolved to grant planning permission.

July 6, 2016 – Five (5) Lot subdivision – the application was considered and it was resolved to grant planning permission.

May 23, 2017 – Modify CPA Conditions – the application was considered and it resolved to grant planning permission.

April 18, 2018 – Two (2) Commercial Office Buildings and Two (2) Generators – the application was considered and it was resolved to grant planning permission.

November 23, 2018- Revise Site Layout and Building Design, Reduce Parking (Phasing)-the application was considered and it was resolved to grant planning

permission.

September 16, 2020 – Modification to Office Building (Increase Floor Area, Revise Elevations & Add Parking)- the application was considered and it was resolved to grant planning permission.

May 24, 2023 – Modification to PAD- the application was considered and it was resolved to adjourn the application.

Decision: It was resolved to adjourn the application at the request of an Attorney-at-Law for one of the objectors as they advised they had just be retained and needed sufficient time to take proper instruction from their client.

AGENCY COMMENTS

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

Water Authority

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

Wastewater Treatment:

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

Water Supply:

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

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

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

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

National Roads Authority

TO: DIRECTOR OF PLANNING

FROM: MANAGING DIRECTOR (JH)

DATE: MARCH 28TH, 2023

**OUR REF: RDS/DEV/21B
1154**

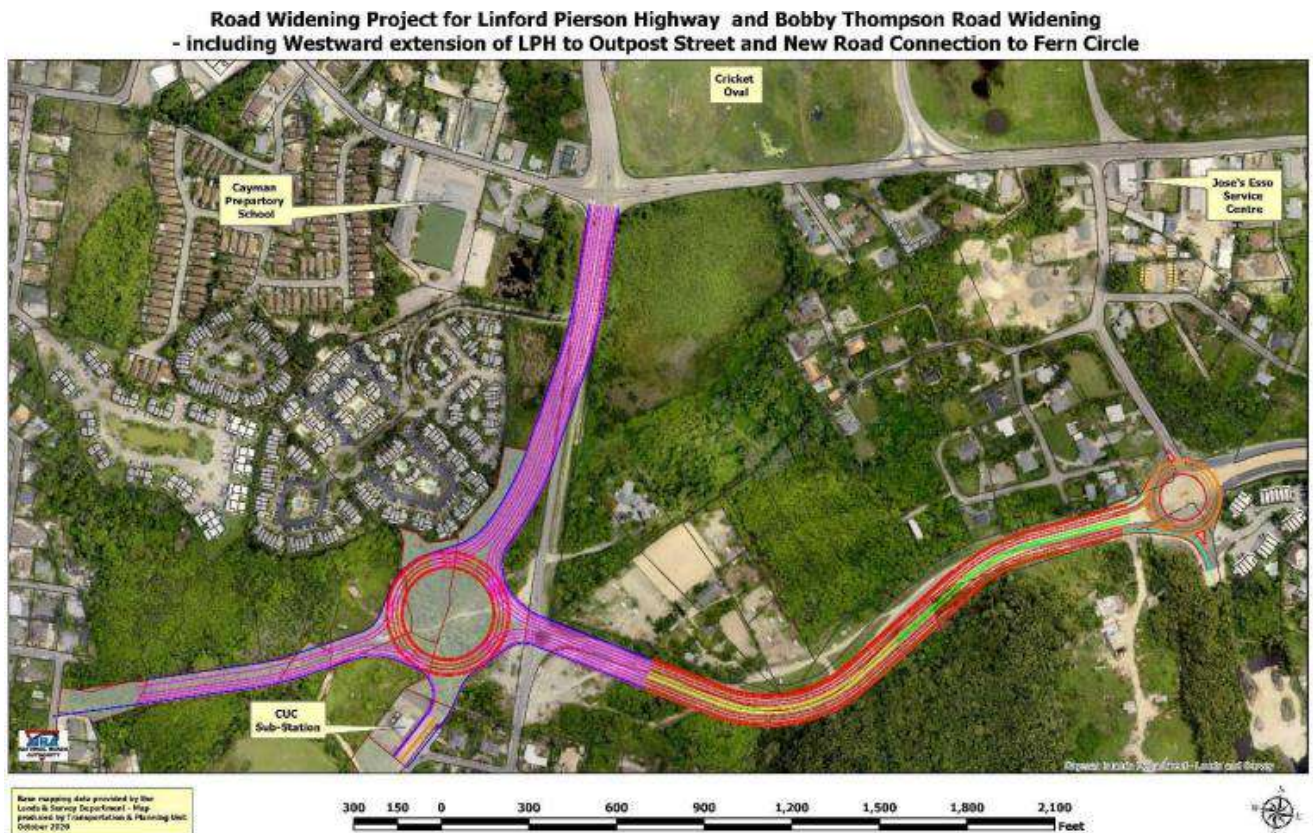
YOUR REF: P22-

SUBJECT: Proposed Modification to Approved Cayman Enterprise City PAD on Block 21B Parcels 134 & 135 and Block 15C Parcel 29 – South Sound

As per your memo dated January 11th, 2023 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Planned Roadway Network Improvements

At the moment, works are on-going for the widening of Linford Pierson Highway (LPH) and Bobby Thompson Way (BTW) to six (6) lanes from Agnes Way to the intersection of Smith Road and Bobby Thompson Way/Huldah Avenue, along with a new roundabout intersection for LPH and BTW and will include an improved road connection for Fairbanks Road – the road widening project was gazetted in December 2021 as Boundary Plan 615 and published in Extraordinary Gazette No 99 of 2021. The extent of the planned roadworks is illustrated below and the works are anticipated to be completed by the end of 2023.



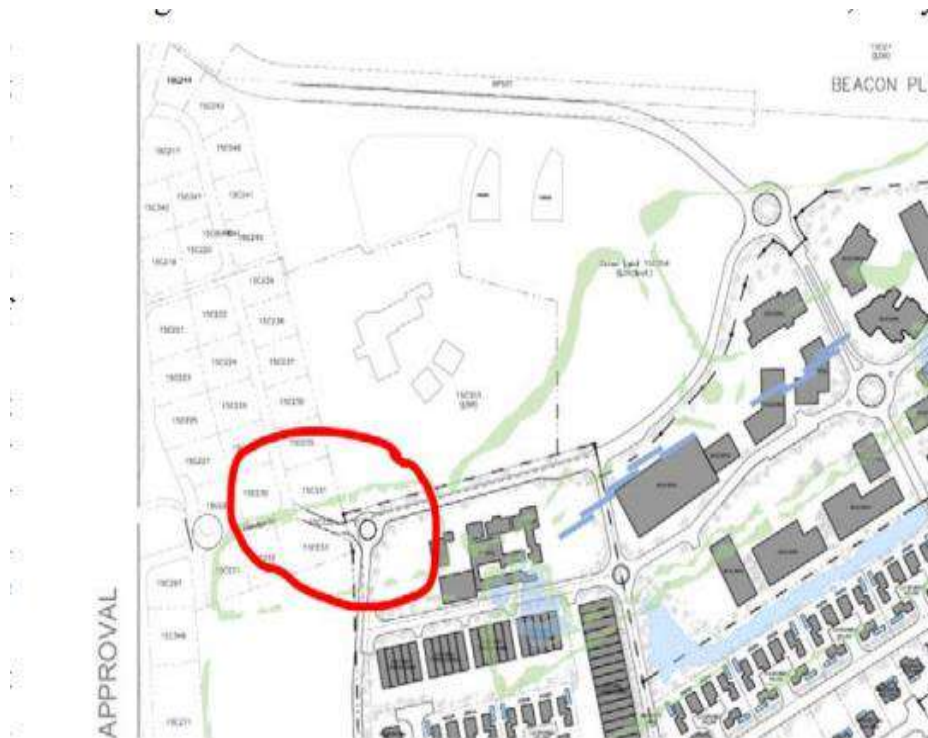
Additionally, at the request of the PAHI Ministry in December 2022, the NRA prepared an intended gazette plan which will extend Agnes Way to the planned South Sound By-Pass with a connection to Fairbanks Road thereby creating a loop road system which

will abut the CEC Campus which will assist with better dispersion / distribution of traffic assignment in the sector of George Town with the development of the CEC project in the long-term – please refer to the attached schematic map. The NRA is awaiting feedback from the Ministry regarding the gazettal that would be undertaken pursuant to Section 3 (notification proposal to take land) of the Roads Act. At this point, no funding has been secured for the roadway but the Ministry has indicated that it wishes this project completed by the end of 2026.

General Issue

The proposed main entrance to the subject lands is located on a the partial built road to the Fairbanks Prison, that forms part of Boundary Plan 643 / Prescribed Composite Map 344 (gazetted in January 2022). The developer has agreed to contribute to the construction cost of the access road with the Cayman Islands Government for the first phase of the gazetted road from Fairbanks Road to the proposed roundabout which provides access to CEC's first development phase. From the time this development was planned as a PAD, the planned roadway network for the South Sound By-Pass (gazetted in May 2005) was altered by the NRA to accommodate an outer curve between Block 15C Parcel 56 to Block 15C Parcel 353 (this is now reflected in the proposed Section 26 gazette) as shown in the following graphics.

The developer is now proposing an alteration to the planned road corridor by introducing a proposed roundabout that would allow a road connection from the CEC project to Fairbanks Road via Fairview Road as illustrated on the right. Fairlawn Road is classified as an Access Road, thirty (30) feet in width; it serves as the local access road to about 20 residences, and it intersects with Fairbanks Road with a less than optimal angle. In other words, this roadway is not conducive and of sufficient width to accommodate significant traffic demand generated by the CEC Campus, especially the institutional traffic shown as Inst Phase 4.1 on the Phasing Plan (drawing A.101. On that basis, the NRA cannot endorse the use of Fairlawn Road as an alternative means of access to the CEC Campus. The NRA therefore asks the CPA to require the developer to remove this access point from drawings A-100 – Proposed Master Plan and No A.103 – Use Zoning Masterplan.



*The developer has also confirmed that there will be emergency access points from South Sound Road, through Anne Bonny Crescent, and Mary Reed Crescent that will only be used for emergency vehicles, and never to be used as primary access points to CEC site. The developer will need to construct the road to meet minimal **NRA specification for subdivision roads (including drainage conveyance requirement)**, up to the subject parcel.*

The Master Plan of the project is proposing a substantial modification in regards to the Stormwater conveyance facility by reducing the amount of the planned water body to accommodate surface run-off. Given that the CPA has made the requirement for stormwater plan to be addressed at each phase of the project, at this juncture, the NRA is not in position to assess the implications on the overall drainage conveyance of the project.

Development Assumptions

Based on the application for a Planned Area Development (PAD) on Block 21B Parcel 134, CEC has increased the area of the development that spans to 75.50 acres. It will remain as a Special Economic Zone for the purpose of the development being utilized as a mixed use development comprising of hotels, restaurant, retail, an educational institution, and residences, which the lakes have been removed from the original approved master plan to accommodate larger residential housing. The hotel/tourism buildings will consist of approximately 170 units ranging from hotel rooms/studios making the total footprint approximately 165,000 sq.ft. In the residential serviced apartment area, this will consist of 72 units, a total of approximately 96,000 sq.ft. Both residential and hotel/tourism area will consist of under building parking. The educational facility was added, which will cover approximately 30,000 sq.ft (500 student) facility that is included in the gross commercial space of 1,148,188 sq. ft.

Traffic Generation of the Proposed Development

Due to limited trip generation data for Planned Area Developments, similar nature availability from the ITE anticipated traffic demand to be generated by this development is assessed in accordance with ITE Code 310 – hotel, and 220 – apartment, and 770 Business Park.

Assuming a worst case traffic generation scenario for a hotel, the 9th Edition ITE Trip Generation Report provides the following average daily, AM and PM peak hour trip rates per room: 8.17, 0.53 and 0.60 respectively. For the 72 residence-apartments, the assumed average trip rates per unit as provided by ITE for estimating the daily, AM and PM peak hour trips are 6.65, 0.51 and 0.62 respectively. For the gross commercial space of 1,148,188 sq.ft, the assumed average daily trip rate per square foot are 12.44, 1.40 and 1.26.

The anticipated traffic added onto the new Fairbanks bypass by the proposed development is estimated as follows:

Dev't type	Expected Daily Trip (vpd)	AM Peak Hour Total Traffic (vph)	AM Peak In	AM Peak Out	PM Peak Hour Total Traffic (vph)	PM Peak In	PM Peak Out
Hotel	1389	90	53	37	102	52	50
Apartment	479	37	7	29	45	29	16
Commercial	14,294	1609	1,367	241	1,448	376	1,071
Total	16,162	1,736	1,427	307	1,595	457	1,137

Based on these estimates, the impact of the proposed development onto the South Sound By-Pass Fairbanks bypass, and the LPH is considered to be moderate to severe. With the construction of the new Fairbanks bypass, this new arterial road will assist in alleviating the volume of traffic that has already stressed Linford Pierson Highway, which will be used as a connector road unto Fairbanks, where the core of schools are located. This is where the NRA estimates that there will be an increase in traffic flow to this area based on the population of the Cayman Islands seeing a 2.9% increase in growth over the past ten years with the last Census in 2021 being 71,105 from a population of 55,036 in 2010.

Access and Traffic Management Issues

One-way driveway aisles with diagonal parking shall be a minimum of twelve (12) to sixteen (16) ft wide.

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-two (22) ft / twenty-four (24) ft.

A six (6) foot sidewalk shall be constructed within the perimeter of CEC, within the property boundary, to NRA standards. As outlined in the hard-scape of CEC master plan, create accessibility to buildings and parking.

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

Stormwater Management Issues

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

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

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

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

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

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

TO: DIRECTOR OF PLANNING

FROM: MANAGING DIRECTOR (JH)

DATE: JUNE 8TH, 2023

OUR REF: RDS/DEV/21B

YOUR REF: P22-1154

SUBJECT: Proposed CEC Modification to PAD Approval and Conditions on Block 21B Parcel 134 – South Sound

As per your memo dated May 22nd, 2023 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

The NRA does not have any issues or concerns with the CEC PAD Modification removing the roundabout that showed a connection through Fairview Road to Fairbanks Road. However, all other conditions and comments still apply as set out in the previous Memo dated March 28th, 2023.

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

***Transportation Planning Unit
For Managing Director***

Department of Environmental Health

DEH has no objections to the proposed in principle. All planned development for the site must be submitted to DEH for review and approval.

Department of Environment (NCC)

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

Site Overview

With the exception of the current Cayman Enterprise City (CEC) office building development footprint, the majority of the Planned Area Development (PAD) site comprises primary habitat, namely, seasonally flooded mangrove forests. The applicant is reminded that mangroves are Schedule 1, Part 2 Protected Species under the National Conservation Act (NCA) with an adopted Conservation Plan. It is an offence to remove mangroves unless permission is explicitly sought to remove them either through the granting and implementation of planning permission or a National Conservation Council Section 20 permit. The Mangrove Species Conservation Plan can be downloaded at the following link: <https://conservation.ky/wp-content/uploads/2021/01/Species-Conservation-Plan-for-Mangroves-FINAL.pdf>.

Summary of DoE Noted Modifications

The DoE notes the modifications to the approved PAD. We have provided comments on the following modifications:

- *An increase in the size of the PAD with the addition of 4.63 acres bringing the total PAD area to 75.5 acres;*
- *The removal of the lakes from the plan;*
- *Master plan concept changes;*
 - *The redesign to include underground parking,*
 - *The expansion of the residential zone in place of the lakes,*
- *A request to remove the condition prohibiting the use of septic tanks;*
- *A request for the removal of the requirement for the temporary parking areas to utilise chip and spray asphalt; and*
- *A request to remove the requirement for the swale to be made of concrete.*

DoE High-level Concerns

In the DoE's initial planning review for the CEC PAD (app ref: PAD15-0001; F15-0228), dated 18 November 2015, the Department highlighted 3 major concerns:

1. *The ongoing drainage and flooding issues in South Sound and a need to ensure that the development does not contribute to these problems.*
2. *The loss of primary mangrove wetland habitat, in terms of ecological functions and carbon sequestration.*
3. *The need to maintain good water quality in the proposed artificially created waterbodies.*

With the proposed increase in total area, the density of development and increased areas of hardstanding, the proposed modifications to the PAD only exacerbate these concerns.

1. Drainage & Flooding Concerns

The South Sound mangrove basin is a non-tidal mangrove wetland which is impounded by the beach ridge and South Sound road to the south, and higher elevation, drier land as well as the Linford Pearson highway to the north. The beach ridge and roads are relatively impermeable to seawater and the mangrove swamp is flooded principally by rainwater. Historically, excess rainwater not retained by the extensive mangrove wetland basin gradually percolated through the beach ridge and mangrove coastlines along the length of the South Sound lagoon. Following the construction of South Sound Road and the beginning of developments which reclaimed portions of the mangrove wetland, this percolation of excess rainwater has been reduced substantially and the remaining undeveloped land functions as a water retention basin.

Detailed water level measurements in South Sound have shown that the mean surface water level within the swamp is higher than the mean sea level in South Sound (Davies, J.E. and Giglioli, M.E.C, 1977). During the wet season, impounded rainwater remains within the basin and has limited means of escape. As more and more development is brought forward, the implications of removing the stormwater retention capacity of the basin become increasingly significant and problematic, due to the potential flood risk for properties within the basin. The CEC PAD is only one of a series of developments

coming forward in the basin. Several new residential developments and subdivisions have been granted Planning approval in recent years, further development without implementing an effective strategy is likely to exacerbate flooding within the area and water quality issues of the receiving waters i.e. the South Sound lagoon.

The DoE has stressed its concern with the lack of a comprehensive stormwater management strategy for the South Sound drainage basin. As outlined in the attached Memo dated 30 January 2015 (8 years ago now) from the DoE, Water Authority and National Roads Authority, to the then-Ministry of Planning, Lands, Agriculture, Housing and Infrastructure, there are significant concerns regarding the development of this area without an adequate comprehensive stormwater management strategy. The specific recommendation of the Memo was “to issue an RFP [Request for Proposals] to select a suitably qualified consultant to undertake a hydrological assessment of the South Sound drainage basin and devise a regional stormwater management plan, which will include drainage engineering specifications for the proposed road and future development and Best Management Practices to minimise the impacts of stormwater flooding”.

The Memo outlined that “rather than continuing with the current practice of requiring each development to deal with stormwater management in isolation, we believe a basin-wide approach to managing stormwater in this location is urgently required”. Several existing developments in the basin continue to be inundated with rainwater and flood during the wet season; most notably Randyke Gardens.

Unfortunately, the South Sound drainage basin has become severely fragmented by current and future developments, impacting the overall capacity of the remaining wetland area to accommodate drainage for the whole basin.

The proposed modifications to the PAD will likely increase the amount of hardstanding and decrease the number of permeable areas (the formerly proposed lakes). The potential overall capacity of the PAD to retain stormwater will be decreased by the loss of the lakes.

In lieu of a regional stormwater management plan for the South Sound drainage basin the DoE strongly advocates for the use of Sustainable Drainage Systems (SuDS) in the stormwater management plan for the PAD to mitigate against the inundation of the surrounding area. SuDs are drainage solutions that provide an alternative to the direct channelling of surface water through pipes and deep wells. By mimicking natural drainage regimes, SuDS aim to reduce surface water flooding, improve water quality and enhance the amenity and biodiversity value of the environment. SuDS achieve this by lowering flow rates, increasing water storage capacity and reducing the transport of pollution to the water environment.

2. Loss of Primary Mangrove Wetland Habitat Concern

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

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

Mangroves provide natural infrastructure protection by preventing erosion and absorbing storm surge impacts during extreme weather events such as hurricanes. They are also an important natural asset for the Cayman Islands and form part of Cayman's Natural Capital Accounts. Mangrove wetlands are extremely effective at sequestering carbon from the atmosphere and serve as carbon sinks. The large-scale removal of significant tracts of mangrove habitat reduces the Island's natural carbon sequestration potential and the removal of mature vegetation and de-mucking of mangrove sites releases captured carbon into the atmosphere. The removal of mangrove habitats reduces the extent and value of this natural asset and removes the ecological services the habitat currently provides.

The DoE does not support the permanent loss of over 75 acres of primary mangrove habitat given the ecological function that it serves. While the DoE notes that the PAD has previously been approved, the modifications increase the loss of mangroves by increasing the total site area and by reducing the area that had been set aside for the previously proposed lakes and living wetlands. Whilst the DoE supports the use of native landscaping, as outlined in the Development Statement, there is still a significant ecological loss arising from the project due to the transformation of 75+ acres of primary habitat.

Based on the above, the DoE recommends that the applicant:

- Maximises carbon capture throughout the PAD, setting aside areas of wetland habitat to be reserved as carbon sinks. These areas should be highlighted within the Master Plan as areas to be left in their natural state;*
- Incorporates incorporate native vegetation, especially wetland vegetation into the landscaping scheme;*
- Maximises self-generation of renewable energy;*
- Utilises building materials with the lowest embodied carbon reasonably available; and*
- Sets aside funds for carbon offsetting.*

Other sustainability measures the applicant and/or the Planning Department or Central Planning Authority may wish to consider would be:

- Aiming for net-zero development;*
- Requiring the development and submission of a sustainability plan for the PAD;*
- Setting planning obligations to secure carbon offset contributions; and*
- Undertaking whole lifecycle carbon assessments for proposed developments which come forward for the PAD.*

3. Water Quality of the Waterbodies Concern

The DoE notes the proposed modification which removes the lakes from the PAD. In relation to the water quality concerns, we note the original Planning Condition 2) d) of Planning Decision Letter for Cayman Enterprise City (PAD15-0001; F15-0228) dated 15 December 2015 (CPA/25/15; Item 2.1) which states:

2) Prior to submission of any application for development within any Phase of the PAD, you shall submit appendices to the Development Statement that address the following:

d) You shall submit to the Central Planning Authority for approval an engineering, hydrological and biological analysis of that lake and filtration wetlands. The applicant is directed to liaise with the Department of Environment for guidance in preparing the analysis.

This condition was later modified, in the Planning Decision Letter for Cayman Enterprise City (P17-0349) dated 01 June 2017 (CPA/11/17; Item 2.4) which stated that Condition 2) d) be replaced with the following:

2) On submission of an application for development within the relevant phase of the PAD, the applicant shall submit appendices to the Development Statement that address the following:

d) On submission of an application to excavate either of the lakes, the applicant shall submit to the Central Planning Authority for approval an engineering, hydrological and biological analysis of that lake and filtration wetlands. The applicant is directed to liaise with the Department of Environment for guidance in preparing the analysis.”

We also note that the proposed Stormwater Management Plan (Drawing #C2010 Revision #3) Legend states: “Storm water from hard standing to be directed to catch basin and outfall to adjacent lakes”

However, as lakes have been removed from the plan, we highlight that the applicant’s current stormwater management plan shows stormwater from the commercial zone being directed into the River Park waterbody.

The DoE is concerned with the water quality of the River Park waterbody which forms a part of this proposal. Although the lakes have been removed, there are still water quality concerns with the introduction of the River Park waterbody. For this reason, we recommend that the previously-included condition regarding the engineering, hydrological and biological analysis of that lake and filtration wetlands is retained and reworded to reflect the modified waterbody.

We recommend that a detailed management plan for water quality monitoring and maintenance of all waterbodies is submitted for the Department of Environment’s review and approval.

Other Modification Considerations

- 1. Underground Parking – We note that page 5 of the applicant’s cover letter states that the applicant proposes to redesign the Mixed-Use section of the PAD*

masterplan to include underground parking. The DoE does not believe that underground parking in the converted wetland area given the height of the water table would be feasible. The Department has seen the flooding issues from the Camana Bay/National Gallery underground tunnel and recommends again that a detailed stormwater management plan and that the hydrogeology/hydrology of the area be looked at in detail when engineering the various development components.

- 2. Concrete Swale – The DoE notes the applicant’s request to remove the requirement for the swale to be made of concrete and agrees. The DoE does not object to the removal of the requirement for the swale to be made of concrete and supports the use of more innovative solutions.*
- 3. Temporary Parking Surface – The DoE notes the request for the removal of the requirement for the temporary parking areas to utilise chip and spray asphalt emulsion method in lieu of asphalt cement and support the applicant’s request.*
- 4. The Department notes the applicant’s request to delete Condition 1) d) of Planning Decision Letter (CPA/25/15; Item 2.1) which states:*

“There will be no use of septic tanks within the PAD”

We note the applicant’s reasoning for this request is due to the removal of the lakes removed from the PAD and the newly proposed River Park being a lined water feature which can be filtered.

The applicant states in the Cover Letter that they have “invested substantially in a Sequencing Batch Reactor (SBR) wastewater treatment plant for Phase 1.1 and 1.3 of the Mix-use development, which is designed to provide wastewater treatment for the for a number of buildings (up to 150,000 sq. ft.), this methodology is not well suited for the residential zones, which should be held to the applicable standards set by the Water Authority for the relevant residential type.” And therefore, they are proposing that this condition is deleted for the residential zones.

We recommend that any deletion of this condition is deferred until engineering, hydrological and biological analysis of the waterbodies is conducted. Although the DoE would prefer for all of the wastewater to be handled by the on-site treatment plant, we trust that the Water Authority will review this request and hold the applicant to the relevant standards.

To: Chief Officer – Ministry PLAHI
Copy To: Chief Officer – Ministry FSC&E
From: Director - Department of Environment
Director – National Roads Authority
Director – Water Authority Cayman

Date: 30 January 2015

Subject: South Sound Drainage Basin Stormwater Management

Summary and Recommendation

A meeting took place on 10 December 2014 between the Department of Environment, the National Roads Authority and the Water Authority (the Planning Department did not respond to the invitation to attend). The purpose of the meeting was to discuss the impact that planned developments within the South Sound drainage basin, including a four-lane highway, will have on stormwater management in this area.

There was a consensus amongst those in attendance that construction of the proposed road and a number of proposed major developments within the basin will have serious implications for flooding of properties within the basin and South Sound environs if not planned in the context of a regional strategy for stormwater management.

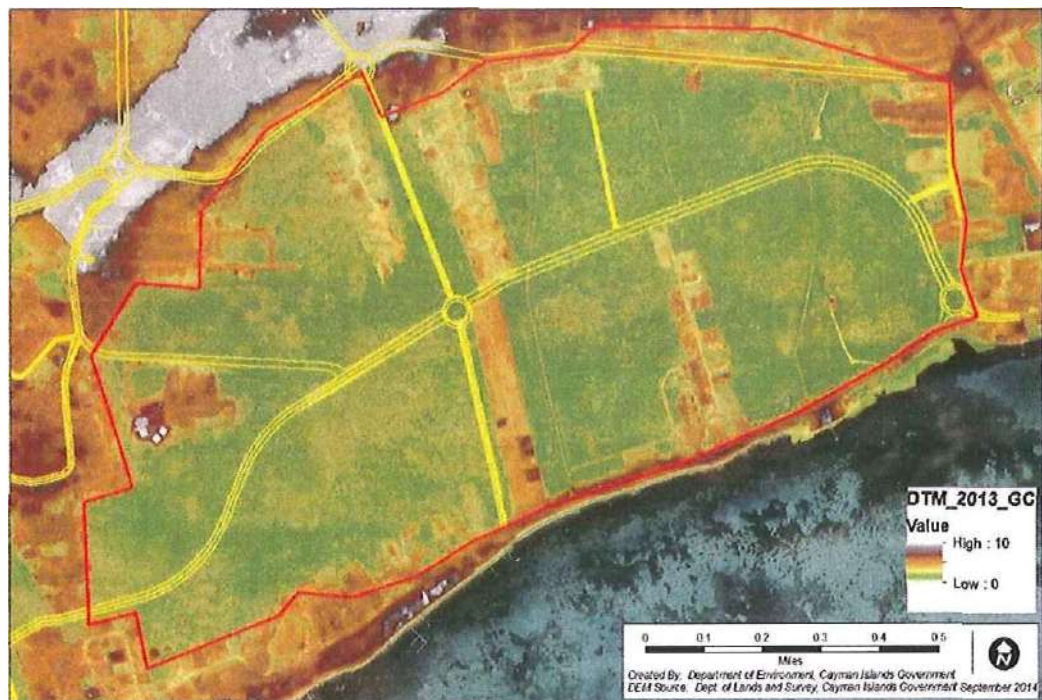
*As the agencies do not have a specific mandate, power or resources to effectively resolve this issue, it was agreed to bring this matter to the attention of the ministries of PLAHI and FSCE for consideration. **Our recommendation is to issue an RFP to select a suitably qualified consultant to undertake a hydrological assessment of the South Sound drainage basin and devise a regional stormwater management plan, which will include drainage engineering specifications for the proposed road and future development and Best Management Practices to minimise the impacts of stormwater flooding.***

The Request for Proposals (RFP) for the consultancy can be jointly developed by the NRA, Water Authority, DoE and Planning, to select a consultant to work with our agencies to prepare a regional stormwater management plan. We estimate that the cost of the plan would be in the order of \$200,000 and these funds will have to be requested in the 2015/16 budget currently being prepared.

Background

Proposed and existing developments including new roads in the South Sound drainage basin are shown in Figure 1 and Figure 2.

Figure 1: Topography of South Sound drainage basin (outlined in red) and location of



proposed road (outlined in yellow)

A number of existing developments in the basin become inundated with rainwater during the wet season; most notably Randyke Gardens. Several new residential subdivisions have been granted CPA approval in the past 3 years and, most recently, the agencies have been contacted by Cayman Enterprise City regarding a 50 acre development in the basin and an application has been received from Exeter Development Ltd for a 30-35 acre general commercial development to the south of Linford Pearson highway (comprising a large anchor grocery/retail outlet, with supporting ancillary retail and commercial development); see Figure 2.

Unless the drainage and flooding issues in the area are addressed in a comprehensive manner, prior to these developments and the road coming forward, the agencies have grave concerns regarding the impacts of seasonal flooding on existing developments and on the quality of the receiving waters; i.e., the South Sound lagoon.



Figure 2: Aerial image showing permitted developments (highlighted in red) and proposed developments (highlighted in blue) within the South Sound drainage basin.

The South Sound mangrove basin is a blocked non-tidal mangrove wetland which is impounded by the beach ridge and South Sound road to the south, and higher elevation, drier land as well as the Linford Pearson highway to the north. The beach ridge and roads are relatively impermeable to sea water and the mangrove swamp is flooded principally by rainwater. Historically, excess rainwater not retained by the extensive mangrove wetland basin gradually percolated through the beach ridge and mangrove coastlines along the length of South Sound lagoon. Following the construction of South Sound Road and the beginning of developments which reclaimed portions of the mangrove wetland, a series of MRCU physical control canals installed in the 1970's helped to alleviate storm waters and, more recently, a series of culverts were installed by PWD/NRA under South Sound road to drain the mangrove basin to the South Sound lagoon. However, the recent filling along the eastern end of the shoreline in South Sound has resulted in many of these culverts being blocked. The one remaining culvert, in close proximity to the Red Bay dock, is normally blocked by the NRA with a sheet of metal placed in front of the culvert; this culvert is made operational when required (see figures 3 & 4). Seasonal flooding of Randyke Gardens and other low-lying developments in the basin has become a normal occurrence and without a regional stormwater management plan, this flooding will get worse.



Fig 3: Closed Culvert in South Sound
Culvert



Fig 4: Landward End of South Sound

Detailed water level measurements in South Sound have shown that the mean surface water level within the swamp is higher than the mean sea level in South Sound (Davies, J.E. and Giglioli, M.E.C, 1977). Accordingly, during the wet season, impounded rain water remains within the basin and has limited means of escape. As more and more development is brought forward, the implications of removing the stormwater retention capacity of the basin becomes increasingly significant and problematic, not only from the perspective of flood risk for properties within the basin but also for the health of the South Sound lagoon which forms part of the Cayman Islands Marine Park system and is therefore considered a protected area under the National Conservation Law. The previous system of culverts draining waters into the South



Sound was problematic in that it created concentrated discharge points for fresh and tannin rich waters to enter the Replenishment Zone; this solution did not mimic the natural drainage patterns of the mangrove basin as previously described.

Fig 5: red tannin stained water flowing into South Sound at the present culvert (2008).

The rapid and concentrated discharge of stagnant storm water presents a number of environmental and aesthetic issues. Most marine communities, including the seagrass flats, patch reefs and fringing reefs of South Sound, are not tolerant to the large shifts in salinity brought on by the introduction of large pulses of freshwater. Additionally mangrove basin storm water contains large amounts of

nutrients and is typically low in oxygen due to high biological oxygen demand of mangrove peats which add to its detrimental impact to marine communities.

Aesthetically, concentrated mangrove storm water impacts the ordinarily clear waters of South Sound and can result in strong odours due to the presence of hydrogen sulphide.



Fig 6: Red tannin stained water near shore South Sound —note the striking transition between the clear water and the stained near shore water.

Rather than continuing with the current practice of requiring each development to deal with storm water management in isolation, we believe a basin-wide approach to managing storm water in this location is urgently required. In fact this area was prioritised by the former Roads Division of PWD for the development of a storm water management plan about 10 years ago. As new developments are constructed on sites filled to higher elevations than existing properties in the South Sound drainage basin, the older existing properties are going to suffer from increased intensity and duration of flooding, as the retention capacity of storm water will be reduced as the basin is developed. We believe that a more appropriate mechanism in addition to the traditional means of storm water drainage (disposal wells) may be to have a series of retention basins for storm water to drain to for holding and filtration, before being dispersed into the South Sound lagoon in a controlled way. However, in order to engineer a regional solution, a detailed understanding of the hydrology of the basin and the implications of various developments is required.

The NRA, the Water Authority and the Department of Environment are therefore bringing this matter to your attention as we believe that the correct approach to tackling this issue is to instruct a suitably qualified consultant to undertake a hydrological assessment of the South Sound drainage basin and devise a regional stormwater management plan, which will include drainage engineering specifications for the proposed road and future development, and Best Management Practices to minimise the impacts of storm water flooding.

If the approach outlined in this Memorandum is agreeable to your Ministry, the next step would be to formulate a Request for Proposals (RFP) in order to seek consultants who would work with our agencies to prepare a storm water management plan. This RFP can be prepared jointly by the NRA, Water Authority, DoE and Planning. We estimate that the cost of the plan would be in the order of

\$200,000 and these funds will have to be requested in the 2015/16 budget currently being prepared.

We look forward to your feedback on this matter at your earliest convenience. Please do not hesitate to contact us should you wish to discuss this further.

FROM: Director of Environment
2023

DATE: 23 May

<p>SUBJECT: Cayman Enterprise City (CEC) Modification to Planned Area Development (PAD) Block: 21B Parcel: 134</p>

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

The DoE notes the applicant's letter in response to the DoE Planning Review dated 14 February 2023.

As the applicant has acknowledged, mangroves are Schedule 1, Part 2 Protected Species under the National Conservation Act (NCA) with an adopted Conservation Plan. We are encouraged that the applicant has stated that they will continue to comply with the provisions of the plan and only remove mangroves through the granting and implementation of planning permission.

The DoE does not agree with the applicant's position that the existing PAD approval infers the right to clear the mangroves on-site. Mangroves that fall outside of the footprint of already approved infrastructure must be retained in accordance with the Mangrove Species Conservation Plan. To remove mangroves outside of this, permission must be explicitly sought to remove the mangroves either through the granting and implementation of planning permission **or** a National Conservation Council Section 20 permit. It is assumed that planning permission will be required for the development of infrastructure within the PAD during the various phases of the CEC PAD implementation. If this is the case, then the mangroves shall be retained until planning permission has been received for the development of such infrastructure.

We note that the applicant's letter states that they have raised this issue with the Department of Planning and that they have confirmed that Planning agrees that the PAD approval includes the permission to conduct such works. However, the DoE spoke with the Assistant Director of Planning (Current Planning) Mr. Ron Sanderson the afternoon of 23 May 2023 and Mr. Sanderson agreed that the PAD approval and/or the modification of the PAD does not infer the right to clear mangrove without explicit permission being sought to clear the specific areas outside of the already approved infrastructure footprint.

We, therefore, emphasise that the clearing of mangroves in the absence of either planning permission issued explicitly for the clearing of mangroves or a Section 20 permit under the NCA would be an offence under the National Conservation Act and Mangrove Species Conservation Plan.

Under the definition and principles of sustainable development, any development that involves the whole-scale removal of large areas of primary mangrove forest would be challenged to define itself as sustainable. The DoE has and continues to encourage the retention of mangroves throughout our review of the CEC application. Whilst the applicant is proposing a river park, this is completely man-made and does not equate to the same value of the mangroves it is converting and there are opportunities within the site to retain the existing mangroves and their ecological benefits.

It is also stated in the applicant's letter that "that the capture and management of surface rainwater is outside the statutory remit of the DOE".

We would note that there is no legislation in the Cayman Islands that prescribes "the capture and management of surface rainwater". The review of stormwater management plans is handled by National Roads Authority and to the DoE's knowledge this is guided by policy regarding stormwater management rather than by legislation.

We highlight that under Section 41(3) of the National Conservation Act (NCA), the DoE has an obligation on behalf of the National Conservation Council to assess development that may impact the environment. Section 41(3) states:

"Every entity shall, in accordance with any guidance notes issued by the Council, consult with the Council and take into account any views of the Council before taking any action including the grant of any permit or licence and the making of any decision or the giving of any undertaking or approval that would or would be likely to have an adverse effect on the environment generally or on any natural resource."

The definition of adverse effect within the NCA is very broad and includes:

"alterations of hydrology, water flow, circulation patterns, water levels or surface drainage that may be harmful to wildlife or the ecological or aesthetic value of the area or that may exacerbate erosion;" (Section 2 (d) National Conservation Act, 2013).

While CEC is proposing to handle stormwater issues on their site by raising the grade of the site and then installing deep wells, this simply contributes to the growing drainage and stormwater management issues within the general vicinity by removing the storage capacity offered by the converted wetland areas and altering normal water flow patterns. The DoE is therefore of the opinion that a development of this scale should have a properly engineered stormwater management plan that addresses the issues of stormwater management not only on their property but also the issues that will ultimately arise for the surrounding area due to the actions the applicant is proposing on their property.

Fire Department

Please note fire have no comments at this time for proposed layout, and in the future phase please ensure provide fire access drawing for compliance and review. The

Cayman Islands Fire Service adheres to the 1995 Fire Brigade Law, the 1997 Fire Code, the 1994 Standard Fire Prevention Code and all relevant NFPA Codes.

APPLICANT'S LETTER

Dear Sirs:

Application ("Application") for modification of Planned Area Development Approval ("PAD Approval") relating to Block 15C Parcel 29 and Block 21B, Parcels 134 and 135 (previously Block 15C, Parcels 29 and 354 and Block 21B Parcel 28REM1) ("Property")

Background

*The application for a Planned Area Development ("PAD") on Block 21B Parcel 28 Rem 1, Block 15C Parcel 26 and Block 15C Parcel 354 (F15-0228) (PAD15-0001) (KA) was heard at a meeting of the Central Planning Authority held on December 9th, 2015, Ref. CPA/25/15; Item 2.1 was considered and it was resolved to grant planning permission subject to conditions as confirmed in the approval letter dated December 15th, 2015; attached as **CPA Letter 1.1**. The PAD was granted to Cayman Enterprise City ("CEC") as a part of its long-term plans to create a vibrant city to support the growth of the Special Economic Zone ("SEZ") and its evolving CEC Community in the Cayman Islands. This approval was then modified on June 1st, 2017, as confirmed at a meeting of the Central Planning Authority held on May 23rd, 2017. This was considered and it was resolved that having regard to the Development Plan and other martial considerations it is expedient to modify planning permission CPA/25/15; item 2.1 subject to conditions; attached as **CPA Letter 1.2**.*

The main reason the modification was sought was to transfer the specific technical or scientific documentation to be required at individual phase's application for planning permission rather than as a requirement of the PAD approval. As the purpose of a PAD is commonly defined as a zoning district intended to provide an alternative to the underlying or conventional zoning and development standards accordance with the conditions set out in the Development and Planning Regulations, 2022 Revision ("Regulations") including but not limited to Sections 8. (14) and 24. (1-8) to accommodate a long-term project which would be developed over a long period of time; sometimes over decades. This modification meant that the requirement for comprehensive plans and reports would be provided when the relevant planning permission was sought to develop the related phase of the project. Specifically, the requirement for comprehensive stormwater management plan, traffic demand accommodation analysis, waste water management system plan, and application for excavation of the proposed lakes and the associated engineering, hydrological and biological analysis of the lake and filtration wetlands would only be required at the relevant application for planning permission rather than as a requirement of PAD approval, as this was deemed an application which seeks to modify the suitable; zoning, uses, height allowances, setbacks and other zoning based requirements over the Property.

*Furthermore, the PAD site was originally made up of 2 properties, 21B28 Rem1 & 15C29 (attached **Survey 3.2**). The main site 21B28 Rem1 was later subdivided into a five (5) lot Subdivision of Block 21B, Parcel 28 Rem 1 (F15-0228) (P16-0280) (KA) as referenced in the CPA meeting held on July 6th, 2016, CPA/15/16; Item 2.3, attached as **CPA Letter 1.3**. This subdivision divided the PAD's main site, which was originally*

owned by the proprietors of Pirates Cove Estates, into five new parcels including the two main CEC sites, 21B134 (19.2 ac) and 21B135 (34 ac) as described on the attached **Survey 3.1**. During the land division between the owners of the property the final site boundaries were fixed and 21B135 (34 ac) increased in size by 4.63. acres. **We seek to include this added area in this modification application.** In addition, on May 3rd, 2016, CEC incorporated City Development Company Ltd, which is a wholly owned subsidiary of CEC and is the development company for the project.

We have also advanced the project by obtaining planning permission on April 25th, 2018, for Two (2) Commercial Office Buildings and Two (2) Generators on Block 21B Parcels 127 and 354 reference CPA/09/18; Item 2.8 (f17-0278) (P17-1271) (KA). **CPA Letter 1.4**. In accordance the PAD modifications a comprehensive Storm Water Management Plan was developed for this phase. The project has been modified several times with the last modification being granted at the CPA meeting held on October 26th, 2022, Ref. CPA/26/22; Item 2.8 (P22-0762) (MW) as attached **CPA Letter 1.3**. and again on

The site was later granted re-parcellation on May 28th, 2018, combining both CEC and Government Land to accommodate the future Government highway, which now forms the current land parcel layout shown as defined in the attached **Survey 3.1**.

PAD Application to Modify

Regarding this application, we seek to modify the some of the conditions of the original PAD Approval and modify the development statement and plans, in accordance with the new proposed master plan concept. The PAD was approved over 7 years ago, and we have proceeded with the construction of the mixed-use development. However, as time has passed, the design considerations and commercial factors which were relevant at that time have changed to accommodate the evolving requirements of the CEC community. While the approved development statement and plans provided detailed and well thought out considerations including, creating a lake for the excavation of fill, this limited the amount of residential housing types to support over 1 million square feet of Mixed-Use development, which resulted in an unbalanced master plan. This concept master plan did not take into account that the CEC community would require substantial housing types to suit a variety of occupants and the additional educational provisions which would benefit the community.

We seek to modify the PAD approved Development Statement (Attachment 2c) and plans and have prepared a PAD Modification Narrative which will provide the specific details, however the reasoning for the medication are as follows:

1. **Addition of Land;** We seek to add the addition 4.63. acres to the defined PAD area. As noted above, in paragraph 3, the approved plan included an area defined in the development statement and associated plans as 70.87 acres and we propose to increase the area to 75.50 acres as shown on page 3 of the PAD Modification Narrative as the final subdivision was not finalized at the time of the PAD application. This would increase the PAD area by 4.63 acres, however the use would remain relatively the same as LDR zoning, because this land is designated in the new master plan as single-family house lots. "The development site is derived from the proposed sub-division of the 79-acre Pirates Cove site into site the proposed site division demarcated on the drawings. The site shall be divided first into raw land and the CEC PAD proposed site. The subdivided site is joined to another parcel to the west to create/ complete the CEC master plan site."

2. ***Remove the Lakes from the Plan;*** We seek to amend the layout of the Approved PAD masterplan, which seeks to remove, any reference to the lakes, including the Lake 1 (also referenced as “lagoon or living waters” in the Development Statement) and the Lake 2 which formed a part of the residential zone, which was to be excavated to provide the required fill for the site and become the key focal point of the project. While the lake would provide the much-needed fill material for the project, the developers are unwilling to remove the fill material using explosive means which is the only feasible method of extracting the dense bedrock fill material from the site because explosive blasting would create an adverse disturbance to the surrounding area and cause a nuisance, disruption, and undo risk of damage to neighbouring properties. In addition, if the site were to be blasted, to be of least disturbance while blasting, we would have sought to blast the entire lake area at the same time, allowing us to fill the site. This would have left the site barren (as is common in many local development projects which gain fill material from its site) and devoid of vegetation, rather than clearing and developing the site in the proposed phases over the length of the project build out, leaving the existing vegetation in place as long as practical.

Additionally, the land, which was allocated as the lakes, has been reverted for Residential Use to support the evolving CEC community. We have not eliminated the required open space, social, educational and wellness aspects of the lake by introducing a River Park which seeks to create the same interaction between the waters edge and also provides a buffer from the Mixed-Use development to the Residential Uses. This subject was contemplated in the approved development statement in paragraph 4 on page 7, as follows:

“The CEC project is split into two distinct halves; places where people work to the north and east and places where people reside to the south and west. The master plan design placed the residential parts of the development at the west and south specifically to provide a further buffer transition zone between the LDR properties below. The residential development is intended to be a luxury product and will only enhance the property values in the area.”

3. ***Master Plan Concept Changes:*** While we seek to modify the master plan concept design, however also we seek to preserve the specific PAD zoning related provisions (as much as practical) set out in the original Development Statement. As time has passed the important to provide a balancing of the uses in the masterplan has become appropriate, and we propose a reallocation of the approved uses into new zones without creating significant material considerations as follows:

- a. We have redistributed some of the higher buildings (those higher than LDR restrictions) more north on the site as shown in the PAD Modification Narrative (Booklet), see modified page 17 for details.

- b. The approved development statement included for a 30,000 sq.ft. (500 student) educational facility, which was envisioned to be situated within the Mixed-Use / Commercial zoning component as a secondary use as contemplated in paragraph 7 on page 6, as follows:

“The Cayman International Academic Park which is mentioned on Page 6 of the PAD document is a part of the overall project and in order to promote collaboration between international academics, local schools, colleges & academies and existing CEC companies this park is intended to be seamlessly woven into the commercial development. It is estimated that up to 30,000 sf will be allocated to accommodate up to 500 students from the Cayman Islands and overseas. This is a part of the ongoing initiative to train & assist young Caymanians to transition from knowledge-based industry focused education into the Special Economic Zone (“SEZ”) workplace. It is envisioned that buildings may have mixed uses; buildings may have a primary use and possible secondary uses.”

Further information regarding the inclusion of the education facility in the mixed-use commercial zone continued in paragraph 7 on page 6, as follows:

“The footprint area for commercial buildings will be approximately 235,000 sf and the total habitable space will be approximately 1,148,188 sf. Within the total commercial habitable space approximately 60,000 sf will be allocated to retail or restaurant and a further 30,000 sf will be dedicated to institutional use. Depending on unforeseen future demand there may be the introduction of residential or hotel uses within the commercial buildings although this would not be expected as the dominant use.”

Over the last 10 years CEC has grown and evolved into a thriving knowledge-based community, and we have attracted global companies to have a physical presence in the Cayman Islands, which has led to the relocation of people and families to our islands. Housing and schooling availability have become a topic of contention and to meet the needs of our growing community further housing and more importantly the reallocation of land for Educational (Institutional) purposes.

We propose to relocate the approved provision of the 500-student educational facility, from the mixed-use zone to the northwest corner of the site which will be primarily dedicated to Institutional (Education) and Residential as a secondary use. (See modified page 16 of the PAD Modification Narrative for a reference)

c. Furthermore, the removal of the lakes, has also prompted our team to rethink the Hotel / Tourism zoning, which was contemplated in the approved development statement which is defined as firstly, “The hotel/tourism buildings will consist of 4 no hotel buildings ranging from 3 to 5 stories. All will have under building parking. It is estimated the buildings will provide accommodation for 170 units ranging from hotel rooms/studios to 1-to-3-bedroom units totaling approximately 256 beds. The intended setbacks are, a 10 ft setback to the water, a 10 ft setback to the road and a building-to-building separation of 10 ft (minimum). The footprint area for hotel/tourism buildings will be approximately 37,000 sf. and the total habitable space will be approximately 165,000 sf. the coverage will be approximately 1.3% of the land area.” And secondly, the intent was to create a short to medium term housing product, to allow for safe transition for families and staff to stay while looking for permanent accommodation. “In addition, but still part of the residential portion of the project will be two residential serviced apartment (medium term accommodation) buildings. The serviced apartment buildings will be

4 stories and will have under building parking. It is estimated the buildings will provide accommodation 72 units ranging from 1 to 3-bedroom serviced apartment units totaling approximately 152 beds. The intended setbacks are, a ten ft setback to the water, a ten ft setback to the road and a building-to-building separation of ten ft minimum. The footprint area for the serviced apartment buildings will be approximately 24,000 sf and the total habitable space will be approximately 96,000 sf the coverage will be approximately 0.86% of the land area.”

We propose to relocate the designated Hotel / Tourism zone (building area) noted in the first statement, to the Mixed-Use zone, which was always contemplated as a secondary use, retain the specific approved development criteria as set out in the original development statement as noted above.

Additionally, we propose to move the serviced apartment buildings to the new proposed Residential Apartment / Townhouse zone (Phase 3.2 in the new proposed master plan)

d. As the lakes were the defining feature of the masterplan, and many elements of the design were centered around being over or beside the lake. Areas which required the most redesign included the CEC Urban Boardwalk / Bespoke Island (as defined on page 4 paragraphs 4, 5 and 6, and specific concept imagery on pages 48 & 49), the Hotel/Tourism zone and the Residential Strata Villas. We propose to modify these zones as follows:

- i. We have proposed a new Mixed-Use concept that creates a new prototype for development considering sections, 13 (8) which allows residential development if the development is not on the ground floor of the building and does not occupy more than 80% of the gross area”, notwithstanding section 13 (10b) the development forms the part of a mixed use development situated on one parcel of land and the planned development includes a mixture of commercial and residential uses proposed for close interaction. We propose to redesign this section of the masterplan to include underground parking, a ground floor primarily for commercial uses including retail and restaurants, with four (4) floors above dedicated to residential units; five (5) floors in total. (see pages 18, 19, 32 of the Development Statement and the PAD Modification Narrative for a comparison)*
- ii. We propose to expand the Residential Zones in lieu of the lakes, in the proposed new PAD master plan. We have layered the site lessening the density of housing types from north to south with the higher density residential units such as townhouses and apartments placed on the northern half of the site, generally, and strata lots with villa communities then single family lots at the south. (see modified page 16 of the PAD Modification Narrative for a comparison)*
- iii. Furthermore, the removal of the lakes, has also prompted our team to rethink the Hotel / Tourism zoning, which was contemplated in the approved development statement which is defined as firstly, “The hotel/tourism buildings will consist of 4no hotel buildings ranging from 3*

to 5 stories. All will have under building parking. It is estimated the buildings will provide accommodation for 170 units ranging from hotel rooms/studios to 1-to-3-bedroom units totaling approximately 256 beds. The intended setbacks are, a 10 ft setback to the water, a 10 ft setback to the road and a building-to-building separation of 10 ft (minimum). The footprint area for hotel/tourism buildings will be approximately 37,000 sf. and the total habitable space will be approximately 165,000 sf. the coverage will be approximately 1.3% of the land area.” And secondly, the intent was to create a short to medium term housing product, to allow for safe transition for families and staff to stay while looking for permanent accommodation. “In addition, but still part of the residential portion of the project will be two residential serviced apartment (medium term accommodation) buildings. The serviced apartment buildings will be 4 stories and will have under building parking. It is estimated the buildings will provide accommodation 72 units ranging from 1 to 3-bedroom serviced apartment units totaling approximately 152 beds. The intended setbacks are, a ten ft setback to the water, a ten ft setback to the road and a building-to-building separation of ten ft minimum. The footprint area for the serviced apartment buildings will be approximately 24,000 sf and the total habitable space will be approximately 96,000 sf the coverage will be approximately 0.86% of the land area.”

We propose to relocate the designated Hotel / Tourism zone (building area) noted in the first statement, to the Mixed-Use zone, which was always contemplated as a secondary use, retain the specific approved development criteria as set out in the original development statement as noted above.

Additionally, we propose to move the serviced apartment buildings to the new proposed Residential Apartment / Townhouse zone (Phase 3.2 in the new proposed master plan)

e. Additionally, while the approved masterplan as described on page 10, 16 and 50, seeks to redefine primary and secondary uses in each zone allowing overlaps of uses, we propose to define the zones by proposed phases (see page 46 of the Development Statement and the PAD Modification Narrative for a comparison)

f. Finally, we propose to update the Phasing Schedule and the PAD Stormwater Management Plan, in accordance with the proposed new master-plan plan. (see page 42 of the Development Statement and the PAD Modification Narrative for a comparison)

4. Proposed Changes to the Conditions of the Approved PAD; as stated in the CPA letter dated, December 15th, 2015; (attached as CPA Letter 1.1) indicated several conditions which were confirmed withing 60 days of the decision. We propose to modify the conditions further as follows:

a. Condition 1) b) states “As phases are developed, any temporary parking areas will be surfaced with asphalt and contain fire stops and suitable landscaping.” This is very impractical as CEC has several buildings and

parking structures planned as a part of the master plan. However, as the individual phases are developed, the requirement for temporary surface parking is required to accommodate the occupants of the buildings while the remaining buildings are under construction. This is commonplace throughout the Cayman Islands, for example those in use at the Camena Bay and Cricket Square developments. Notwithstanding the above reason, we propose to modify this condition for the following significant reasons:

i. During the geotechnical investigation for Phase 1.1 the buildings (currently under construction), it was discovered that the site conditions favoured a concrete piling system due to the extreme peak site conditions. As a result, we have changed our model to include the potential for a concrete auger piling foundation system for all future buildings (dependent on further testing in later phases). This is relevant because to efficiently pile, the auger works best when the peat remains in place with a temporary construction layer of fill to accommodate the drill rig.

In contrast when filling roads and permanent parking areas, generally, the process has been to remove the vegetation, and then the area is fully demucked and then a layering system starting with the subbase leveling course made up of larger to medium sized boulders (shot rock or Cayman rock), is poured into the hole (area which was demucked), until it is approximately 2' from the surface of the water level, then the base course (usually crusher run) backfills the remaining fill as required above the water line and an asphalt cement is used due to its durability and longevity. However, if the site is filled in this manner, we will be unable to use the concrete piling system as the auger can be damaged or deflected when it hits boulders.

In the areas we plan to construct a building over 2 stories or a parking structure, we may likely require piled foundations and as such, we have introduced a system which installs an engineered geo-grid and geo-textile over the peat layer and placed the base course over this system and then a "chip and spray" asphalt emulsion is used to create our temporary parking lot. This method is designed to be a short-term solution (5 years or less). This method allows for future piling methodology as required.

ii. Secondly, the benefit of the above system is that the fill material utilized in the temporary parking lots can be saved and recycled for reuse in other areas of the site. This methodology creates less waste and the chip and spray asphalt emulsion, can be mixed into the fill material and can be compacted and reused with minimal to no environmental impact. Using asphalt cement as currently required, which is manufactured in the local plant and placed on the base course is problematic to reuse as fill material or recycle as paving. Currently, the NRA required 100% virgin paving materials to create roads and parking lots in accordance to NRA standard. Additionally, due to our sustainable methodology, we prefer to not mix asphalt cement into the recycled fill, for use in other areas of the site.

We propose the following amendment to this condition for the CPA's consideration as follows:

“As phases are developed, any temporary parking areas will be surfaced with asphalt cement and contain fire stops and suitable landscaping except for temporary parking over an area on the masterplan where a building or parking garage is designated. These areas can utilize a chip and spray asphalt emulsion method, in lieu of asphalt cement, for a maximum of 5 years from building occupancy, and thereafter if a building is not constructed over the temporary parking lot, it shall be paved with asphalt cement in accordance with NRA standards”

b. Condition 1) d) states “there will be no use of septic tanks within the PAD”, this condition was created due to the close proximity of all the buildings to the proposed lakes, described as on page 36 of the approved development statement, as follows:

“Enterprise Lagoon will be the epicenter of a dynamic and sustainable urban park ‘Living Waters’, an outdoor mangrove and wetland botanic park... Living Waters will be a prototype for the regenerative vision of excavated land. The lagoon will present a new type of urban park” The lake was mentioned on numerous pages of the approved development statement (including specific references to pages 04, 36, and 38), and it was stressed that the protecting lake water from pollutants was paramount to its success in becoming a reclaimed wetland. “The development team will also explore options to reduce the impact of effluent migrating to the lakes.” As referenced in the approved development statement in paragraph 9 on page 44.

However, with the lakes removed from the PAD and the new proposed River Park being a lined water feature which can be filtered, the reasoning for this condition is significantly diminished. While we have invested substantially in a Sequencing Batch Reactor (SBR) wastewater treatment plant for Phase 1.1 and 1.3 of the Mix-use development, which is designed to provide wastewater treatment for the for a number of buildings (up to 150,000 sqft), this methodology is not well suited for the residential zones, which should be held to the applicable standards set by the Water Authority for the relevant residential type.

We propose that this condition be deleted for the residential zones.

c. Condition 1) e) states “the CEC Matrix and wherever else applicable in the statement, there shall be no reference to secondary uses in the residential phases. In all other phases there must be reference to secondary uses not to exceed 25% of gross building floor area”.

While we understand the sentiment that when planning a development having a primary use should be the dominant use and defining the secondary uses to fit inside 25% of the gross area seems reasonable on face value. But Mixed-use Developments are complex, and as there is a growing market demand for walkable, vibrant sustainable communities with convenient proximity to work, and access to activity-oriented destinations. It is not just limited to a multi-story development that incorporates commercial use on the first floor with residential uses on upper floors. The Urban Land Institute’s Mixed-Use Development Handbook characterizes mixed-use development as one that

- 1) provides three or more significant revenue-producing uses (such as retail/entertainment, office, residential, hotel, and/or civic/cultural/recreation),
- 2) fosters integration, density, and compatibility of land uses, and
- 3) creates a walkable community with uninterrupted pedestrian connections.

We view the Mixed-Use development as a zoning type that blends multiple uses, such as residential, commercial, cultural, institutional, or entertainment, into one space, which are both physically and functionally integrated. Therefore limiting the zone / buildings to a primary use only and minor secondary uses, is not in line with sentiment of the current Planning Regulations as noted in Section 3 e) of this letter.

We therefore propose that Commercial / Institutional Zone be renamed as the Mixed-Use Zone for clarity, and Commercial, Institutional, Residential and Hotel /Tourism uses be listed as Primary Uses in the Mixed-Use zone.

d. Condition 1) j) states “show the swale next to 15D88 as being constructed with concrete or similar material” However, further to the later modification of the PAD dated on June 1st, 2017, as confirmed at a meeting of the Central Planning Authority held on May 23rd, 2017, which provided that a comprehensive stormwater plan would be required at the specific Phase design in accordance with the requirements of the NRA and approved by the CPA. While we understand that the CPA were considering the surrounding low-lying properties, we believe a concrete or similar paved swale design could be improved upon by our engineers in any future applications for this specific Phase of the PAD.

Therefore, we believe that this condition can be deleted as the conditions in the modification dated on June 2017, provide a better solution.

We trust that the reasons set out in this letter and modification narrative and revised plans clearly illustrate the modifications CEC are requesting, which will be the catalyst to several immediate projects which will be developed and submitted for planning permission in 2023. We finally feel we have developed the PAD plan in accordance with our original goals and evolved the plan to include our future community needs, having built momentum on the project and look forward to working with the CPA and the Planning Department to build a world class thriving and sustainable master planned development for the betterment of the Cayman Islands.

We thank the CPA for its kind consideration of the proposed modifications and are available to discuss or further clarify any of the reasoning described above.

APPLICANT’S RESPONSE TO NRA

Please see attached our responses on behalf of our client Cayman Enterprise City.

NRA Letter Subsection 1, Paragraphs 1 & 2 - Planned Roadway Network Improvements

DCL RESPONSE

We note the upgrades to both LPH & BTW to 6-lanes, and the intended Proposed Agnes Way connector to Fairbanks Road Access via CEC Project with a 4-lanes, loop system by-pass road which we understand is to extend near to South Sound Road and Old Crewe Road intersection and will assist with better dispersion / distribution of traffic assessment in the sector of George Town with the CEC Development in the long term which is scheduled for completion at the end of 2026 which coincides with Phase 1 of CEC's Phase plan.

NRA Letter Subsection 2, paragraph 1– General Issue

DCL RESPONSE

No comment

NRA Letter Subsection 2, paragraph 2– General Issue

DCL RESPONSE

We note the reasoning provided by the NRA and withdraw / delete the connector road and roundabout from the Masterplan drawings and shall resubmit all the Drawings to reflect this change. We have also removed any reference to the lakes on the SWMP drawings as these references were left on the drawings in error.

NRA Letter Subsection 2, paragraph 3– General Issue

DCL RESPONSE

The emergency access as shown on page 12 of the Development Statement, was a part of the original 2015 application and remains unchanged. CEC is not requesting a modification relating to access to the south. CEC will amend the PAD Development Statement to reflect the removal of any reference to an emergency exit from the South.

NRA Letter Subsection 2, paragraph 4– General Issue

DCL RESPONSE

We will continue to provide a comprehensive detailed SWMP for each phase of the Masterplan in accordance with the terms set out in the CPA decision dated June 1, 2017. Ref (F15-0228) (P17-0349) (KA).

NRA Letter Subsection 3, paragraph 1– Development Assumptions

DCL RESPONSE

Clarification, we have reverted to the original PAD area of 70.87 Acres, the Hotel / Tourism accommodation of 165,000 sqft has now been included inside the Mixed-Use Zone (incl. inside 1,148,188 sqft). The educational facility was originally a part of the Mixed-Use Zone and has been relocated to a specific Institutional Zone.

NRA Letter Subsection 4, paragraph 1to3 -Traffic Generation of the Proposed Development

DCL RESPONSE

Clarification, the figures presented in the NRA report are noted as worst case traffic generation for the completed development which is phased over 26+ years. We note that while CEC is the immediate beneficiary of the first phase of the proposed LPH upgrades and South-Sound Bypass system, these will not be the only upgrades to meet the growing demands of traffic over the next 2-3 decades. In accordance with the CPA decision dated June 1, 2017, CEC engaged Apec Consulting Engineers to conduct

Traffic Impact Study for Phase 1 (estimated 119,000 sqft) of the masterplan, which concluded that the traffic excluding CEC would grow by 3% per annum. Additionally, the report concluded that from 2017 to 2027, the traffic from the CEC entrance road on Fairbanks would be considered reasonably free flow with the implementation of turning lanes at the junction. CEC will provide further TIA reports as the phases progress.

NRA Letter Subsection 5, paragraph 1 to 5 - Access and Traffic Management Issues

DCL RESPONSE

We acknowledge the NRA Requirements and shall comply with all NRA road standards.

NRA Letter Subsection 6, paragraph 1-2, points 1-6, - Stormwater Management Issues

DCL RESPONSE

We acknowledge the NRA Requirements and shall comply with all NRA Stormwater Management standards.

APPLICANT'S RESPONSE TO DOE

***DESIGN CAYMAN ARCHITECTS RESPONSE TO DOE COMMENTS ISSUES
FEBRUARY 14, 2023 (REF: P22-1154)***

Please see attached our responses on behalf of our client Cayman Enterprise City.

DOE Letter Section 1, Site Overview

DCL RESPONSE

We acknowledge that mangroves are Schedule 1, Part 2 Protected Species under the National Conservation Act (NCA) with an adopted Conservation Plan. We shall continue to comply with these provisions and only remove mangroves through the granting and implementation of planning permission. It should be noted, however, that it is our position that the existing PAD approval, which pre-dates such adopted Conservation Plan, includes permission to conduct site preparation (including clearing for the infrastructural development) that was approved as part of the PAD development. We have raised this question before with the Department of Planning, and they have confirmed that they agree that the PAD approval includes permission to conduct such works.

DOE Letter Section 2, Summary of DoE Noted Modifications

DCL RESPONSE

CEC confirms the summary of noted modifications but wish to clarify Bullet Point 1 – As noted in our client's response to the objector concerns, we confirm that we have removed the request to add 4.63 acres to the PAD area. The site area remains as per the original approved area of 70.87 acres.

DOE Letter Section 3, Summary of DoE High-level Concerns, Subsection 1. Drainage & Flooding Concerns

DCL RESPONSE

Firstly, it should be noted that the capture and management of surface rainwater is outside the statutory remit of the DOE.

Notwithstanding this, the DoE has expressed its concern regarding the lack of a comprehensive stormwater management strategy for the entire South Sound drainage basin region, as outlined in the Memo dated 30 January 2015. We fail to understand how either CEC or the CPA could address such a concern, even if the same were valid, in the context of the application to modify the PAD, as such a strategy would necessarily involve hundreds of other parcels of land owned by other persons and would most likely necessitate significant legislative changes. Nonetheless, CEC will continue to endeavor to work with the relevant government agencies including NRA and WAC, along with our own consultants to ensure that our stormwater management plan ("SWMP") shall integrate into any future SWMP instructed by the Government and shall be developed and submitted at the relevant planned phase of the development.

We note that, strangely, the DOE has expressed concern that "the proposed modifications to the PAD will likely increase the amount of hardstanding and decrease the number of permeable areas (the formerly proposed lakes). The potential overall capacity of the PAD to retain stormwater will be decreased by the loss of the lakes." It is our position that this concern is baseless and without merit, given that the lakes were never intended to be used as part of the SWMP and, in any event, the way a SWMP works is that we will be required to drill wells of sufficient size, spacing and number so as to ensure that all surface rain/stormwater is captured and drained on site. Therefore, it doesn't matter whether the lakes are removed from the plan and never dug, as we will simply have to adjust the SWMP so that it meets that objective. Curiously, the DOE also expressed concern regarding the proposed lakes when the original PAD approval was sought in 2015, stating then that they were "concerned regarding the proposed excavation depth of up to 30 feet deep within the water body. In the DoE's experience, lakes with excavated depths of over 14 feet, and sometimes even shallower water bodies, which do not have an appropriate management strategy (including aeration of the water body), tend to have issues associated with poor water quality, including frequent fish kills, objectionable odours, unsightly algal blooms and water discolouration, which can be a nuisance to surrounding residents." We would therefore have thought that the DOE would support the proposed deletion of the lakes from the existing PAD approval.

Simply put, we maintain that our master plan, as comprised in the original PAD approval, has been developed to ensure that NO storm water migrates beyond the property's boundaries, thereby creating a self-contained "watershed" within the PAD area. This means that we will be constrained to ensure that all of the captured rainwater that falls within that watershed is drained on site, otherwise the PAD area will be inundated whenever there is significant rainfall. We therefore intend to implement a SWMP that achieves sufficient drainage in accordance with the approved standards provided by NRA, or better, as it behooves CEC to prevent flooding of its PAD area.

We would also point out that by not excavating the lakes, this will avoid the need for blasting of the bedrock using high explosives to enable excavation of aggregate for fill. We would therefore submit that by avoiding blasting and digging of the large areas comprising the lakes, this would be beneficial to the interests of all surrounding properties and would avoid any potential adverse effect on the environment and properties in the surrounding area, as well as it would eliminate any potential risk of

damage to neighbouring properties from the noise and vibration associated with such operations.

DOE Letter Section 3, Summary of DoE High-level Concerns, Subsection 2. Loss of Primary Mangrove Wetland Habitat Concern

DCL RESPONSE

We acknowledge the recommendations set out by the DoE, and accept that if such sustainability measures were to be legislated by the Cayman Islands Government, we, along with all other developers, including the government, would be obliged to create plans that embrace and implement these sustainable measures. While we support and have included and implemented a number of sustainable elements into the project, this application to the CPA is limited to a request to modify our 2015 Masterplan, mainly to include further low-density residential development types in lieu of blasting lakes to harvest fill material. We would therefore submit that the proposed modification of the PAD proposes a more sustainable model of development whilst maximizing the utility of land within the approved PAD area.

DOE Letter Section 3, Summary of DoE High-level Concerns, Subsection 3. Water Quality of the Waterbodies Concern

DCL RESPONSE

We are requesting a modification to remove the lakes, therefore the drainage methodology associated with the lakes has been removed.

On numerous occasions, the original 2015 PAD documentation and masterplan stated that CEC preferred to not discharge stormwater into the lakes, mainly to ensure the quality and health of the waterbody. That being said, the removal of the lakes does not remove the requirement to demonstrate that the SWMP is designed to encompass all storm water runoff produced and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from our site. We understand that it is critical that the development is designed so that post-development stormwater runoff is no worse than pre-development runoff.

The submitted stormwater drawings contain an error in the legend, where it references a lake and we have resubmitted revised drawings which remove these notes from the drawings.

In addition, there is reference to The River Park, which is envisioned to be an outdoor mangrove and wetland botanic park, which features a naturalistic pond and replanting mangrove and other indigenous plants to show the public that a natural wetland style botanic park can thrive in our unique island environment. The park will also feature a lined filtered brackish water pond (approximately 1700' long and 20' wide), which will utilize traditional biological filtration methods such as bog filtration which is a natural wastewater management system employs a lush planting of native plants (in this case mangrove) to remove excess nutrients from water and improve quality. Very little equipment is required to install this low maintenance filtration system. We will engage our consultants to ensure that we design and maintain a salinity which encourages a natural balance while discourages mosquito breeding. We endeavour to recreate a mangrove buffer along the pond and by providing a continuous water flow which is essential to a healthy ecosystem; we hope to encourage wildlife and user interaction via walkways, bridges and paddle boats / kayaks.

While we do not believe that oversight and approval from the DOE is necessary as this proposed man-made water feature is similar to the water features and gardens at the QEII Botanic Park. However, we would welcome the opportunity to work with the DOE's team to help ensure compatibility and natural parameters to ensure the park's success.

***DOE Letter Section 4, Other Modification Considerations, subsection 1
Underground parking.***

DCL RESPONSE

We confirm that we intend to provide an underground parking design in accordance with the guidelines set in the original 2015 PAD documentation. We also confirm that we are not seeking to modify this concept which was an integral part of the original application.

While we understand and agree with the DOE's assessment of basements which are under the water table, and we have no intention of placing parking below 5' MSL. To clarify, the original PAD Narrative (2015) contains reference to underground basements, similar in design to the Government Administration Building, which has basement parking as defined in the Building Code and not counted as a storey. For reference, page 6 paragraph 12, of the original narrative states "The commercial buildings will range from 1 to 5 storeys and may have under building parking or basement parking in some instances; all buildings shall be within the 65 ft height limit" with specific details provided on page 50 in the master plan matrix along with Page 19 of the same document depicts suggested building sections illustrating basements at a min. of +5' above MSL as the basement floor level.

DOE Letter Section 4, Other Modification Considerations, subsection 2. Concrete Swale

DCL RESPONSE

CEC appreciate the DOE's support of the above modification request.

DOE Letter Section 4, Other Modification Considerations, subsection 3. Temporary Parking Surface

DCL RESPONSE

CEC appreciate the DOE's support of the above modification request.

DOE Letter Section 4, Other Modification Considerations, subsection 4. Residential Use of Septic Tanks.

DCL RESPONSE

CEC appreciate the DOE's support of the above modification request. The DoE has noted that while they would prefer for all the wastewater to be handled by the on-site treatment plant, however, they trust that the Water Authority shall review this request and hold the applicant to the relevant standards, which supports what we are requesting in this modification. The Water Authority has no objection to this methodology.

OBJECTIONS

Letter of Objection #1 (Signed by 15 persons)

Re: Planning Application for modification to PAD approval and conditions on Block 15C29, Parcels 21B134 and 21B135

As local property owners within the notification zone of the Cayman Enterprise City development, we are writing to object to the planning application above. Our grounds for objecting are outlined below:

1. Significant change in concept and land use

The development plan submitted with this application bears little resemblance to the original masterplan approved as part of the PAD application in December 2015. The original plans were designed to provide office space for businesses in the Special Economic Zone on a sustainably-designed campus with the provision of a small number of residential options.

In the latest iteration, the development is predominantly a residential subdivision with the mixed-use component scaled back. By the developer's own admission, the proposed density and building heights of the residential developments are out of character with surrounding neighbourhoods. The Pirate Cove Estates and the majority of homes in South Sound are low-density, single family homes, as acknowledged by the Department of Planning when responding to comments during the [Plan Cayman consultation process](#). The Planning Appeals Tribunal has previously rejected higher density developments in this area to uphold the residential character of the area.

Furthermore, the PAD allows for building heights 'at current permitted levels' - with a multi-decade build-out, these limitations could subsequently rise above the five storeys permitted today, especially given the motion accepted in Parliament in December to consider increasing building heights.

The PAD has already been subject to multiple modifications since the original application. The extent of modifications requested on this occasion should merit a complete review of the development, including an environmental impact assessment.

2. Environmental impact

As stated by the Department of Environment in their comments on the original PAD application in December 2015, environmental concerns relate to

- 1) the ongoing drainage and flooding issues in South Sound and seeking to ensure that the development does not contribute to these problems*
- 2) the loss of primary mangrove wetland habitat, in terms of ecological functions and carbon sequestration.*

The DoE opposed removal of 50+ acres of mangroves from the South Sound basin in 2015. Over the past 7 years, development in South Sound has increased significantly, with the completion of Vela, the Bahia development now under construction and further developments by Baraud and at Q, Karma Seaview and Solana in the pipeline.

The loss of biodiversity and the threat of climate change suggest it is more critical than ever to preserve what little mangroves are left in South Sound. An EIA would seem appropriate to ensure relevant mitigation, both in design and construction methods, is agreed as a condition of approval.

Where the initial masterplan attempted to incorporate the natural environment into its designs, with lakes and green space that would attract wildlife and be used for recreation, the new masterplan has removed the lakes and reduced open spaces to the bare minimum, providing a poor substitute for the loss of natural environment.

3. **Stormwater management**

Of great concern is the developer's note that stormwater management plans will be submitted piecemeal rather than for the PAD as a whole. This is contrary to the recommendation made by the Department of Environment, Water Authority and National Roads Authority in a memo dated January 2015 that a stormwater plan should be established for the entire South Sound basin (Ref: [South Sound Drainage Basin](#)).

With climate change expected to produce a greater number of extreme storms and more flooding events in Grand Cayman, and with no national climate policy, area stormwater management plans are essential.

Stormwater management was the basis for several objections by neighbours at the time the original application. Our concern remains that ineffective stormwater management puts surrounding properties at risk of flooding, especially those at lower elevations that the new development.

The lakes in the original masterplan were presented as integral to stormwater management; however these have now been removed.

A stormwater management plan should be developed for the entire PAD area, and should not be left for individual planning applicants for smaller developments or single family homes within the PAD.

We would advocate that all the technical and scientific documentation originally required for the PAD should be reinstated as a condition of approval, including a comprehensive stormwater management plan, traffic demand accommodation analysis, waste water

management system plan, engineering, biological and hydrological analysis of wetland filtration.

4. Sewage disposal system

We are opposed to the developer's request to remove the condition that states "there will be no use of septic tanks within the PAD." Heavy rains and flooding can cause major problems with septic systems and possible sewage contamination. Multiple small residential aerobic tanks in this scale of development would be a real concern.

5. Access

We reiterate our objection to the access roads proposed from the development to South Sound road via Mary Read Crescent and Anne Bonny Crescent. These narrow, chip and spray neighbourhood roads are entirely unsuitable to high volumes of traffic from a large multi-use commercial/residential development.

Although the developer has previously stated these roads will be used for emergency access only and will be kept padlocked, the history of incremental modifications to the PAD are cause for concern that these emergency access points could be used more widely over time.

The primary access point is to the north of the development, connecting to Fairbanks Road. The masterplan indicates a number of roads intersecting the development, some of which have been gazetted, some have not. There is no indication as to the timeline or funding for these roads, many of which would be required to unlock the southern parcels of land within the PAD area.

We would also note that the developer has previously proposed an alternative

"emergency access" adjacent to the Cayman Islands Tennis Club. It is clear that connecting the development to South Sound road is a priority for the developer, whether to provide emergency access or to promote the sale of residential properties as located in "South Sound".

With a lack of public transport in South Sound, and traffic congestion already an issue on South Sound Road, it is not clear what efforts the developer is making to reduce the impact of car ownership with the PAD and how they would connect to public transport services outside the PAD, given they anticipate 6,000 daily occupants on the CEC campus alone.

6. PAD extension

We object to the developer's request to add another 5 acres to the PAD area. There is no documentation to establish the need for a large residential development of this nature, let alone add a further five acres. The parcel's location adjacent to the Cayman Islands Tennis Club

further suggests the developers desire to connect the development with South Sound.

In conclusion, we believe the development plan in its current format will cause environmental and social damage to South Sound. While we were broadly in favour of CEC's initial proposal for a mixed-use campus to accommodate Special Economic Zone businesses, we oppose the widescale, high-density residential development now proposed.

Letter of Objection #2

I am writing to state my objection to the above noted development going before the committee. I am a resident of the neighboring Vela development and have grave concerns over the impact this project will have.

My main concerns are regarding potential flooding and the height of some of the buildings proposed, anything over 3 storeys is simply not in keeping with the area. This is a residential neighborhood and any commercial development should respect that.

Letter of Objection #3

Re: Planning Application for modification to PAD approval and conditions on Block 15C Parcel 29 and Block 21B Parcels 134 and 135

I [REDACTED] agree with the grounds brought forth in the attached objection and would like to join the objection points made by [REDACTED]

Further to these points I am of the understanding that [REDACTED] has been privately seeking to gain a vehicular ROW through Parcels: 21B 30 and/or 21B 19 with access to South Sound Road via Anne Bonney Crescent. He has also approached our family seeking a similar vehicular ROW over Parcel 21B 129 to access South Sound Road via Anne Bonney Crescent, which we have denied. These small local community roads were not designed to handle the large volume of traffic that will be generated by the proposed residential developments on Parcels 21B 135 and 15C 29. Furthermore, the CPA previously denied any vehicular ROW to South Sound via Anne Bonney Crescent, and I feel this denial should remain intact in all forms.

I fear that the emergency access being sought over the land that is occupied by the Cayman Islands Tennis club and/or the Cayman Islands Squash Club will be altered in the future to a full vehicular Access. There is no reason to have emergency access through South Sound when the planned bypass roads to the north will give the most direct access to all George Town hospitals and the Cayman Islands Fire Service (all located North of the respective properties).

The removal of the lakes and the change of use will no doubt increase the threat of flooding to my lots 21E 97 and 21E 98. This area has always been prone to flooding and the proposed increase in development density to 21B 135 and 15C 29 will only make this threat greater.

Letter of Objection #4

RE: Objection to PROJECT NO. P22-1154 (“CEC Project”)

As the elected representatives of all the 168 units of Vela Strata Phases 1-3 (collectively referred herein as “Vela”), we hereby file a joint objection against the Cayman Enterprise City (“CEC”) application to the Central Planning Authority based on the following:

Collective Objections from Vela:

- 1. **Inconsistent or lack of notification to Vela homeowners:** as of the date of this letter, only a handful of Vela homeowners have received a formal notification about this project and/or the amendments to this project. Vela homeowners have not been provided with adequate notification, awareness, and time to fully consider the plan and its potential impacts. We would request that CEC holds a public meeting to explain their plans, especially given the lack of a stormwater management plan.*
- 2. **Drainage and flooding concerns:** Currently the areas along western parts of the Vela community struggle with storm drainage and flooding-related issues. Following a rainstorm, the roadway and parking spaces on the western side of Vela are often flooded for several days. The drainage wells in the roadways have been continuously drilled ever-deeper (to no avail) to try and find a solution to this issue. Vela is concerned with the close proximity of the buildings in CEC Project to Vela property line (specifically Mix Phase 2.3, 3.1 and 3.2), the removal of about 50 acres of mangrove habitat, the removal of lakes and natural wetlands, and the potential negative impact this may have on the Vela community’s current drainage and flooding situation. It is our understanding that no project is allowed to overflow into a neighboring piece of land. As such, CEC must handle their own drainage properly. Vela recognizes this is a liability for CEC and if CEC builds anything next to Vela property, we need to be 100% sure it doesn’t flood onto Vela land.*
- 3. **Building Heights:** Vela homeowners are concerned with the height of the buildings adjacent to the western side of Vela, which also appear to be closer in proximity to Vela than previously planned. We request that the CPA assess the suitability of having an enormous parking structure in such close proximity to the residential Vela community. We request that CEC creates adequate easements from the Vela property line with natural landscaping such as trees/mangroves to conceal the CEC buildings from Vela residents. Also, please consider limiting these neighboring structures to 3 stories, which is in line with the rest of the surrounding buildings in the South Sound neighborhood.*

Letter of Objection #5

I understand that you are the contact for any objections in relation to the requested amendments to the above project.

We are the owners of 144 Vela in phase 3, adjacent to the proposed project, block and parcel 21B 123 H32.

We would like to raise a general objection to the amendments but in particular in relation to the proposed increase in heights from 3 to 5 stories and the request to remove the conditions around storm water drainage that could potentially cause spill over to our properties.

Letter of Objection #6

To Whom It May Concern,

I have been forwarded the attached planning notice dated 21 December 2022. I have not checked my PO Box over Christmas but the plans do not appear to be loaded to the Planning Portal and not many residents are focused on such matters during the busy Christmas period. Kindly confirm if you will be adding the plans to the planning site and extending the notice period?

As an affected land owner please note my objection. My objection is based on and in support of previous concerns and recommendations from the Department of Environment, National Roads Authority and Water Authority regarding the loss of the South Sound wetland habitat, lack of an overall stormwater management plan for the area, lack of a geotechnical survey to address concerns about hydrology and sinkholes plus lack of transparency regarding a supportive transportation access model. This would appear to be a threatening and contentious proposal without the required infrastructure as a condition of any approval. The concerns highlighted over the years clearly show that there is significant water abatement needed.

Jerome83

Respectfully, could the developer be encouraged to hold a town hall meeting to present the plans to the community so that there is a public Q&A prior to a planning meeting being scheduled.

Attachments:

- • *Original CEC master pad concept*
- • *24 Oct 2012 Water Authority notes on Water Discharge*
- • *30 Jan 2015 DOE, WA, NRA South Sound Drainage Basin*
- • *18 Nov 2015 CEC PAD review*

PLANNING DEPARTMENT ANALYSIS

General

The application is for a Modification to Planned Area Development (PAD) for Cayman Enterprise City, to be located off Fairbanks Rd., George Town. The site is located in

South Sound, between the Fairbanks Prison to the north and Cayman Tennis Club to the south. The PAD approved the following five uses on the site;

- a) Residential
- b) Commercial
- c) Institutional
- d) Hotel
- e) Open Space

Zoning

The property is zoned Low Density Residential and the Department would offer the following comments regarding the specific issue noted below.

Specific Issues

1) Modifications to Planned Area Development (PAD)

The applicant has submitted plans regarding a proposed modification to the current approved Planned Area Development (PAD). The modification will encompass the following:-

- Increase in PAD area:- Addition of 4.63 acres which will increase the PAD area to a total of 75.50 acres.
- Remove the Lakes from the Plan:- the applicant has proposed to remove any reference to the lakes, including the Lake 1 and the Lake 2 (referenced in the Development Statement) which was to be excavated to provide the fill for the site. The applicant has addressed the full details in the applicant letter.
- Master plan concept changes:- Redistribution of buildings, revised development statement to add a 30,000 sq. ft. (500 student) educational facility and add in the mixed-use commercial zone, relocate the designated Hotel /Tourism zone (building area) to the Mixed-Use zone, new Mixed-Use concept, expanded Residential zones, relocate the serviced apartment buildings to the new proposed Residential Apartment/Townhouse zone, update the Phasing Schedule and the PAD Stormwater Management Plan in accordance to the new proposed master-plan plan.

2) Analysis of proposed amendments

The applicant has proposed changes to the conditions in the decision letter for CPA/25/15; item 2.1 – which granted permission for a Planned Area Development. The applicant has proposed changes which are laid out in the applicant letter attached.

The authority should consider the following impacts of these changes.

A. Condition 1) b)

This condition states *“as phases are developed, any temporary parking areas will be surfaced with asphalt and will contain tire stops and suitable landscaping.”* The applicant is requesting to modify the condition for several reasons outlined in the applicant letter with the proposed following amendment wording. *“As phases are developed, any temporary parking areas will be surfaced with asphalt cement and contain fire stops and suitable landscaping except for temporary parking over an area on the masterplan where a building or parking garage is designated. These areas can utilize a chip and spray asphalt emulsion method, in lieu of asphalt cement, for a*

maximum of 5 years from building occupancy, and thereafter if a building is not constructed over the temporary parking lot, it shall be paved with asphalt cement in accordance with NRA standards”

B. Condition 1) d)

This condition states “*there will be no use of septic tanks within the PAD.*” The applicant has proposed that this condition be deleted for the residential zones as the lakes have been removed on the new revised master plan.

C. Condition 1) e)

This condition states “*in the CEC Matrix and wherever else applicable in the statement, there shall be no reference to secondary uses in the residential phases. In the other phases, there must be reference to secondary uses not to exceed 25% of the gross building floor area.*” The applicant has proposed that Commercial / Institutional Zone be renamed as the Mixed-Use Zone for clarity, and Commercial, Institutional, Residential and Hotel / Tourism uses be listed as Primary Uses in the Mixed-Use zone.

D. Condition 1) j)

This condition states “*show the swale next to 15D 88 as being constructed with concrete or similar material.*” The applicant is of the opinion that this condition can be deleted as the conditions in the modification dated on June 2017, provide a better solution.

3) Objector Concerns

The proposed modification has received several objections from notified residents in the area with concerns ranging from environmental impacts, stormwater management, sewage disposal and access.

The Authority should consider the following impacts of the proposed changes along with the concerns of the objectors to determine if the proposed modification is acceptable and warrants granting planning permission.

Supplemental Information

The Authority should be reminded the above-mentioned application was seen on May 24, 2023 (CPA/12/23; Item 2.1). The application was considered and it was resolved to adjourn the application to allow all parties to review the Applicant’s response to DOE and DOE’s response.

**2.6 KIRK MARINE (New Perspective Design & Construction Ltd.) Block 14BJ
Parcel 24 (P23-0137) (\$492,768) (MW)**

ATF Change of Use from Warehouse to Retail; 9,929.84 sq. ft. with 13 signs.

Appearance time: 1:30 PM

FACTS

<i>Location</i>	Boilers Rd., George Town
<i>Zoning</i>	General Commercial
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	1.19 ac. (51,836.4 sq. ft.)
<i>Parcel size required</i>	20,000 sq. ft.
<i>Current use</i>	Existing warehouse
<i>Proposed building size</i>	9,929.84 sq. ft.
<i>Total building site coverage</i>	17.65%
<i>Required parking</i>	33
<i>Proposed parking</i>	34

BACKGROUND

February 25, 2003 – Proposed Sign – the application was considered and it was resolved to refuse planning permission. (CPA/09/03; Item 3.01)

January 12, 2005 – Proposed Temporary “Tourist market” – the application was considered and it was resolved to grant planning permission. (CPA/01/05; Item 2.23)

April 6, 2005 – Modification to Tourist market – the application was considered and it was resolved to grant planning permission. (CPA/07/05; Item 2.30)

May 24, 2023 – ATF Change of Use from warehouse to retail with 10 signs – the application was considered and it was resolved to adjourn the application. (CPA/12/23; Item 2.18)

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Conditions (1-4) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) If not already shown on the site plan, the applicant shall submit a site plan that shows the location, dimensions and **size** of the wastewater treatment system including the disposal system per the Water Authority's specifications.
- 2) If not already shown on the site plan, the applicant shall submit a site plan showing tire stops for the parking spaces and the parking area curbed and surfaced with asphalt or concrete.
- 3) The applicant shall provide proof that a Stormwater Management plan has been submitted to the National Roads Authority (NRA). **The applicant should liaise directly with the NRA in submitting the stormwater management plan.**
- 4) The applicant shall submit a landscape plan which shall be subject to review and approval by the Central Planning Authority. *It is suggested that the landscape plan be prepared following the recommendations of the Draft Cayman Islands Landscape Guidelines, found on the Planning Department's website (www.planning.ky) under About/Draft Policies.*

In addition to Building Permit requirements, condition (5) listed below shall be met before a Building Permit can be issued.

- 5) The applicant shall submit the Stormwater Management plan required in condition 6) which has been designed in accordance with the requirements of the National Roads Authority (NRA) and approved by the Central Planning Authority.
- 6) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 7) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area
- 8) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.

- 9) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 10) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

The applicant is reminded that they must receive all relevant approvals from all required agencies.

Provision shall be made for the **removal of solid waste**, including **construction and demolition waste**, from the site on a regular basis during the construction period.

The applicant shall provide adequate number of **sanitary facilities during the construction stage**.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision).

AGENCY COMMENTS

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

Water Authority

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

Wastewater Treatment & Disposal

- *The developer shall provide a **septic tank(s)** with a capacity of at least 2,250 US gallons for the proposed, based on the following calculations:*
- *The drawings indicate an existing 1,000 US gallon septic tank. Should the developers intention be to retain the existing tank, it will require an inspection (see below).*
- *Should the existing tank be structurally sound and operating as desired, the developer shall be required to install an additional septic tank(s) with a minimum capacity of 1,250 US gallons to meet the total required treatment capacity of 2,250 gallons.*

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
Ground Floor	8,977.20 sq. ft.	8,977.20 x 0.15 (retail factor)	1,346.58
TOTAL			1,3456.58

- *The septic tank shall be constructed in strict accordance with the Authority's standards. Each compartment shall have a manhole to allow for inspection and service. Manholes shall extend to or above grade and be fitted with covers that provide a water-tight seal and that can be opened and closed by one person with standard tools. Where septic tanks are located in traffic areas, specifications for a traffic-rated tank and covers are required.*
- ***Treated effluent from the septic tank shall discharge to an effluent disposal well constructed by a licensed driller in strict accordance with the Authority's standards. The minimum well casing diameter for this development shall be 4".** Licensed drillers are required to obtain the site-specific minimum borehole and grouted casing depths from the Authority prior to pricing or constructing an effluent disposal well.*
- ***To achieve gravity flow, treated effluent from the septic tank shall enter the disposal well at a minimum invert level of 4'9" above MSL.** The minimum invert level is that required to maintain an air gap between the invert level and the water level in the well, which fluctuates with tides and perching of non-saline effluent over saline groundwater.*

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

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

Change-of-Use with Existing Septic Tank

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

Water Supply

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

- *The developer shall contact Water Authority's Engineering Services Department at 949-2837, without delay, to be advised of the site-specific requirements for connection to the public water supply.*
- *The developer shall submit plans for the water supply infrastructure for the development to the Water Authority for review and approval.*

- *The developer shall install the water supply infrastructure within the site, under the Water Authority's supervision, and in strict compliance with the approved plans and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>*

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

National Roads Authority

As per your memo dated February 27th, 2023 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

Road Capacity Issues

The traffic demand to be generated by the proposed development could not be accurately assessed. However, the impact of the proposed development onto Boiler's Road is considered to be minimal.

Access and Traffic Management Issues

One-way driveway aisles with diagonal parking shall be a minimum of twelve (12) to sixteen (16) 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 Boiler's Road, within the property boundary, to NRA standards.

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

Stormwater Management Issues

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

- *The applicant shall demonstrate, prior to the issuance of any Building Permits, that the Stormwater Management system is designed to embrace storm water runoff produced from a rainfall intensity of 2 inches per hour for one hour of duration and ensure that surrounding properties and/or nearby roads are not subject to stormwater runoff from the subject site.*

- The stormwater management plan shall include spot levels (existing and finished levels) with details of the overall runoff scheme. Please have applicant provide this information prior to the issuance of a building permit.

- Construct a gentle 'hump' at the entrance/exit (along the entire width of each driveway) in order to prevent stormwater runoff from and onto Boiler's Road. Suggested dimensions of the 'hump' would be a width of 6 feet and a height of 2-4 inches. Trench drains often are not desirable.

- Curbing is required for the parking areas to control stormwater runoff.

- Roof water runoff should not drain freely over the parking area or onto surrounding property. Note that unconnected downspouts are not acceptable. We recommend piped connection to catch basins or alternative stormwater detention devices. Catch basins are to be networked, please have applicant to provide locations of such wells along with details of depth and diameter prior to the issuance of any Building Permits.

- Sidewalk detail needs to be provided as per NRA specifications. See (<https://www.caymanroads.com/upload/files/3/Sidewalk%20&%20Curbing%20Detail.s.pdf>)

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

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

Department of Environmental Health

1. DEH has not objection to the proposed in principle. However, the location of the enclosure is too close to the existing fence.
2. This development will require an eight cubic yard container serviced weekly and an enclosure built to the department's specifications.

Table 1: Specifications for Onsite Solid Waste Enclosures

Container size (yd ³)	Width (ft)	Depth (ft)	Height (ft)	Slab Thickness (ft)	Requirements
8	10	10	5.5	0.5	Water (hose bib), drain, Effluent Disposal well; guard rails

Department of Environment

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

Fire Department

Please depict proposed or existing Fire well . 1994 Standard Fire prevention code - 602.6.1 Every building hereafter constructed shall be accessible to fire department apparatus by way of access roadways with all-weather driving surfaces of not less than 20 ft. (6.1 m) of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum vertical clearance of 15 ft.

Please ensure taper entrance for Emergency access.

PLANNING DEPARTMENT ANALYSIS**General**

The application is for an ATF Change of Use from Warehouse to Retail; 9,929.84 sq. ft. with 13 signs to be located on Boilers Rd., George Town.

Zoning

The property is zoned General Commercial and the Department would offer the following comments regarding the specific issue noted below.

Specific Issues**1) Suitability**

Pursuant to Regulation 13 of the Development and Planning Regulations (2022 Revision) the proposed is a permissible use for the zone. The Authority needs to ascertain whether or not that the proposal is suitable for the area. The access road varies between 20' and 21' in width, however an existing commercial plaza was approved (The Meringue Town Corporate Plaza). While the area is principally a mix of residential and commercial in nature, the Department has not received any objection letters from adjoining landowners within a radius of 300 ft. of the subject parcel. The Authority should determine whether the level of intensity of the ATF change of use is appropriate in this commercial area.

- 14BJ 8:- The Meringue Town Corporate Plaza
- 14BJ 22:- Harbour Place
- 14E 255:- Mike's Esso On The Run

2) Compliance to Sign Guidelines

The applicant is proposing (13) signs being mounted to the building surface of various sizes.

1. Sign #1 – 2'-11 1/8" h x 9'-4 7/8" w = **27.53 sq. ft.** (Kirk Marine)
2. Sign #2 & #3 – 2'-7 1/8" h x 8'-4 1/8" w = **21.64 sq. ft.** (Kirk Marine)
3. Sign #4, #5, #6 & #7 – 1'-11 3/4" h x 6'-4" w = **12.53 sq. ft.** (Kirk Marine)
4. Sign #8, #9, #10 – 1'-3 1/4" h x 9'-9 5/8" w = **12.45 sq. ft.** (SeaDoo)
5. Sign #11, #12 #13 – 2'-4 1/8" h x 2'-4 1/8" w = **5.49 sq. ft.** (BRP)

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

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

All landowners within a 300' radius were notified and no objections were received.

The Authority should assess if there are exceptional circumstances and sufficient reasons that warrant granting planning permission for the proposed development.

Supplemental Information

The Authority should be reminded the above mentioned application was seen on May 24, 2023 (CPA/12/23; Item 2.18) and it was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the after-the-fact nature of the works that have been undertaken.

At 1:30pm, Christopher Kirkconnell and Trevor McCann appeared on behalf of the applicant. Summary notes are provided as follows:

- The Authority asked the applicant to explain the application.
- Mr. Kirkconnell provided a few comments:
 - This started as a clean-up exercise of the old storage building
 - There was a lot of wasted space in the building
 - Kirk Marine can't rent for the long term at their current location
 - They are addressing structural issue of the old building for Kirk Marine
- Mr. McCann provided several comments:
 - Where they are now the lease was up and the landlord wanted too much
 - They asked if they could clean up the old storage building and move there
 - It took 3 months to clean up the space
 - They needed space to put things if they got kicked out of their current location in 1 month
 - They got an architect to do the plans
 - This started as a \$50,000 renovation and it is now over \$800,000
 - Planning stopped by the site and spoke with the contractor
 - On February 14 they submitted the plans and paid the after-the-fact fee

- The Authority asked if the space was split between retail and the Marine.
- Mr. Kirkconnell replied there is still 1/3 of the space for warehouse.
- The Authority asked how many retail units would there be and Mr. McCann replied just one, Kirk Marine.
- The Authority asked if the architect didn't mention that they needed to come to Planning.
- Mr. McCann replied at first it was just patching cracks and cleaning up and then they brought in a full team in January and they were working to get plans organized. He explained he was off Island in February for surgery and that they did submit plans on February 14.
- The Authority asked if they continued working and Mr. McCann replied they never did get a cease and desist order, but very little work has been done over the last 2 months.
- The Authority asked if boats and trailers would be stored here and Mr. McCann replied no.
- Mr. Kirkconnell noted they are trying to negotiate to keep the service area where it is now and they don't service motors any more.
- The Authority noted that it would just be retail here and Mr. Kirkconnell confirmed that.

2.0 APPLICATIONS

(Items 2.7 to 2.26)

2.7 CARY ENGLISH & RALSTON TAYLOR (Craftman's Touch) Block 28C Parcel 476 (P22-0317) (\$2,216,740) (MW)

6 unit apartment development; 9,378 sq. ft. with swimming pool

FACTS

<i>Location</i>	Greenall St., Bodden Town
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	0.4410 ac. (19,209.96 sq. ft.)
<i>Parcel size required</i>	37,500 sq. ft.
<i>Current use</i>	vacant
<i>Proposed building size</i>	9,378 sq. ft.
<i>Total building site coverage</i>	26.98%
<i>Allowable units</i>	6
<i>Proposed units</i>	6
<i>Allowable bedrooms</i>	10
<i>Proposed bedrooms</i>	10
<i>Required parking</i>	9
<i>Proposed parking</i>	9

BACKGROUND

March 4, 2015 – Two Bedroom House – the application was considered and it was resolved to grant planning permission.

July 29, 2021 – Three Bedroom House with Attached Double Garage; 3,374.65 sq. ft. – the application was considered and it was resolved to grant planning permission.

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding suitability, lot size and the number of bedrooms.

AGENCY COMMENTS

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

Water Authority

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

Wastewater Treatment & Disposal

- The developer shall provide a **septic tank(s)** with a capacity of at least 2,250 US gallons for the proposed, based on the following calculations:

BUILDING	UNITS/BLDG	GPD/UNIT	GPD
Building 1	1 x 2-Bed Unit	225gpd/2-Bed	225
	2 x 3-Bed Unit	300gpd/3-Bed	600
Building 2	2 x 3-Bed Unit		600
TOTAL			1,425 GPD

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

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

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

Stormwater Management

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

Water Supply

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

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

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

National Roads Authority

As per your memo dated January 30th, 2023 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issue

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

Based on the site plan provided there is no indication of a garbage enclosure.

Road Capacity Issues

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

Expected Daily Trip	AM Peak Hour Total Traffic	AM Peak 20% In	AM Peak 80% Out	PM Peak Hour Total Traffic	PM Peak 65% In	PM Peak 35% Out
------------------------------------	---	-------------------------------	------------------------------------	---	-------------------------------	------------------------------------

33	3	1	2	3	2	1
----	---	---	---	---	---	---

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

Access and Traffic Management Issues

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

A six (6) foot sidewalk shall be constructed on Greenall St., within the property boundary, to NRA standards.

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

Stormwater Management Issues

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

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

At the inspection stage for obtaining a Certificate of Occupancy, the applicant shall demonstrate that the installed system will perform to the standard given. The National Roads Authority wishes to bring to the attention of the Planning Department that non-compliance with the above-noted stormwater requirements would cause a road

encroachment under Section 16 (g) of The Roads Act (2005 Revision). For the purpose of this Act, Section 16(g) defines encroachment on a road as

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

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

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

Department of Environmental Health

This application is approved with the following conditions:

Solid Waste Facility:

- 1. The location of the solid waste facility must be identified on the drawing.*
- 2. This development require 5 (33) gallon bins and an enclosure built to the department's requirements.*
 - a. The enclosure should be located as closed to the curb as possible without impeding the flow of traffic.*
 - b. The enclosure should be provided with a gate to allow removal of the bins without having to lift it over the enclosure.*

Department of Environment

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

The site is man-modified and low ecological value. The site was previously a mangrove wetland, prior to it being cleared and appears to be wet and low lying. The filling of this land will reduce the site's natural capacity to retain storm water. Therefore, it is recommended that a storm water management plan is developed to ensure that storm water runoff is handled on site and does not impact surrounding areas.

Fire Department

Approved for planning permission 20 Jan 23

APPLICANT'S LETTER

With respect to our submission for townhouses on block 28C parcel 476 located on Shamrock Road, Bodden Town, Grand Cayman, we herby request a variance as follows:

- 1. Lot size variance where the present regulation requires 25,000sf and the proposed is 19,151.5*
- 2. Land width variance where the present regulation requires 100ft and the proposed is 82ft*

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

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

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

PLANNING DEPARTMENT ANALYSIS

General

The application is for a 6 unit apartment development; 9,378 sq. ft. with swimming pool located on Greenall St., Bodden Town.

Zoning

The property is zoned Low Density Residential and the Department would offer the following comments regarding the specific issue noted below.

Specific Issues

1) Suitability

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

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

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

- 28C 479:- Duplex
- 28C 364:- Duplex
- 28C 318:- Duplex
- 32B 197:- Townhouses

2) Bedroom Density

Regulations 9(8)(c) states “*the maximum number of apartments is 15 per acre with a maximum of 24 bedrooms*”. The proposed development is proposing a total of 10 bedrooms which is in alignment with the maximum allowed bedrooms on site. The applicant has also proposed a total of 4 dens with bathrooms should the Authority determine the proposed dens can be counted as bedrooms there would be a total of 14 bedrooms which would be a difference of 3.416 bedrooms more than the maximum allowable of 10.584 bedrooms respectively.

3) Lot Size

Regulation 9(8)(f) of the Development & Planning Regulations (2022 Revision) states

“the minimum lot size for guest houses and apartments is 25,000 sq. ft.” and Regulations 9(8)(e) states *“the minimum lot size for each duplex is 12,500 sq. ft.”* The proposed development includes 1 building with 3 apartments and 1 duplex, therefore the total required lot size is 37,500 sq. ft. The proposed lot would be approximately 19,209.96 sq. ft. a difference of 18,291 sq. ft.

4) Lot Width

Regulation 9(8)(g) of the Development & Planning Regulations (2022 Revision) states *“the minimum lot width for apartments is 100’*. The proposed parcel would be 82’ a difference of 18’ respectively.

The parcels within 250’ radius were notified and no objections were received.

The Authority should assess if there is sufficient reason and exceptional circumstances that exists in accordance with Section 8(13) to warrant granting the proposed bedroom density, lot size & lot width variance.

2.8 TIM NOONAN (MKS International) Block 33E Parcel 28 (P23-0286) (\$125,000) (EJ)

Application for Swimming Pool.

FACTS

<i>Location</i>	Finger Cay Road
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.63 ac. (27,442 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	House

BACKGROUND

September 1, 1998 (**CPA/27/98; Item 6.19**) – The Authority granted permission for a four (4) bedroom house (P98-102860).

March 4, 2015 (**CPA/05/15; Item 2.12**) – The Authority granted permission for a 505 sq. ft. house addition where the CPA granted a high-water-mark setback variance of 44’ versus 75’ (P15-0013).

September 14, 2016 (**CPA/20/16; Item 2.8**) – The Authority granted permission for a 187 sq. ft. addition to house (P16-0704)

April 5, 2019 (**CWL19-0003**) – The Department reviewed and commented on a proposed dock extension for private residential use.

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

Condition (1) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The construction drawings for the proposed swimming pool filtration system shall be submitted to the Department of Environmental Health. The applicant shall also submit to the Director of Planning the requisite signed certificate certifying that if the pool filtration system is constructed in accordance with the submitted plans it will conform to public health requirements.
- 2) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 3) Construction sites for in-ground swimming pools and spas shall be provided with construction fencing to surround the site from the time that any excavation occurs up to the time of completion. The fencing shall be not less than 4 feet in height.
- 4) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 5) All construction materials shall be stockpiled a minimum of 50 feet from the Mean High Water Mark to prevent material entering the marine environment.
- 6) Any beach quality sand excavated during construction shall be retained on-site and placed along the active beach profile. If there is an excessive quantity of sand that cannot be accommodated on-site, and the applicant would like to move sand off-site, it should be the subject of a separate consultation with the Planning Department and National Conservation Council.
- 7) If the construction uses insulating concrete forms (ICF) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding area or pollute the adjacent marine environment.
- 8) The applicant shall obtain a Certificate of Completion **prior to the utilization of the pool.**

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the high water mark setback, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed development does not comply with the minimum required setback from the high water mark per Regulation 8(10)(b) of the Development and Planning Regulations (2022 Revision). Pursuant to Regulation 8(11), the Authority may allow a lesser setback having regard to:
 - a) the elevation of the property and its environs;

- b) the geology of the property;
- c) the storm/beach ridge;
- d) the existence of a protective reef adjacent to the proposed development;
- e) the location of adjacent development; and
- f) any other material consideration which the Authority considers will affect the proposal.

In this instance, the Authority is of the view that:

- There are existing developments on adjacent properties with similar setbacks from the high water mark. Therefore, the setback of the proposed development is consistent with the established development character of the area and it will not detract from the ability of adjacent land owners from enjoying the amenity of their lands.
- The proposed pool will not be any closer to the high water mark than the existing structures on the property and this is a material consideration.

AGENCY COMMENTS

The Authority received and considered comments from the Department of Environment (NCC).

Department of Environment

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

The site is man-modified, with construction of the current structures on site having been completed in the early 2000s.



Figure 1: Existing development on site with the registered parcel boundary highlighted in blue (Aerial Imagery Source: UKHO, 2021).

As shown in Figure 2, we note that the setback of the proposed pool falls short of the minimum required setbacks from the registered Mean High Water Mark (MHWM) under section 8(10)(b) of the Development and Planning Regulations (2022 Revision). Adherence to these absolute minimum setbacks is important, especially in the context of climate change predictions for the region, including sea level rise and increased intensity of storm events (including storm surge). The DoE would like to reiterate that these setbacks seek to provide protection to properties against these inevitable effects of climate change such as coastal flooding and erosion, by ensuring that hard structures are not located in an area susceptible to these hazards. We do note that this coastline is a man-made coastline and not subject to natural replenishment cycles and coastal processes, which reinforces the need for adherence to the minimum setbacks for coastal development. That said, we note that there is an existing rock revetment surrounding the site and that the proposed pool is located as far as feasibly possible from the MHWM given the existing structures on site.



Figure 2: The proposed site plan overlaid on aerial imagery. The proposed setback for the pool falls short of the minimum required setback under the Development and Planning Regulations (2022 Revision) (Aerial Imagery Source: UKHO, 2021)

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

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

1. All construction materials shall be stockpiled a minimum of 50 feet from the Mean High Water Mark to prevent material entering the marine environment.
2. Any beach quality sand excavated during construction shall be retained on-site and placed along the active beach profile. If there is an excessive quantity of sand that cannot be accommodated on-site, and the applicant would like to move sand off-site, it should be the subject of a separate consultation with the Planning Department and National Conservation Council.
3. If the construction uses insulating concrete forms (ICF) or other polystyrene materials, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding area or pollute the adjacent marine environment.

APPLICANT'S LETTER

We are seeking Planning approval for a pool as per site plan submitted. The shoreline has an existing rock seawall; therefore, we are asking for a 50' HWM setback with Administrative Approval (vs 75' for sandy shoreline) and without the need to post Notifications/CPA meeting.

The rock seawall was created prior to Hurricane Ivan and the shoreline has not changed to this day which can be confirmed by viewing aerial photographs. In 2015 a kitchen addition was granted Planning Approval with a 50' setback. The pool follows the same line (and distance from shoreline) of the exiting steps on the west side of house (shown by red dashed line on site plan).

PLANNING DEPARTMENT ANALYSIS

General

The proposed swimming pool is located at the end of Finger Cay Road in North Side. The applicant is seeking permission for the proposed swimming pool and deck

The applicant has notified the adjacent parcels and the Department is not in receipt of any objections to the proposal.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) High Water Mark Setbacks –

The proposed pool would be setback 51.9' whereas Regulation 8 (10)(b) requires a minimum 75 foot setback. Therefore, the Authority is asked to consider the merits of the applicants request.

2.9 DAVE KELLY (Abernethy & Associates.) Block 4E Parcel 277 & 708 (P23-0196) (\$8,474) (EJ)

Application for Nine (9) Lot Subdivision.

FACTS

<i>Location</i>	Powell Smith Road, West Bay
<i>Zoning</i>	HDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	1.9062 ac. (83,034 sq. ft.)
<i>Parcel size required</i>	25,000 sq. ft.
<i>Current use</i>	Structures on lot A1, A2 & A4.

Decision: It was resolved to grant planning permission, subject to the following condition:

- 1) The surveyor's final drawing **shall include the surveyed dimensions of all lots and must show all required easements** and shall be submitted to the Director of Planning for approval prior to the survey being registered.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the width of lots B2 and B3, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) Proposed lots B2 and B3 do not comply with the minimum required lot width per Regulation 9(6)(f) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot width as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) Lots B2 and B3 are wedge shaped, which is typical of subdivision design for lots on the corner of an access road, and it is this wedge shape that has resulted in the front of the lots not complying with the required lot width; and
 - c) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.
- 4) The Authority is of the view that the subdivision is intended for the purposes of settling a family estate and it is acceptable to have the lots served by vehicular rights-of-ways as they exist now and to require a road parcel would result in an

excessive amount of land being deducted from the parent parcel resulting in a diminished buildable area on each new parcel.

AGENCY COMMENTS

The Authority received and considered comments from the Water Authority and Department of Environment (NCC).

Water Authority

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

Wastewater Treatment

Please be advised that the development is outside the Water Authority's West Bay Beach Sewage System (WBBSS) collection area; therefore, the required onsite treatment of wastewater will be specified by the Water Authority when the proposal for built development is reviewed.

Wastewater Treatment for Existing Structure

The existing buildings on the parcels are currently served by septic tanks. The Water Authority advises that all wastewater infrastructure, including septic tanks, deep wells, ATUs, etc. must be contained within the boundaries of the parcel on which the building stands.

Water Supply

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

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

Department of Environment

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

The site is man-modified and The Department of Environment confirms that we have no environmental concerns with respect to the formation of the subdivision. Efforts should be made to retain any mature native vegetation that may be present.

APPLICANT'S LETTER

Enclosed please find the relevant documents relating to a 5 lot subdivision of 4E 277 and 4 lot subdivision of 4E 708. The purpose of the subdivision is to resolve the estate of parents of the proprietors and distribute the parcels to other siblings.

Lands and Survey have already surveyed the road section, (lot A5), for the demarcation of BP353, but the survey has not been authenticated. A copy of the survey has been uploaded. We will respect the definition of the road Lands and Survey have surveyed.

We are asking for a variance on the lot width of lots B2 and B3 under the Planning Regulation 8(13) (b) (iii). They are corner lots and although narrow at the front, the lots are wide at the back and have plenty of buildable area.

PLANNING DEPARTMENT ANALYSIS

General

The proposed nine (9) lot subdivision is located on Powell Smith Road in West Bay.

Zoning

The property is zoned High Density Residential.

Specific Issues

1) Minimum Lot Width –

Proposed lots B2 & B3 do not meet Regulation 9 (6)(f), which requires a minimum 60' width. Lot B2 is proposed at 36.7' wide and Lot B3 is proposed at 21.3' wide.

Therefore, the applicant is seeking a lot-width variance.

2) ROW vs Road –

Lot A5 is a proposed road. It varies in size and serves 4E294 and several other parcels. However, to the North is a proposed right-of-way which runs along the eastern boundary of Lot A3 & A4 serving Lots B1 to B4. Therefore, the Authority should consider if the right-of-way vs a road is sufficient.

2.10 KEVIN WINTON (Halfmoon Consulting) Block 8A Parcel 208 (P23-0316) (\$60,000) (EJ)

Application for Six (6') Block Wall and Six (6') & Five (5') Chain Link Fence.

FACTS

<i>Location</i>	Premiere Drive & Ella Powerys Cres, West Bay.
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.3111 ac. (13,551 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	Duplex

BACKGROUND

June 14, 2018 – The Department granted permission for a duplex & LPG tank (P18-0445).

June 25, 2019 – The Department granted a modification to duplex (P19-0729).

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to submit revised plans showing the wall and fence setback minimum of 4' from the roadside parcel boundaries per Regulation 8(18) of the Development and Planning Regulations (2022 Revision).
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted because with the inclusion of a condition requiring the wall and fence to be setback 4' from the roadside parcel boundaries the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The Authority is satisfied that the heights of the wall and fence are in keeping with the character of the area.

AGENCY COMMENTS

The Authority received and considered comments from the National Roads Authority.

National Roads Authority

As per your email dated May 11th, 2023, the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

The NRA has no objections or concerns about the above proposed development.

APPLICANT'S LETTER

I, Richard.A.Bernard II, am responding on behalf of the applicant, Mr. Kevin Winton regarding the proposing to develop a 6ft perimeter chain link fencing around the West, North, & East boundaries. A 5ft concrete wall to be erected on the South boundary and around the existing paved parking driveway located on property at B&P 8A/208. I would like to request your consideration of a West boundary Side Setback variance of 6-8" for the proposed 6ft chain link fence with access 10ft wide access swing gates and South boundary 5ft conc wall 2'-8" from the edge of Premiere Dr.

*As per the variance criteria referenced in Regulation 8, Sub-regulation 13 of the Planning Law, it is our opinion that there is sufficient reason to grant a variance as the proposed development is consistent with the residential character and land use of the surrounding area. **The reasons for the proposed fence and wall height is to Act as a security buffer and privacy.** The Applicant has produce vegetation which he grows for self and in the near future plan on also having Dogs as family pets and security due to the nature of the applicants produce and plants. The variance for the fencing with gate on the West boundary adjacent to Ella Powery Cres.,if moved 4ft as required will conflict with applicant's existing mature plants and area of produce. Also the 10ft swing gate in not for Vehicular access.*

8(18) *It is also our opinion that the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare. Due to the lesser setback proposed for the development, the adjoining property owners have been notified of this application [by registered mail].*

In summery I am respectfully requesting a:

- West Side Setback variance of 6" for the 6ft perimeter chain link fence with gate and the*
- South Side Setback variance of partial 2'-8" for the 5ft conc wall, as the end to the driveway setback is over 4ft.*

PLANNING DEPARTMENT ANALYSIS

General

The proposed six (6') block wall and six (6') & five (5') chain link fence is located at the corner of Premiere Drive & Ella Powerys Cres, West Bay.

Zoning

The property is zoned Low Density Residential.

Specific Issues

a) Height of wall and fence variance

The applicant is seeking permission for a 6-ft high vs 4-ft high chain link fence along the west, north and east side boundaries; mindful that the west boundary adjoins Ella Powery Crescent. Additionally, the proposed also calls for a 5-ft chain link fence with an 8-ft wide sliding gate which extends from the west side (Ella Powerys Cres.) running east to the existing duplex.

The applicant is also seeking permission for a 5-ft concrete block wall around the parking lot area and extending along the southern boundary (Premiere Drive).

The Authority should consider whether height variances are warranted in this instance.

b) Wall & fence road setback variance

Regulation 8 (18) requires all walls and fences adjacent to the road to be setback a minimum of four feet from the road side parcel boundary.

The proposed 6-ft chain link fence is proposed to be setback 4' instead of 4' from the west side (Ella Powerys Cres.) and the 5-ft concrete wall is proposed with a 2.8 ft setback instead of the required 4' setback from the south side (Premiere Drive).

Traditionally, the Authority has granted permission for 4-ft walls and fences in residential areas and regulations 8 (18) requires for a 4-ft setback from all roads.

The Authority is asked to consider the proposed variances as they pertain to a four foot setback from the road boundaries.

2.11 FRED WHITTAKER (Whittaker & Watler) Block 25B Parcel 392 (P22-0639) (\$14,000) (EJ)

Application for after-the-fact porch addition, storage shed and cabana.

FACTS

<i>Location</i>	Party Lane, Prospect
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.23 ac. (10,018 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	Duplex, Shed & Cabana
<i>Proposed building size</i>	1,040 sq. ft.
<i>Total building site coverage</i>	39.36%

BACKGROUND

1989 – The Authority granted permission for a duplex.

1995 – The Authority granted permission for a duplex loft addition.

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to apply for a Permit from the Director of Planning **within 6 months of the date of this decision.**
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 3) The applicant shall obtain a Final Certificate (of Fitness for Occupancy) **within 12 months of the date of this decision.**

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the site coverage, rear setback and side setback, which are addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed application does not comply with the maximum allowable site coverage and the minimum required rear and side setbacks per Regulations 9(8)(h), (i) and (j) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the additional site coverage and lesser setbacks as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and
 - c) The proposal is consistent with the provisions of Section 2.6 of The Development Plan 1997.

APPLICANT'S LETTER

The application is for me to get the approval for the two back porches, a storage shed and a cabana.

All have been built over 23 years but I never ever had permission for the two back porches, storage and cabana. I am about to have the building strata and for that to happen I need those parts approved.

I' am writing you a letter to request a setback variance regarding the planning application for an ATF duplex addition on Block 25B Parcel 392.

The back porch is over the rear setback line by 4'-3". Also, I would like to request a side setback variance for existing cabana which is 8'-6" over by the setback line and the existing shed is 7'-6".

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

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

PLANNING DEPARTMENT ANALYSIS

General

The applicant is now seeking permission for the after-the-fact rear porch addition, detached storage shed and detached cabana which appears to have existed over 20 years and is located on Party Lane of Marina Drive in Prospect.

The applicant has notified the adjacent parcels and the Department is not in receipt of any objection.

The detached shed and cabana appears on the 1999 aerial map and the porch addition appears on the 2004 aerial map.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Rear Setback Variance

The after-the-fact detached shed and rear porch addition to the duplex is existing at 3.6' & 15.9' from the rear boundary; therefore, not meeting Regulation 9 (8)(i) which requires a minimum 20 foot setback.

2) Side Setback Variance

Additionally, the applicant is seeking after-the-fact permission for the cabana and storage shed which is existing at 1.6' & 2.6' from the left and right-side boundary; therefore, not meeting Regulation 9 (8)(j) which requires a minimum 10 foot setback.

3) Site Coverage Variance

The applicant is seeking a variance to exceed the site coverage with 39.36 percent for the above mentioned after-the-fact structures, bearing in mind Regulation 9 (8)(h) allows a maximum site coverage of 30 percent.

2.12 COLLIN BARRETT (GMJ Home Plans) Block 38C Parcel 30 (P23-0421) (\$70,000) (NP)

After the fact Patio Conversion to Create Duplex

FACTS

<i>Location</i>	Mimosa Lane in Bodden Town
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	Not Applicable
<i>Parcel size proposed</i>	22,790.6 sq. ft.
<i>Parcel size required</i>	12,500 sq. ft.
<i>Current use</i>	House

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to apply for a Permit from the Director of Planning **within 6 months of the date of this decision.**
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 3) The applicant shall obtain a Final Certificate (of Fitness for Occupancy) **within 12 months of the date of this decision.**

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision).

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Mimosa Lane in Bodden Town.

The property contains a house shed.

The applicant is seeking after the fact permission for the conversion of an existing 748 square foot patio into living space. 414 square feet of the patio has been converted into

a bedroom for the dwelling and 334 square feet of the patio has been converted into an additional dwelling unit to create a duplex on the property.

Notification was not required due to the fact that all applicable LDR Regulations are satisfied.

Zoning

The property is zoned Low Density Residential.

Specific Issues

- 1) After the fact nature of the conversion

2.13 LENCHA DOCKERY (Craftsman's Touch) Block 38E Parcel 34 (P22-0679) (\$624,000) (NP)

Proposed Duplex.

FACTS

<i>Location</i>	Twig Drive in Lower Valley
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	10,890 sq. ft.
<i>Parcel size required</i>	12,500 sq. ft.
<i>Current use</i>	Footings

BACKGROUND

February 1, 2023 (CPA/03/23; Item 2.19) – The Authority resolved to grant planning permission for an identical application.

Following the grant of planning permission, the Department discovered that notices sent to adjoining neighbours were incorrect.

Decision: It was resolved to grant planning permission, subject to the following conditions:

Condition (1) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall provide proof that the site boundaries have been set out on the ground by a licensed land surveyor.
- 2) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 3) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area.

- 4) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.
- 5) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 6) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the lot size, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed application does not comply with the minimum required lot size per Regulation 9(8)(e) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot size as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area; and
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.

APPLICANT'S LETTER

With respect to our submission for a duplex on block 38E parcel 34 located on Twig Drive, Lower Valley, Grand Cayman, we hereby request variances as follows:

1. Land Size variance where the required is 12,500sf and the proposed is 10,890sf.

In making the application for such a variance, our client is mindful of provisions of Regulations 8 (J 3) of the Development and Planning Regulations, and would submit that there is sufficient reason and exceptional circumstances that would permit such setback allowance, in that:

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

public welfare.

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

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Twig Drive in Lower Valley.

The property presently contains footings. Enforcement action has commenced due to the footings being started prior to the issuance of a building Permit.

Adjacent properties were properly notified by Registered Mail and no objections have been received.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Proposed Lot Size (10,890 sq ft vs 12,500 sq ft)

Regulation 9(6)(e) requires a minimum lot size of 12,500 square feet for a duplex in a LDR zone.

The subject parcel has 10,890 square feet.

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted to be granted once again in this instance.

2.14 MARK THOMAS (Eric Cronier) Block 10E Parcel 44 (P23-0408) (\$10,000) (NP)

Proposed 2 Lot Subdivision

Ian Pairaudeau declared a conflict and left the meeting room. Handel Whittaker sat as Acting Chair.

FACTS

<i>Location</i>	Esterley Tibbetts Highway, north of Yacht Drive
<i>Zoning</i>	Hotel Tourism & Low Density Residential
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	20.45 acres
<i>Parcel size required</i>	10,000 sq. ft. for dwellings 0.5 acres for hotels & apartments
<i>Parcel width required</i>	80 feet for dwellings 100 feet for hotels & apartments
<i>Proposed lot sizes</i>	17,700 sq ft & 20.5 acres
<i>Current use</i>	Vacant

Decision: It was resolved to grant planning permission, subject to the following condition:

- 1) The surveyor's final drawing **shall include the surveyed dimensions of all lots and must show all required easements** and shall be submitted to the Director of Planning for approval prior to the survey being registered.
- 2) Proposed lot A shall be combined with Block 10E Parcel 66.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted because with a condition of approval requiring lot A to be combined with 10E 66 the application complies with the Development and Planning Regulations (2022 Revision).
- 3) Pursuant to Regulation 28(1) the Authority determined that the requirement of Land for Public Purposes would not be warranted for such a minor subdivision/combination.

APPLICANTS LETTER

On behalf of our client and owner, we hereby apply for a variance to allow the proposed sub-division to be approved as submitted.

In regards to the first comment "Regulations require a minimum lot width of 80 feet - proposal is for 61 feet - revise plans or apply for a variance"

The purpose for the sub-division is to create a strip (Lot A) to facilitate an area for parking and access and therefore the minimum lot width of eighty feet (80') would be unnecessary.

The client has acknowledged that Lot A is to be combined with Block 10E Parcel 66 which will therefore create a new parcel far exceeding the minimum lot width of eighty feet (80').

A planning condition can be registered on Lot A to ensure that it is combined with 10E66.

In regards to the second comment "LPP - none proposed - will be a CPA discussion point in the planning report"

We hereby request that the requirement for LPP be waived since the purpose for the sub-division is to accommodate parking and access to 10E64 and 10E66 and is not a part of any development on 10E44. The owners of 10E44 are being neighborly by helping the owners of 10E65 and 10E66 create the access strip to connect the two parcels.

The LPP can be provided if any future sub-division is proposed at a later stage on 10E44 when the parcel is being developed.

We therefore kindly request your approval as it relates to Section 8 (13) of the Development and Planning Regulations (2018 Revision), the application can be considered for approval, since subsection (b) (iii) states that "the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare."

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on both sides of the Esterly Tibbetss Highway, just north of Yacht Drive roundabout.

The property is currently vacant and the proposal is to create two new lots, Lot A on the west with 17,700 square feet and Lot B on the east with 20.5 acres of area.

Lot A would then be combined with Block 10 E Parcel 66.

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

Zoning

The property is zoned Low Density Residential and Hotel/Tourism.

Planning Issues

1) Width of the western lot (61' vs 80')

Proposed Lot A would have 61 feet of lot width and is located in the Hotel/Tourism zone. Regulation 10(1)(d) states that the minimum lot width for a detached house or duplex shall be 80 feet.

The Authority should discuss whether a variance for lot width is warranted in this instance.

2) Lands for Public Purposes

Regulation 28(1) states that the Authority may require the applicant to set aside land not exceeding five percent of the gross area of the land being developed for public purposes. This generally applies to lots with 10 gross acres or more before subdivision.

The Authority should discuss whether LPP is required in this instance.

At 2:10pm, Eric Cronier appeared on behalf of the applicant. Summary notes are provided as follows:

- Mr. Cronier explained the purpose of the application:
 - The application is for the owners of 10E 65 and 66
 - These owners have plans for the parcels and want to be able to connect the two parcels without having to go onto West Bay Rd
 - Likely parcel 65 will be sued for parking for the development of parcel 66

2.15 DENNIS FIGUEROA (TSC Architectural Designs) Block 28C Parcel 526 (P23-0142) (\$175,000) (NP)

Application for addition to create a duplex

FACTS

<i>Location</i>	Country Road in Bodden Town
<i>Zoning</i>	Low Density Residential
<i>Parcel size</i>	12,806.1 sq. ft.
<i>Parcel size required</i>	12,500 sq. ft.
<i>Current use</i>	House
<i>Proposed use</i>	Addition to create a Duplex

Decision: It was resolved to adjourn the application and invite the applicant to appear before the Authority to discuss concerns regarding the width of the access roads.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on Country Road in Bodden Town.

The property presently contains a 960 square foot house and the application proposes to add an 861 square foot addition consisting of a separate unit. The end result will be a duplex on the property.

Zoning

The property is zoned Low Density Residential.

Specific Issues

a) Width of Country Road

In the past, the Authority has refused an application for an apartment complex on a neighbouring property due to the insufficient width of Country Road, which is 18 feet wide.

At least one additional vehicle will be using Country Road.

The Authority should discuss whether the lot is suitable for a duplex.

2.16 JOY ROSE FRATER (GMJ Home Plans) Block 28B Parcel 376 Lot 8 (P23-0349) (\$700,000) (NP)

Proposed Duplex

FACTS

<i>Location</i>	Unnamed Road off of Neezas Way, Savannah
<i>Zoning</i>	Low Density Residential
<i>Notification Results</i>	No Objections
<i>Parcel size</i>	11,534.7 sq ft.
<i>Parcel size required</i>	12,500 sq ft
<i>Current use</i>	Vacant
<i>Proposed use</i>	Duplex

Decision: It was resolved to grant planning permission, subject to the following conditions:

Conditions (1-2) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall provide proof that the site boundaries have been set out on the ground by a licensed land surveyor.
- 2) The applicant shall submit a construction operations plan to the satisfaction of the Director of Planning and must be prepared in accordance with the Central Planning Authority's Construction Operations Plan Guidelines - Template A *found on the Planning Department's website* (www.planning.ky) under About/Draft Policies.
- 3) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 4) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area.
- 5) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.
- 6) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 7) All construction materials shall be stockpiled outside of the rear setbacks and a minimum of 20 feet from the wetland area to reduce the possibility of run-off washing material and debris into the wetland causing turbidity and impacting water quality.

- 8) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the lot size, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed application does not comply with the minimum required lot size per Regulation 9(8)(e) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot size as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area; and
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.

AGENCY COMMENTS

The Authority received and considered comments from the Department of Environment.

Department of Environment

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

The site is man-modified and of limited ecological value, having already been cleared and filled as part of a subdivision (refer to Figure 1).



Figure 1: Location of the proposed duplex shown overlaid on 2021 aerial imagery (Source: UKHO, 2021).

Best management practices should be adhered to during construction to reduce impacts on the environment. The rear of the property backs on to seasonally flooded mangrove wetland, a habitat type that is in severe decline. In particular control measures should be put in place to address pollution from expanded polystyrene (EPS) beads on construction sites, for example those used in insulating concrete forms (ICF). Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. These beads are very difficult to remove once they enter the environment and they do not naturally break down.

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

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

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

APPLICANT'S LETTER

We write on behalf of the applicants, Ms. Joy Frater with regards to the following variance;

A lot size variance – where the subject parcel is registered as 0.2648 acres or 11,534.89 sqft which is 965.11 sqft smaller than the required 12,500 sqft for a duplex development in areas zoned Low Density Residential.

We request permission for the proposed development per the drawings provided and humbly give the following reasons:

- 1. Per section 8(13)(d) of the Planning Regulations, the owners of the adjacent properties were notified by register mail.*
- 2. Per section 8(13)(b)(iii) of the Planning Regulations, the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.*
- 3. The precedent for duplexes on a lot size less than required already exist in the community of Savannah. Most recently, an application for an addition to create a duplex was approved on nearby parcel 28C557 (0.2775 Acres) in December 2022.*
- 4. Although the lot is below the prescribed lot size for a duplex, the development proposed is comfortably below the required site coverage. The proposed footprint is only 17.96 percent of the property versus the 30% allowed.*
- 5. The application complies with all other relevant planning requirements.*

We look forward to your favorable response to this variance request

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on an unnamed roadway off of Neezas Way in Savannah.

The property is currently vacant and the proposal is for a duplex.

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

Zoning

The property is zoned Low Density Residential.

Specific Issues

a) Lot Area

Regulation 9(8)(e) requires a minimum lot area of 12,500 square feet for a duplex.

The subject property has 11,534.7 square feet of area.

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

It is noted that the block and parcel of the duplex in the variance letter is in the next subdivision to the east (Tuckerman Drive).

2.17 JAMES A. WELCOME (Abernethy & Associates) Block 71A Parcel 130 (P21-0899) (\$9,853) (NP)

Proposed 10 Lot Subdivision

FACTS

<i>Location</i>	Farm Road, East End
<i>Zoning</i>	Low Density Residential
<i>Notification Results</i>	No objectors
<i>Parcel size</i>	4.001 acres
<i>Parcel size required</i>	10,00 sq ft for houses 12,500 sq ft for duplexes
<i>Parcel width required</i>	80 feet for dwellings 100 feet for apartments
<i>Proposed lot sizes</i>	10,250 sq ft to 41,280 sq ft LPP= 8,710 sq ft
<i>Current use</i>	Vacant

BACKGROUND

CE20-0003 was withdrawn due to the expiration of time. The enforcement action related to the illegal clearing of land.

Decision: It was resolved to grant planning permission, subject to the following conditions:

Prior to the subdivision plan being finalized, the following conditions shall be satisfied:

- 1) The property shall be filled in such a manner as to ensure that a reasonable building envelope for each lot, and the entirety of all lots designated as Land for Public Purposes, are filled to four (4) feet above mean sea level, with the remaining subdivision land being filled and/or graded to a level that will assist in the drainage

of the subdivision. After filling the site, the applicant shall submit a plan prepared by a registered land surveyor indicating spot heights at regular intervals.

- 2) The final subdivision plan shall indicate a vehicular easement over the subdivision access road in favour of each lot. The final plan must be accompanied with the requisite grant of easement forms detailing the easements to be registered.
- 3) The surveyor's final drawing **shall include the surveyed dimensions of all lots** and shall be submitted to the Director of Planning for approval prior to the survey being registered.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the width of lot 3, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) Proposed lot 3 does not comply with the minimum required lot width per Regulation 9(6)(f) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser lot width as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) Lot 3 is slightly wedge shaped, which is typical of subdivision design for lots on the corner of an access road, and it is this wedge shape that has resulted in the front of the lot not complying with the required lot width; and
 - c) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.

AGENCY COMMENTS

The Authority received and considered comments from the agencies noted below.

Water Authority Cayman

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

Water Supply:

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

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

and Water Authority Guidelines for Constructing Potable Water Mains. The Guidelines and Standard Detail Drawings for meter installations are available via the following link to the Water Authority's web page: <http://www.waterauthority.ky/water-infrastructure>.

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

Wastewater Treatment:

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

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).

*A site visit was conducted on 18 September 2021 by the Terrestrial Research Unit as the 2018 aerial imagery depicted the site as primary dry shrubland with the potential for *Aegiphilia caymanensis* (a Part 1 Schedule 1 protected species, which is protected at all times), a plant related to mint which is only found on Grand Cayman and nowhere else in the world. However, during the site visit it was noted that the site had been entirely cleared by mechanical means. Based on the presence of colonising grasses and Planning Enforcement records, it appears this clearing was undertaken in January 2020.*

With respect to the subdivision application, any future additional clearing, filling or development of the resulting parcels should be the subject of a separate consultation with the National Conservation Council.

National Roads Authority

As per your memo dated September 7th, 2021 the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Note

While Farm Road was gazetted as a 30 feet in October 1983 as depicted by Boundary Plan 138, please be aware that a PCM has been drawn and submitted to the Ministry which reflects the current situation in regards to the Land Register. Therefore, proposed lot 10 will no longer be affected by BP138 once the PCM for this section of Farm Road has been gazetted pursuant to Section 5 of the Roads Law (2005 Revision).

Infrastructure Issues

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

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

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

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

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

Stormwater Management Issues

A comprehensive drainage plan needs to be provided by the applicant for the entire project.

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

APPLICANT'S LETTER

Enclosed please find the relevant documents relating to the above subdivision. We are asking for a variance on the lot width along the road frontage for lot 3 under the Planning Regulation 8(13) (b) (iii) to accommodate this. Attached is a plan showing the building envelope of the parcel based on a one-story building and the envelope is more than 50% of the area of the entire parcel, giving plenty of room for a dwelling.

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located in East End, on Farm Road.

The property is currently vacant and the proposal is to create nine new residential lots and one LPP parcel. The proposed residential lots range from a minimum of 10,250 square feet to 41,280 square feet. The proposed LPP parcel would have 8,710 square feet.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Lot Width

Regulation 9(8)(g) requires lots for detached dwellings and duplexes to have a minimum lot width of 80 feet.

Proposed lot 3 has a width at the road of 67.7 feet.

The agent has submitted a variance letter and the Authority should discuss whether a variance is warranted in this instance.

2.18 STACEY CLARK (Frederick & McRae) Block 12E Parcel 106 (P23-0489) (\$500,000) (NP)

Proposed Change of Use – Recreational to Veterinary Clinic

FACTS

<i>Location</i>	Marquee Plaza in George Town
<i>Zoning</i>	Neighbourhood Commercial
<i>Notification Results</i>	Not Required
<i>Parcel size</i>	2.84 acres
<i>Parcel size required</i>	CPA Discretion
<i>Former use</i>	Yoga business
<i>Proposed Use</i>	Veterinary Clinic

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 3) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision).

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located in the Marquee Plaza at the corner of West Bay Road and Lawrence Boulevard.

The application is for a 2,966 square foot change in use from a yoga business to a veterinary clinic.

Parking standards will not be affected by the proposed change of use.

Zoning

The property is zoned Neighbourhood Commercial.

2.19 OWEN ROBERTS INTERNATIONAL AIRPORT (AMR Engineers) Block 20C Parcel 78 (P23-0244) (\$140,000) (NP)

Proposed Bandstand & Tour Assembly Canopy

FACTS

<i>Location</i>	Owen Roberts Airport in George Town
<i>Zoning</i>	Airport Lands
<i>Notification Results</i>	Notices were not required
<i>Footprint</i>	1,750 sq ft combined
<i>Required Parking</i>	Not Applicable

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 3) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision).

AGENCY COMMENTS

Agencies were not circulated in this instance.

PLANNING DEPARTMENT ANALYSIS

General

The proposed bandstand consists of a 160 square foot canopy located in the vicinity of the passenger arrivals building.

The proposed canopy for tour assembly consists of a 1,590 square foot shelter with restroom located in the vicinity of the taxi stand staging area.

Notification was not required as the location of the proposed works is internal to the Airport site and would not impact adjacent landowners.

Zoning

The property is zoned Airport Lands and staff are to apply the zone requirements of the use proposed. In this instance the proposed use is General Commercial and staff have applied the GC zone requirements during the review of the proposal.

2.20 JANET OWENS (Sean Evans) Block 20B Parcel 149 (P23-0225) (\$70,000.00) (EJ)

Application for a house addition to create a duplex and 96-gallon LPG tank.

FACTS

<i>Location</i>	Kingbird Drive
<i>Zoning</i>	LI
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.28 ac. (12,196 sq. ft.)
<i>Parcel size required</i>	20,000 sq. ft.
<i>Current use</i>	House
<i>Proposed building size</i>	336.46 sq. ft.
<i>Total building site coverage</i>	14.6%
<i>Allowable units</i>	CPA
<i>Proposed units</i>	CPA
<i>Allowable bedrooms</i>	CPA
<i>Proposed bedrooms</i>	2
<i>Required parking</i>	2
<i>Proposed parking</i>	3

BACKGROUND

The subject house appears on the 1994 aerial map.

Decision: It was resolved to grant planning permission, subject to the following conditions:

Condition (1) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall provide proof that the site boundaries have been set out on the ground by a licensed land surveyor.
- 2) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 3) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area.
- 4) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.
- 5) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 6) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision). In this regard, the Authority is satisfied that the addition to an existing duplex is consistent with the provisions of Regulation 12(3).

PLANNING DEPARTMENT ANALYSIS

General

The proposed addition to the existing house is located on Kingbird Drive in Industrial Park.

Zoning

The property is zoned Light Industrial.

Specific Issues

1) Permitted Uses –

The applicant is seeking planning permission for a small addition to create a duplex.

The existing house appears on the 1994 aerial map.

In view of the limited amount of industrial land on Grand Cayman, the Authority is asked to consider the proposal to intensify the residential land use in the context of Regulation 12 (3), which states that any other form of development is permissible in an Industrial zone if it does not change the primary use of the land for industrial purposes.

2.21 MASCOLO RESIDENCE (Corporate Electric Ltd.) Block 17A Parcel 205 (P23-0229) (\$40,000) (EJ)

Application for 20kw propane generator.

FACTS

<i>Location</i>	Waterford Quay
<i>Zoning</i>	LDR
<i>Notification result</i>	No objectors
<i>Parcel size proposed</i>	0.2878 ac. (12,536 sq. ft.)
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	House

BACKGROUND

February 6, 2013 - The Department granted permission for a four (4) bedroom house, swimming pool and dock.

May 18, 2022 - The Department granted permission for a dock.

Decision: It was resolved to grant planning permission, subject to the following conditions:

- 1) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 2) The applicant is required to obtain the necessary approvals from the Chief Petroleum Inspector.
- 3) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 4) The applicant shall obtain a Certificate of Completion **prior to the utilization of the generator.**

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the front and side setbacks, which are addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed application does not comply with the minimum required front and side setbacks per Regulations 9(8)(i) and (j) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser setbacks as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and
 - c) The proposal is consistent with the provisions of Section 2.6 of The Development Plan 1997.

AGENCY COMMENTS

The Authority received and considered comments from the Department of Environment (NCC).

Department of Environment

This review is provided by the Director of the Department of Environment under delegated authority from the National Conservation Council (section 3 (13) of the National Conservation Act, 2013). The Department of Environment confirms that we have no comments at this time as the site is man-modified with limited ecological value.

APPLICANT'S LETTER

*This letter is to request and substantiate the grant of a variance for residence at **Block no. 17A, Parcel no. 205 with postal box no. 1990, KY1-1104 owned by Mr. Edward Mark Mascolo.** The variance requested is primarily to grant the installation of propane fueled 20kW generator with a setback of min. 18.5ft from the property line along the public road and fall short with the Department of Planning (DoP) requirement of 20 feet from the front public road and a setback of min. 5ft for the side set back and fall short with the Department of Planning (DoP) requirement of 10 feet.*

A notification to all adjacent un-occupied parcels will be provided via registered mails with receipts and will be uploaded to OPS including the revised drawings showing the required setback of 20ft from the road and 10ft for side set back.

The petitioner requests a variance allowing the proposed generator to be installed within the property boundary that would provide absolute necessity for emergency power supply in case of extreme hurricane condition in the islands.

The proposed generator that this variance is being requested for does not encroach or infringe on any neighboring residential properties, nor would it impose any hardship on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would negatively affect. Furthermore, this does not imply any of the following below:

- 1. The characteristic of the proposed development is consistent with the character of the surrounding area;*
- 2. Unusual terrain characteristics limits site' development potential; or*
- 3. The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare.*

Site Plan is shown below in support of the requested variance is attached hereto.

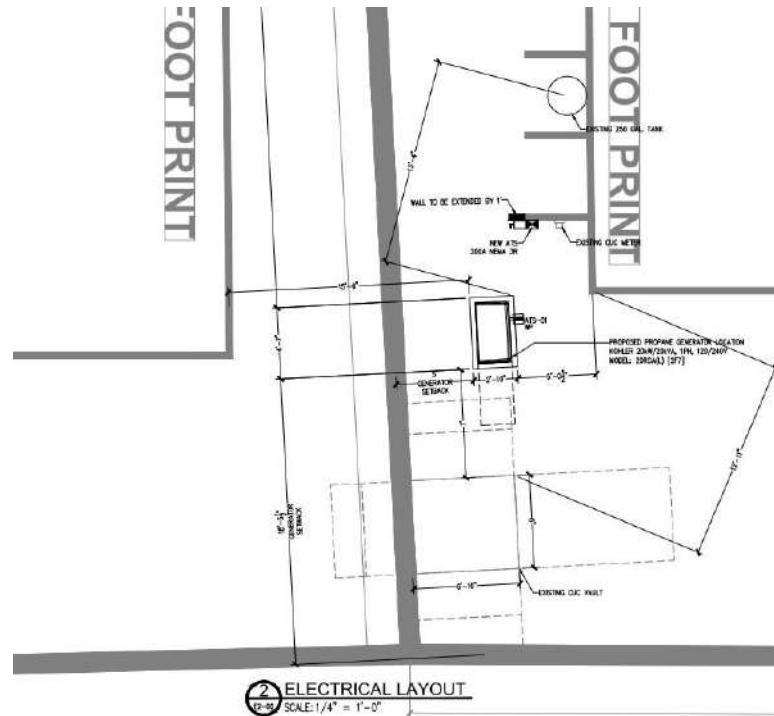


Figure 1 The proposed 20kW Generator location

Respectfully submitted for exemption and approval. Should you have any further questions please do not hesitate to contact Corporate Electric Ltd.

PLANNING DEPARTMENT ANALYSIS

General

The proposed generator is located on Waterford Quay.

The applicant has notified the adjacent parcels and the Department is not in receipt of any objections.

Zoning

The property is zoned Low Density Residential.

Specific Issues

1) Minimum Front Setback (18.5' vs 20')

The proposed generator would be setback 18.5' from Waterford Quay whereas Regulation 9 (8)(i) requires 20 feet.

The applicant is requesting a front setback variance from the Authority.

2) Minimum Side Setback (5.3' vs 10')

The proposed generator would be setback 5.3' from the side boundary whereas Regulation 9 (8)(j) requires 10 feet.

The applicant is seeking a left side setback variance from the CPA.

2.22 AL THOMPSON (Tropical Architectural Group Ltd.) Block 23C Parcels 236 (P22-0858) (\$3,890,000) (MW)

Modification to Site Layout, Revise Floor Layout & Elevations & Increase Floor Area; & (34) 18 sq. ft. Signs.

Peter Campbell declared a conflict and left the meeting room.

FACTS

<i>Location</i>	Shamrock Rd., George Town
<i>Zoning</i>	Neighbourhood Commercial
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	8.35 ac. (363,726 sq. ft.)
<i>Parcel size required</i>	20,000 sq. ft.
<i>Current use</i>	Vacant
<i>Proposed building size</i>	54,024 sq. ft.
<i>Total building site coverage</i>	14.85%
<i>Required parking</i>	180.08 spaces
<i>Proposed parking</i>	244 spaces

BACKGROUND

May 2, 2018 – Three Commercial Buildings and Signs – the application was considered and it was resolved to grant planning permission. (CPA/10/18; Item 2.7)

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and

Planning Act (2021 Revision) hereby orders that planning permission CPA/10/18; item 2.7 be modified as follows:

- revise the site layout, floor plans and elevations with an increase in floor area and add 18 signs
- replace condition 1) b) with the following:
“b) a minimum 22’ driveway located entirely within the boundaries of the subject parcel”
- delete condition 1) c)

All other conditions of CPA/10/18; item 2.7 remain applicable.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be modified as the application complies with the Development and Planning Regulations (2022 Revision).

AGENCY COMMENTS

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

Water Authority

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

Wastewater Treatment and Disposal

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

- ***The proposed development requires Aerobic Treatment Unit(s) with NSF/ANSI Standard 40 (or equivalent) certification that, when operated and maintained per manufacturer’s guidelines, the system achieves effluent quality of 30 mg/L Biochemical Oxygen Demand and 30 mg/L Total Suspended Solids. The proposed system shall have a treatment capacity of at least 7,733 US gallons per day (gpd), based on the following calculations.***

BUILDING	UNITS/BLDG	GPD/BLDG	GPD
Building #1	12 Retail Units 17,248 sq. ft.	17,248 x 0.15 (retail factor)	2,587
Building #2	10 Retail Units 17,152 sq. ft.	17,152 x 0.15 (retail factor)	2,573

Building #3	10 Retail Units 17,152 sq. ft.	17,152 x 0.15 (retail factor)	2,573
TOTAL			7,733

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

Potential High-Water Use

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

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

Water Supply:

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

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

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

National Roads Authority

As per your email dated December 9th, 2022, the NRA has reviewed the above-mentioned planning proposal. Please find below our comments and recommendations based on the site plan provided.

General Issues

Proposed HMB entrance: This entrance and driveway is planned for the adjacent property, parcel 23C234, please have the applicant provide proof of their right to build the road on this parcel.

Road Capacity Issues

The overall development will eventually entail just over 108k square feet of retail/commercial space, depending on how it will be developed and promoted. Consequently, the subject site could be a mixture of offices, a business park and/or commercial centre/plaza type of development. From a transportation planning perspective, the site could ultimately generate a mixture of traffic demand scenarios (based on ITE 9th Edition Trip Generation Rates) as shown:

Land Development Scenario	ITE Trip Code	Daily Traffic Demand	Am Peak Hour (total)	PM Peak Hour (total)
General Office	710 – Equation	1,392	204	199
General Office	710 – Average Rate	1,192	169	161
Office Park	750 – Average Rate	1,234	185	160
Business Park	770 – Average Rate	1,344	151	136
Shopping Centre	820 – Equation	7,141	163	631
Shopping Centre	820 – Average Rate	4,614	104	401

With the AM peak hour condition, between 60 to 80 percent of the traffic generated will be inbound and probably 60 to 70 percent of that traffic may enter the site from HMB. The current phasing of the development will generate about 50% of the full development potential indicated in the table above. Hurley Merren Boulevard is currently a four (4) lane divided Primary Arterial but has sufficient width to accommodate an additional third lane in each direction. The proposed development's traffic demand can be handled by this road facility.

Access and Traffic Management Issues

One-way driveway aisles with diagonal parking shall be a minimum of twelve (12) to sixteen (16) ft. wide. Two-way driveway aisles shall be a minimum of twenty-two (22) ft. wide.

Entrance and exit curves shall be no less than fifteen (15) feet in radius. Entrances shall be between twenty-two (22) and twenty-four (24) feet wide.

A six (6) foot sidewalk shall be constructed on HMB, within the property boundary, to NRA specifications.

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

Stormwater Management Issues

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

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

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.

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

Department of Environmental Health

Solid Waste Facility:

The proposal for the onsite management of solid waste is unsatisfactory. The applicant must submit a revised site plan showing the onsite solid waste facility complying with

- *Provide a centralized location for the garbage enclosures to allow the service to enter the site and service the containers in a continuous flow.*

Revised plans & applicant letter was submitted back to DEH for comment on November 1st 2022, however no revised comments have been received at this time.

Department of Environment

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

The application site is man-modified with some regrowth as shown in Figures 1 and 2. We note that this application is for the modification of a commercial development which received planning approval at CPA Meeting (CPA/10/18) held May 2, 2018 (Planning Ref: F18-0090, P18-0196). However, the Department of Environment (DoE) was not consulted on the previous application for this site, and therefore was not afforded an opportunity to provide comments for the initial application.

Given that this is a modification to the site layout and that the site was previously part of a mangrove wetland, the clearing and filling of the land has likely reduced the site's natural capacity to retain storm water. Therefore, a stormwater management plan should be designed in such a way to ensure that site derived stormwater runoff is handled on site and to incorporate sustainable drainage features such as permeable paving and parking. To assist with drainage, the applicant could utilise permeable surfaces such as porous paving and parking areas. We also recommend that the applicant plants and incorporates native vegetation such as buttonwood in the landscaping scheme especially in the side setbacks. Native vegetation is best suited for the habitat conditions of the site, requiring less maintenance and making it a cost effective and sustainable choice for landscaping.

It is also recommended that, wherever possible, sustainable design features such as renewable energy installations are included in large-scale and/or commercial proposals, especially given the target that 70% of energy generation be renewably sourced by the year 2037 (Cayman Islands National Energy Policy 2017-2037). For example, photovoltaic solar panels could be installed on suitable roof space or over the proposed parking spaces and rainwater collection could be used for irrigation

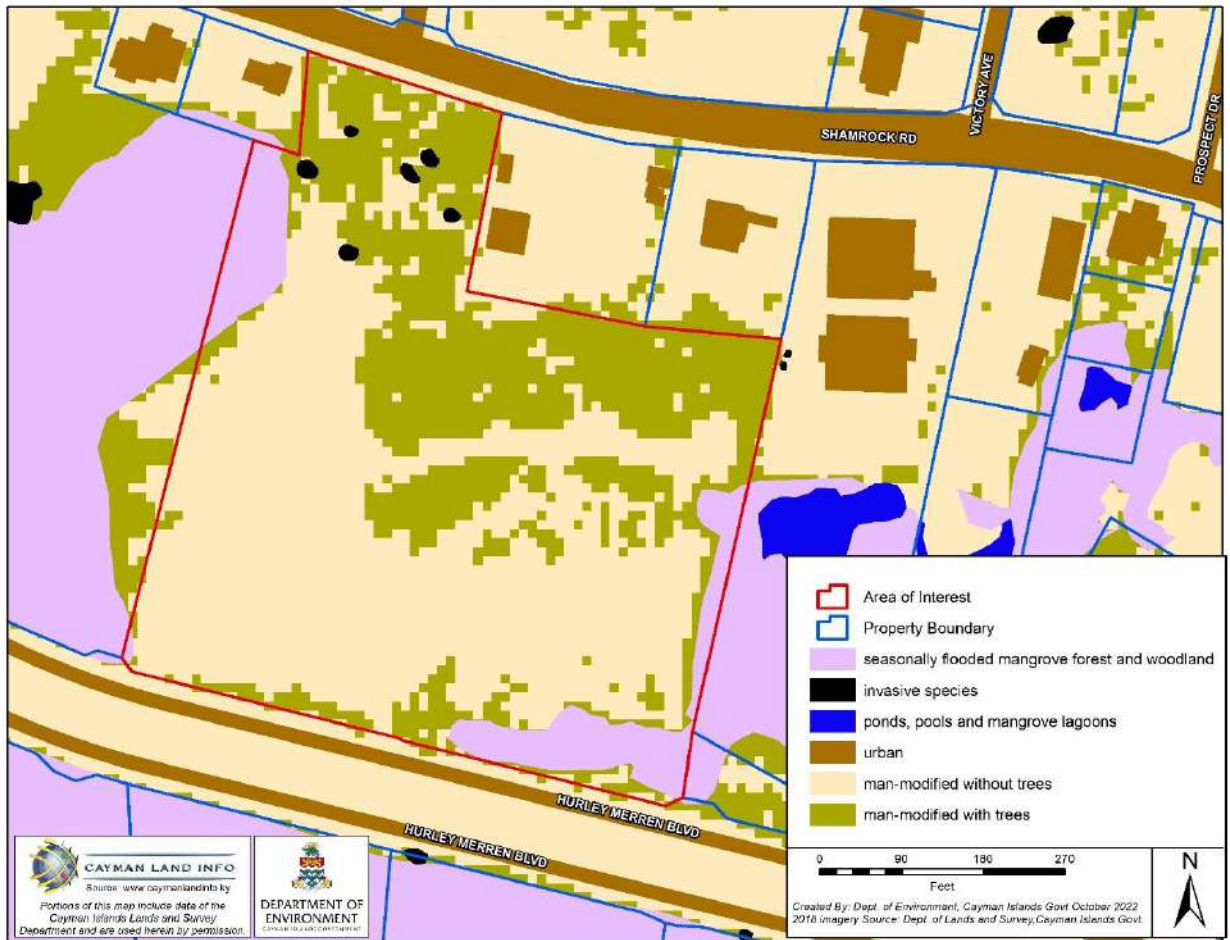


Figure 1: DOE's 2013 habitat map extract showing the application site outlined in red.

The DoE is aware that practices such as sanding down polystyrene which is used as part of wall finishing and window moulding can result in polystyrene beads getting blown into the environment in significant quantities; these beads are very difficult to remove once they enter the environment. We strongly recommend that Best Management Practices are adopted during the construction to ensure that construction-related debris does not enter the environment.

If the Central Planning Authority or Planning Department is minded to grant planning permission, we recommend the following condition is included in any planning permission to minimise impacts to the environment.

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

Fire Department

Approved For Planning Permit Only 21 Nov 22

PLANNING DEPARTMENT ANALYSIS

General

The application is for a Modification to Site Layout, Revise Floor Layout & Elevations & Increase Floor Area; 30,074 sq. ft. to be located on Shamrock Rd., George Town.

Zoning

The property is zoned Neighbourhood Commercial. The proposed change of use is allowed in the zone. However the Department wishes to discuss the following.

Specific Issues

1) Compliance to Sign Guidelines

The applicant is proposing (34) 18 sq. ft. signs being mounted to the building surface. The proposed sign will be approximately 2'-0" in height with a width of 9'-0" with 2'-0" high letters respectively.

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

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

The parcels within a 300' radius were notified and no objections were received.

At 1:45pm A.L. Thompson appeared as the applicant. Summary notes are provided as follows:

- Mr. Thompson explained the background to the application and the reasons for the proposed revisions.
- There was a general discussion regarding the proposed access to the site with one drive aisle on his property and the other drive aisle on the adjoining property. The timing of gaining registered reciprocal easements was discussed in terms of the timing of this project. There was agreement that the plans should be revised at this time to provide a minimum 22' wide entry/exit entirely on the applicant's land.

**2.23 LYNN BODDEN (OA & D Architects) Block 73A Parcel 105 (P23-0025)
(\$137,400) (MW)**

Gym / Laundry Building & Gazebo

FACTS

<i>Location</i>	Austin Conolly Dr., East End
<i>Zoning</i>	Hotel Tourism
<i>Notification result</i>	No objections
<i>Parcel size proposed</i>	0.96 ac. (41,817.6 sq. ft.)
<i>Parcel size required</i>	½ ac. (21,780 sq. ft.)
<i>Current use</i>	Existing Commercial Bed & Breakfast
<i>Proposed building size</i>	687 sq. ft.
<i>Total building site coverage</i>	12.93%
<i>Proposed parking</i>	10

BACKGROUND

September 27, 2017 – Cottage colony, Pool, Cabana, LPG tank, Diesel Tank, Generator & 6' Fence – the application was considered and it was resolved to grant planning permission.

September 19, 2019 – 96 Gallon lpg tank – the application was considered and it was resolved to grant planning permission.

Decision: It was resolved to grant planning permission, subject to the following conditions:

Condition (1) listed below shall be met before permit drawings can be submitted to the Department of Planning.

- 1) The applicant shall provide proof that the site boundaries have been set out on the ground by a licensed land surveyor.
- 2) The applicant is required to apply for a Permit from the Director of Planning. Construction shall not commence prior to the issuance of a Permit.
- 3) If during construction of the building insulating concrete forms (ICFs) are used, measures such as screens or other enclosures along with vacuuming shall be put in place to ensure that any shavings or foam waste is completely captured on site and does not impact the surrounding area.
- 4) Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.
- 5) All construction materials and debris shall be stockpiled at least 75 feet from the Mean High Water Mark to prevent material from entering the Marine Protected

Area. If beachside construction fencing is required or will be installed, all construction materials, fill, sand, equipment and/or debris shall be stockpiled landward of the beachside construction fencing.

- 6) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.
- 7) The applicant shall obtain a Final Certificate (of Fitness for **Occupancy**) **prior to occupying the building(s)**.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least five feet (5') above mean sea level.

If the existing grade level does not currently provide for it, the applicant is reminded that the finished floor level of all buildings should be at least seven feet (7') above mean sea level.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) With the exception of the side setback, which is addressed below, the application complies with the Development and Planning Regulations (2022 Revision).
- 3) The proposed application does not comply with the minimum required side setback per Regulation 10(1)(f) of the Development and Planning Regulations (2022 Revision). The Authority is of the opinion that pursuant to Regulation 8(13)(b) there is sufficient reason and exceptional circumstance to allow the lesser setback as follows:
 - a) The characteristics of the proposed development are consistent with the character of the surrounding area;
 - b) The proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare; and
 - c) The proposal is consistent with the provisions of Section 2.6 of The Development Plan 1997.
- 4) The Authority acknowledges the comments from the Department of Environment that the turtle lighting plan for the original development was never implemented by the applicant and that the Department of Planning issued a Certificate of Occupancy without compliance with the approved lighting plan. The Authority would note that in 2017 the framework for implementing turtle friendly lighting plans was not as it is today which includes a multi-tiered series of conditions of approval. In 2017, the DOE's report recommended only that a turtle lighting plan be done with no accompanying condition that it be completed prior to the issuance of a Certificate of Occupancy.
- 5) The Authority has reviewed and considered the DOE's recommended conditions and find they are excessive in nature and detail and cannot be realistically

implemented and enforced and therefore will not be included as conditions of approval.

AGENCY COMMENTS

The Authority received and considered comments from the Department of Environment (NCC).

Department of Environment

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

Overview of Site

The application site is man-modified with existing cottages. Based on over 20 years of DoE monitoring data, the beach of the application site has been identified as a turtle nesting beach. In addition, the site is adjacent to a Marine Protected Area, namely a Line Fishing Zone and the section of the parcel located west of Austin Conolly Drive forms a part of the Colliers Pond Animal Sanctuary – a Terrestrial Protected Area (TPA), defined under Schedule 4 of the National Conservation Act (2013).

Terrestrial Protected Area Impacts

The DoE has no environmental concerns with the additions as the structures are not located within the TPA nor are they any closer seaward than the existing structures on-site. However, we take the opportunity to remind the applicant that the section of the parcel that forms a part of the Colliers Pond Animal Sanctuary TPA is protected. Therefore, it would be an offence under Section 32 of the National Conservation Act to damage, destroy, or otherwise cause the loss of a natural resource, to clear land, to deposit rubbish, litter or waste of any kind and to dredge, quarry, extract sand or gravel, discharge waste or any other matter or in any other way disturb, alter or destroy the natural environment. This portion of the parcel shall always be left in its natural state. It would be an offence for the applicant to clear this section of the parcel or disturb or alter the natural environment here, whether or not the applicant has planning permission.

Marine Protected Area Impacts

Best management practices must also be implemented to avoid, minimise and mitigate impacts on the Marine Protected Area offshore. In particular, construction-related debris must not enter the marine environment. Poor construction management practices can degrade the environment by:

- Washing stockpiled aggregates, loose material, or bulk material into the marine environment, causing turbidity and impacting water quality; and*
- Polluting the marine environment with wind-borne debris. Practices such as sanding down ('keying') polystyrene, Styrofoam, or insulating concrete forms (ICFs) which are used as part of wall finishing and window moulding can result in polystyrene waste materials getting blown into the sea in significant quantities.*

The Department has witnessed and experienced complaints from members of the public regarding pollution from expanded polystyrene (EPS) beads on construction sites around the island. EPS is used in a variety of applications, including thermal insulation in buildings, civil engineering applications and decorative mouldings and panels. During construction, once EPS is cut, tiny microbeads are blown into the air, polluting neighbouring yards, stormwater drains, and nearby water bodies. Polystyrene is not biodegradable, and the EPS beads can be consumed by wildlife when it enters the food chain. EPS beads that make their way to the sea can be mistaken by fish and birds as fish eggs and have the potential to cause blockages in their digestive systems. These beads are very difficult to remove once they enter the water and they do not naturally break down.

Turtle Nesting Beach & Previous Planning Condition

We note that Condition 1 of the Planning Decision Letter (CPA/20/17; Item 2.5) dated 03 October 2017 for Lynn Bodden required a turtle friendly lighting plan for the application site. The DoE reviewed and approved a turtle friendly lighting plan on 10 August 2018 (see Appendix), however, the approved turtle friendly lighting plan was never implemented by the applicant and a Certificate of Occupancy was issued by the Planning Department without compliance with the approved plan. For this reason, existing artificial lighting on-site (see Figure 1) presents a threat to nesting and hatchling sea turtles.



Figure 1: A photo of The Cottages at night showing the artificial lighting illuminating the beach (Source: Google Photos uploaded by The Cottages).

Artificial lighting on and around turtle nesting beaches is one of the greatest threats to the survival of Cayman's endangered sea turtle nesting populations. Bright lights on or near the beach can deter female turtles from nesting and cause baby turtles to crawl away from the sea, where they die from dehydration, exhaustion, predators or vehicles.



Figures 2 & 3: DoE photos showing hatchling turtles misoriented by artificial lights (Source: DoE).



Figure 4: Photo showing a nesting female turtle being rescued from a swimming pool on Grand Cayman after being disorientated by artificial lights (Source: DoE).

Turtle friendly lighting has been a legal requirement in ordinances in the United States for over 30 years. It is a proven solution to prevent the misorientation of sea turtles whilst safely and effectively lighting beachside properties. Since 2018, there have been several properties in Grand Cayman that have successfully implemented turtle friendly lighting. Figures 5-7 show examples of properties in Grand Cayman that have turtle friendly lighting installed. So far, Grand Cayman data has shown an increase in turtle nesting on beaches with turtle friendly lighting versus properties with non-turtle-friendly lights.

The DoE recommends that The Cottages is required to implement the previous condition for turtle friendly lighting. In addition, any new exterior lighting which forms a part of the proposed additions should also have turtle friendly lighting.



Figures 5-7: Properties retrofitted to turtle friendly lighting along Seven Mile Beach, Grand Cayman (Source: DoE, various).

DIRECTED CONDITIONS

The site is adjacent to a Marine Protected Area under the NCA. Without appropriate environmental management practices, storage of materials too close to the protected area and inadequate management of construction wastes and debris can result in adverse effects on that protected area through the run-off and escape of materials and debris. Storms, high waves, high tides, rainy weather, or construction practices can result in the material entering the Marine Protected Area.

Without appropriate environmental management practices during construction, there would or would be likely to be an adverse effect on the Marine Protected Area, namely:

- Section 2(f) of the NCA: the discharge of pathogens, dissolved or suspended minerals or solids, waste materials, or other substances at levels that may be harmful to wildlife or the ecological or aesthetic value of the area.

*On the basis of the above information, in the exercise of powers which have been conferred through express delegation by the National Conservation Council, pursuant to section 3(13) of the National Conservation Act (2013) the Director of DoE, therefore, **respectfully directs that the following conditions be imposed by the Central Planning Authority or Department of Planning,** as part of any agreed proposed action for planning approval:*

- 1. All construction materials and debris shall be stockpiled at least 75 feet from the Mean High Water Mark to prevent material from entering the Marine Protected Area. If beachside construction fencing is required or will be installed, all construction materials, fill, sand, equipment and/or debris shall be stockpiled landward of the beachside construction fencing.*
- 2. Prior to undertaking any sanding or breaking down of polystyrene as part of the construction process, measures (such as screens or other enclosures along with vacuuming) shall be put in place to ensure that any shavings, foam waste or polystyrene debris is completely captured on-site and does not impact the surrounding areas or pollute the adjacent Marine Protected Area offshore.*

These conditions are directed to prevent run-off and debris from entering the Marine Protected Area causing turbidity and impacting sensitive marine resources.

A person aggrieved by a decision of the National Conservation Council to impose a condition of approval may, within 21 days of the date on which the decision is received

from the Central Planning Authority/Department of Planning, appeal against the decision of the Council 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). We trust that this information will be relayed to the applicant in the Department of Planning's decision letter.

Recommended Conditions

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

3. No lighting which forms a part of this proposal should directly illuminate the nesting beach.

4. Should the additions include exterior lighting, prior to the issuance of a Building Permit, the applicant shall prepare and submit a plan for review and approval to the Department of Environment for turtle friendly lighting, which minimises the impacts on sea turtles. Guidance on developing a lighting plan can be found in the Department of Environment's Turtle Friendly Lighting: Technical Advice Note (September 2018) available at <https://doe.ky/marine/turtles/tfl/>. The DoE's written approval must be received by the Planning Department prior to the issuance of the Building Permit.

5. Any sand that is to be excavated during construction should be retained on-site and beach-quality sand should be placed along the active beach profile. Sand shall only be placed along the beach during turtle nesting season with the express consent of the DoE, to ensure that turtle nests are not adversely impacted. If there is an excessive quantity of sand that cannot be accommodated on-site, and the applicant would like to move such sand offsite, it should be the subject of a separate consultation with the National Conservation Council.

6. Should the additions include exterior lighting, prior to the issuance of a Certificate of Occupancy/Completion, lighting and/or specifications for visible light transmittance shall be installed and maintained in accordance with the turtle friendly lighting plan which has been reviewed and approved by the Department of Environment. Once construction is complete, prior to the issuance of the Certificate of Occupancy, the Department of Environment will inspect the installed lighting for compliance with the approved turtle friendly lighting plan. Confirmation of the Department of Environment's written approval of the installed exterior lighting after the inspection must be received by the Planning Department prior to the issuance of the Certificate of Occupancy.

We also recommend that The Cottages implements the previous condition for turtle friendly lighting. Turtle friendly lighting is a proven solution where lighting is designed to safely and continuously meet the illumination needs of beachfront residents and guests without adversely impacting turtles. If the applicant wishes to discuss turtle friendly lighting, they are encouraged to reach out to the DoE (emu.doe@gov.ky) for additional information.

5. Prior to installing any temporary or special event lighting during turtle nesting season (1 May – 30 November), the applicant shall consult with the DoE to check whether there are any turtle nests on-site.
6. There may be a decrease in the wattage of each approved lamp and a decrease in the total number of each approved fixture without submitting a modified lighting plan for review and approval. However, if a fixture or lamp is changed to a different type, manufacturer or catalogue number for any reason, or if the location of any fixture is changed it shall be submitted for review and approval by DoE prior to installation.
7. The applicant shall provide written confirmation that all permanent exterior lighting has been installed as depicted on the stamped lighting schematic and Fixture table approved by the DoE on 10 August 2018. Once confirmation is received, the DoE will inspect all permanent exterior lighting for compliance with the stamped, approved lighting schematic and Fixtures table within 14 days of receipt.

Please do not hesitate to contact the Department should you require further assistance.



Gina Ebanks-Petrie
Director, Department of Environment



2nd FLOOR-LIGHTING PLAN

I HEREBY CERTIFY THAT THE DISCOUNTS SHOWN
ARE CORRECT.

SIGNED: Theresa

DATE: 12.06.18

DRAWING	
SYMBOL	86470
QUANTITY	50
PROVISED BY	80000
DATE	8/10/2018
SCALE	P-20
2nd FLOOR-LIGHTING	
PROJECT NO.	E-2.0

	S. COIN NO.	PAGE NO.
	73A	205
PROJECT LOCATION		
EAST END, GRAND CAYMAN		

PROJECT: THE COTTAGES
FOR MS. LYNN BOGGEN

<p>FORMAL NAME</p>	<p>NAME</p>
--------------------	-------------

REVISIONS		
NO	DESCRIPTION	DATE
1	ISSUED FOR MATERIALS ORDERING	16.01.17
2	ISSUE PAID REVISED	03.08.17
3	ISSUE AND SOL. REVISED	16.08.17
4	ISSUEMENT INSTRUCTIONS REVISED	28.05.19
5	ADDITIONAL PAGES	05.05.19

QUAD ARCHITECTS

PH: 345.342.0776
WWW.QUADARCHITECTS.COM

PRINCIPAL, NJ
BRANDY CRANFORD, NJ
BRANDY CRANFORD, NJ

DoE Turtle Friendly Lighting Plan Review Fixtures Table

Applicant: Lynn Boddien
Description: Cottage Colony, Pool, Cabana, UPS Tank, Diesel Tank, Generator and G Fence
RUDOC: 758 PABCSL105
Date of approval: 18 August 2018

Fixture No.	Symbol	Fixture Type	Model Number	Bulb Type	Watts	Wave Length (nm)	Bulb Color	Description	Quantity	Fixture Location	Mounting Details	Accessories	Approved	Comments
1.	A.	Pool Light	UPH-47C	LED	36 W	620-680nm	Red	ColorGlo® Turtle Friendly Red LED Lighting (see cut sheet)	1	Light underwater and directed away from beach with a 120 degree flood beam.	Recessed horizontally on interior pool wall closest to the beach.	N/A	YES	N/A
2.	B.	Wall Pack	TST-47180	LED	35 W	590nm	Yellow/Amber	Watts Shown Series Wall Pack LED Downlight (see cut sheet)	26	Proposed fixtures are wall-mounted shore perpendicular. (1) 19 units on ground level, with (5) of these fixtures lighting the stairwells. An additional (5) fixtures are located on 2nd level, all lighting the stairwells.	Wall-mounted	Beach viewer cut-off shield	Approve w/ caveat	Beach viewer cut-off shields required for all fixtures. Fixtures must be mounted at a height of 8ft or below. A mounting height exemption has been given for these fixtures lighting the stairs, but these fixtures are still to be fitted with the beach viewer cut-off shields.
3.	C.	Pigeon fixture	REA	LED	5 W	Peaks at 600nm	Amber	Beachside Lighting Pigeon with shield (see fixture Type C cut sheet)	7	(1) fixtures located near entrance of the pool, (2) fixtures located near the entrance of the cabana and the other (3) located in the walkway between buildings 3 and 4	11" pole	380 degree shield	Approve w/ caveat	All fixtures approved with 380 degree shields with the light being directed away from the beach.
4.	D.	Scholar	M82	LED	5 W	Peaks at 600nm	Amber	Beachside Lighting Contemporary Scholar (see fixture Type D cut sheet)	10	(5) fixtures shore perpendicular and (5) additional fixtures landward of structure lighting the parking lot.	25' Pole, Parking lot landward side of parcel	380 degree shield for (2) fixtures	Approve w/ caveat	The (2) fixtures closest to the beach are required to have 380 degree shields to reduce point source light visibility from beach.
5.	E.	Downlight	L-011 CM	LED	5 W	Peaks at 600nm	Amber	Beachside Lighting Architectural Surface Downlight (see fixture Type E cut sheet)	18	(2) fixtures lighting downways on the ground level of bldgs. 3 and 4, (2) fixtures lighting downways on level 2 of bldgs. 1 and 4, (2) fixtures lighting the front house laundry downways on level 2 and (12) landward fixtures lighting downways and pathways surrounding the Great House.	Ceiling mounted	N/A	YES	N/A
6.	F.	Downlight	L-011 CM	LED	5 W	Peaks at 600nm	Amber	Beachside Lighting Architectural Surface Downlight (see fixture Type F cut sheet)	5	(2) fixtures beach facing on ground level lighting downways on bldgs. 1 and 2, (2) fixtures lighting downways on upstairs balconies for bldgs. 1 and 2 and (1) fixture in cabana	Ceiling mounted	Hexacomb baffle and shield	Approve w/ caveat	All fixtures must have the light downward directed. Hexacomb baffles are required for all fixtures to help reduce direct point sources of light visibility from the beach. Cabana fixture should be on a separate switch or timer.

Shane R. P. R.
DEPARTMENT OF ENVIRONMENT
CAYMAN ISLANDS GOVERNMENT
10 AUG 2018

APPLICANT'S LETTER

Re: Side Setback variance for proposed Laundry/Gym building

We write to request a setback variance under Section 8 (13) of the Development and Planning Regulations. This is to allow a 10'-0" side yard setback to the Gym/Laundry Building.

In particular we reference 8 (13) (b) (iii) where the proposal will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighbourhood, or to the public welfare.

The original plans for The Cottages included a separate laundry facility; however during construction, there was some cost escalation and the budget did not allow to build the separate building so the owner took space from the main house for a small laundry facility. The Island was then locked down due to Covid 19, one month after The Cottages opened. When guests returned to the Island and they were operational, the small laundry facility was found not to be sufficient or functional for the volume of laundry.

The Cottages desperately has a need for a larger, separate building that includes a larger laundry facility with at least two washers and dryers, more storage, a small gym and a guest laundry.

We trust that the Central Planning Authority will grant this request but in the meantime please contact me if you have any questions or require additional information.

PLANNING DEPARTMENT ANALYSIS

General

The application is for a gym / laundry building; 517 sq. ft. & gazebo; 170 sq. ft. with side setback variance to be located on Austin Conolly Dr., East End.

Zoning

The property is zoned Hotel Tourism and the Department would offer the following comments regarding the specific issue noted below.

Specific Issues

1) Side Setback

Regulation 10(1)(f) states “*the minimum side set back is 20’ feet.*” The proposed gym/laundry building would be 10’-0” from the side boundary a difference of 10’-0” respectively.

The adjoining parcels were notified and no objections were received.

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

2.24 LYDIA AND BENJAMIN BOOKER (Kariba Architecture) Block 24D Parcel 73 (P23-0125) (\$13,520) (NP)

Proposed Cabana & Dock Extension

FACTS

<i>Location</i>	Reverie Road in Spotts
<i>Zoning</i>	Low Density Residential
<i>Notification result</i>	No Objectors
<i>Parcel size</i>	16,892.6 square feet
<i>Parcel size required</i>	10,000 sq. ft.
<i>Current use</i>	House

Decision: It was resolved to adjourn the application for the following reason:

- 1) The applicant’s submitted letter lacks sufficient detail to support the granting of a setback variance. Accordingly, a more detailed and comprehensive letter is required.

AGENCY COMMENTS

The Authority received and considered comments from the Department of Environment.

Department of Environment

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

The DoE notes that the proposed cabana structure is located within the required 20'-0" setback from the canal. Whilst the proposed development is not located on an ambulatory coastline, the DoE would like to reiterate the importance of strict adherence to the minimum setbacks under the Development and Planning Regulations (2022). In addition to providing a buffer between infrastructure and the marine environment, setbacks are important to help reduce damage to waterfront property during storm events such as hurricanes.

Applicant's Letter

RE: Alongside project P22-0613 Booker Residence on block and parcel 24D 73.

This letter is to apply for a variance setback for the cabana. This will improve connection to the dock extension

PLANNING DEPARTMENT ANALYSIS

General

The subject parcel is located on Reverie Road in Spotts.

The property contains a house.

The subject application is for a 196 square foot cabana and 16.75 foot long dock extension.

Adjacent landowners were notified and no objections have been received to date.

Zoning

The property is zoned Low Density Residential.

Specific Issue

1) Proposed Canal setback

Regulation 8(10)(d) requires a setback of 20 feet from a canal.

The proposed cabana would have an 8'5" setback from the canal wall.

The applicant has submitted a variance letter and the Authority should consider whether a variance is warranted in this situation.

2.25 AYLSHAM LTD. (ANSR Limited) Block 15C Parcel 304 (P23-0413) (\$50,000) (NP)

Proposed Wall

FACTS

<i>Location</i>	Runaway Court in George Town
<i>Zoning</i>	Low Density Residential
<i>Current Use</i>	House
<i>Proposed Use</i>	Wall
<i>Wall Length</i>	134.0 feet
<i>Wall Height</i>	6.0 feet

Decision: It was resolved to grant planning permission, subject to the following condition:

- 1) Unless specifically authorized otherwise in writing by the Central Planning Authority, the Development shall be carried out strictly in accordance with the approved plans.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be granted as the application complies with the Development and Planning Regulations (2022 Revision). Further in this regard, the Authority is satisfied that the height of the wall is in keeping with the character of the area.

PLANNING DEPARTMENT ANALYSIS

General

The proposed concrete wall would be situated along the rear boundary of the subject property, which borders Triple C school.

The height of the proposed wall would be 6 feet and extend for 134 feet.

Zoning

The property is zoned Low Density Residential.

Specific Issue

1. Height of the Wall

CPA Guidelines state that a wall should not exceed 4 feet in height.

The proposed wall would measure six feet high.

The Authority should discuss the height of the proposed wall.

2.26 PALM SUNSHINE (ARCO) Block 12C Parcel 443 (P23-0133) (\$1.5 million) (NP)

Proposed Modifications to Planning Permission

FACTS

<i>Location</i>	West Bay Road at Palm Heights Drive
<i>Zoning</i>	Neighbourhood Commercial
<i>Notification result</i>	No Objectors
<i>Parcel size proposed</i>	1.4 ac. (60,984 sq. ft.)
<i>Current use</i>	Commercial
<i>Proposed building size</i>	12,690.14 sq. ft.
<i>Total building site coverage</i>	20.38%
<i>Required parking</i>	39
<i>Proposed parking</i>	39

BACKGROUND

May 24, 2023 (**CPA/12/23; Item 2.11**) – The Authority resolved to adjourn the application and invite the applicant to appear at a CPA meeting to discuss the use of storage containers as sound attenuation features.

September 15, 2021 (**CPA/19/21; Item 2.3**) – application to modify planning permission to add 2,443.6 square feet and two pools to the proposal as well as revise the site layout and building shapes (P21-0609)

October 28, 2020 (**CPA/18/20; item 2.25**) – application for increase in floor area and 4 additional pools approved (P20-0537)

August 9, 2019 (**Administrative Approval**) – application to modify floor and site plans (P19-0744)

June 13, 2019 (**CPA/11/19; item 2.12**) – the application approved for a wellness garden with gym, pool, storage building, office building and restrooms (P19-0289)

Decision: It was resolved that having regard to the Development Plan and other material considerations it is expedient to modify planning permission. Now therefore the Central Planning Authority in pursuance of Section 17 of the Development and Planning Act (2021 Revision) hereby orders that planning permission CPA/11/19; item 2.12 be modified to allow:

- 982 square foot after the fact addition to the outdoor gym (roofed area-no walls)
- after the fact interior changes to buildings A, E, F, and K1
- after the fact revised location of garbage enclosure

subject to the following condition:

- the existing shipping storage that were being used for sound attenuation purposes shall be removed from the site within 30 days of the date of this decision.

All other conditions of CPA/11/19; item 2.12 remain applicable.

Reasons for the decision:

- 1) The Authority considered all information contained in the Agenda including agency comments, any objections and any other representations made pertaining to the application.
- 2) The Authority considered the application and determined that planning permission would be modified as the application complies with the Development and Planning Regulations (2022 Revision).

PLANNING DEPARTMENT ANALYSIS

General

The subject property is located on West Bay Road, immediately south of Palm Heights Drive.

The application seeks to modify planning permission for after the fact changes to the site in the following manner:

- 982 square foot after the fact addition to the outdoor gym (roofed area-no walls)
- after the fact interior changes to buildings A, E, F, and K1
- after the fact revised location of garbage enclosure

The applicant is in the process of removing the storage containers from the property and are no longer part of the application. A Certificate of Occupancy will not be issued until the containers are removed from the property.

Zoning

The property is zoned Neighbourhood Commercial.

3.0 PLANNING APPEAL MATTERS

4.0 MATTERS FROM THE DIRECTOR OF PLANNING

5.0 CPA MEMBERS INFORMATION/DISCUSSION

5.1 MAINTENANCE OF LAND NOTICE Block 32B Parcel 5

The Authority view photographs of the ruinous condition of the land and determined that a Maintenance of Land Notice would be issued.

Decision: It was resolved to authorize the issuance of a Maintenance of Land Notice in accordance with Section 29A of the Development and Planning Act (2021 Revision). Maintenance of Land Notice to take effect at the end of a period of 28 days from the service and compliance with the Maintenance of Land Notice to be completed within the period of 28 days from the date when the Notice take effect, subject to the provisions of Sections 29A(2) and (3) of the Act.

5.2 ISLAND PROPERTIES LTD. Block 2C Parcel 201 (P22-0650)

The Authority was advised that due to Building Code provisions, the applicant had to erect bollards in front of the electrical meter block and in doing so one parking space would not be usable, but they would still exceed the minimum number of required spaces by 12. The Authority determined that the loss of one parking space was acceptable in this instance.

5.3 CPA ANNUAL REPORT

The Authority discussed several suggested revisions to the report and based on those changes the report was accepted as being finalized and was ready for forward transmission.

The meeting adjourned at 3:40pm. The next meeting of the Central Planning Authority is scheduled for *Wednesday, July 5, 2023 at 10:00 a.m.* in in Conference Room 1038, 1st floor, Government Administration Building.

A blue ink signature consisting of a large loop followed by a horizontal line.

Ian Pairaudeau
Chairman

A blue ink signature consisting of several overlapping horizontal strokes.

Haroon L. Pandohie
Executive Secretary

c.c. All members of the Central Planning Authority

Appendix A

THE WESTIN GRAND CAYMAN EXPANSION PROJECT

TRAFFIC IMPACT STATEMENT

May 2023

Final for Submission

THE WESTIN GRAND CAYMAN EXPANSION PROJECT

TRAFFIC IMPACT STATEMENT

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
2.0	BACKGROUND AND EXISTING CONDITIONS.....	2
2.1	STUDY AREA.....	2
2.1.1	Public Transport	4
2.1.2	Pedestrian / Bicycle Facilities.....	4
2.2	TRAFFIC DATA	4
2.2.1	Existing Traffic Volumes - Automatic Traffic Counters	4
2.2.2	Existing Traffic Volumes – Manual Turning Movement Counts.....	7
2.2.3	Existing / Base Year Peak Hour Traffic Flow Analysis	14
2.3	OPERATION OF EXISTING WESTIN RESORT	18
3.0	PROPOSED DEVELOPMENT.....	21
4.0	FUTURE CONDITIONS	25
4.1	TRIP GENERATION / ATTRACTION	25
4.2	ASSESSMENT YEAR HORIZONS.....	25
4.3	TRIP DISTRIBUTION	25
4.4	PROPOSED ROAD DEVELOPMENTS IN STUDY AREA	26
4.5	FUTURE TRAFFIC DATA	26
4.6	TRAFFIC ANALYSIS	27
4.6.1	Opening Year Assessment Horizon – 2025.....	27
4.6.2	Near-Term Assessment Horizon – 2030.....	32
4.6.3	Medium-Term Year Assessment Horizon - 2035.....	37
4.7	IMPACT ANALYSIS	42
4.8	MITIGATION.....	42
5.0	FINDINGS & CONCLUSIONS	44
APPENDIX A - CPA approved Terms of Reference of the Traffic Impact Statement		
APPENDIX B - Automatic Traffic Count Data		
APPENDIX C - Manual Traffic Count Data		
APPENDIX D - Assessment Horizon Traffic Flow Data		

INDEX OF FIGURES

FIGURE 1 – STUDY AREA LOCATION PLAN SHOWING EXISTING ROAD NETWORK.....	3
FIGURE 2 – TRAFFIC COUNT LOCATION PLAN.....	5
FIGURE 3 – INTERSECTION OF WEST BAY ROAD & LIME TREE BAY AVENUE – MORNING PEAK.....	8
FIGURE 4 – INTERSECTION OF WEST BAY ROAD & LIME TREE BAY AVENUE – EVENING PEAK.....	8
FIGURE 5 – WESTIN NORTH ACCESS ON WEST BAY ROAD – MORNING PEAK.....	9
FIGURE 6 – WESTIN NORTH ACCESS ON WEST BAY ROAD – EVENING PEAK.....	9
FIGURE 7 – REGATTA OFFICE PARK EXIT / WESTIN MAIN ACCESS / CAYMAN FALLS NORTH ACCESS	10
FIGURE 8 – REGATTA OFFICE PARK EXIT / WESTIN MAIN ACCESS / CAYMAN FALLS NORTH ACCESS	10
FIGURE 9 – WESTIN SOUTH / CAYMAN FALLS SOUTH ACCESS (SUNSHINE SUITES).....	11
FIGURE 10 – WESTIN SOUTH / CAYMAN FALLS SOUTH ACCESS (SUNSHINE SUITES).....	11
FIGURE 11 – INTERSECTION OF WEST BAY ROAD & SAFEHAVEN DRIVE – MORNING PEAK	12
FIGURE 12 – INTERSECTION OF WEST BAY ROAD & SAFEHAVEN DRIVE – EVENING PEAK	12
FIGURE 13 – SUNSHINE SUITES ACCESS / EGRESS ON ESTERLEY TIBBETTS HIGHWAY – MORNING PEAK ..	13
FIGURE 14 – SUNSHINE SUITES ACCESS / EGRESS ON ESTERLEY TIBBETTS HIGHWAY – EVENING PEAK ...	13
FIGURE 15 – SIDRA MODEL - WEST BAY ROAD NETWORK - 2022 - AM PEAK - LANE LOS	16
FIGURE 16 – SIDRA MODEL – WEST BAY ROAD NETWORK - 2022 - PM PEAK - LANE LOS.....	17
FIGURE 17 – EXISTING WESTIN RESORT LAYOUT	18
FIGURE 18 – EXISTING PARKING UTILISATION – PEAK SEASON.....	19
FIGURE 19 - EXISTING PARKING UTILISATION – AVERAGE	20
FIGURE 20 – PROPOSED RESORT EXPANSION.....	21
FIGURE 21 – LAYOUT OF PROPOSED RESORT EXPANSION	22
FIGURE 22 – INTERNAL LAYOUT OF PROPOSED RESORT EXPANSION.....	23
FIGURE 23 – FORECAST PARKING UTILISATION (POST-EXPANSION) – PEAK SEASON	24
FIGURE 24 - FORECAST PARKING UTILISATION (POST-EXPANSION) – AVERAGE	24
FIGURE 25 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2025 WITHOUT DEV’ - AM PEAK - LANE LOS .	28
FIGURE 26 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2025 WITH DEV’ - AM PEAK - LANE LOS	29
FIGURE 27 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2025 WITHOUT DEV’ - PM PEAK - LANE LOS .	30
FIGURE 28 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2025 WITH DEV’ - PM PEAK - LANE LOS	31
FIGURE 29 – SIDRA MODEL – WEST BAY ROAD NETWORK - 2030 WITHOUT DEV’ - AM PEAK - LANE LOS..	33
FIGURE 30 – SIDRA MODEL – WEST BAY ROAD NETWORK - 2030 WITH DEV’ - AM PEAK - LANE LOS	34
FIGURE 31 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2030 WITHOUT DEV’ - PM PEAK - LANE LOS .	35
FIGURE 32 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2030 WITH DEV’ - PM PEAK - LANE LOS	36
FIGURE 33 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2035 WITHOUT DEV’ - AM PEAK - LANE LOS .	38
FIGURE 34 – SIDRA MODEL – WEST BAY ROAD NETWORK – 2035 WITH DEV’ - AM PEAK - LANE LOS	39
FIGURE 35 – SIDRA MODEL - WEST BAY ROAD NETWORK – 2035 WITHOUT DEV’ - PM PEAK - LANE LOS..	40
FIGURE 36 – SIDRA MODEL - WEST BAY ROAD NETWORK – 2035 WITH DEV’ - PM PEAK - LANE LOS.....	41

INDEX OF TABLES

TABLE 1 – WEST BAY ROAD TRAFFIC VOLUME	6
TABLE 2 – LIME TREE BAY AVENUE TRAFFIC VOLUME	6
TABLE 3 – ESTERLEY TIBBETTS HIGHWAY NORTHBOUND TRAFFIC VOLUME	6
TABLE 4 - GENERAL DEFINITIONS OF LEVELS OF SERVICE.....	14
TABLE 5 – ASSESSMENT YEAR GROWTH RATES.....	25

LIST OF ACRONYMS

ADT	Average Daily Traffic
Base Year	Year of Data Collection (2023)
CFP	Cayman Falls Plaza
CIG	Cayman Islands Government
DEH	Department of Environmental Health
EB	Eastbound
ETH	Esterley Tibbetts Highway
GFA	Gross Floor Area
HGV	Heavy Goods Vehicle
LOS	Level of Service
LTBA	Lime Tree Bay Avenue
Medium-Term Year	Planned opening year plus 10 years (2035)
NB	Northbound
Near-Term Assessment Year	Planned opening year plus 5 years (2030)
NRA	National Roads Authority
Opening Year	Planned opening year of Expanded resort (2025)
SB	Southbound
SD	Safehaven Drive
SF	Square Foot / Feet
SSR	Sunshine Suites Resort
TIA	Traffic Impact Analysis
TIS	Traffic Impact Statement
TOR	Terms of Reference (of the TIS)
WB	Westbound
WBR	West Bay Road

THE WESTIN GRAND CAYMAN EXPANSION PROJECT

TRAFFIC IMPACT STATEMENT

1.0 INTRODUCTION

The Westin Grand Cayman Seven Mile Beach Resort has applied to the Central Planning Authority (CPA) for permission to construct an expansion to the resort. The CPA has requested that a Traffic Impact Statement be prepared to outline the impacts of the proposed expansion on the surrounding road network. APEC Consulting Engineers Ltd (APEC) were engaged to undertake a traffic study, including an analysis of existing and future traffic and an assessment of the potential impacts of the expanded resort on the public road network.

The proposed Westin Expansion is located on the site of the existing resort on West Bay Road (WBR). The majority of vehicle parking facilities will be provided at an off-site carpark located across WBR, accessed via an at-grade pedestrian crossing. The proposed expansion is expected to open in 2025.

The Traffic Impact Statement (TIS) is organized to set out the existing situation, present the proposed development and determine what impact, if any, the expansion generated traffic and relocated carpark will have on the surrounding road network. This report summarises the traffic study, analysis of existing & predicted future traffic flows and outlines the potential traffic and transport impacts of the expanded resort.

A Terms of Reference (TOR) was prepared which outlined the proposed methodology for this traffic impact assessment. This was issued to the client, the NRA and the CPA for review in February 2023. The CPA approved the TOR at meeting 06/23 on 15 March 2023 and had no comments to add. The CPA approved Terms of Reference is included in **Appendix A**.

2.0 BACKGROUND AND EXISTING CONDITIONS

The proposed Westin Resort expansion is located on the site of the existing Westin Resort to the west of West Bay Road (WBR) between Safehaven Drive (SD) and Lime Tree Bay Avenue (LTBA). The resort is accessible only via West Bay Road, through three access points – the northern service entrance, the southern service entrance, and the main access driveway located at the middle of the site. The resort is located across the road from the Cayman Falls Plaza (CFP) and Sunshine Suites Resort (SSR).

2.1 STUDY AREA

The study area for this impact assessment consists of the roads neighbouring the development, as listed below:

- West Bay Road
- Safehaven Drive
- Lime Tree Bay Avenue
- Esterley Tibbetts Highway

The following intersections / accesses are located within the study area:

- Lime Tree Bay Avenue / West Bay Road,
- Westin Resort North service access on West Bay Road,
- Regatta Office Park exit only onto West Bay Road,
- Westin Resort main entrance access on West Bay Road, directly across from
- The Cayman Falls Plaza north service lane on West Bay Road,
- Westin Resort South service access on West Bay Road, directly across from
- The Cayman Falls Plaza south service lane (Sunshine Suites access) on West Bay Road,
- West Bay Road / Safehaven Drive,
- Left In and Left Out accesses to Sunshine Suites on Esterley Tibbetts Highway

Refer to the **Figure 1** showing the study area and location plan.

WBR is a two-way single carriageway road. LTBA and SD are both two-way road with central paved / grassed medians. Esterley Tibbetts Highway (ETH) is a two-way dual carriageway with curbed & grassed median. The intersections on West Bay Road are unsignalised stop-controlled intersections. The accesses on West Bay Road are all unsignalised priority controlled.



Figure 1 – Study Area location plan showing existing road network

2.1.1 PUBLIC TRANSPORT

An existing bus service operates within the study area along both WBR and the ETH. According to the Public Transport Unit within CIG (CaymanTransport.ky), bus routes 1 and 2 travel along WBR passing the resort, while bus route 3 operates on the ETH within close proximity to the resort. The frequency of the bus service is not known, however they have been observed to be quite frequent (approx. every 15 mins during peak periods). There is a bus shelter across the road from the resort, for passengers wishing to go towards George Town. Additionally, the bus service in Cayman typically stops upon request of the passengers. The resort is readily accessible by public transport.

2.1.2 PEDESTRIAN / BICYCLE FACILITIES

There are currently extensive pedestrian facilities within the study area. There is a continuous sidewalk on the west side of WBR while there is also a significant length of sidewalk on the east side of WBR, opposite the resort. There is a pedestrian crossing on WBR between the Westin Resort and Cayman Falls Plaza. This crossing is button actuated by pedestrians when they wish to cross the road.

There are no dedicated off-road facilities for bicycles within the study area, however bicycles regularly travel within the shoulder along WBR and the ETH in both directions. There is a short-term bike rental kiosk across the road from the Westin resort, adjacent the Cayman Falls Plaza. There are also electric scooters readily available for rent along WBR.

2.2 TRAFFIC DATA

Data of the existing traffic flows on the surrounding road network within the study area was gathered by way of a combination of automatic traffic counters¹ and turning movement counts undertaken by APEC staff.

2.2.1 EXISTING TRAFFIC VOLUMES - AUTOMATIC TRAFFIC COUNTERS

Traffic data from automatic traffic counters was collected at three locations between March 28 and April 21, 2023.

- West Bay Road (adjacent the Ritz Hotel Resort, slightly south of the Westin resort) – 11 complete days of data (7 weekdays)
- Lime Tree Bay Avenue (East of intersection with West Bay Road) – 23 complete days of data (14 weekdays)
- Esterley Tibbetts Highway, Northbound (adjacent Sunshine Suites Resort) – 5 complete days of data (3 weekdays)

Refer to **Figure 2** for traffic count locations.

¹ PicoCount 2500 counter with pneumatic road tubes



Figure 2 – Traffic Count Location Plan

The baseline traffic flow in the study area was established to assess the impact of the proposed resort expansion on the surrounding road network. **Table 1** through **Table 3** present a summary of the results from the automatic traffic counts.

	Northbound	Southbound	Combined
Average Weekday Morning (AM) Peak 07:30 – 08:30	366	433	799
Average Weekday Evening (PM) Peak 16:30 – 17:30	618	382	1000
Average Weekday ADT	7835	5195	13030

Table 1 – West Bay Road Traffic Volume

	Eastbound	Westbound	Combined
Average Weekday Morning (AM) Peak 07:30 – 08:30	153	368	521
Average Weekday Evening (PM) Peak 16:30 – 17:30	298	248	546
Average Weekday ADT	3023	3855	6878

Table 2 – Lime Tree Bay Avenue Traffic Volume

	Northbound
Average Weekday Morning (AM) Peak 08:00– 09:00	845
Average Weekday PM Peak 17:00 – 18:00	1486
Average Weekday ADT	14074

Table 3 – Esterley Tibbetts Highway Northbound Traffic Volume

The data from the automatic traffic counters has been included in **Appendix B**.

The data gathered from the automatic counters were used to establish the morning (AM) and evening (PM) peak periods. These were later verified by way of manual traffic counts at intersections within the study area – refer to **Section 2.2.2**.

2.2.2 EXISTING TRAFFIC VOLUMES – MANUAL TURNING MOVEMENT COUNTS

Manual turning movement counts were undertaken at the following locations on April 19th, 2023 during both the morning and afternoon peak periods:

- Lime Tree Bay Avenue / West Bay Road,
- Westin Resort North service access on West Bay Road,
- Regatta Office Park exit only onto West Bay Road,
- Westin Resort main entrance access on West Bay Road, directly across from
- The Cayman Falls Plaza north service lane on West Bay Road,
- Westin Resort South service access on West Bay Road, directly across from
- The Cayman Falls Plaza south service lane (Sunshine Suites access) on West Bay Road,
- West Bay Road / Safehaven Drive,
- Left In and Left Out accesses to Sunshine Suites on Esterley Tibbetts Highway

Refer to **Figure 2** for traffic count locations.

The traffic data gathered during the manual turning movement counts is summarised in the figures below.

This manual traffic count data is included in **Appendix C**.

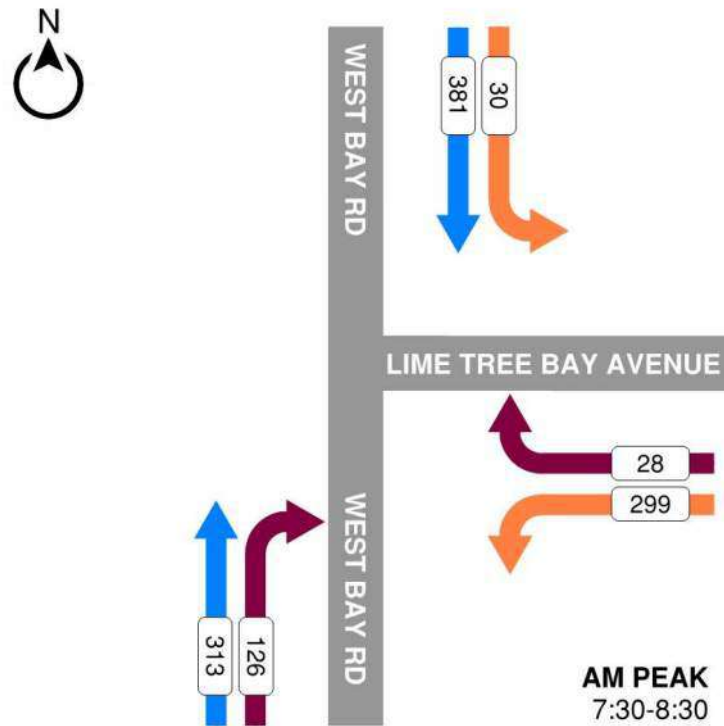


Figure 3 – Intersection of West Bay Road & Lime Tree Bay Avenue – Morning Peak

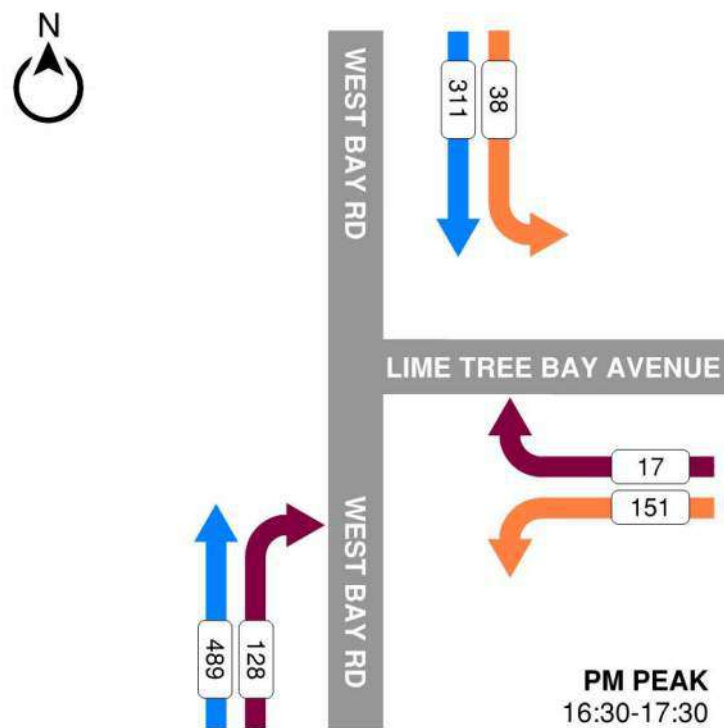


Figure 4 – Intersection of West Bay Road & Lime Tree Bay Avenue – Evening Peak

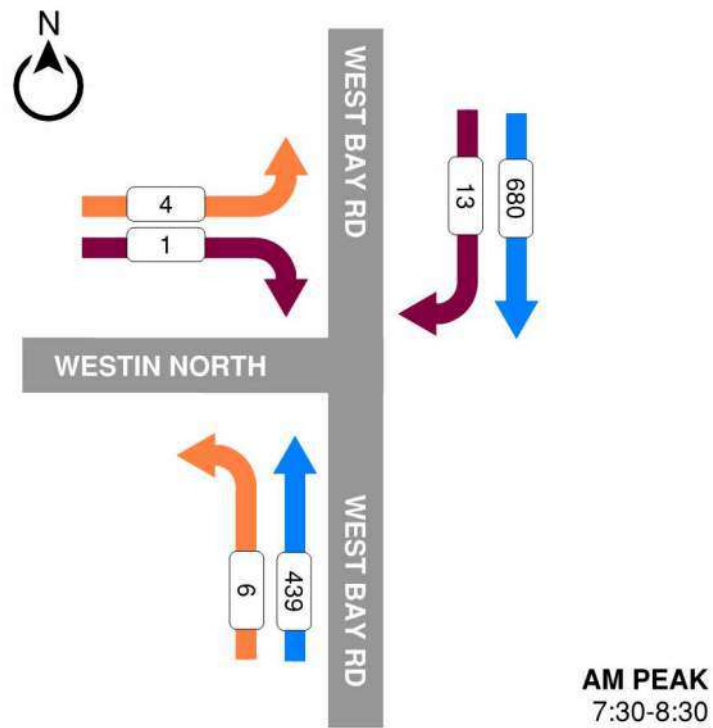


Figure 5 – Westin North Access on West Bay Road – Morning Peak

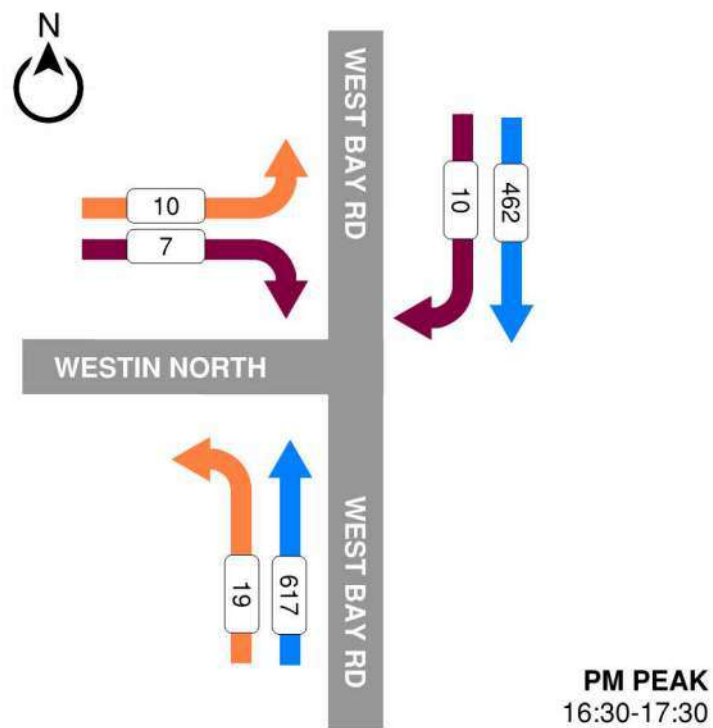


Figure 6 – Westin North Access on West Bay Road – Evening Peak

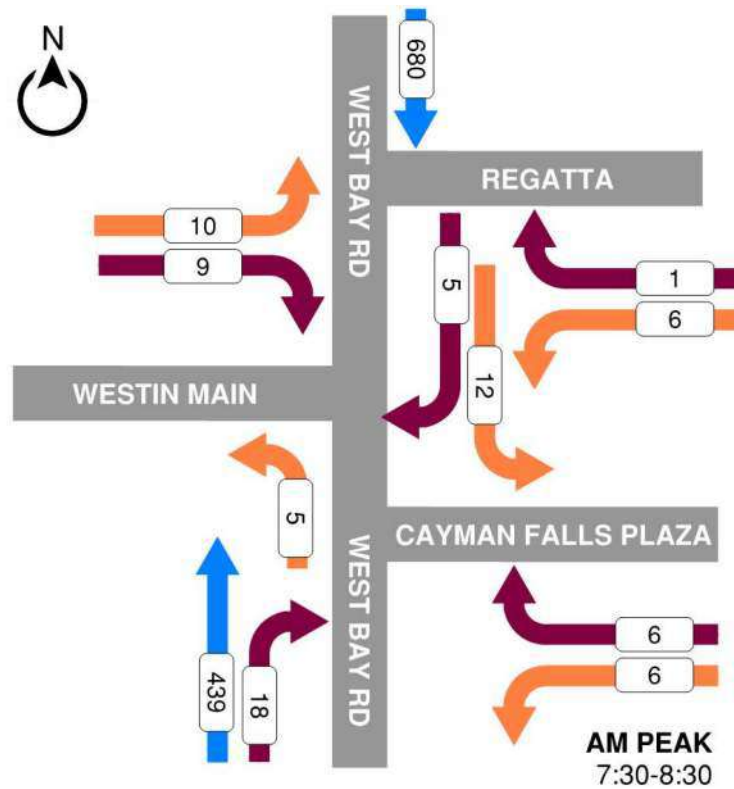


Figure 7 – Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road – Morning Peak

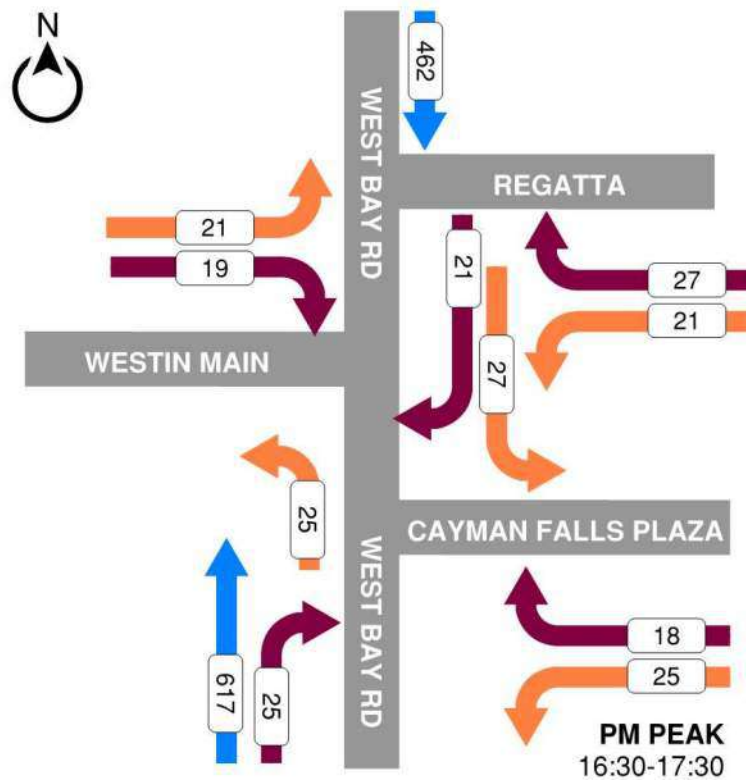


Figure 8 – Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road – Evening Peak

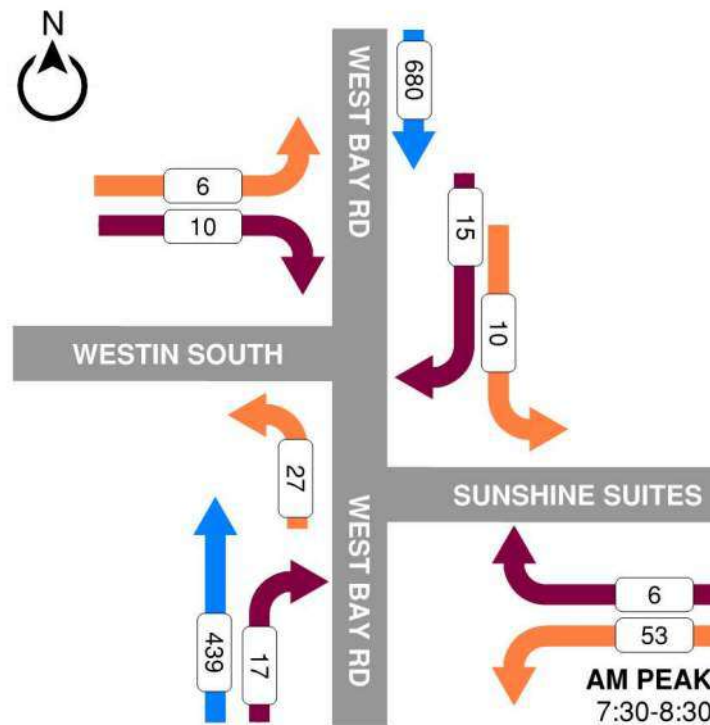


Figure 9 – Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road – Morning Peak

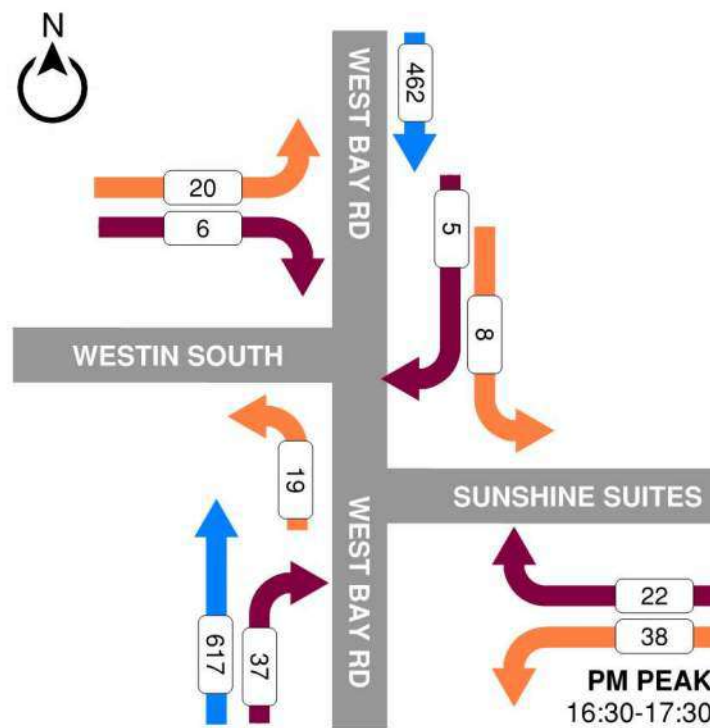


Figure 10 – Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road – Evening Peak

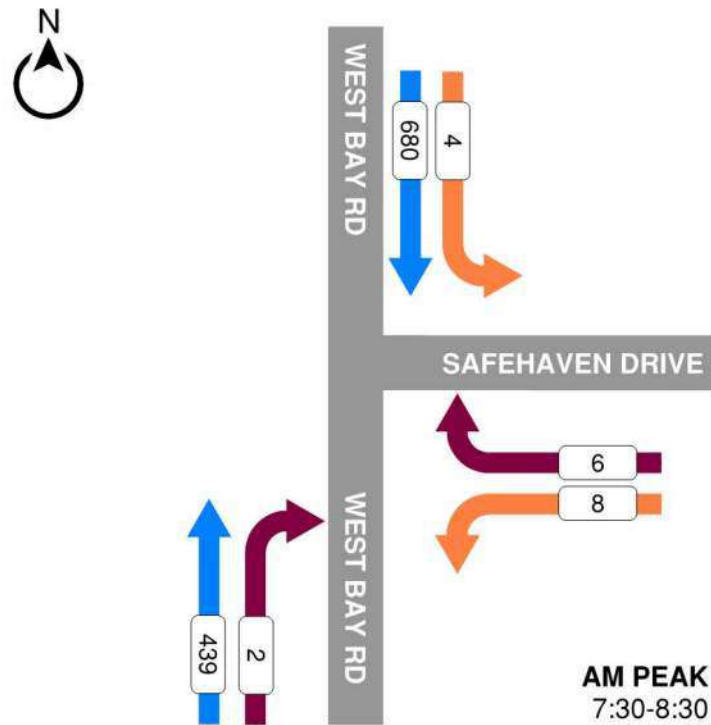


Figure 11 – Intersection of West Bay Road & Safehaven Drive – Morning Peak

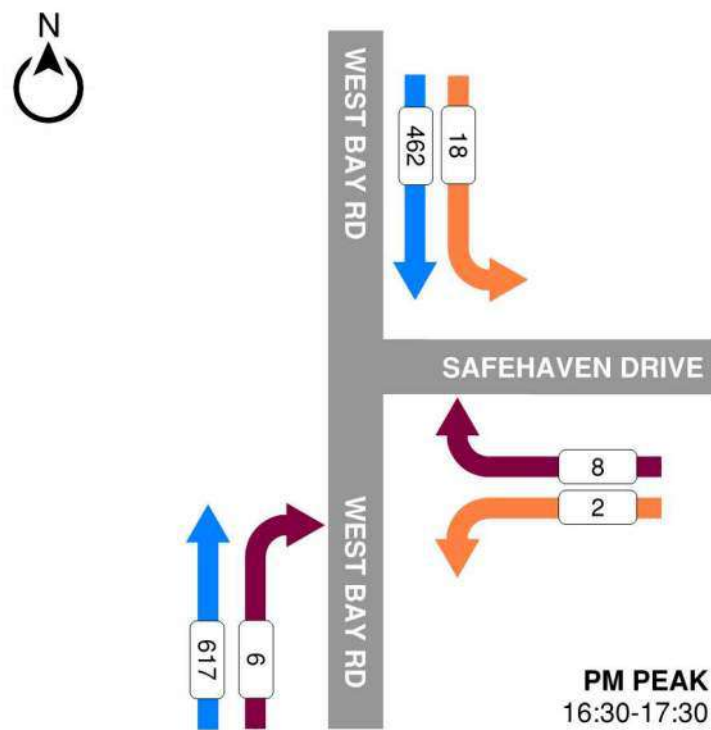


Figure 12 – Intersection of West Bay Road & Safehaven Drive – Evening Peak

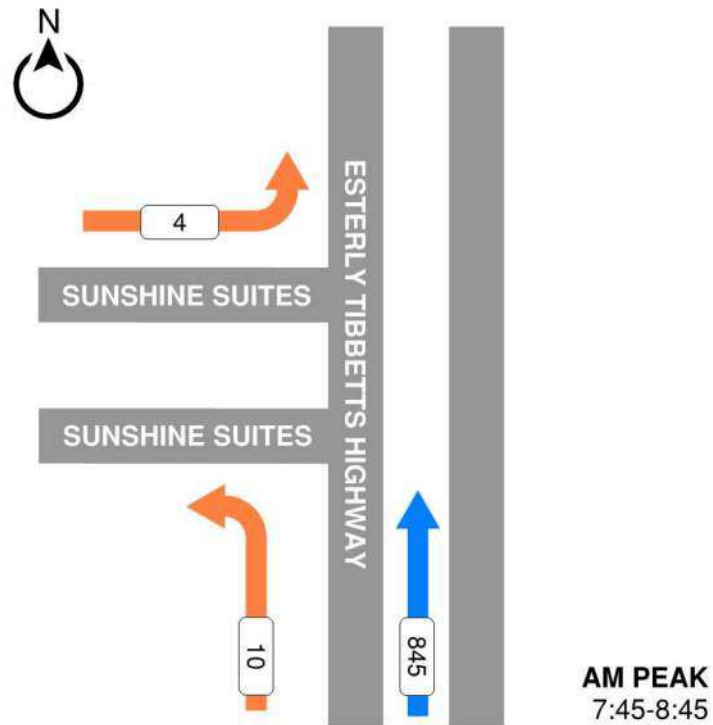


Figure 13 – Sunshine Suites Access / Egress on Esterley Tibbetts Highway – Morning Peak

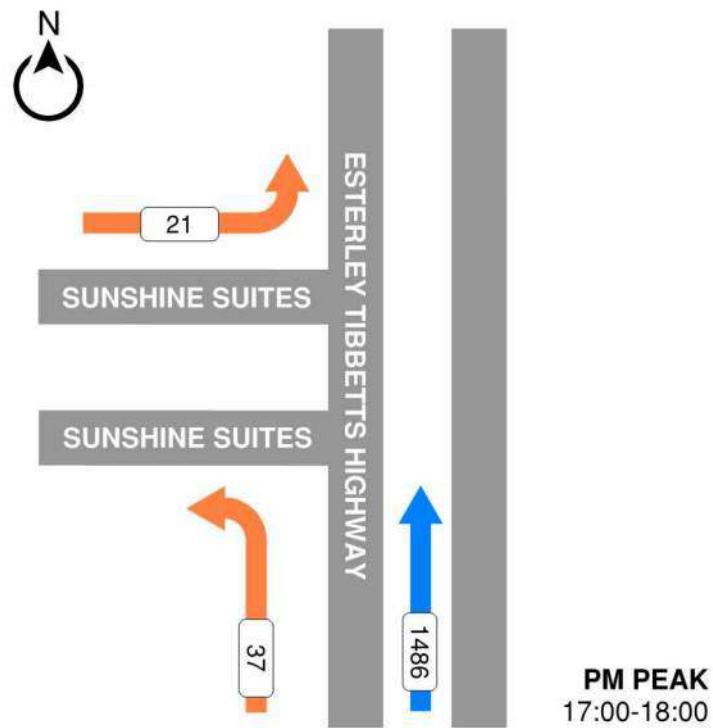


Figure 14 – Sunshine Suites Access / Egress on Esterley Tibbetts Highway – Evening Peak

2.2.3 EXISTING / BASE YEAR PEAK HOUR TRAFFIC FLOW ANALYSIS

Analysis has been undertaken of the existing traffic flows within the study area to establish the current Level of Service (LOS) on the surrounding roads. This analysis is based on the manual traffic counts undertaken in April 2023.

Interrogation of the available data has established the traffic flows on the surrounding road network during both the morning and evening peak hours. The vehicle classification information from the available data was used to apportion heavy goods vehicles (HGVs), buses, bicycle / motorcycles and passenger cars on the road network within the analysis models. The focus of this analysis review will be on roads within the study area.

Level of service (LOS) is a term used to qualitatively describe the operating conditions of a roadway based on measures related to speed and travel time, freedom to manoeuvre, traffic interruptions, and comfort and convenience. The LOS ranges from A (least congested) to F (most congested). **Table 4** shows the definitions of each level of service.

Level of Service	General Operating Conditions
A	Free flow
B	Reasonably free flow
C	Stable flow
D	Approaching unstable flow
E	Unstable flow
F	Forced or breakdown flow

Table 4 - General Definitions of Levels of Service

Based on previous discussions with the NRA, the minimum LOS standard for roads within the Cayman Islands is LOS “D”. Any step below LOS “D” would require mitigation action to improve the traffic flow.

The traffic flow data was analysed using Sidra Intersection², version 7 using the in-built capacity calculations. The six main intersections / accesses within the study area were analysed as part of the overall WBR network. Refer to **Figure 15** and **Figure 16** showing the resulting Level of Service for the WBR network during the morning and evening peak hours. Note that the model outputs show the network indicatively and do not show the comparative scale between intersections / accesses. The model inputs, however, do include the relative distance between the side roads.

² Sidra Intersection is a software package used for intersection and network capacity, level of service and performance analysis, and signalised intersection and network timing calculations by traffic design, operations, and planning professionals.

The LOS is colour-coded on the following diagrams as follows:



LOS A LOS B LOS C LOS D LOS E LOS F

From data gathered during the traffic count on the ETH, it has been shown that the traffic flow into and out from the Sunshine Suites access is approx. 1% of the northbound traffic flow during the morning peak and 3% during the evening peak. Due to these insignificant flows, it is deemed unnecessary to model this intersection / access.

During the manual traffic counts, it was observed that frequent actuation of the pedestrian crossing by those wishing to cross the road between the Westin and Cayman Falls Plaza caused some queuing, at times, along WBR. This was due to short intervals between pedestrians pressing the button to activate the crossing lights. This queuing was observed to be 8-10 vehicles at worst.

The results of modelling the WBR network in the study area as a whole, which includes the six intersections / accesses analysed above during the morning peak period is shown in **Figure 15**. The results show that WBR operates at LOS A along this entire length during the morning peak period. The results also show that most approaches / accesses to WBR experience LOS B or C, with the Westin main entrance / exit experiencing LOS D.

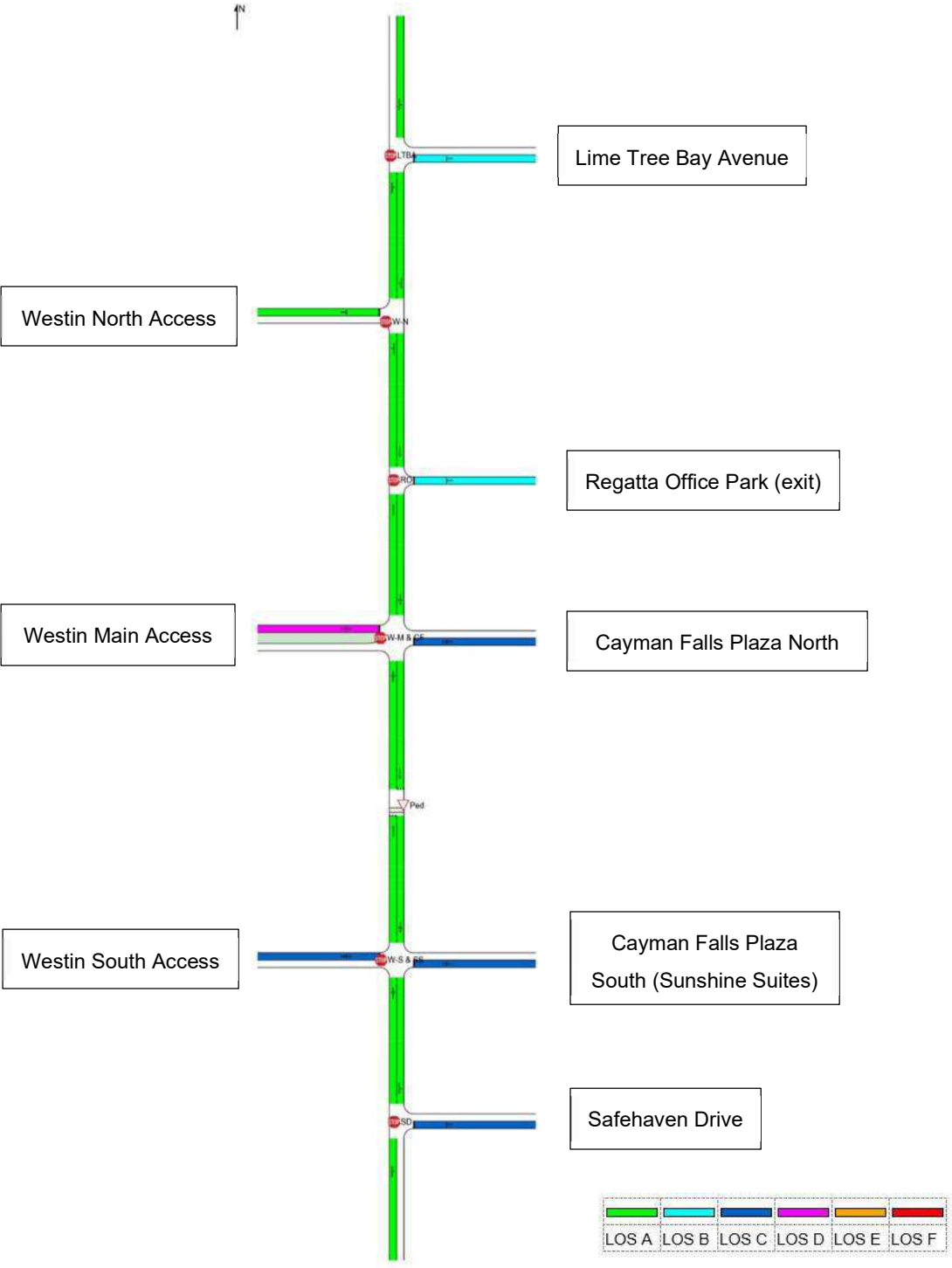


Figure 15 – Sidra Model - West Bay Road Network - 2022 - AM Peak - Lane LOS

The results of modelling the WBR network during the evening peak period is shown in **Figure 16**. The results show that WBR operates at LOS A along this entire length, while the side road approaches / accesses experience LOS B or C.

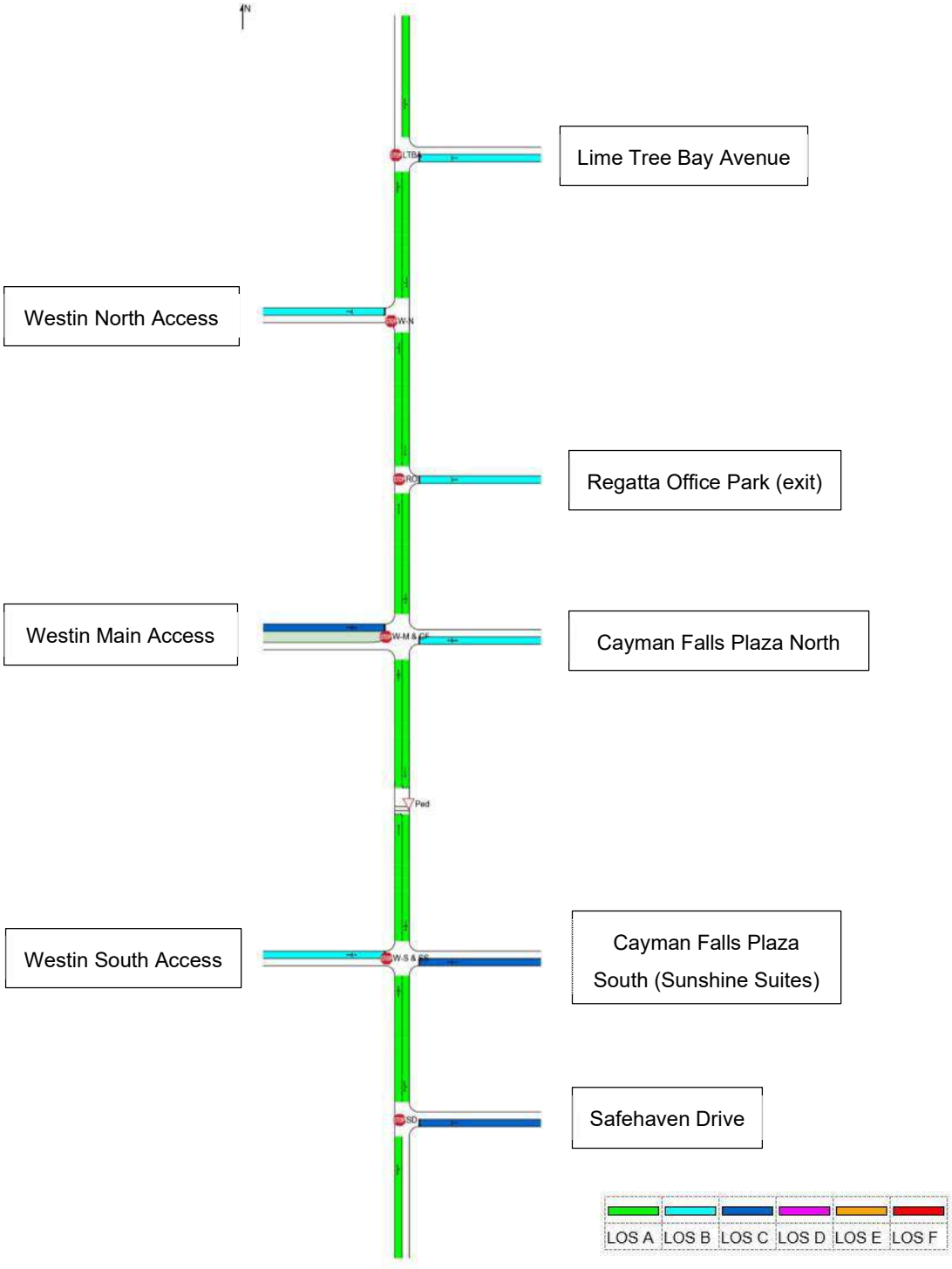


Figure 16 – Sidra Model – West Bay Road Network - 2022 - PM Peak - Lane LOS

2.3 OPERATION OF EXISTING WESTIN RESORT

To estimate the volume of vehicles accessing the proposed Westin Resort Expansion, it is necessary to undertake some analysis of the current operation and guests of the Westin Resort. The existing resort possesses 343 guestrooms, 11,400 square feet (SF) of meeting / event space, spa, fitness studio and six dining options. According to documents accompanying the planning submission, the existing resort has a Gross Floor Area (GFA) of 213,955 SF. Refer to **Figure 17** giving an overview of the layout of the existing resort.



Figure 17 – Existing Westin Resort Layout

Based on information provided by the hotel operator, it is understood that hotel guests typically arrive between 2:00pm - 5:00pm with approximately 75 check-ins daily during peak season (November to April) and 65 check-ins per day on average throughout the year. Most guests arrive in groups of two or more per vehicle, so the average impact is 35-40 vehicles per days for arrivals during this time period. Hotel guest departures generally occur between 10:00am – 1:00pm, in similar quantities to those arriving.

Hotel guests arrive mostly by air and travel directly from the Owen Roberts International Airport (ORIA) to the hotel. Most flights land at ORIA between 10:00am – 3:00pm, and it typically takes hotel guests 60 - 90 minutes from deplaning to arrive at the Westin (including time to clear customs, utilize the facilities, collect their luggage, and coordinate transportation). Most guests departing the resort between 10:00am and 1:00pm for mid-day or afternoon flights.

The majority of guests (+/- 80%), arrive via taxi. Of the remaining guests, about 10% arrive by pre-arranged shuttle transports (e.g. groups) and 10% arrive by rental cars. There are rental cars available on site at the resort for those guests that may wish to rent a vehicle during their stay.

There are shuttle buses that are used by some hotel guests (mainly groups) for coordinated off-site tours / excursions and / or evening “dine arounds” on island. The excursion shuttles typically depart in the morning between 7:00am – 11:00am, and “dine around” buses depart around 6:00pm. For these events, groups typically utilize anywhere from 5 to 8 buses (which can accommodate approximately 30 individuals) depending on the numbers of guests in their group.

Waste collection and service deliveries are typically scheduled to occur between 10:00am - 4:00pm, outside the peak hours on WBR. These typically utilise the northern or southern service access to the Westin site.

The Westin Resort parking lot is used by employees, hotel guests, rental cars and by food & beverage (F&B) guests. There are currently 198 parking spaces provided on the Resort site. Based on data provided by the resort management, the resort currently employees 350 employees during peak season and approximately 298 employees on average throughout the year. The management track the usage of the parking spaces. The charts in **Figure 18** and **Figure 19**, the peak and average parking space usage along with typical arrival times by user (i.e. hotel employees, hotel guests, and F&B guests) is shown. As can be seen from the charts, most of the parking is utilised by resort employees. It is clear from the data provided and based observations during the traffic counts that a significant proportion of employees arrive by bus.

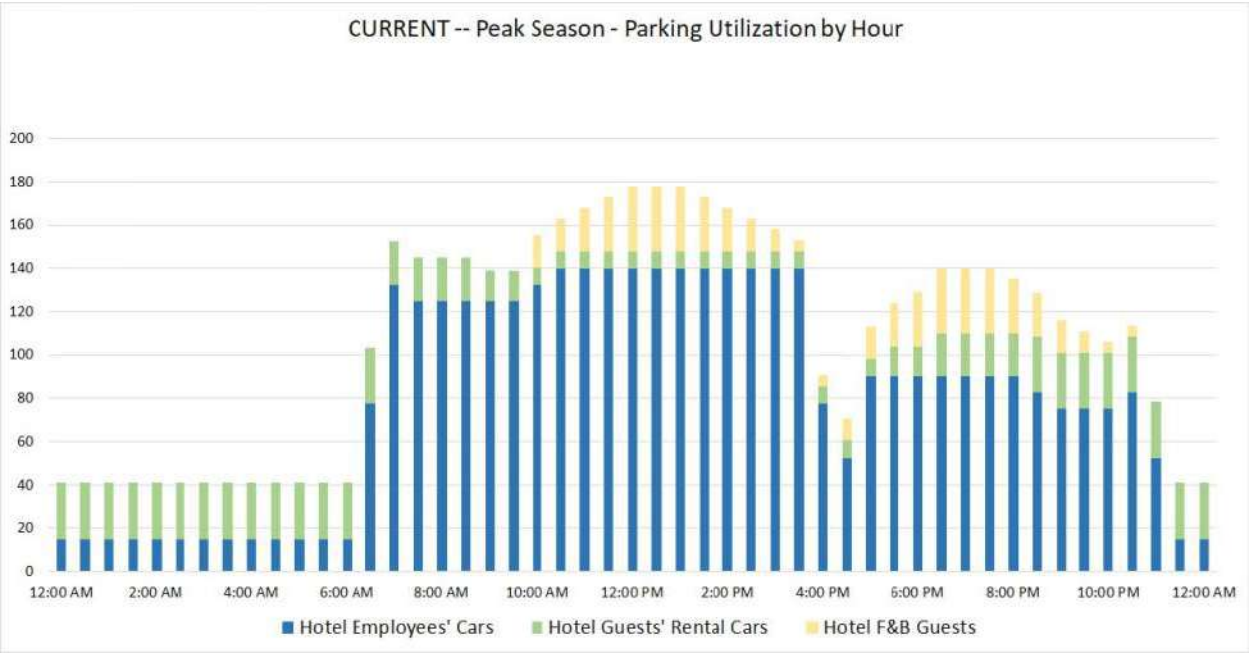


Figure 18 – Existing Parking Utilisation – Peak Season

Figure 19 shows the current estimated hour-by-hour typical parking usage by the three usage groups mentioned above on an “average” day.

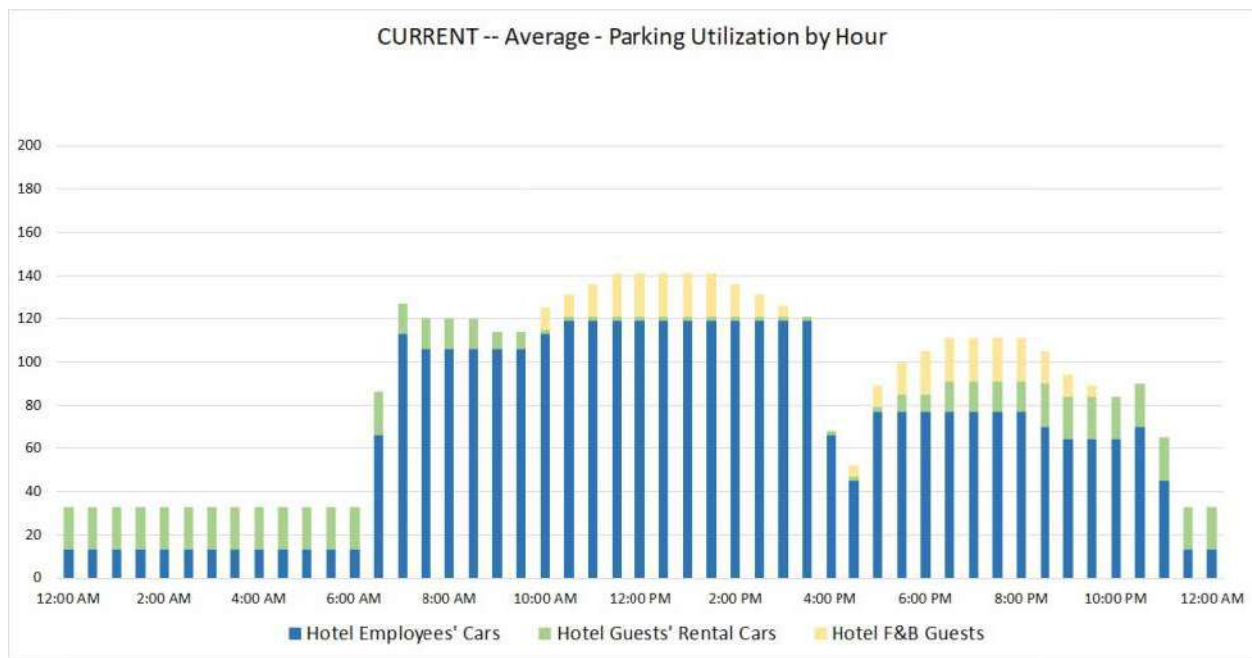


Figure 19 - Existing Parking Utilisation – Average

Large meetings / events held at the Westin's conference facilities occur typically 10-16 times per year. Patrons for these events can either avail of valet service or self-park their vehicles. Most events are aimed at hotel guests / groups and as such generate limited traffic flow on the surrounding road network. For those events that are aimed at the local residents, these events typically occur outside of the peak periods for traffic flow.

3.0 PROPOSED DEVELOPMENT

The proposed Westin Resort Expansion incorporates the construction of a new 10-storey resort tower with 234 guestrooms, a rooftop pool and restaurant, resort style pool, a new spa featuring 15 treatment rooms, a new restaurant, new conference facility including a new 9,400 SF ballroom. According to documents accompanying the planning submission, the proposed expansion will occupy a GFA of 213,884 SF.

In addition to the above, new parking facilities will be provided on the east side of WBR (to the north of Sunshine Suites). The new carpark will provide 350 parking spaces a short walk from the Resort site. A proposed pedestrian promenade will connect the off-site parking to West Bay Road for patrons to access the resort. The proposed expansion will remove most of the on-site parking spaces, leaving approx. 34 spaces on the Resort site. Parking for disabled persons will be provided per Department of Planning requirements. Refer to **Figure 20** showing an overview of the expanded resort.



Figure 20 – Proposed Resort Expansion

The existing access points for the Westin Resort will change after construction of the expansion. The existing three accesses, 'South', 'Main' and 'North' will be amalgamated into a single entry and exit loop. It is proposed that the existing pedestrian crossing on WBR between the Westin Resort and Cayman Falls Plaza will be removed. A new pedestrian crossing is proposed slightly north of the existing location, at the western end of the proposed pedestrian promenade. Refer to **Figure 21** which shows the site layout.

[illegible]

The proposed layout of the resort drop-off and parking lot is shown in **Figure 22**. The layout provides several drop-off locations for the various aspects of the resort and shows the proposed layout of sidewalks to provide safe manoeuvres for pedestrians. Speed control measures will be provided within the Westin resort by traffic islands to limit vehicle speed to further enhance safety.



Figure 22 – Internal Layout of Proposed Resort Expansion

It is expected that traffic travelling to the expanded Westin Resort will travel to the site in a similar manner as they currently travel to the existing resort. Resort guests will use similar means of travel as they currently do - taxi, shuttle bus, rental car, etc. Guests will be dropped off at the porte cochere entrance where they will enter the resort. In the event that the guests arrive by rental car or their own vehicle they will be met by a valet service. The valet service will then park the vehicle in the off-site parking to the east of WBR and that employee member will travel back to the hotel by foot or electric buggy.

There will be limited parking available within the Westin site following the expansion. The majority of parking will be provided at the off-site parking lot adjacent Sunshine Suites Resort. All resort employees will be required to park in the off-site parking lot - this will be monitored and enforced by the resort management team to ensure compliance. Based on the data provided by resort management, the resort is expected to employ 570 employees during peak season and approximately 485 employees on average throughout the year. It is proposed to alter the employee shift times such that they do not occur during the peak periods on WBR / LTBA. The forecasted peak and average parking space usage are shown in **Figure 23** and **Figure 24**, respectively. It is expected that employees will utilise the ETH to access this carpark. The resort proposes to implement measures to monitoring and control this so that essentially all employees will use the ETH.

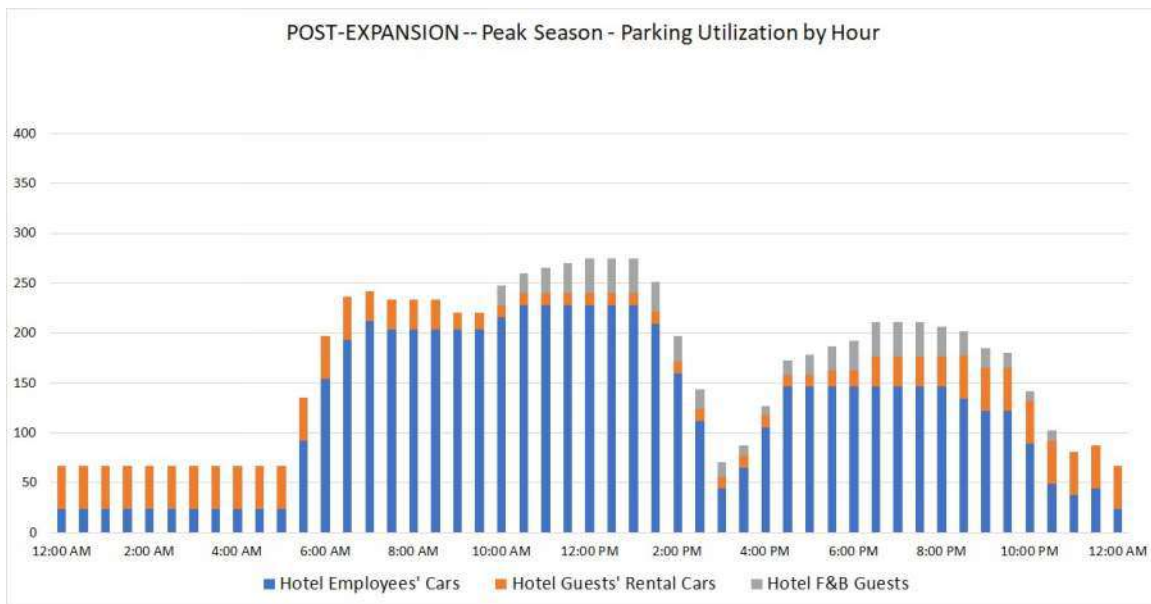


Figure 23 – Forecast Parking Utilisation (Post-Expansion) – Peak Season

Figure 24 shows the forecasted hour-by-hour typical parking usage by the three main usage groups on an “average” day.

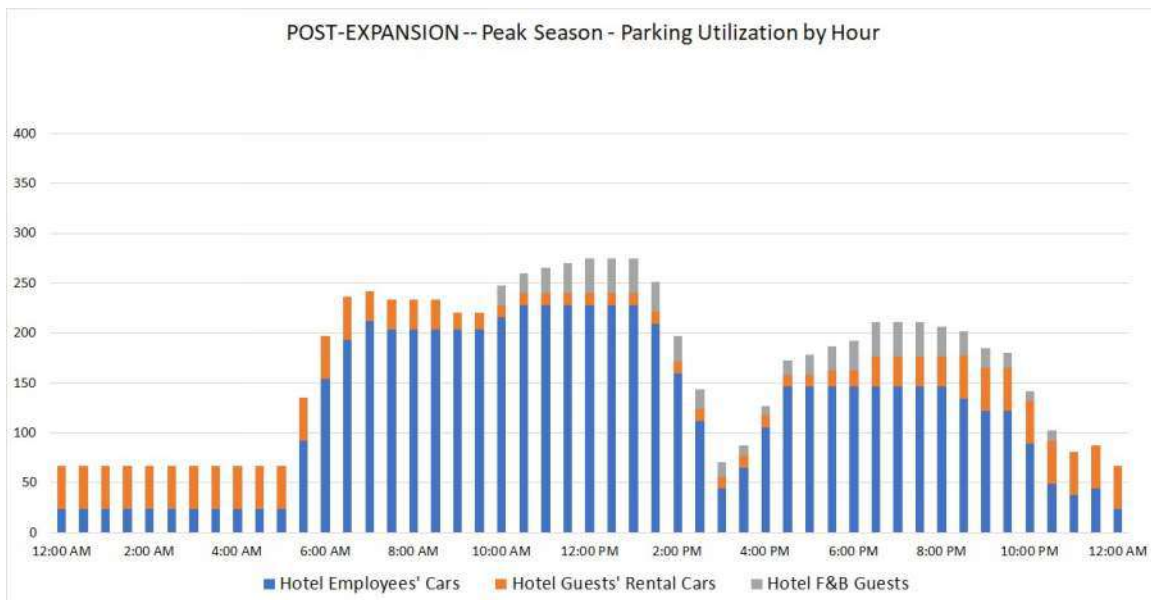


Figure 24 - Forecast Parking Utilisation (Post-Expansion) – Average

The Westin conference centre will allow for major local events to be held once the expansion is opened. Parking for these events will be available at the off-site parking lot. These events are expected to typically occur outside of the traffic peak hours, as per the existing situation. Guests will have the option of availing of valet service at the drop-off or to self-park and access the conference centre on foot or by electric buggies. These buggies will travel from the off-site parking lot along the roadway parallel to the pedestrian boulevard and cross WBR to drop-off patrons at the event. Guests travelling on foot will use the new pedestrian crossing to safely cross WBR.

4.0 FUTURE CONDITIONS

4.1 TRIP GENERATION / ATTRACTION

In order to assess the impact of the expanded Westin Resort on the surrounding road network, it is first necessary to estimate the likely trip generation during the peak hours. The proposed expansion increases the size of the resort by 94%. To undertake a robust analysis, the existing trip generation is doubled compared to the existing resort – 200% of existing traffic flow entering and exiting the Westin.

4.2 ASSESSMENT YEAR HORIZONS

As part of the impact assessment of the proposed Westin Resort expansion, the analysis has identified three assessment year horizons to fully evaluate the potential impacts. These horizons are the Opening Year of the facility, the Near-Term Year (5 years after opening) and Medium-Term Year (10 years after opening). It is expected that the Opening Year of the facility will be **2025**, therefore giving a Near-Term assessment year of **2030** and Medium-Term Year assessment of **2035**. The Base Year for traffic flow is **2023**, the year traffic flow data was gathered.

In addition to the Westin expansion related trips, other factors combine to generate future traffic flows. These include background traffic increases based on population growth and increased car ownership. The NRA developed a Travel Demand Model (TDM) following an island-wide traffic study undertaken by them in 2017. Based on this model and the anticipated population growth on island, the NRA predict annual growth in traffic flow to be 4% on arterial roads such as the ETH and 2% on other roads. Based on this, the traffic flows on the surrounding arterial and other road network can be expected to increase from the Base Year by the growth rates outlined in **Table 5**.

Assessment Year Horizon	Growth Rate	
	Arterial Roads (4% per annum)	Other Roads (2% per annum)
Opening Year 2025	8%	4%
Near-Term 2030	32%	15%
Medium-Term Year 2035	60%	27%

Table 5 – Assessment Year Growth Rates

4.3 TRIP DISTRIBUTION

Following the opening of the expanded resort, traffic patterns associated with the resort will be expected to change. Resort / hotel guests arriving by taxi, shuttle bus or car will arrive at the hotel entrance where they will enter the resort. In the event that the guests arrive by their own vehicle or a rented vehicle then they will be met by a valet service. The valet team will then park the vehicle in the off-site parking across WBR.

Employees travelling to the expanded resort will be required to park at the off-site parking. Additionally, and as noted above, the existing resort access points will be revised to a single entry and single exit roadway on a loop (see **Figure 21**).

It is expected that taxis and shuttle buses currently arriving at the Westin resort will continue to arrive at the expanded resort, albeit in increased numbers due to the expansion. Based on data previously presented herein, most of the cars parking at the resort are for employees. These vehicles will divert to parking at the off-site parking lot and the employees will use the new pedestrian crossing on WBR to get to the resort. This will increase the pedestrian flow across WBR, thereby resulting in reduced capacity for traffic flow along WBR.

In order to provide a robust analysis for the pedestrian crossing impact on WBR traffic flow, it is assumed that all cars that currently travel to the Westin resort will divert to using the off-site parking. It is assumed that those vehicles travelling from locations south of the Westin will use both WBR and the ETH to access the off-site parking – assumed to be a 50% split on each roadway. Those using WBR are expected to use the northern Cayman Falls access to travel to the parking lot. The existing Cayman Falls northern access is currently utilised for parking on one side - it will be necessary to eliminate that in future in order to provide unobstructed two-way vehicle manoeuvres. For those employee vehicles travelling from locations north of the Westin, it is expected that 100% of them will use WBR and the northern Cayman Falls access to enter the off-site parking lot. All vehicles leaving the off-site parking lot are expected to use the ETH.

4.4 PROPOSED ROAD DEVELOPMENTS IN STUDY AREA

The NRA propose to develop their 'Complete Streets' project along the section of WBR within the study area. The project incorporates traffic calming measures and provides enhanced facilities for vulnerable road users – pedestrians and cyclists. The timeline for the completion of this work is not known at this time, however the design team for the Westin expansion do intend to include some of these features in the vicinity of the resort. There are no other proposed road developments currently planned within the study area.

This TIS does not include an assessment of future developments within the study area other than the proposed Westin Resort expansion. It is assumed that any such development will be subject to separate assessment and permitting process. However, it is assumed that traffic flow from any such development will be in line with background growth as outlined above.

4.5 FUTURE TRAFFIC DATA

The predicted traffic flows within the study area for the three assessment years outlined above have been estimated. Data is presented for two scenarios - the 'without development', i.e. the existing situation continuing with background traffic growth, and 'with development', with the resort expansion operational. These scenarios draw traffic flow comparisons between the scenario where the development is realised and a scenario where the development does not proceed. The traffic flows have been estimated using the traffic data presented in **Section 2.2.2**, the trip generation presented in **Section 4.1**, the altered traffic patterns outlined above and the growth rates identified in **Table 5**.

The traffic flow figures for future assessment years are presented in **Appendix D**.

4.6 TRAFFIC ANALYSIS

Analysis of the predicted future traffic flows on the surrounding network has been undertaken. As outlined above, the predicted future traffic flows are due to both the expansion of the Westin resort and background growth on the road network. The road network was analysed for both scenarios, the without development and the with development / expansion.

Traffic analysis has been undertaken for the three Assessment Horizons – Opening Year (2025), Near-Term Year (2030) and the Medium-Term Year (2035). The traffic flow data was analysed using Sidra Intersection software, as it was for the Base Year Peak Hour Traffic Flow Analysis in **Section 2.2.3**. Findings are presented based on the analysis undertaken. Note that the model outputs show the network indicatively and do not show the comparative scale between intersections / accesses. The model inputs, however, do include the relative distance between the side roads.

A reminder that the LOS is colour-coded on the following diagrams as follows:



LOS A LOS B LOS C LOS D LOS E LOS F

Based on interrogation of the traffic flow data for the ETH and the Sunshine Suites access / egress on that road, it can be seen that the opening of the Westin resort expansion is expected to increase traffic flow through the access / egress by 3% relative to the traffic flow on the ETH during both the morning and evening peak periods. Due to these insignificant increases in traffic flow, it is deemed unnecessary to model this intersection / access.

4.6.1 OPENING YEAR ASSESSMENT HORIZON – 2025

Refer to **Figure 25** and **Figure 26** showing the predicted Level of Service for each approach / lane to each intersection / access on the network for the without and with development scenarios during the 2025 opening year assessment horizon for the morning peak period.

The results show that Lime Tree Bay Avenue will experience a reduction in LOS from B to E following the opening of the Westin expansion - likely due to additional employee arrivals. The increase in pedestrian flow across WBR will cause some reduction in LOS to WBR traffic flow. There is expected to be a reduced LOS on the roadway exiting from the Westin resort caused by the amalgamation of the existing three access roadways and the increased traffic flow on WBR due to background growth. This will not impact the surrounding road network.

Refer to **Figure 27** and **Figure 28** showing the predicted Level of Service on the network for the without and with development scenarios during the 2025 opening year assessment horizon for the evening peak period.

The results show that the increase in pedestrian flow across WBR will also cause some reduction in LOS during the evening peak period. The Westin exit roadway onto WBR will also experience a reduced LOS during the evening peak.

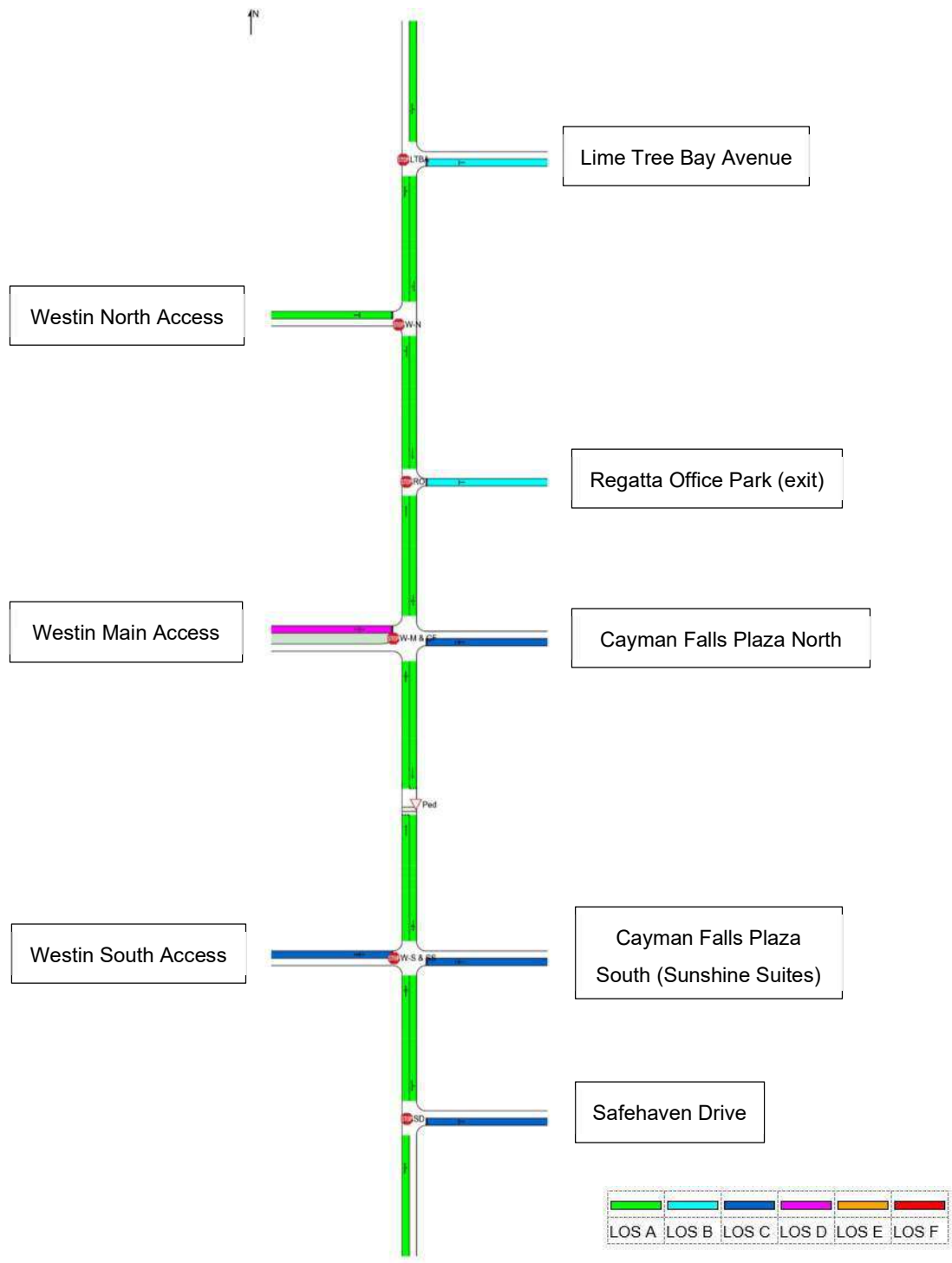


Figure 25 – Sidra Model – West Bay Road Network – 2025 Without Dev' - AM Peak - Lane LOS

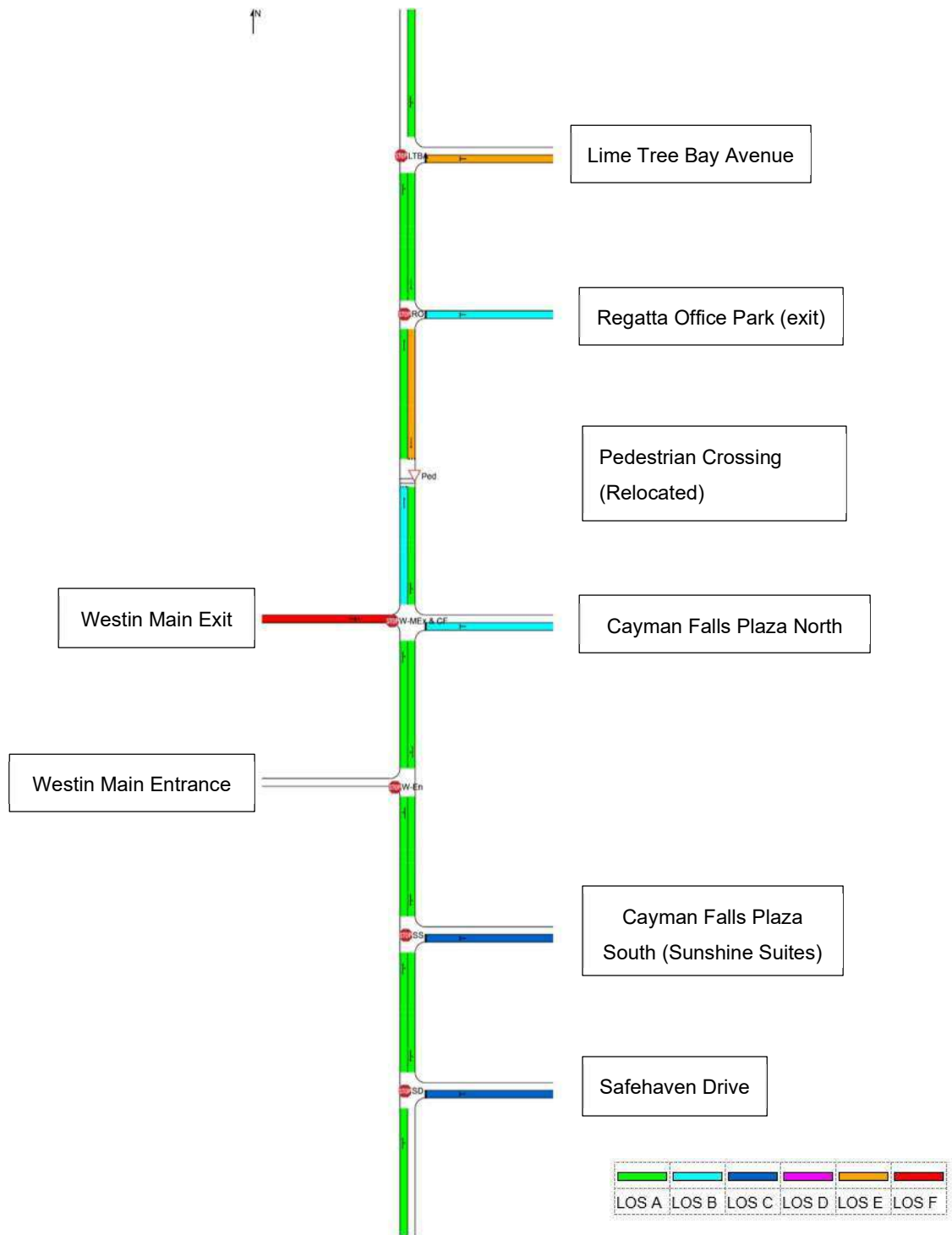


Figure 26 – Sidra Model – West Bay Road Network – 2025 With Dev’ - AM Peak - Lane LOS

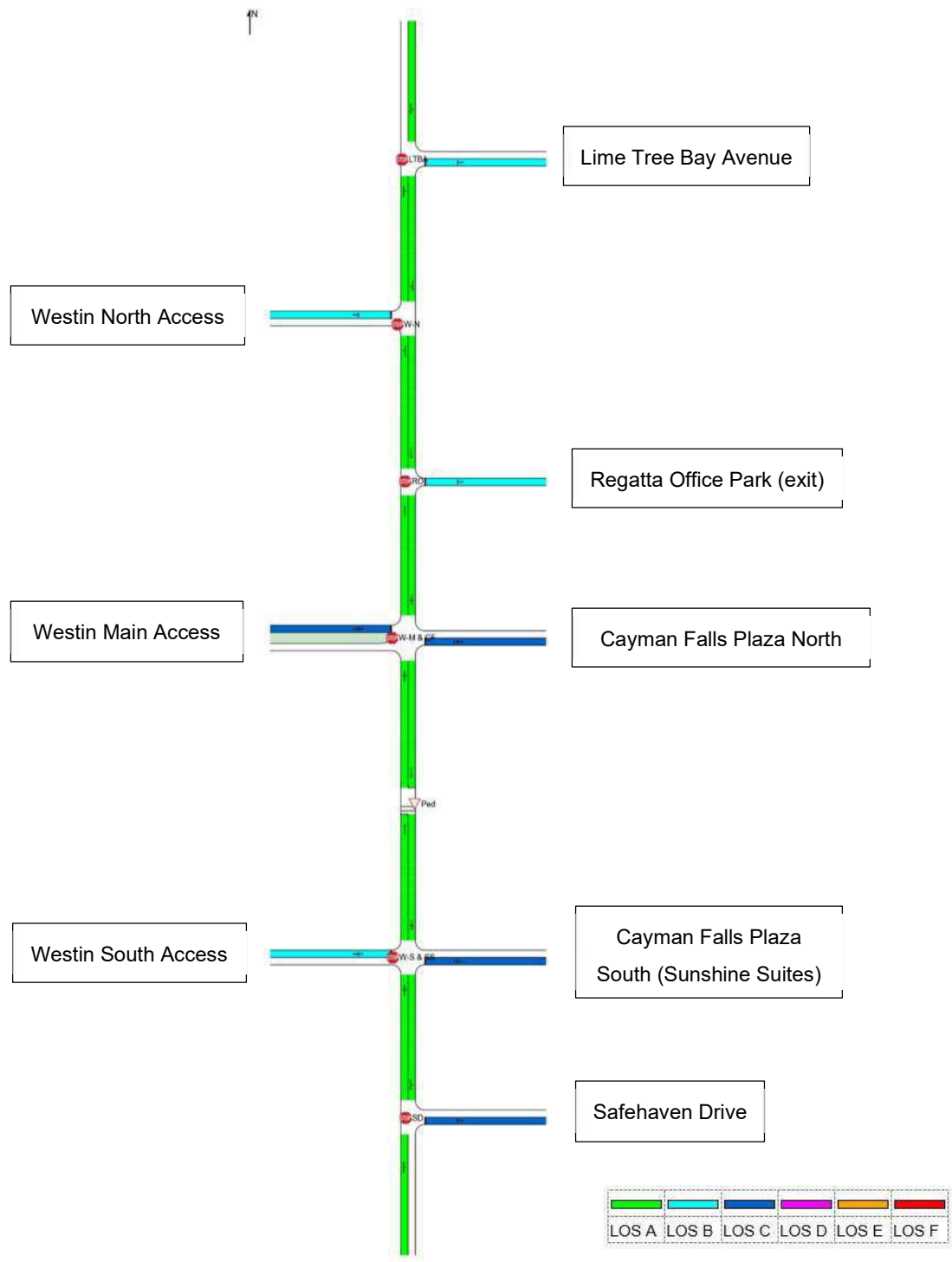


Figure 27 – Sidra Model – West Bay Road Network – 2025 Without Dev' - PM Peak - Lane LOS

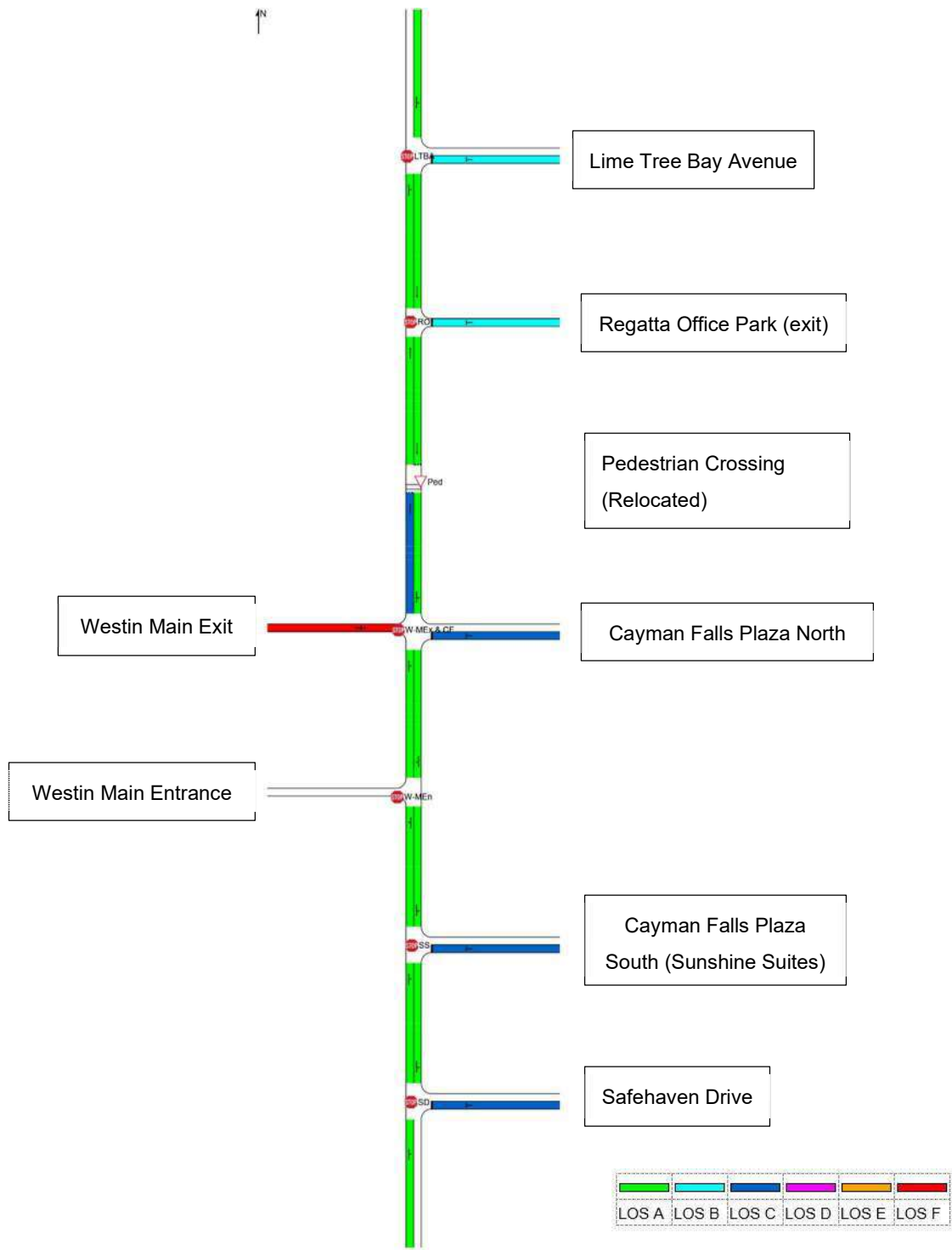


Figure 28 – Sidra Model – West Bay Road Network – 2025 With Dev' - PM Peak - Lane LOS

4.6.2 NEAR-TERM ASSESSMENT HORIZON – 2030

Refer to **Figure 29** and **Figure 30** showing the predicted Level of Service for each approach / lane to each intersection / access on the network for the without and with development scenarios during the 2030 near-term assessment horizon for the morning peak period.

The results show that Lime Tree Bay Avenue will experience a further reduction in LOS from B to F following the opening of the Westin expansion. The increase in pedestrian flow across WBR will continue to cause a reduction in LOS to WBR traffic flow. The roadway exiting from the Westin resort is expected to experience a reduction in LOS.

Refer to **Figure 31** and **Figure 32** showing the predicted Level of Service on the network for the without and with development scenarios during the 2030 near-term assessment horizon for the evening peak period.

The results show that the increase in pedestrian flow across WBR will also cause some reduction in LOS during the evening peak period. The amalgamation of the existing Westin access roadways into a single exit roadway onto WBR will result in a reduced LOS for that approach. The elimination of the Westin South access is expected to result in an improvement on traffic flow on the Sunshine Suites approach due to reduction of conflicting traffic movements.

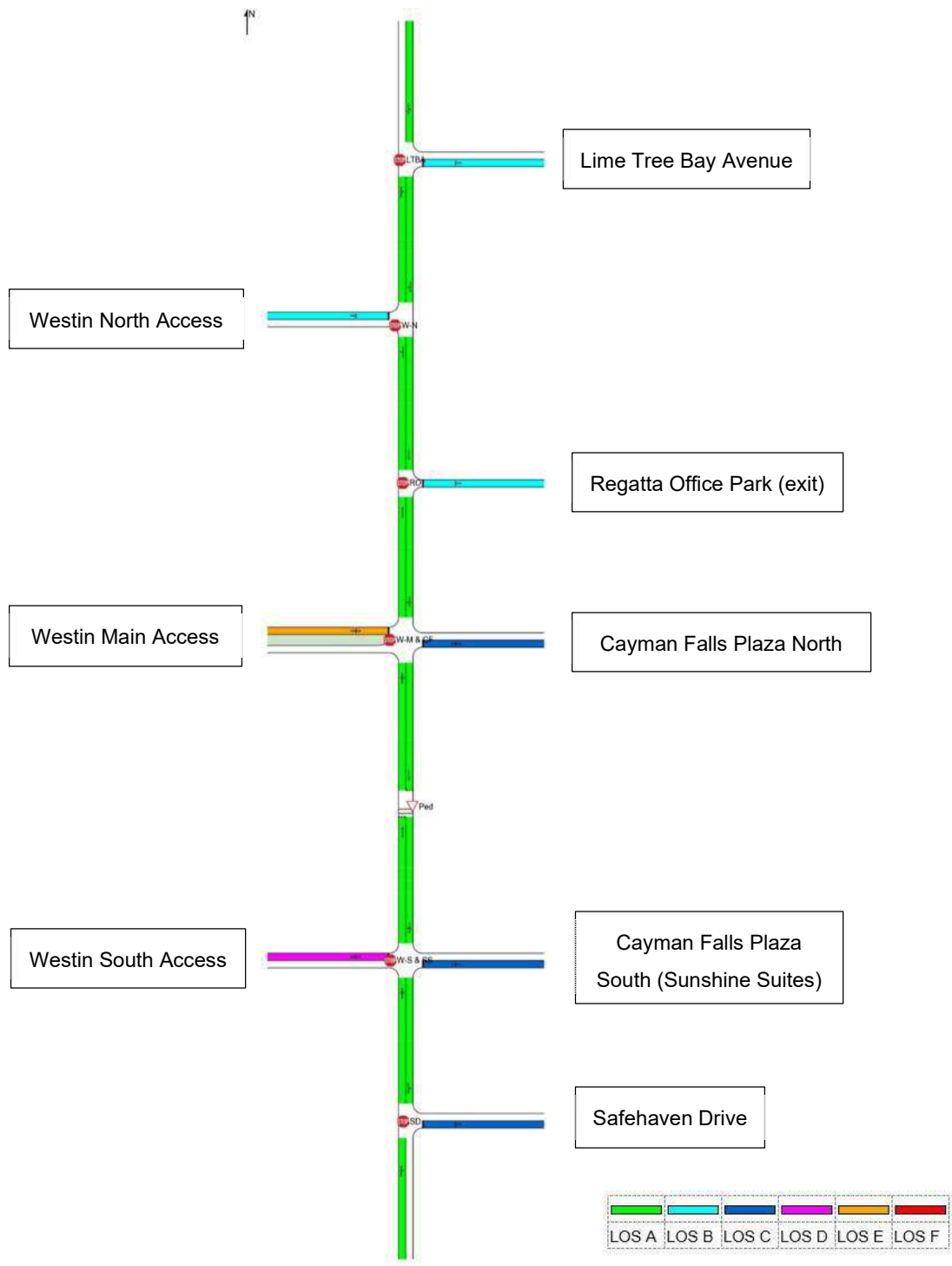


Figure 29 – Sidra Model – West Bay Road Network - 2030 Without Dev' - AM Peak - Lane LOS

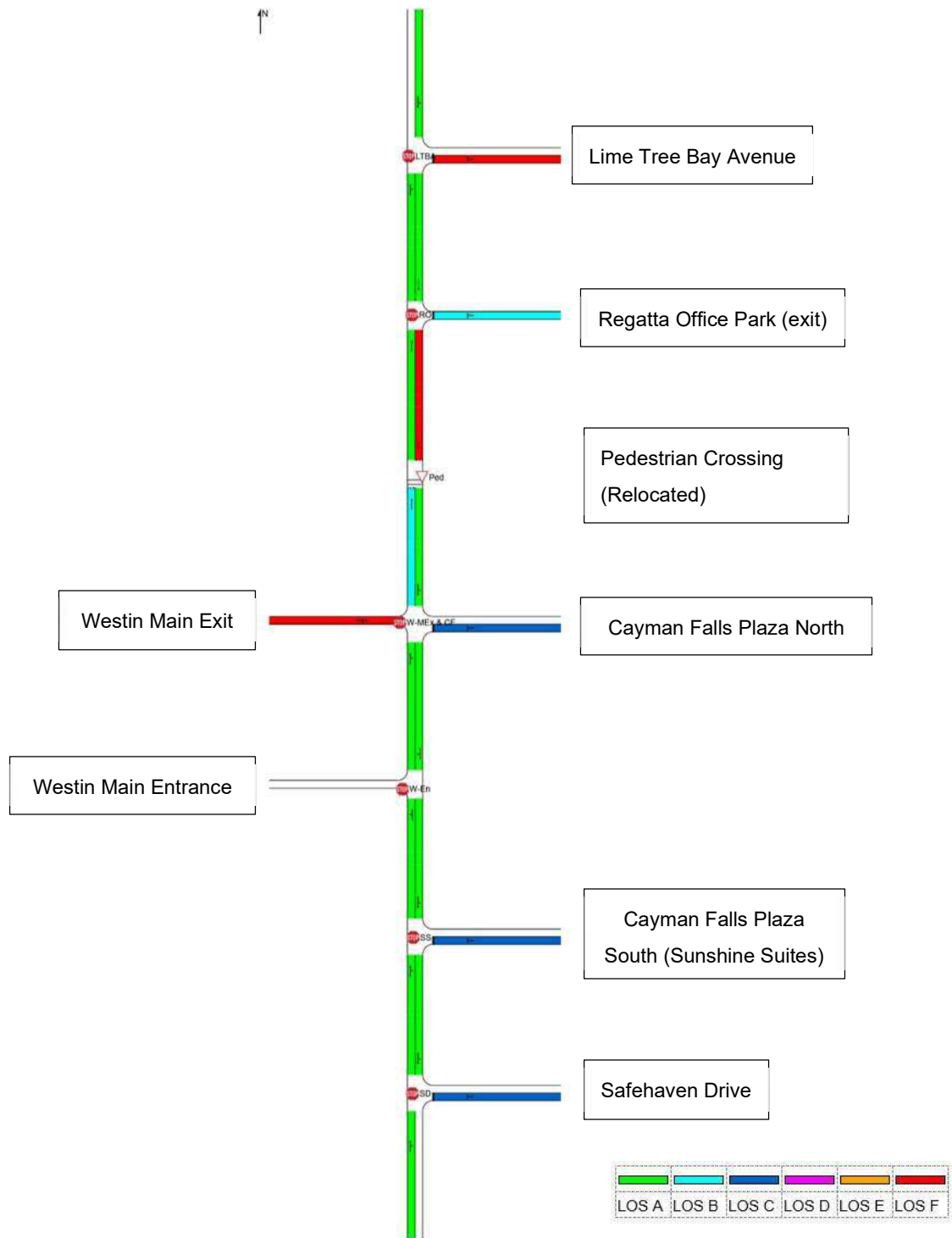


Figure 30 – Sidra Model – West Bay Road Network - 2030 With Dev' - AM Peak - Lane LOS

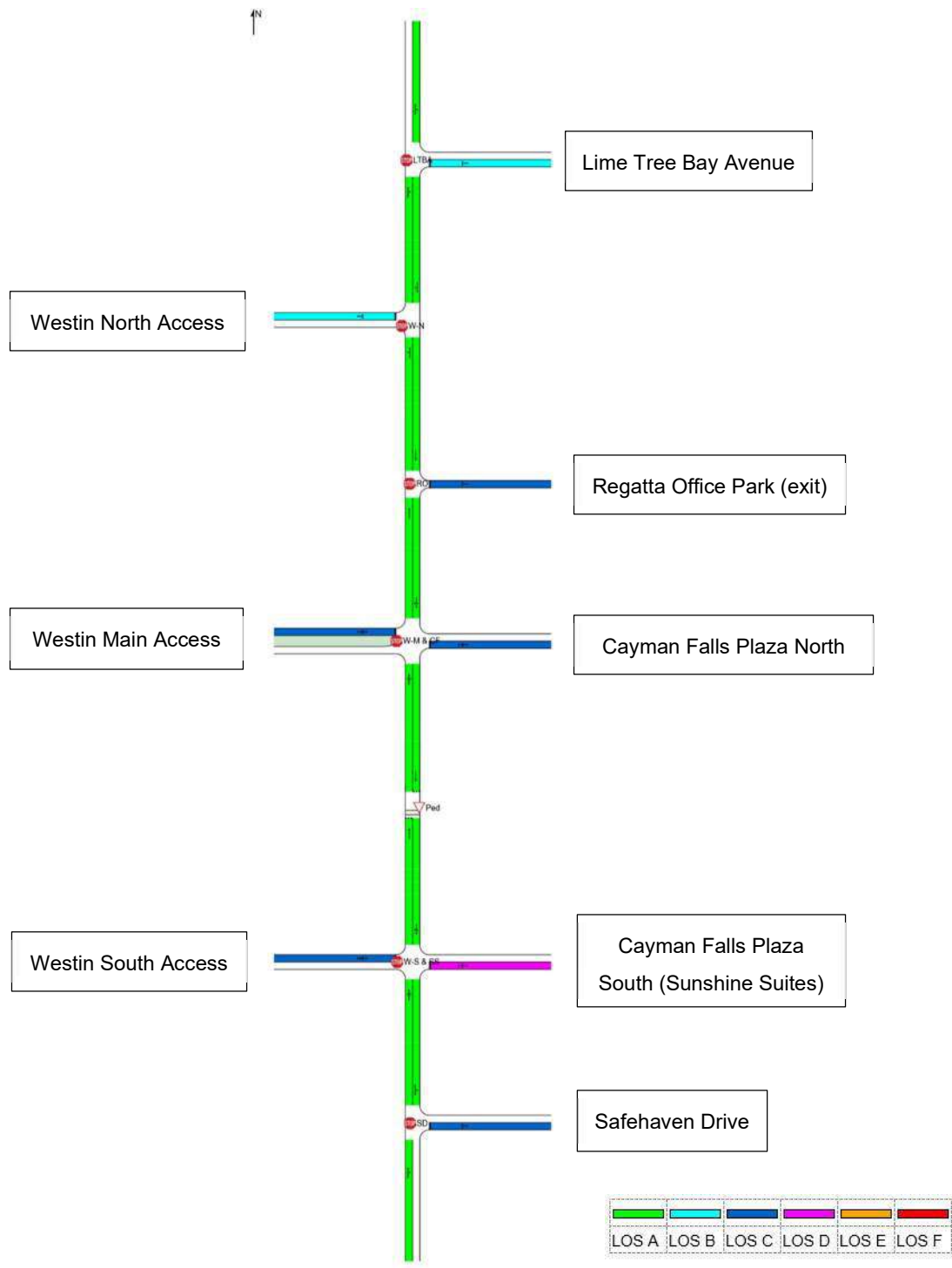


Figure 31 – Sidra Model – West Bay Road Network – 2030 Without Dev' - PM Peak - Lane LOS

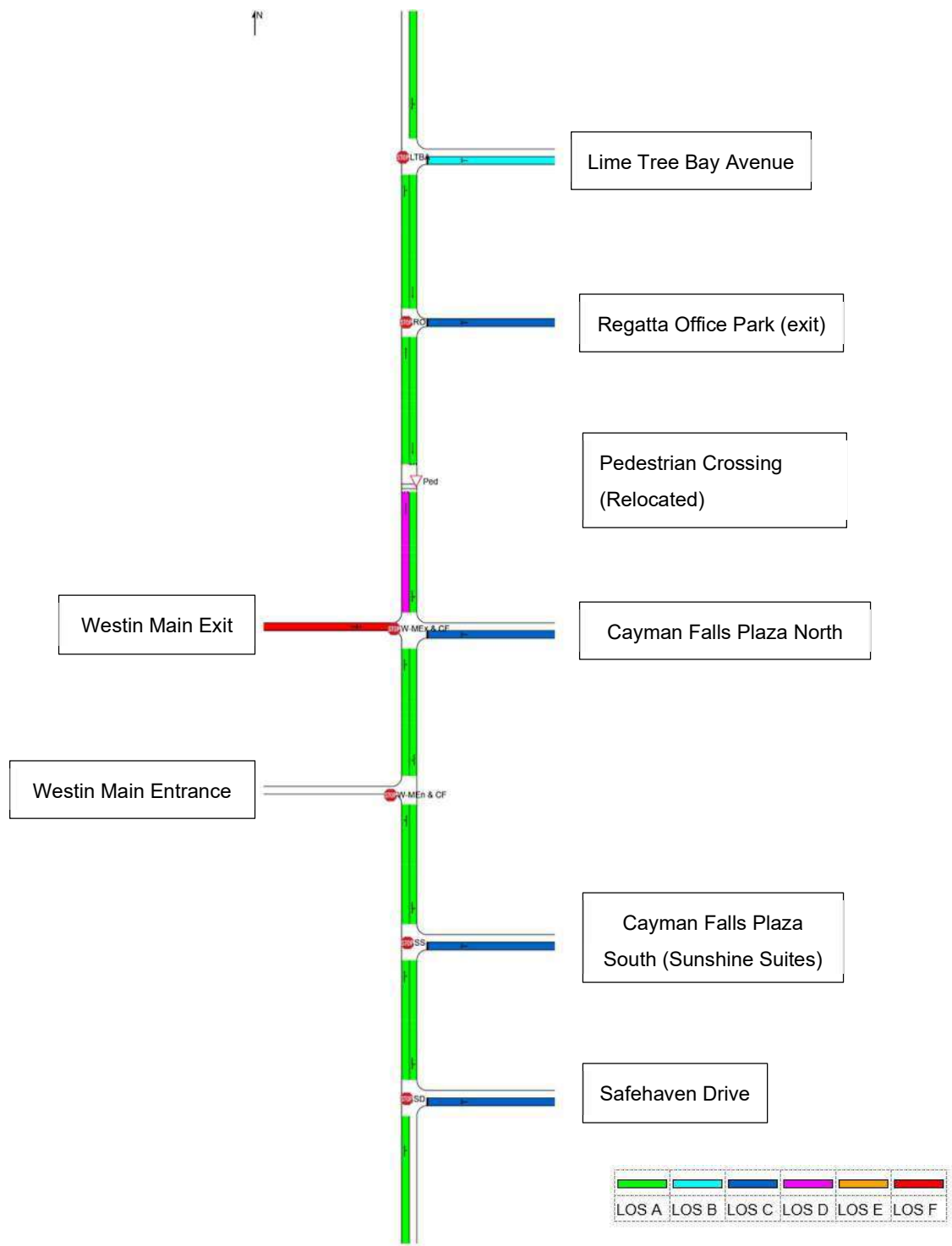


Figure 32 – Sidra Model – West Bay Road Network – 2030 With Dev' - PM Peak - Lane LOS

4.6.3 MEDIUM-TERM YEAR ASSESSMENT HORIZON - 2035

Refer to **Figure 33** and **Figure 34** showing the predicted Level of Service for each approach / lane to each intersection / access on the network for the without and with development scenarios during the 2035 medium-term assessment horizon for the morning peak period.

The results show that the increase in traffic flow, predominately due to background growth, will cause a reduction in the LOS on many of the side road and access approaches to WBR. The increase in pedestrian flow across WBR will continue to cause a considerable reduction in LOS to WBR traffic flow. The roadway exiting from the Westin resort is expected to experience a reduction in LOS. The elimination of the Westin South access is expected to result in an improvement on traffic flow on the Sunshine Suites approach due to reduction of conflicting traffic movements.

Refer to **Figure 35** and **Figure 36** showing the predicted Level of Service on the network for the without and with development scenarios during the 2035 medium-term assessment horizon for the evening peak period.

The results show that the increase in traffic flow, predominately due to background growth, will also cause a reduction in the LOS on many of the side road and access approaches to WBR during the evening peak. The results show that the increase in pedestrian flow across WBR will also cause some reduction in LOS during the evening peak period. The amalgamation of the existing Westin access roadways into a single exit roadway onto WBR will result in a reduced LOS for that approach. The elimination of the Westin South access is expected to result in an improvement on traffic flow on the Sunshine Suites approach due to reduction of conflicting traffic movements.

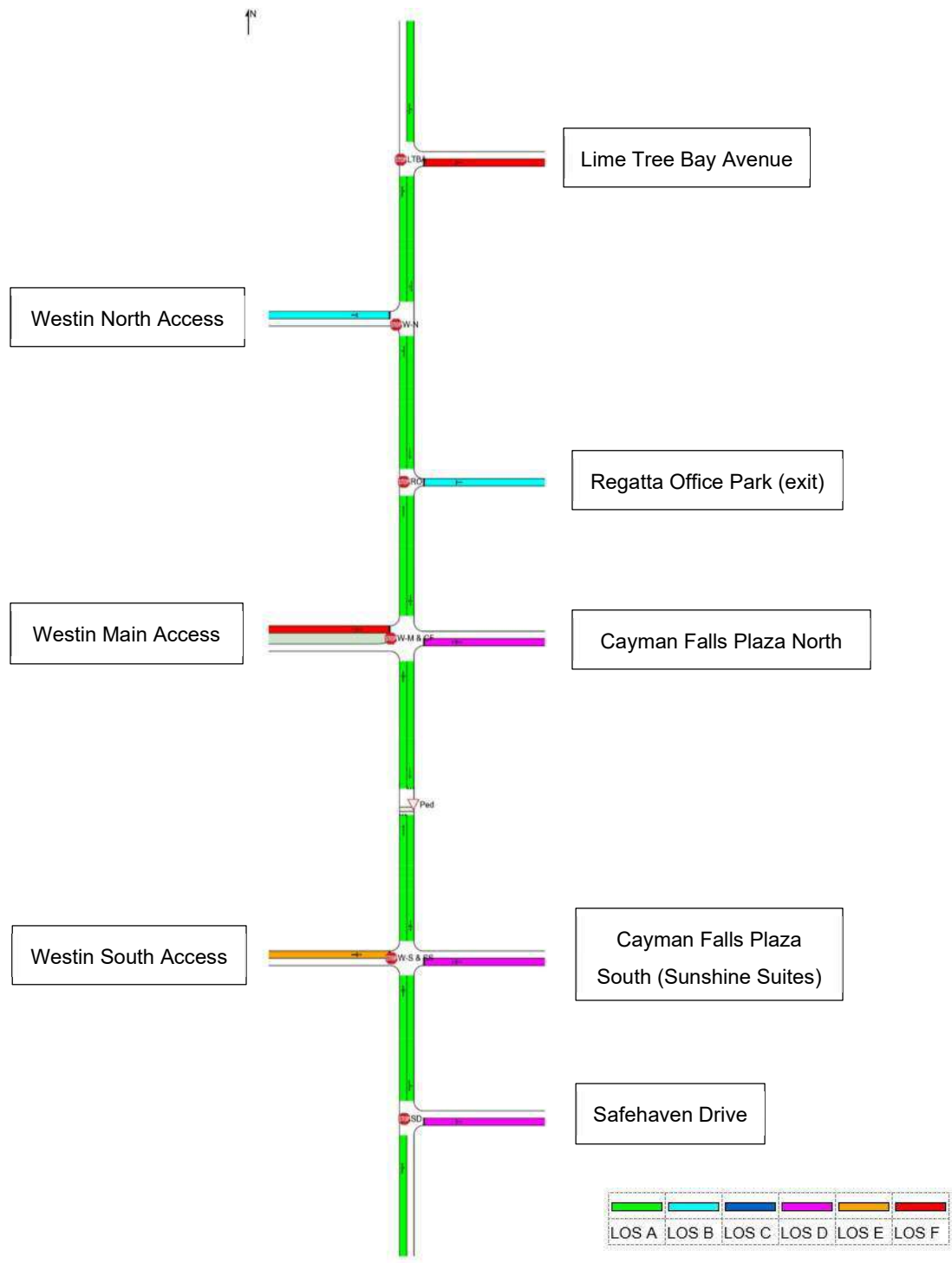


Figure 33 – Sidra Model – West Bay Road Network – 2035 Without Dev' - AM Peak - Lane LOS

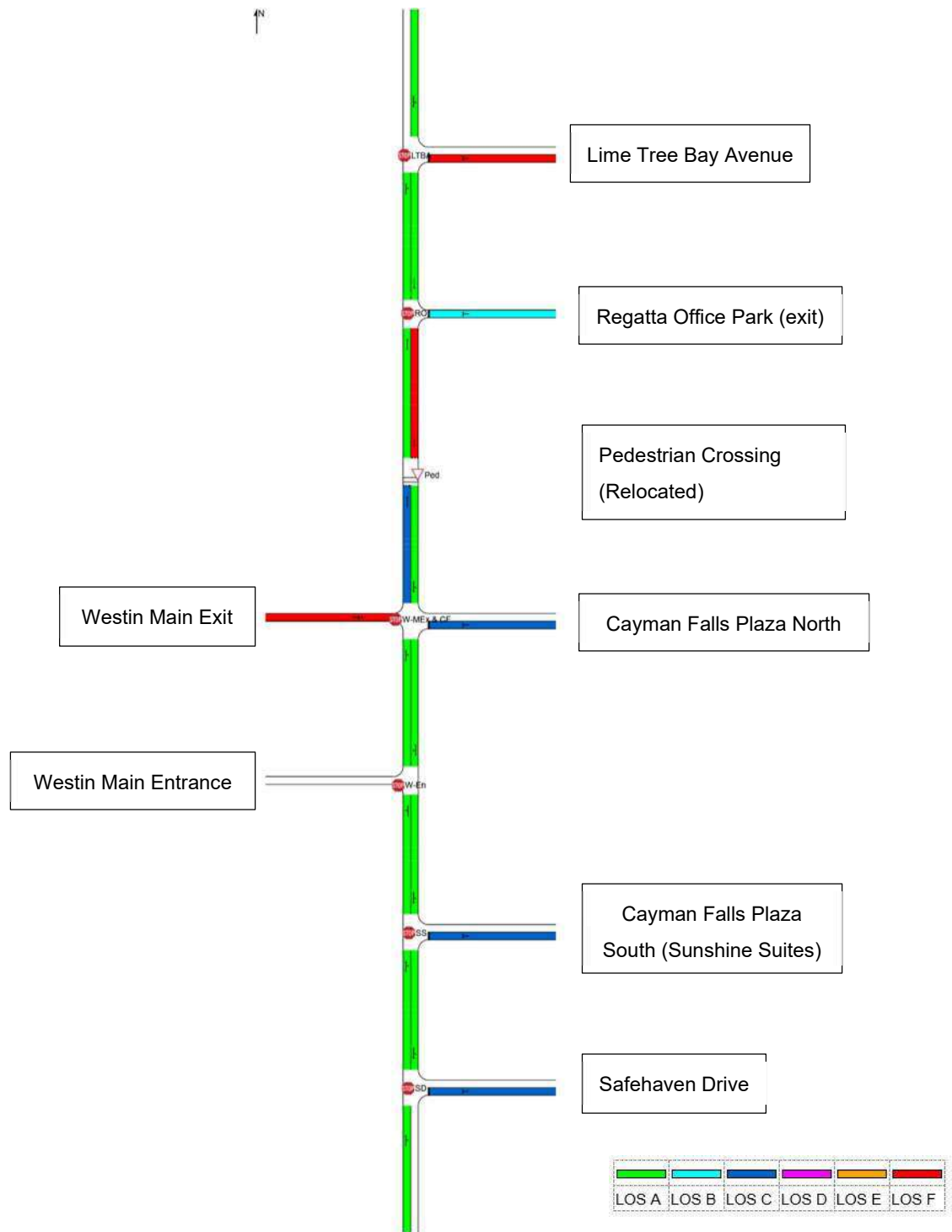


Figure 34 – Sidra Model – West Bay Road Network – 2035 With Dev' - AM Peak - Lane LOS

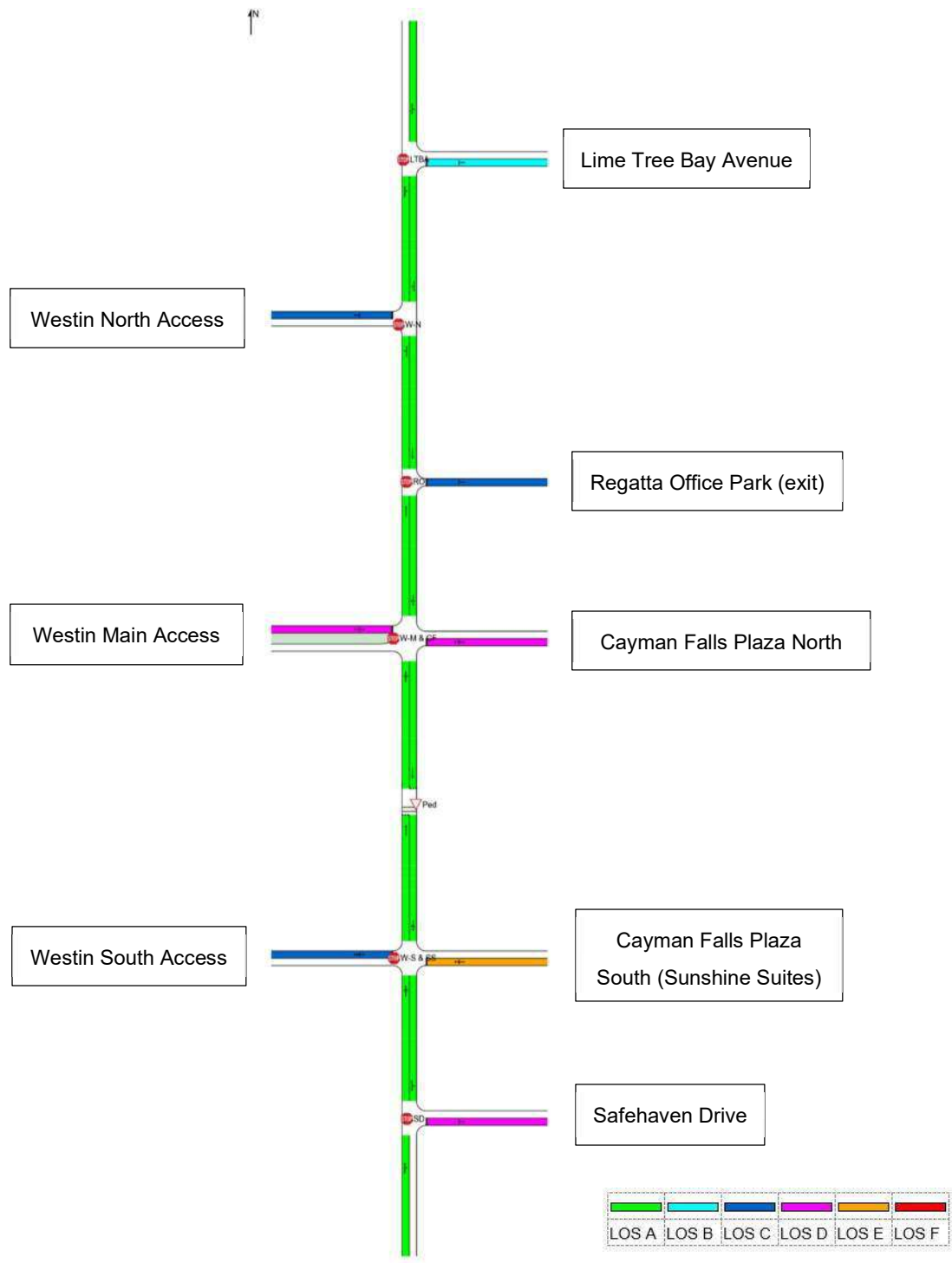


Figure 35 – Sidra Model - West Bay Road Network – 2035 Without Dev' - PM Peak - Lane LOS

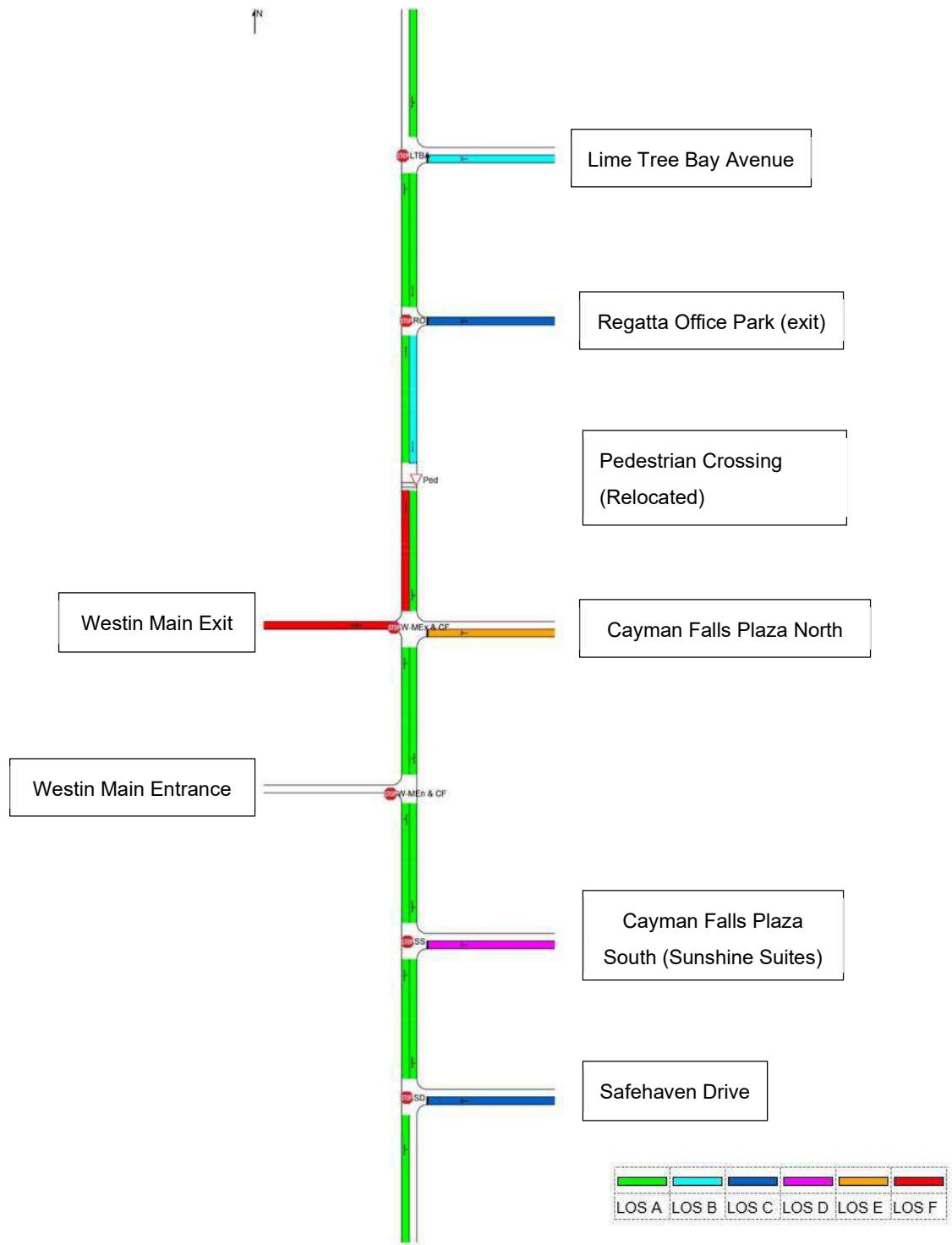


Figure 36 – Sidra Model - West Bay Road Network – 2035 With Dev' - PM Peak - Lane LOS

4.7 IMPACT ANALYSIS

The analysis sections above show that the existing road network, through the study area, will experience a degradation in future years with future predicted traffic growth due to population increase and growing car ownership, regardless of the construction of the Westin resort expansion.

The opening of the resort expansion with its trip generation and increased pedestrian traffic is expected to cause some additional reduction in the LOS on some areas of the road network – predominately on LTBA, on the WBR at the pedestrian crossing and on the exit from the Westin resort drop-off area. The impact is partly due to the traffic flows associated with the increased number of resort employees. The adjustment of employee shift times will reduce this impact throughout study area.

The impact of the resort expansion and the associated change in traffic patterns will result in a minor increase in traffic on the ETH. It has been shown that this increase is negligible and not likely to cause any perceivable reduction in the LOS on that roadway.

The development of NRA's Complete Streets program is likely to divert WBR through traffic onto the ETH, though the quantum of this diversion and the timeline for realisation of this program is not known.

4.8 MITIGATION

Possible strategies to mitigate the impact of the Westin expansion on the surrounding road network include limiting the traffic movements associated with the resort that occur during peak hours. Based on information received from the resort management and shared above, it has been shown that resort guests and employees will typically arrive outside of the morning and evening peak hours.

Employee shift changes do currently partially coincide with the road network peak hours. As shown herein, it is proposed to adjust the employee shift times once the expansion becomes operational so that they no longer coincide with the peak periods. This will reduce the impact on WBR and LTBA where a significant proportion of the employee associated traffic movements are located. It can be deduced that the LOS on LTBA will improve back to levels associated with no resort expansion (the without scenario) as there would be very limited employee associated traffic remaining on the surrounding road network during peak periods.

Additionally, employees should be strongly encouraged to use the ETH to travel to and from the off-site parking lot, thereby reducing the impact on WBR. The resort proposes to implement measures to monitor and control this. The relocation of most resort parking to the off-site parking lot will result in less of an impact on WBR as would be the case if all parking for the expanded resort was provided on-site.

The relocation of the pedestrian crossing on WBR and the increase in pedestrian traffic flow resulting in a reduction in LOS on WBR could be mitigated by changing the pedestrian signal control from a button actuated system to a timed system. This would then require pedestrians wishing to cross to request the crossing signal and wait for the appropriate time before crossing. This would allow any queuing traffic on WBR to dissipate before the next pedestrian crossing signal is engaged. This system would likely require a small traffic controller to be constructed and new crossing signals installed. Preliminary analysis of this timed crossing

arrangement in Sidra Intersection shows that the traffic flow on WBR can be improved significantly, likely to LOS A even in the 2035 Medium-Term Assessment Horizon.

As is the case with the existing resort, service deliveries and waste removal are expected to occur outside of the peak hours of traffic flow on WBR. Vehicles accessing the service yards are not expected to have a measurable impact on the traffic flow on WBR. Traffic should be carefully managed whenever there is need to allow a service delivery truck to perform a reversing manoeuvre at the service yard.

Traffic management strategies should be introduced within the Westin resort drop-off area to limit vehicle blockages at busy times. This could be undertaken by the resort's valet and concierge staff.

5.0 FINDINGS & CONCLUSIONS

The preceding sections provide information on the existing road network surrounding the proposed expansion of the Westin Grand Cayman Seven Mile Beach Resort and describe the current operation of the existing Resort and proposed operation of the expansion. A detailed assessment of the traffic and road related aspects of the proposed development is undertaken, including a discussion on the expected trip generation of the Resort itself. Finally, a capacity assessment is provided for the road network within the study area that could be impacted by the proposed development. Future traffic flows within the study area have been calculated for the Opening Year (2025), Near-Term Year (2030) and the Medium-Term Year (2035), for two cases – namely the ‘without development’ scenario and the ‘with development / expansion’ scenario.

The following points summarise the major assumptions underpinning this Traffic Impact Statement:

- The operations of the expanded resort (operating times, facilities offered, etc.) are expected to be similar to the existing Westin Resort operations with closely correlated traffic demands for the incremental Resort areas and staff numbers. The employee shift times will be adjusted by Resort management, thus significantly reducing the impact of the expanded Resort on the surrounding road network during peak traffic periods.
- Trip distribution to and from the expanded Resort will be affected due to the amalgamation of the existing three accesses and the introduction of an off-site parking lot.

The following points summarise the major findings and conclusions of this Traffic Statement:

- The intersections / accesses within the study area will in any case experience deterioration in service in the future due to projected background traffic growth in Grand Cayman generally.
- The traffic flows associated with guest arrivals / departures will occur outside the peak traffic periods of the surrounding road network thus not impacting the LOS.
- Assuming the Resort employees are required to access the parking lot via the ETH, the impact of the increased traffic flows within the study area as a result of employee parking will have no deterioration of the LOS, particularly along Lime Tree Bay Avenue.
- The increased pedestrian traffic flow across West Bay Road is likely to cause a reduction in the Level of Service for traffic flow on West Bay Road. As has been shown by preliminary analysis, this can be substantially mitigated by the introduction of a timed pedestrian crossing system.

The above mitigation measures (use of the ETH for employee traffic movements, the adjusted employee shift times, and the introduction of a timed pedestrian crossing system) will drastically reduce the impact of the expanded resort on the surrounding road network.

APPENDIX A

CPA approved Terms of Reference of the Traffic Impact Statement



ANDREW GIBB FCIQB RIBA MAPM LEED AP
CHARTERED ARCHITECT | CHARTERED BUILDER

P O Box 20 Grand Cayman KY1-1701 Cayman Islands
+ (3 4 5) 5 2 6 8 8 8 8 | andrew.gibb@gibbarchitect.com

15 February 2023

Your Ref: **CPA/24/22: Item 2.6**

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

Sir

**BLOCK 11D45 WEST BAY BEACH NORTH GRAND CAYMAN
APPLICATION FOR PLANNING CONSENT P22-0735:**

Westin Grand Cayman Resort: New Hotel Annex, New Conference Facility ('Ballroom'),
Change-of-Use (Banquet Kitchen, Meeting Rooms, Back-of-House) & 2 Pools

Traffic Impact Analysis: Submission of Terms of Reference for CPA Approval

We act for Applicant /Owner /lessee Invincible Investment Corporation as agent.

The Central Planning Authority (CPA), in response to our application for the above planning consent (adjourned for this purpose), required that Applicant produce and submit for their consideration a Traffic Impact Analysis (TIA) of the planning consent application scope, and where the Terms of Reference (ToRs) for such TIA as approved by the National Roads Authority (NRA) be submitted to CPA for their consideration and approval in due course.

The proposed ToRs for the TIA in draft form and dated February 2023 are appended hereto as Annexure A. Also appended as Annexure B is an email communication from NRA dated 14 February 2023 approving the proposed draft ToRs.

Yours sincerely

THE WESTIN GRAND CAYMAN EXPANSION PROJECT

PROPOSED TRAFFIC IMPACT STATEMENT

TERMS OF REFERENCE

FEBRUARY 2023

Draft



ANNEXURE A

THE WESTIN GRAND CAYMAN EXPANSION PROJECT PROPOSED TRAFFIC IMPACT STATEMENT TERMS OF REFERENCE

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	PROPOSED SCOPE OF ASSESSMENT	1
2.0	PROPOSED METHODOLOGY.....	2
2.1	BACKGROUND AND EXISTING CONDITIONS	2
2.2	PROPOSED DEVELOPMENT	2
2.3	STUDY AREA.....	2
2.3.1	Traffic Data	3
2.4	TRAFFIC ANALYSIS	3
2.4.1	Trip Generation / Attraction	3
2.4.2	Assessment Year / Design Year Horizon.....	4
2.5	CAPACITY ANALYSIS	4
2.6	MITIGATION.....	4

INDEX OF TABLES & FIGURES

FIGURE 1 - PROPOSED EXPANSION	1
-------------------------------------	---



THE WESTIN GRAND CAYMAN EXPANSION PROJECT PROPOSED TRAFFIC IMPACT STATEMENT TERMS OF REFERENCE

1.0 INTRODUCTION

A major expansion is planned for the Westin Grand Cayman on West Bay Road. These terms of reference (ToR) scoping report present the proposed methodology that will be employed during the preparation of the Traffic Impact Statement (TIS). APEC Consulting Engineers Ltd (APEC) will be undertaking a traffic study, analysis of existing and future traffic and an assessment of the potential impacts of the expanded resort on the public road network.



Figure 1 - Proposed expansion



1.1 PROPOSED SCOPE OF ASSESSMENT

The TIS will follow the National Roads Authority (NRA) requirements 'Terms of Reference and Guidelines for Conduct of Traffic Impact Study in the Cayman Islands, March 2013'.

It shall assess the traffic impacts associated with the resort on the surrounding road network and assess all possible mitigation measures. This assessment will be presented through a TIS. The TIS will be organized in such a way as to set out the existing situation, present the proposed development and determine what impact, if any, the site-generated traffic will have on the surrounding road network.

2.0 PROPOSED METHODOLOGY

2.1 BACKGROUND AND EXISTING CONDITIONS

The TIS will provide background information on the proposed project including its location and proponent. The existing road network surrounding the proposed site will be described by way of site plan / map. This will include descriptions of traffic controls of nearby intersections. Details of existing pedestrian, cycle and public transport facilities will also be provided.

2.2 PROPOSED DEVELOPMENT

A summary will be provided of the site development, including the proposed increase in guest rooms, the new conference / ballroom facility and reconfiguration of the vehicle parking. A detailed description of any project construction phasing will be provided.

Other information included as part of this assessment will include:

- Information on likely hours of operation of the resort, number of employees, classification of vehicles on site and estimation of number of vehicles remaining on site and number of vehicles using surrounding road network
- Internal Layout (Traffic circulation, pedestrian routes, visibility and road width, speed control measures) and the proposed use of a shuttle service between the resort and the surface car park during peak periods
- On-site and remote parking (Provision, disabled percentage, layout & impact from valet and pedestrian crossings)
- Public Transport (provision, access from site)

2.3 STUDY AREA

The study area for the TIS will include the following neighbouring public roads:

- West Bay Road
- Esterly Tibbetts Highway
- Safehaven Drive
- Lime Tree Bay Avenue

The following intersections will be included in the network model:

- West Bay Road / Safehaven Drive
- North exit from Sunshine Suites onto Esterly Tibbetts Highway
- Lime Tree Bay Avenue / West Bay Road
- Westin Resort north service access with West Bay Road
- Westin Resort main entrance access with West Bay Road
- The Falls Centre north service lane (Sunshine Suites VROW) / West Bay Road
- The Falls Centre south service lane (Sunshine Suites access) / West Bay Road
- Westin Resort south service access with West Bay Road



2.3.1 TRAFFIC DATA

Data of the traffic flows on the existing road network within the study area will be gathered by way of a combination of automatic traffic counters¹ (on West Bay Road) and manual turning movement counts (at the identified intersections) undertaken by APEC staff and / or associates. The proposed locations are included in Appendix A. Traffic data from automatic traffic counters will be collected for a period of at least 7 days. This traffic data will be analyzed to assess current traffic flow (annual average daily traffic and peak hourly flows), speed and classification through the study area.

We will request traffic count data from the 2016 / 2017 NRA island-wide traffic count project. Initial review of the traffic count shows that data should be available for West Bay Road and the Esterly Tibbetts Highway.

Data on the current operation of the existing Westin Resort will be reviewed, including data from the hotel operator on current car park usage, stayover statistics, staffing levels, etc.

A summary will be presented of any committed / proposed road developments in the study area that will be undertaken in the future. In addition, any proposed significant developments that may impact the traffic flows in the study area will be assessed.

2.4 TRAFFIC ANALYSIS

The traffic data from 2016 / 2017 (if available), the data from 2012 along with updated data gathered as part of this study will be analyzed in order to estimate the likely traffic flows associated with the Westin Expansion.

An assessment will be undertaken of the existing road capacity based on existing traffic volumes in accordance with Institution of Transportation Engineers (ITE) Manual MTTE2. This assessment will be presented in table format showing the existing capacities on the road network within the study area.

The TIS will undertake traffic analysis based on the following approach:

- Existing and projected traffic volumes (including turning movements),
- Description of existing road network within study area and any proposed road(s) / accesses
- Traffic controls (where applicable)
- Project trip generation
- Project generated trip distribution and assignment
- Level of service of the existing and of the future / horizon conditions, both with and without the project
- References to other traffic impact studies (as may be necessary)

2.4.1 TRIP GENERATION / ATTRACTION

An estimate will be made of the likely trips generated by the Westin Expansion. Peak times of operation will be identified during the day and during the week. The impact of the proposed remote surface car park will be incorporated.

¹ PicoCount 2500 counter with pneumatic road tubes

2.4.2 ASSESSMENT YEAR / DESIGN YEAR HORIZON

The assessment / design year(s) will be selected in order to undertake the traffic impact analysis. We propose to assess the impacts at 5 and 10 years following opening of the facility. Future traffic flows will be calculated based on NRA forecasts for traffic growth. It is proposed that a 3% growth rate be used, however we will review this in line with expected growth rates for tourism in general for the Cayman Islands.

2.5 CAPACITY ANALYSIS

Intersection capacity analysis will be undertaken based on traffic associated with the expansion. Impacts, if any, on the current levels of service will be calculated. The impact on transportation route(s) to and from the resort and its remote car park will be assessed. Roads (existing and any proposed modifications, including the proposed West Bay Road enhancements) that may be affected by the Westin related traffic will be highlighted. The scope of this assessment will include both the near-term (Year 5) and overall long-term (Year 10) in order to determine the resulting transportation impacts of the traffic operations on the surrounding road network, particularly during the morning and evening peak hour conditions.

2.6 MITIGATION

Roadway improvements or traffic management strategies will be recommended, if required, to mitigate unsafe conditions or increased traffic congestion along transportation routes. Other strategies that may be required could include requiring truck (deliveries, etc) movements to be undertaken during off-peak periods.



RE: 23001 - Westin TIA: Draft Terms of Reference

Pandohie, Marion <Marion.Pandohie@nra.ky>

Tue 14 Feb 2023 5:40 PM

To: Denis P. Murphy <Denis@apex.com.ky>; Andrew Gibb <andrew.gibb@gibbarchitect.com>

Cc: Ronan O'Keeffe <Ronan@apex.com.ky>; Pearse Murphy <Pearse@apex.com.ky>; Thibeault, Denis <Denis.Thibeault@nra.ky>

Good Afternoon Denis,

I hope all is well.

I have taken a look at the ToR and it appears ok.

Thank you.

Cheers,

Mrs. Marion Pandohie, MCRP, MPA & AICP
Transportation Planner/Information Manager



370 North Sound Road (PWD Compound), P.O. Box 10426, Grand Cayman KY1-1004, Cayman Islands

Main Tel: 345-946-7780 | Direct Tel: 345-640-8408 | Cell: 345-525-0666 | Email: marion.pandohie@nra.ky

Social Media: www.facebook.com/nraroads | Website: www.caymanroads.com | www.caymanroads.com

Dogs' lives are too short. Their only fault, really

From: Denis P. Murphy [mailto:Denis@apex.com.ky]

Sent: Tuesday, February 14, 2023 9:53 AM

To: Pandohie, Marion <Marion.Pandohie@nra.ky>; Andrew Gibb <andrew.gibb@gibbarchitect.com>

Cc: Ronan O'Keeffe <Ronan@apex.com.ky>; Pearse Murphy <Pearse@apex.com.ky>; Thibeault, Denis <Denis.Thibeault@nra.ky>

Subject: [EXTERNAL] Re: 23001 - Westin TIA: Draft Terms of Reference

Good morning Marion

I am following up on the above. Do you have any comments on the ToR before it is submitted to Planning?

Regards



ANNEXURE B

APPENDIX B

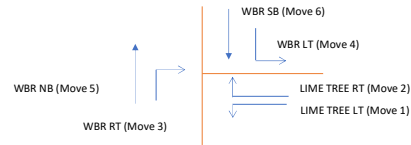
Automatic Traffic Count Data

The traffic count data is available to view at the following link:

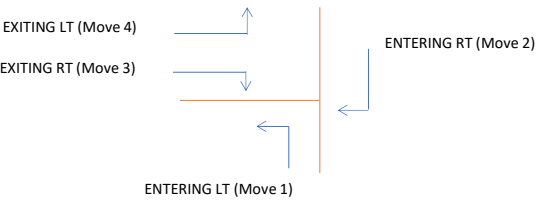
<https://apec.box.com/s/bizii9lou782mbp25m2bh3zituws0tg1>

APPENDIX C

Manual Traffic Count Data

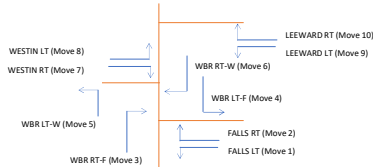


MOVEMENT		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				SUM
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	
WEST BAY ROAD LIME TREE BAY MORNING PEAK	6:00 - 6:15 AM	0	12	0	0	0	7	0	0	1	7	0	0	0	1	0	0	1	32	6	1	0	21	3	2	94
	6:15 - 6:30 AM	1	23	3	0	0	8	0	0	0	12	0	0	0	0	0	0	8	56	2	1	2	18	8	2	144
	6:30 - 6:45 AM	0	27	2	0	0	21	0	1	0	10	0	1	0	5	0	1	10	62	2	3	3	30	7	3	188
	6:45 - 7:00 AM	0	45	1	1	0	24	0	2	0	16	2	0	0	4	0	0	2	91	9	3	1	45	8	2	256
	7:00 - 7:15 AM	2	49	3	0	0	12	2	0	1	17	1	0	0	8	0	0	2	76	12	3	4	50	10	0	252
	7:15 - 7:30 AM	0	38	0	0	0	6	0	2	0	19	0	0	0	3	0	0	2	56	7	5	4	48	27	1	218
	7:30 - 7:45 AM	0	70	0	2	0	6	0	1	0	27	0	1	0	8	0	0	2	53	6	2	6	80	7	0	271
	7:45 - 8:00 AM	1	90	0	1	0	4	0	1	1	26	2	1	0	8	0	0	2	40	21	1	2	104	16	1	322
	8:00 - 8:15 AM	3	85	2	1	0	13	0	0	0	40	7	1	0	7	0	0	1	56	29	7	3	80	7	1	343
	8:15 - 8:30 AM	0	40	2	2	0	3	0	0	0	19	1	0	0	6	1	0	0	55	32	6	2	58	13	1	241
		4	285	4	6	0	26	0	2	1	112	10	3	0	29	1	0	5	204	88	16	13	322	43	3	
		299				28				126				30				313				381				
MOVEMENT		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				SUM
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS	
WEST BAY ROAD LIME TREE BAY EVENING PEAK	4:00 - 4:15 PM	2	42	2	2	0	6	0	0	0	45	0	1	0	8	0	0	0	93	11	2	1	39	7	1	262
	4:15 - 4:30 PM	2	29	2	0	0	3	0	0	0	31	0	0	0	12	0	0	1	88	13	1	2	30	8	0	222
	4:30 - 4:45 PM	1	38	1	0	0	1	0	0	0	34	0	0	0	13	0	0	1	95	8	1	8	91	7	1	300
	4:45 - 5:00 PM	0	38	0	0	0	6	0	0	0	24	0	0	0	4	0	0	1	105	6	0	7	53	0	2	246
	5:00 - 5:15 PM	0	36	1	0	0	1	0	0	0	35	0	1	0	13	0	0	2	118	9	4	4	61	7	0	292
	5:15 - 5:30 PM	0	34	2	0	0	9	0	0	1	29	3	1	1	7	0	0	2	125	11	1	1	61	6	2	296
	5:30 - 5:45 PM	0	36	3	0	0	3	0	0	0	44	1	0	0	6	0	0	3	135	7	1	5	50	5	1	300
	5:45 - 6:00 PM	0	30	0	0	0	1	0	0	0	30	2	0	0	5	0	0	3	95	13	2	3	40	3	0	227
		1	146	4	0	0	17	0	0	1	122	3	2	1	37	0	0	6	443	34	6	20	266	20	5	
		151				17				128				38				489				311				



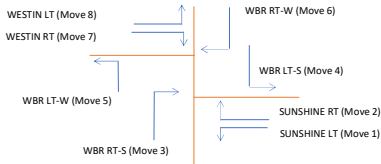
MOVEMENT		MOVEMENT 1					MOVEMENT 2					MOVEMENT 3					MOVEMENT 4					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
WEST BAY ROAD WESTIN NORTH MORNING PEAK	6:00 - 6:15 AM	0	0	0	0		0	0	0	0		0	0	0	0		0	0	0	0		0
	6:15 - 6:30 AM	0	0	0	0		0	0	0	0		0	0	0	0		0	0	0	0		0
	6:30 - 6:45 AM	0	0	0	0		0	2	0	0		0	0	0	0		0	0	0	0		2
	6:45 - 7:00 AM	0	0	0	0		0	3	0	0		0	1	0	0		0	0	0	0		4
	7:00 - 7:15 AM	0	0	0	0		0	1	0	0		0	1	0	0		0	0	0	0		2
	7:15 - 7:30 AM	0	0	0	0		0	1	0	0		0	0	0	0		0	1	0	0		2
	7:30 - 7:45 AM	1	0	0	0		0	0	0	0		0	0	0	0		0	2	0	0		3
	7:45 - 8:00 AM	0	4	0	0		1	4	0	0		0	0	0	0		0	1	0	0		10
	8:00 - 8:15 AM	0	0	0	0		0	1	0	0		0	0	0	0		0	1	0	0		2
	8:15 - 8:30 AM	0	0	1	0		0	5	2	0		0	0	0	0		0	0	0	0		8
		1	4	1	0		1	10	2	0		0	0	0	0		0	4	0	0		
		6					13					0					4					

MOVEMENT		MOVEMENT 1					MOVEMENT 2					MOVEMENT 3					MOVEMENT 4					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
WEST BAY ROAD WESTIN NORTH EVENING PEAK	4:00 - 4:15 PM	0	0	0	0		0	1	0	0		0	2	0	0		0	0	0	0		3
	4:15 - 4:30 PM	0	1	0	0		0	2	0	0		0	5	0	0		0	0	0	0		8
	4:30 - 4:45 PM	0	2	0	0		0	3	0	0		0	2	0	0		0	1	0	0		8
	4:45 - 5:00 PM	0	4	0	0		0	0	0	0		0	2	0	0		0	2	0	0		8
	5:00 - 5:15 PM	0	5	0	0		0	2	0	0		0	0	0	0		0	3	0	0		10
	5:15 - 5:30 PM	0	8	0	0		0	5	0	0		0	3	0	0		0	4	0	0		20
	5:30 - 5:45 PM	0	3	0	0		0	4	2	0		0	2	0	0		0	3	0	0		14
	5:45 - 6:00 PM	0	3	0	0		0	2	0	0		0	3	0	0		0	2	0	0		10
		0	19	0	0		0	10	0	0		0	7	0	0		0	10	0	0		
		19					10					7					10					

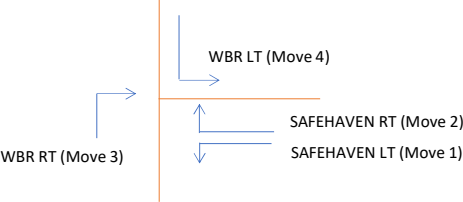


		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				MOVEMENT 7				MOVEMENT 8				MOVEMENT 9				MOVEMENT 10				SUM	
	TIME	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS						
WEST BAY ROAD WESTIN MAIN & THE FALLS & REGATTA EXIT MORNING PEAK	6:00- 6:15 AM	0	1	0	0	0	2	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	5				
	6:15- 6:30 AM	0	1	0	0	0	2	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	7					
	6:30- 6:45 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1	0	0	0	1	0	0	0	0	1	0	0	0	0	0	1	0	0	8				
	6:45- 7:00 AM	0	1	0	0	0	1	0	0	0	1	0	0	0	2	0	0	0	0	6	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	13				
	7:00- 7:15 AM	0	3	0	0	0	0	0	0	0	4	0	0	0	4	2	0	0	0	0	0	0	0	4	0	0	0	0	0	1	0	0	0	0	0	0	0	0	19				
	7:15- 7:30 AM	0	1	0	0	0	0	0	0	0	3	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	6				
	7:30- 7:45 AM	0	0	0	0	0	1	0	0	0	3	0	0	0	2	0	0	0	0	1	0	0	0	1	0	0	0	0	1	1	0	0	0	0	0	1	0	0	12				
	7:45- 8:00 AM	0	1	0	0	0	2	0	0	0	4	0	0	0	3	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1	0	0	0	1	0	0	2	0	0	16			
	8:00- 8:15 AM	0	3	0	0	0	1	0	0	0	3	0	0	0	4	1	1	0	0	1	0	0	0	3	0	0	0	0	2	1	1	0	6	0	0	0	2	0	0	29			
	8:15- 8:30 AM	0	2	0	0	0	2	0	0	0	8	0	0	0	1	0	0	0	0	3	0	0	0	0	0	0	0	0	1	0	0	0	2	1	0	0	1	0	0	21			
		0 6 0 0				0 6 0 0				0 18 0 0				0 10 1 1				0 5 0 0				0 5 0 0				0 5 3 1				0 9 1 0				0 6 0 0				0 1 0 0					
MOVEMENT		6				6				18				12				5				5				8				10				6				1					
		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				MOVEMENT 7				MOVEMENT 8				MOVEMENT 9				MOVEMENT 10				SUM	
	TIME	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS	BICYCLE MOTORCY C/F	CAR PICKUP SUUV	BUSES	TRUCKS						
WEST BAY ROAD WESTIN MAIN & THE FALLS & REGATTA EXIT EVENING PEAK	4:00- 4:15 PM	0	5	0	0	0	10	0	0	0	7	0	0	0	6	0	0	0	2	0	0	0	3	0	0	0	6	0	0	0	7	0	0	0	1	9	0	0	2	0	0	58	
	4:15- 4:30 PM	0	2	0	0	0	4	0	0	0	7	0	0	0	1	0	0	0	2	0	0	0	0	0	0	0	3	0	0	0	0	4	0	0	0	1	0	0	0	26			
	4:30- 4:45 PM	0	4	0	0	0	3	0	0	0	5	0	0	0	5	1	0	1	6	0	0	0	3	0	0	0	3	0	0	0	4	1	0	0	0	7	0	0	0	6	0	0	49
	4:45- 5:00 PM	2	5	0	0	0	5	0	0	0	6	2	0	0	5	0	0	0	8	0	0	0	7	0	0	0	6	0	0	0	6	0	0	0	5	0	0	0	6	0	0	63	
	5:00- 5:15 PM	0	6	2	0	0	5	0	0	0	6	0	0	0	8	1	0	0	5	1	0	0	5	1	0	0	5	0	0	0	4	0	0	0	8	0	0	0	7	1	0	65	
	5:15- 5:30 PM	0	6	0	0	0	5	0	0	0	6	0	0	0	5	2	0	0	4	0	0	0	5	0	0	0	5	0	0	0	4	2	0	0	0	7	0	0	0	7	0	0	56
	5:30- 5:45 PM	0	10	3	0	0	12	0	0	0	9	0	0	0	11	2	0	0	15	3	0	0	10	0	0	0	11	0	0	0	13	4	0	0	14	0	0	0	10	2	0	129	
	5:45- 6:00 PM	0	11	3	0	0	12	0	0	0	19	0	0	0	10	1	0	0	8	0	0	0	10	2	0	0	12	1	0	0	8	0	0	0	7	0	0	0	11	1	0	126	
		2 21 2 0				0 18 0 0				0 23 2 0				0 23 4 0				1 23 1 0				0 20 1 0				0 19 0 0				0 18 3 0				0 27 0 0				0 26 1 0					
		25				18				25				27				25				21				19				21				27				27					

WESTIN TIA TRAFFIC COUNT
DATE: WEDNESDAY 19-APR-23



MOVEMENT		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				MOVEMENT 7				MOVEMENT 8				SUM	
	TIME	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS						
WEST BAY ROAD WESTIN SOUTH & SUNSHINE SOUTH MORNING PEAK	6:00 - 6:15 AM	0	1	0	0	0	1	0	0		1	4	1	0	0	3	0	0	0	0	1	0	0	0	2	0	0	0	3	0	0	17			
	6:15 - 6:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	3	1	0	0	0	0	0	6			
	6:30 - 6:45 AM	0	4	0	0	0	0	0	0	1	1	2	0	0	0	2	0	0	0	3	0	0	0	0	2	0	0	0	1	0	0	16			
	6:45 - 7:00 AM	0	3	0	0	1	1	0	0	0	2	0	0	0	1	0	0	0	0	2	0	0	0	0	1	0	0	0	1	3	0	18			
	7:00 - 7:15 AM	0	5	0	0	0	2	0	0	1	5	0	0	0	1	3	0	0	0	3	0	0	0	0	0	0	0	0	2	0	0	22			
	7:15 - 7:30 AM	0	5	1	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	9	3	0	0	0	1	0	0	0	0	1	0	24			
	7:30 - 7:45 AM	0	6	2	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	2	0	1	0	0	3	0	0	0	0	0	0	18			
	7:45 - 8:00 AM	1	15	5	0	0	4	0	0	1	3	1	0	0	0	3	0	1	0	3	0	0	0	0	3	0	0	0	2	0	1	44			
	8:00 - 8:15 AM	1	8	4	1	0	1	1	1	0	0	2	0	0	0	1	0	0	0	6	3	0	0	0	3	0	0	0	1	0	0	35			
	8:15 - 8:30 AM	1	7	2	0	0	0	0	0	0	0	7	0	0	0	3	2	0	0	8	4	0	0	0	6	0	0	0	5	0	0	47			
		3	36	13	1	0	5	1	0	1	15	1	0	0	7	2	1	0	0	19	7	1	0	0	15	0	0	0	9	0	1	0	6	0	0
		53				6				17				10				27				15				10				6					
MOVEMENT		MOVEMENT 1				MOVEMENT 2				MOVEMENT 3				MOVEMENT 4				MOVEMENT 5				MOVEMENT 6				MOVEMENT 7				MOVEMENT 8				SUM	
	TIME	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS	BICYCLE MOTORCY CLE	CAR PICKUP SUV	BUSES	TRUCKS		
WEST BAY ROAD WESTIN SOUTH & SUNSHINE SOUTH EVENING PEAK	4:00 - 4:15 PM	0	14	0	1	0	0	0	1	0	8	1	0	0	1	0	1	0	2	1	0	0	0	3	0	0	0	4	0	0	0	5	0	0	42
	4:15 - 4:30 PM	1	8	0	0	0	1	0	0	0	4	1	0	0	0	0	0	0	1	2	0	0	0	0	0	0	0	2	0	0	0	2	0	0	22
	4:30 - 4:45 PM	0	6	1	0	0	2	1	0	0	2	0	0	0	0	1	0	0	5	0	0	0	0	0	0	0	0	0	0	0	7	0	0	25	
	4:45 - 5:00 PM	0	8	0	0	0	7	1	0	0	16	3	0	0	0	2	0	0	0	5	0	0	0	0	1	0	0	0	0	0	0	1	7	0	51
	5:00 - 5:15 PM	1	7	2	0	0	0	0	1	0	1	6	0	0	0	2	2	0	0	2	3	0	0	0	3	0	0	0	4	1	0	0	2	2	39
	5:15 - 5:30 PM	0	11	2	0	1	8	1	0	0	9	0	0	0	0	1	0	0	0	2	2	0	0	0	1	0	0	0	1	0	0	0	1	0	40
	5:30 - 5:45 PM	0	7	1	0	0	2	0	0	0	8	1	0	0	0	2	0	0	0	2	2	0	0	0	1	3	0	0	3	0	0	0	1	0	33
	5:45 - 6:00 PM	0	7	1	0	1	5	0	0	0	13	1	0	0	0	2	1	0	0	4	3	0	0	0	2	1	0	0	3	0	0	0	2	0	46
		1	32	5	0	1	17	4	0	1	33	3	0	0	5	3	0	0	0	14	5	0	0	0	5	0	0	0	5	1	0	1	17	2	0
		38				22				37				8				19				5				6				20					

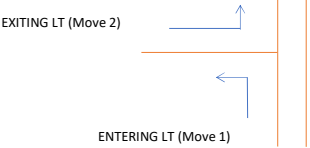


MOVEMENT		MOVEMENT 1					MOVEMENT 2					MOVEMENT 3					MOVEMENT 4					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
WEST BAY ROAD SAFEHAVEN MORNING PEAK	6:00 - 6:15 AM	0	2	0	0		0	3	0	0		0	0	0	0		0	0	0	0		5
	6:15 - 6:30 AM	0	1	0	0		0	2	0	1		0	0	0	0		0	0	0	0		4
	6:30 - 6:45 AM	0	0	0	0		1	3	0	0		0	0	0	1		0	1	0	0		6
	6:45 - 7:00 AM	0	0	0	0		0	1	0	0		0	0	0	0		0	1	0	0		2
	7:00 - 7:15 AM	3	1	0	0		0	2	0	1		0	0	0	0		0	1	0	0		8
	7:15 - 7:30 AM	0	2	0	0		1	0	0	0		0	0	0	0		0	0	0	0		3
	7:30 - 7:45 AM	0	1	0	0		0	0	0	0		0	0	0	0		0	0	0	0		1
	7:45 - 8:00 AM	0	3	0	0		0	1	0	0		0	0	0	0		0	2	0	0		6
	8:00 - 8:15 AM	0	3	0	0		0	3	0	0		0	0	0	0		0	2	0	0		8
	8:15 - 8:30 AM	0	1	0	0		0	1	0	1		0	1	0	1		0	0	0	0		5
		0	8	0	0		0	5	0	1		0	1	0	1		0	4	0	0		
		8					6					2					4					

MOVEMENT		MOVEMENT 1					MOVEMENT 2					MOVEMENT 3					MOVEMENT 4					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
WEST BAY ROAD SAFEHAVEN EVENING PEAK	4:00 - 4:15 PM	0	1	0	1		0	0	0	0		0	1	0	0		0	2	0	1		6
	4:15 - 4:30 PM	0	0	0	0		0	0	0	0		0	0	0	0		0	1	0	0		1
	4:30 - 4:45 PM	0	0	0	0		0	1	0	0		0	0	0	0		3	1	0	0		5
	4:45 - 5:00 PM	0	1	0	0		0	2	0	0		0	2	0	0		0	4	0	0		9
	5:00 - 5:15 PM	0	0	0	0		0	3	0	0		0	2	0	0		1	4	0	0		10
	5:15 - 5:30 PM	0	1	0	0		1	1	0	0		0	2	0	0		0	5	0	0		10
	5:30 - 5:45 PM	0	0	0	0		0	1	0	0		0	0	0	0		0	0	0	0		1
	5:45 - 6:00 PM	0	1	0	0		1	2	0	1		0	1	0	0		0	3	0	1		10
		0	2	0	0		1	7	0	0		0	6	0	0		4	14	0	0		
		2					8					6					18					

WESTIN TIA TRAFFIC COUNT

DATE: WEDNESDAY 19-APR-23



MOVEMENT		MOVEMENT 1					MOVEMENT 2					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
ESTERLY TIBBETTS HIGHWAY SUNSHINE MORNING PEAK	6:00 - 6:15 AM	0	1	0	0		0	0	0	0		1
	6:15 - 6:30 AM	0	2	0	0		0	1	0	0		3
	6:30 - 6:45 AM	0	1	0	0		0	0	0	0		1
	6:45 - 7:00 AM	0	4	0	0		1	0	0	0		5
	7:00 - 7:15 AM	0	2	0	0		0	1	0	0		3
	7:15 - 7:30 AM	0	2	0	0		0	0	0	0		2
	7:30 - 7:45 AM	0	2	0	0		0	1	0	0		3
	7:45 - 8:00 AM	0	3	0	0		0	2	0	0		5
	8:00 - 8:15 AM	0	2	1	0		0	0	0	0		3
	8:15 - 8:30 AM	0	3	0	0		0	2	0	0		5
	8:30 - 8:45 AM	0	1	0	0		0	1	1	0		3

	0	9	1	0		0	5	1	0	
	10					6				

MOVEMENT		MOVEMENT 1					MOVEMENT 2					
	TIME	BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		BICYCLE MOTORCYCLE	CAR PICKUP SUV	BUSES (PUBLIC & PRIVATE)	TRUCKS		SUM
ESTERLY TIBBETTS HIGHWAY SUNSHINE EVENING PEAK	4:00 - 4:15 PM	0	7	0	0		0	1	0	0		8
	4:15 - 4:30 PM	1	4	0	0		1	2	0	0		8
	4:30 - 4:45 PM	1	5	1	0		0	1	0	0		8
	4:45 - 5:00 PM	0	3	0	0		1	5	0	0		9
	5:00 - 5:15 PM	0	8	1	0		0	3	0	0		12
	5:15 - 5:30 PM	0	13	0	0		0	2	0	0		15
	5:30 - 5:45 PM	0	12	0	0		1	4	0	0		17
	5:45 - 6:00 PM	0	4	0	0		3	7	1	0		15

	0	37	1	0		4	16	1	0	
	38					21				

APPENDIX D

Assessment Horizon Traffic Flow Data

OPENING YEAR ASSESSMENT HORIZON – 2025 - WITHOUT DEVELOPMENT

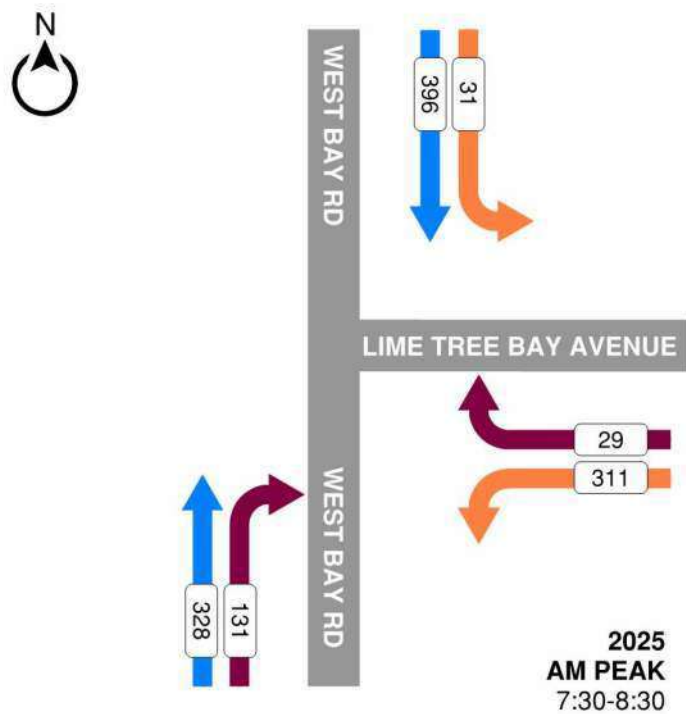


Figure D. 1 - Intersection of West Bay Road & Lime Tree Bay Avenue
2025 - Without Development - Morning Peak

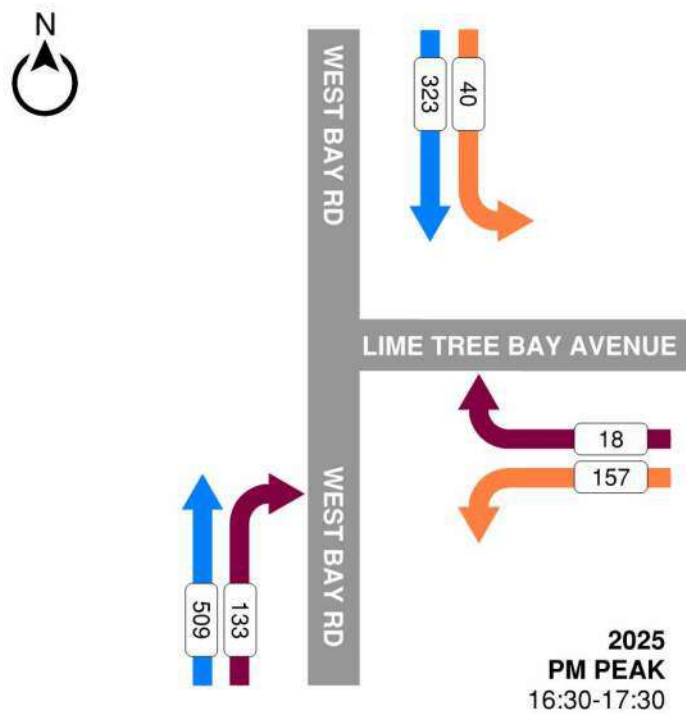
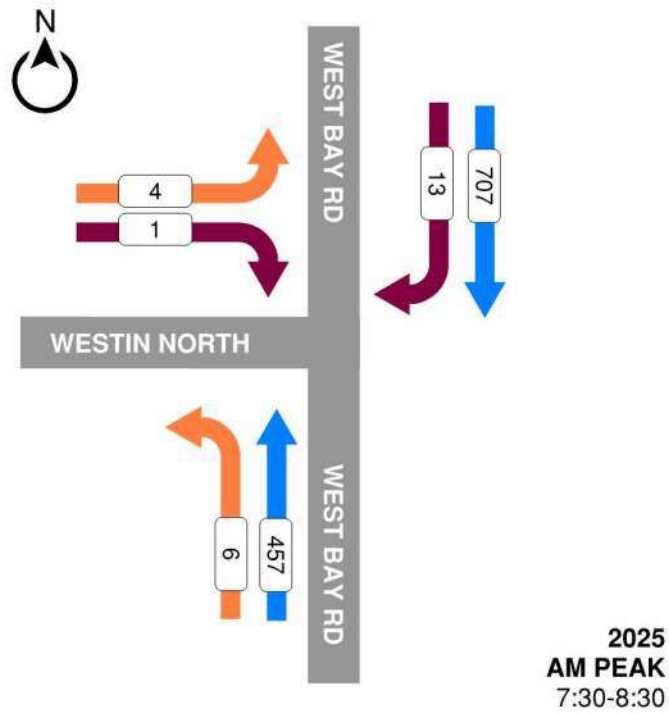
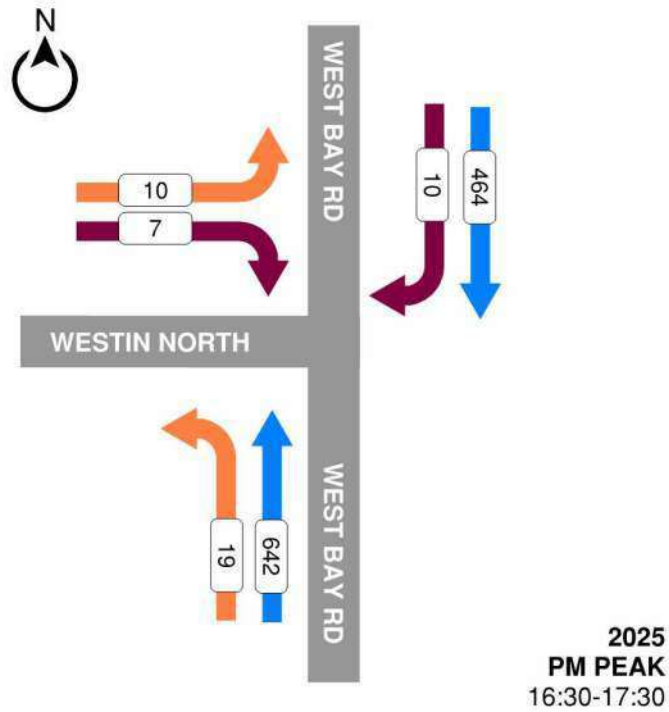


Figure D. 2 - Intersection of West Bay Road & Lime Tree Bay Avenue
2025 - Without Development - Evening Peak



**Figure D. 3 - Westin North Access on West Bay Road
2025 - Without Development - Morning Peak**



**Figure D. 4 - Westin North Access on West Bay Road
2025 - Without Development - Evening Peak**

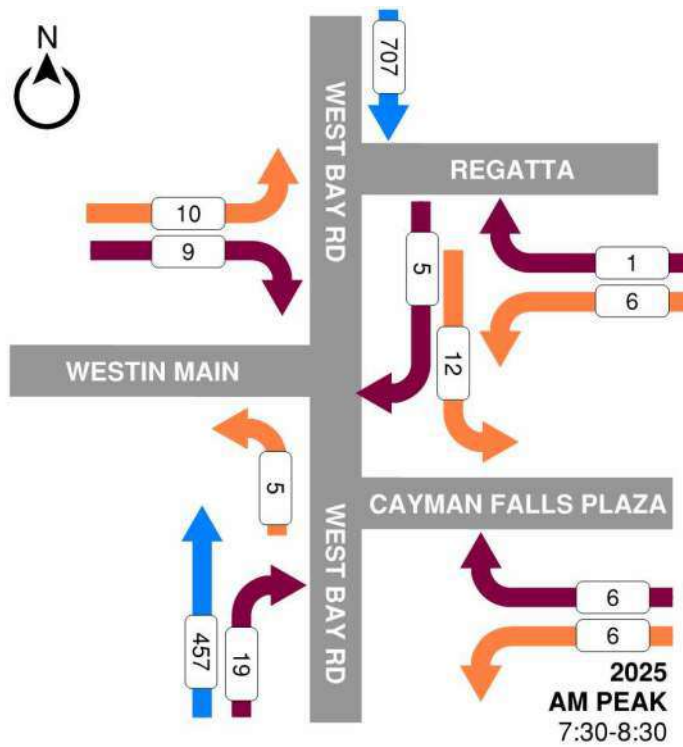


Figure D. 5 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2025 - Without Development - Morning Peak

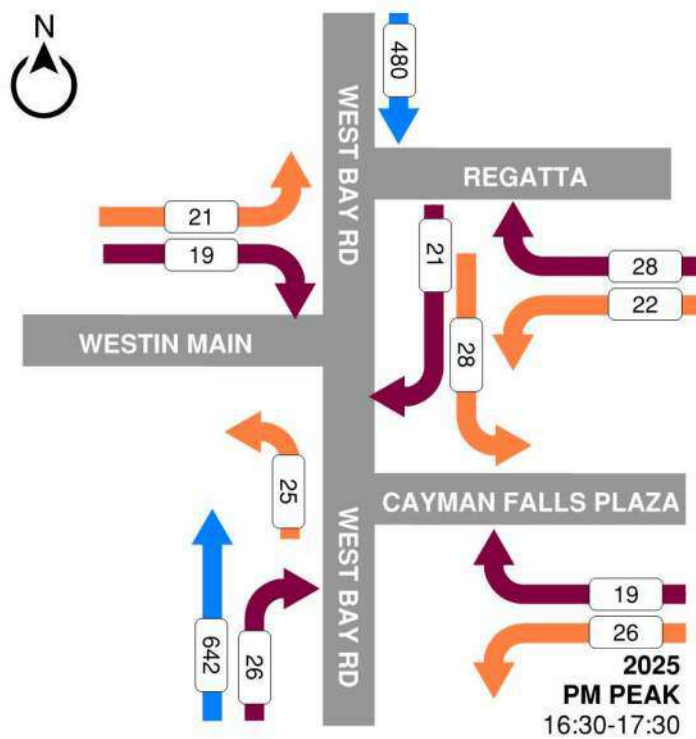


Figure D. 6 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2025 - Without Development - Evening Peak

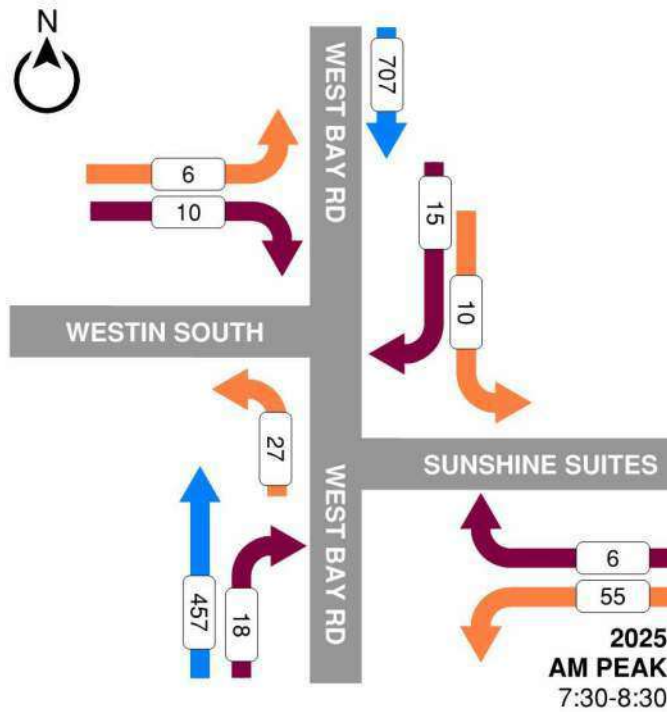


Figure D. 7 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2025 - Without Development - Morning Peak

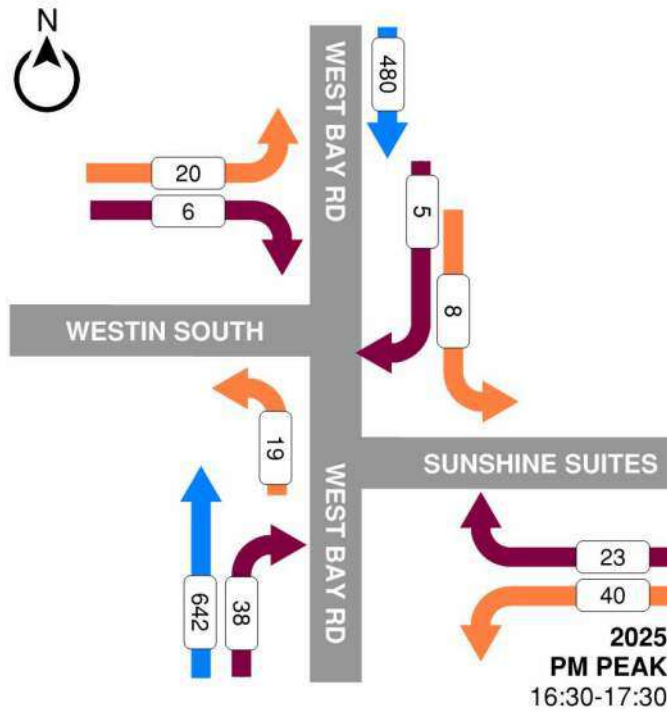


Figure D. 8 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2025 - Without Development - Evening Peak

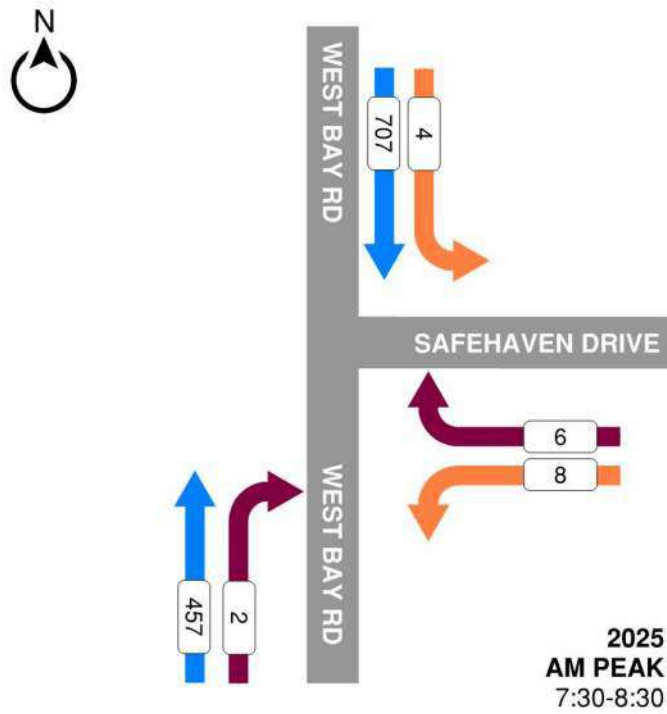


Figure D. 9 - Intersection of West Bay Road & Safehaven Drive
2025 - Without Development - Morning Peak

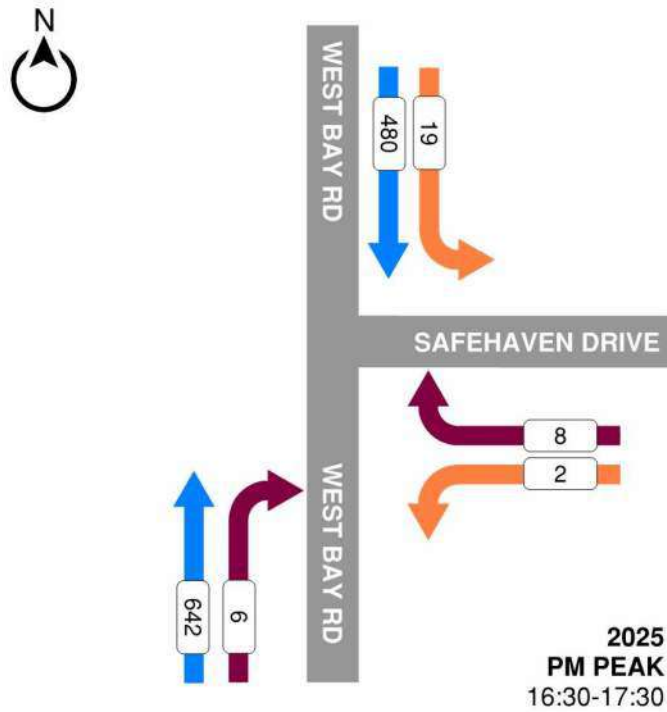


Figure D. 10 - Intersection of West Bay Road & Safehaven Drive
2025 - Without Development - Evening Peak

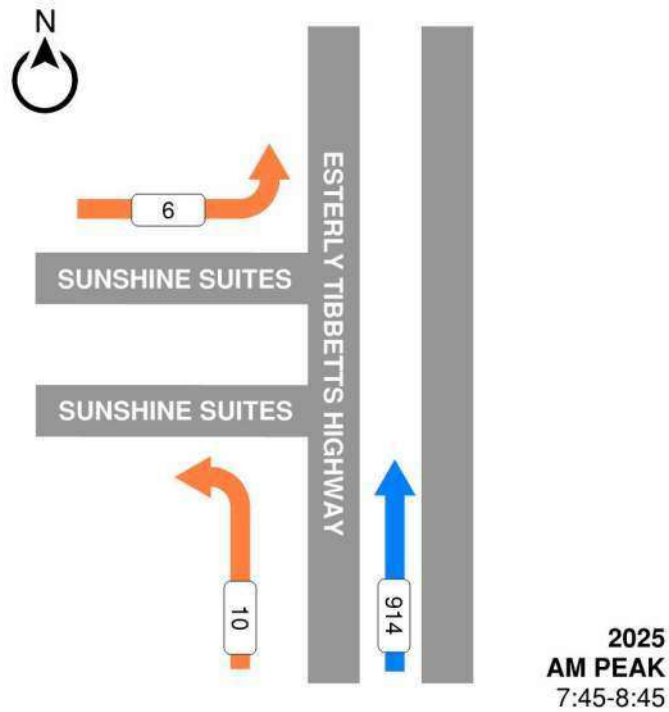


Figure D. 11 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2025 - Without Development - Morning Peak

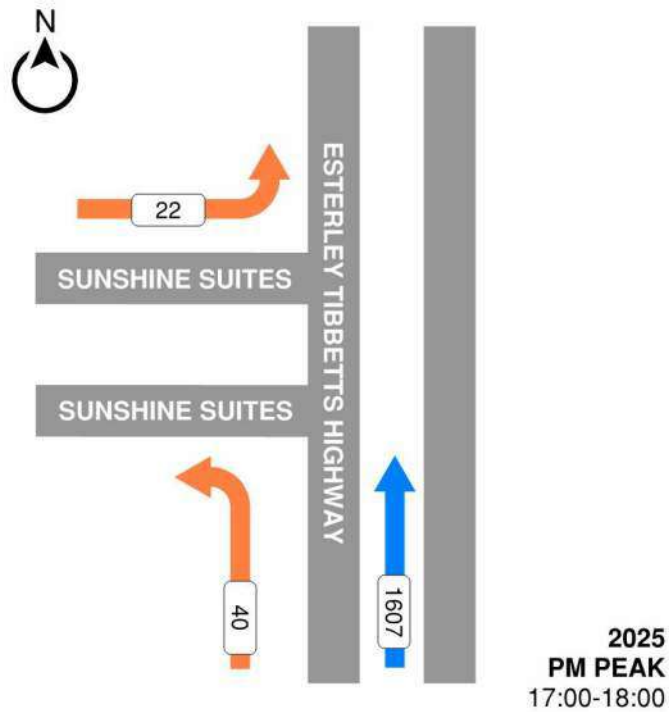


Figure D. 12 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2025 - Without Development - Evening Peak

OPENING YEAR ASSESSMENT HORIZON – 2025 - WITH DEVELOPMENT

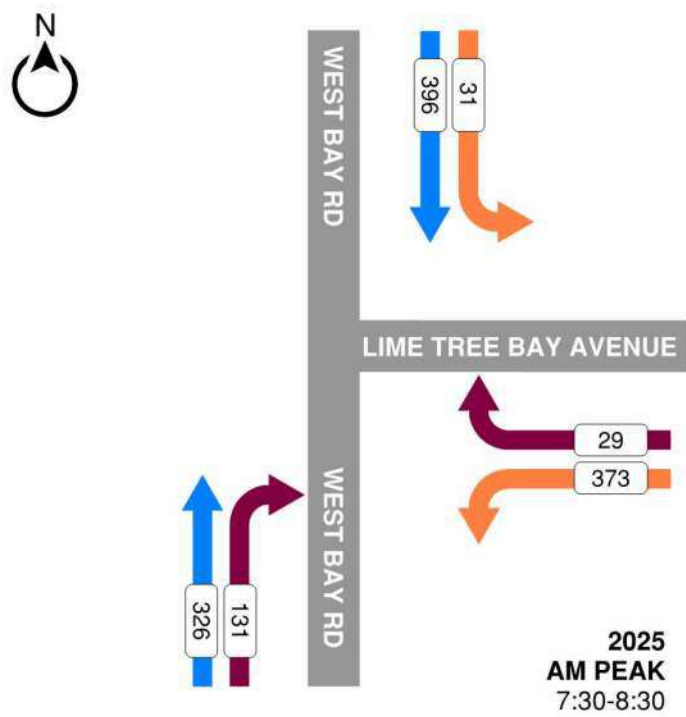


Figure D. 13 - Intersection of West Bay Road & Lime Tree Bay Avenue
2025 - With Development - Morning Peak

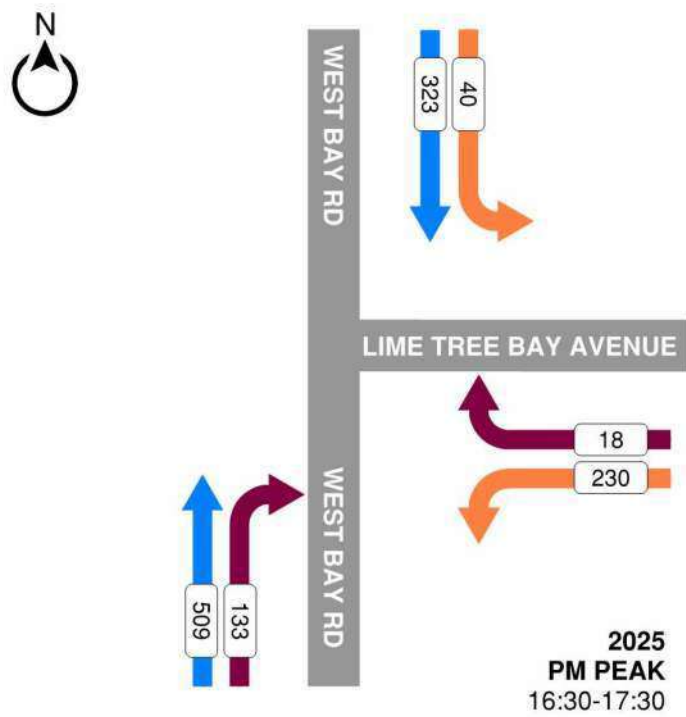


Figure D. 14 - Intersection of West Bay Road & Lime Tree Bay Avenue
2025 - With Development - Evening Peak

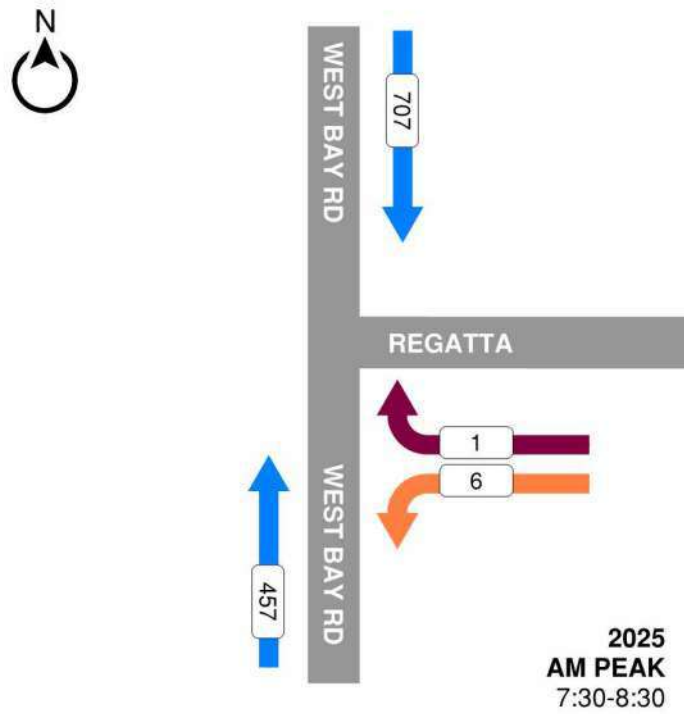


Figure D. 15 - Regatta Office Park exit on West Bay Road
2025 - With Development - Morning Peak

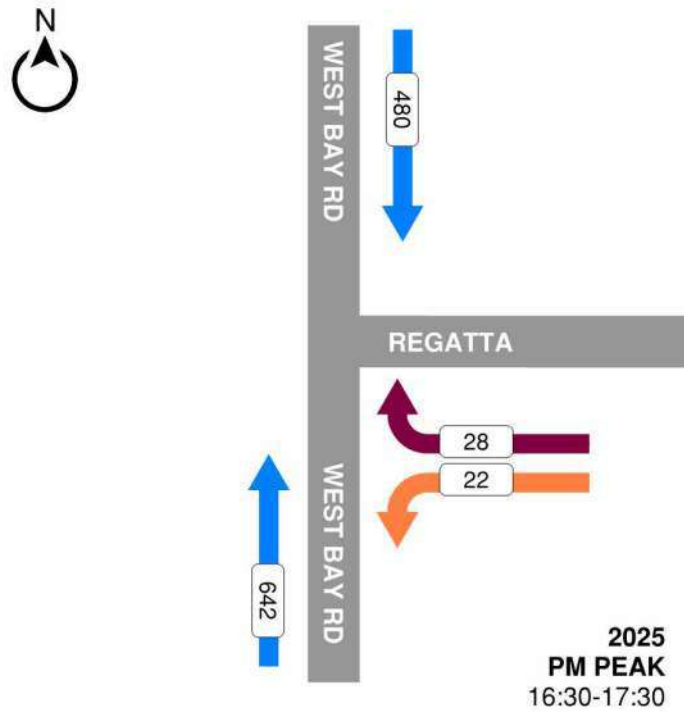


Figure D. 16 - Regatta Office Park exit on West Bay Road
2025 - With Development - Evening Peak

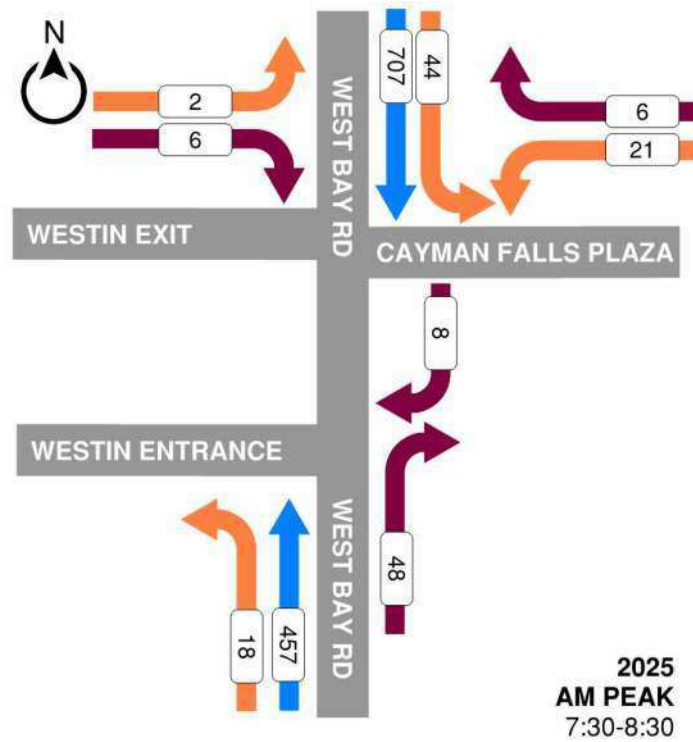


Figure D. 17 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2025 - With Development - Morning Peak

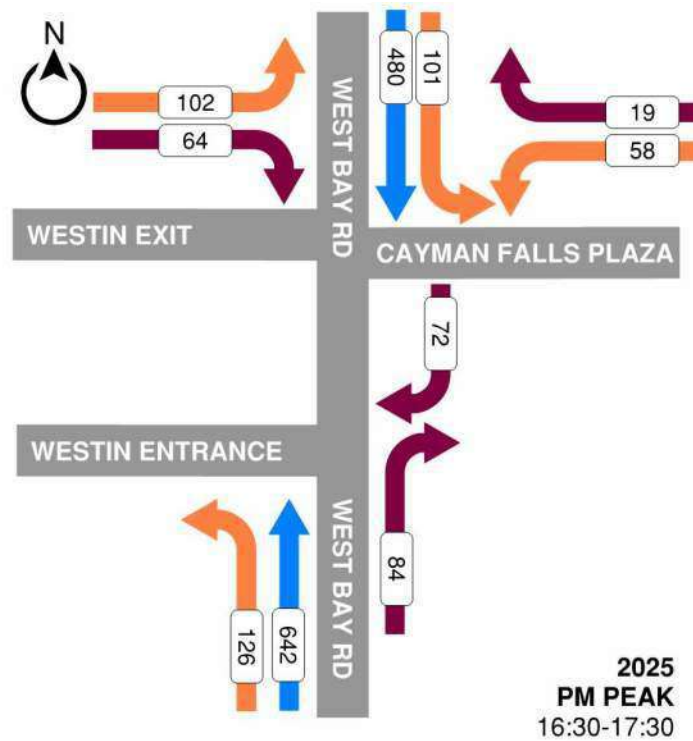


Figure D. 18 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2025 - With Development - Evening Peak

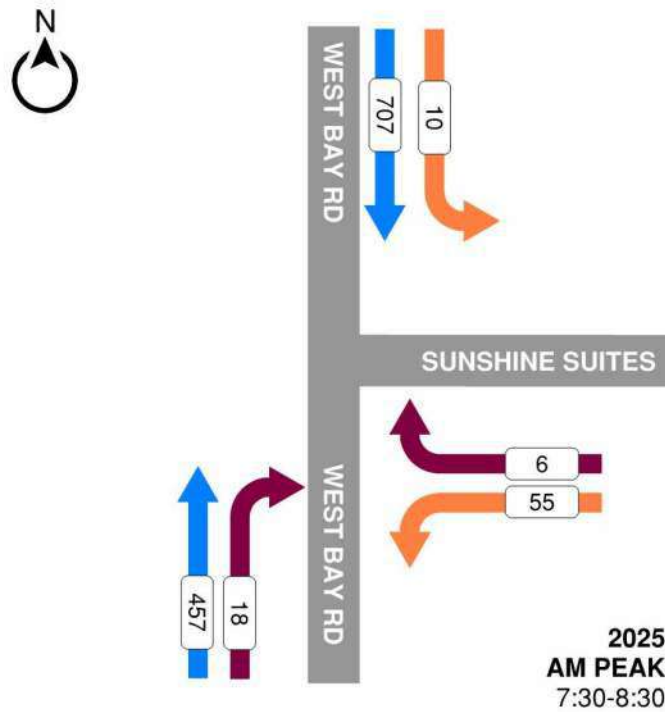


Figure D. 19 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2025 - With Development - Morning Peak

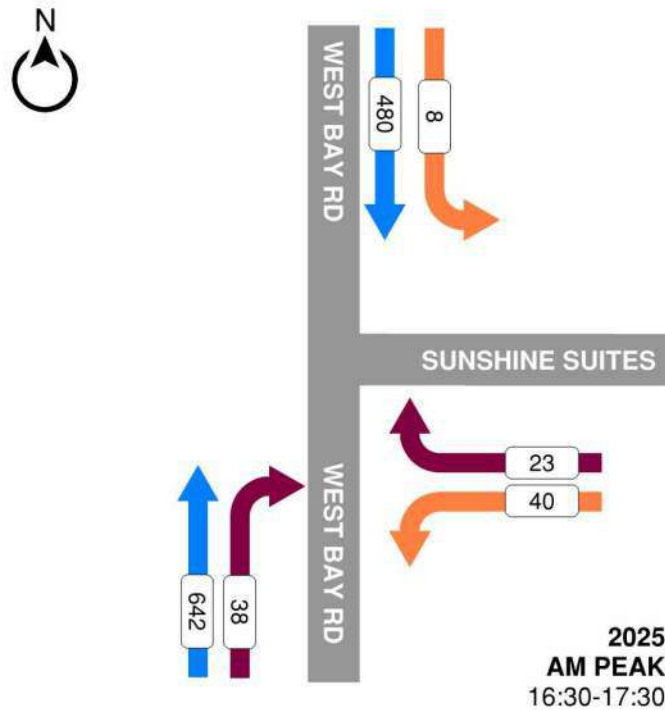


Figure D. 20 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2025 - With Development - Evening Peak

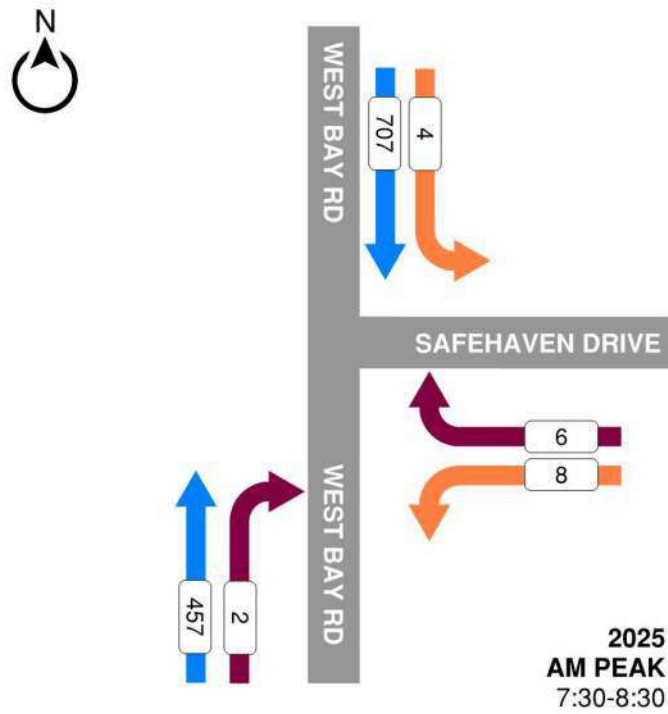


Figure D. 21 - Intersection of West Bay Road & Safehaven Drive
2025 - With Development - Morning Peak

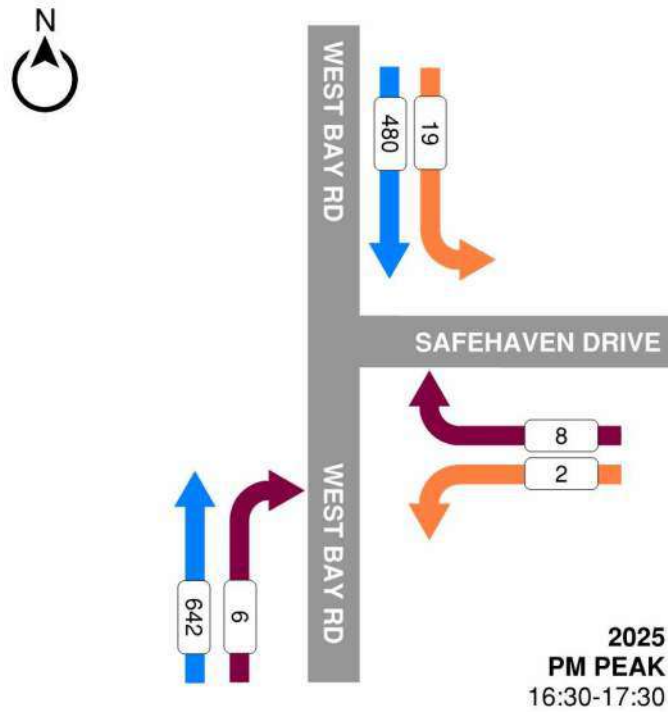


Figure D. 22 - Intersection of West Bay Road & Safehaven Drive
2025 - With Development - Evening Peak

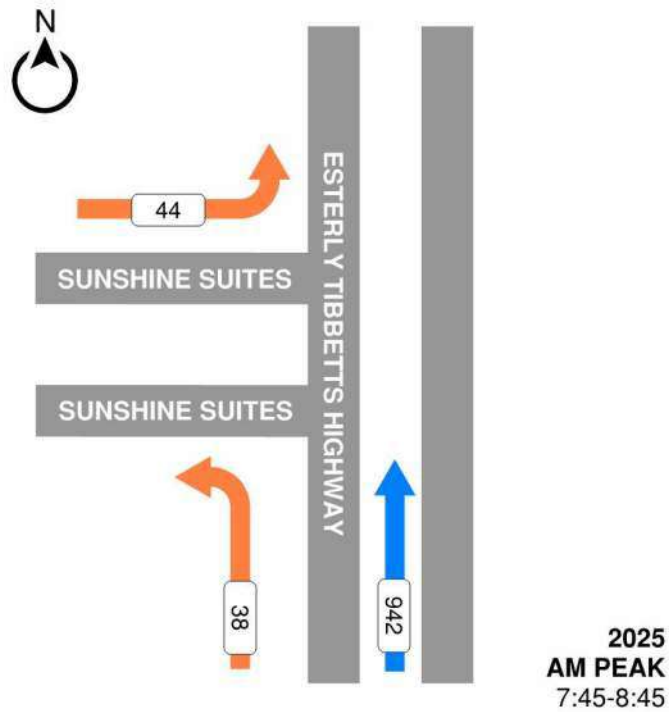


Figure D. 23 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2025 - With Development - Morning Peak

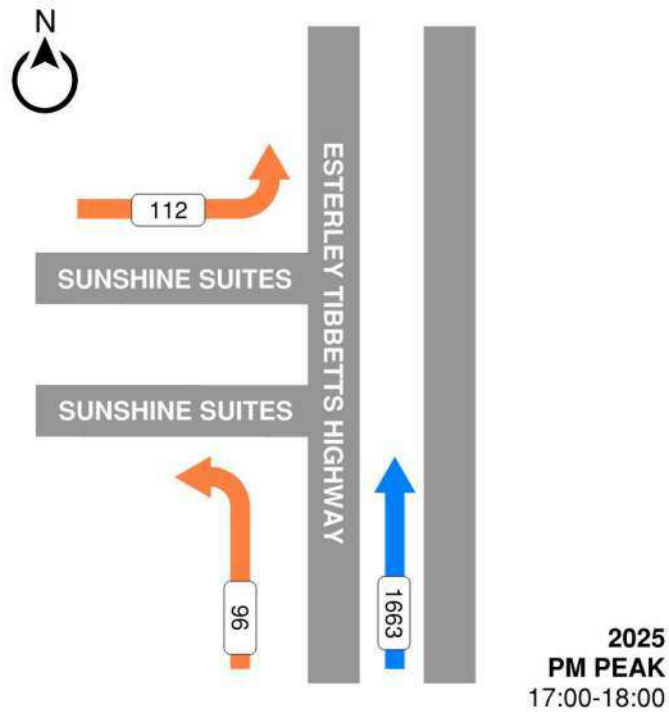


Figure D. 24 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2025 - With Development - Evening Peak

NEAR-TERM ASSESSMENT HORIZON – 2030 - WITHOUT DEVELOPMENT

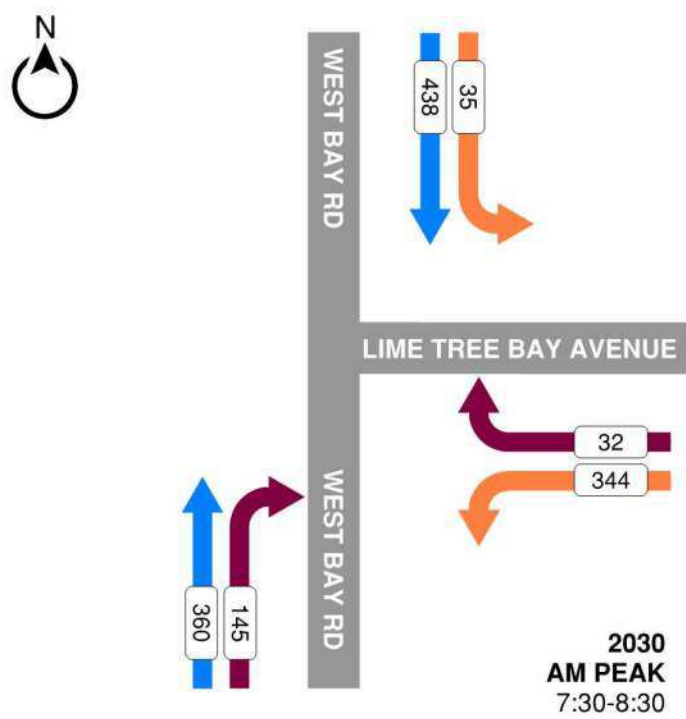


Figure D. 25 - Intersection of West Bay Road & Lime Tree Bay Avenue
2030 - Without Development - Morning Peak

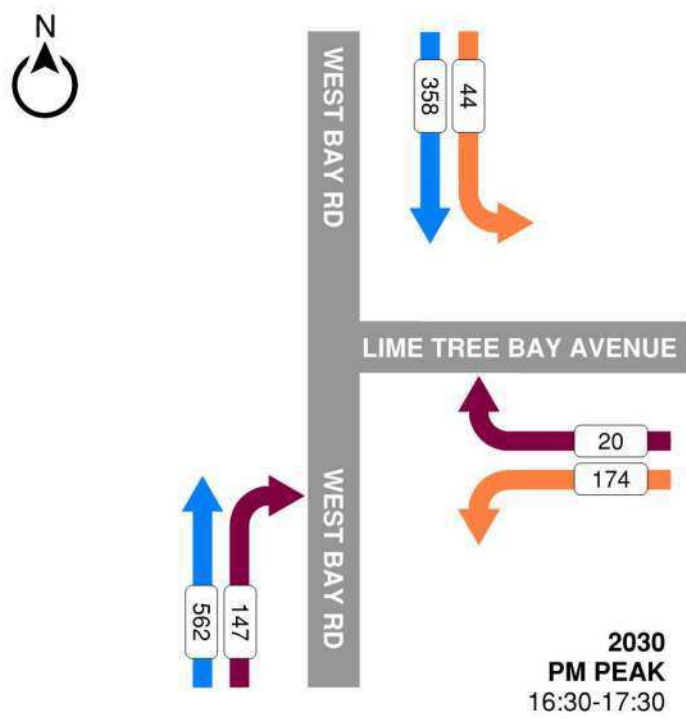


Figure D. 26 - Intersection of West Bay Road & Lime Tree Bay Avenue
2030 - Without Development - Evening Peak

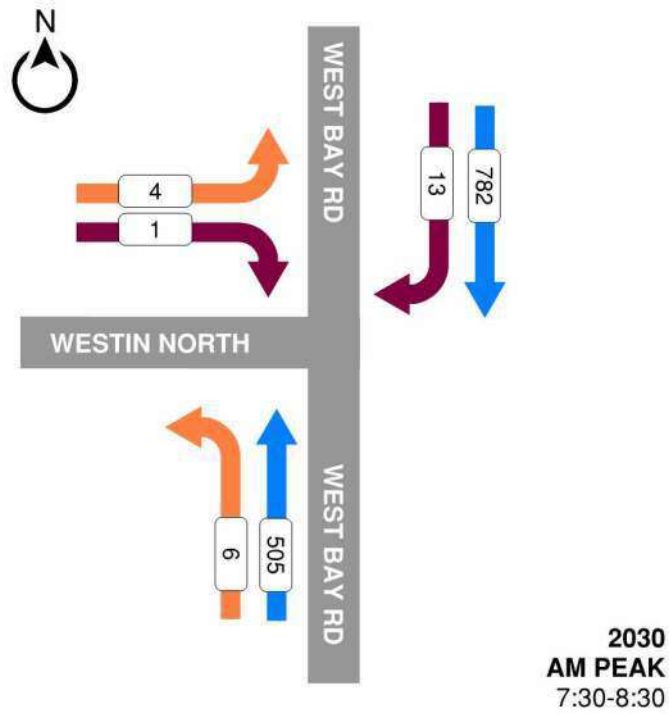


Figure D. 27 - Westin North Access on West Bay Road
2030 - Without Development - Morning Peak

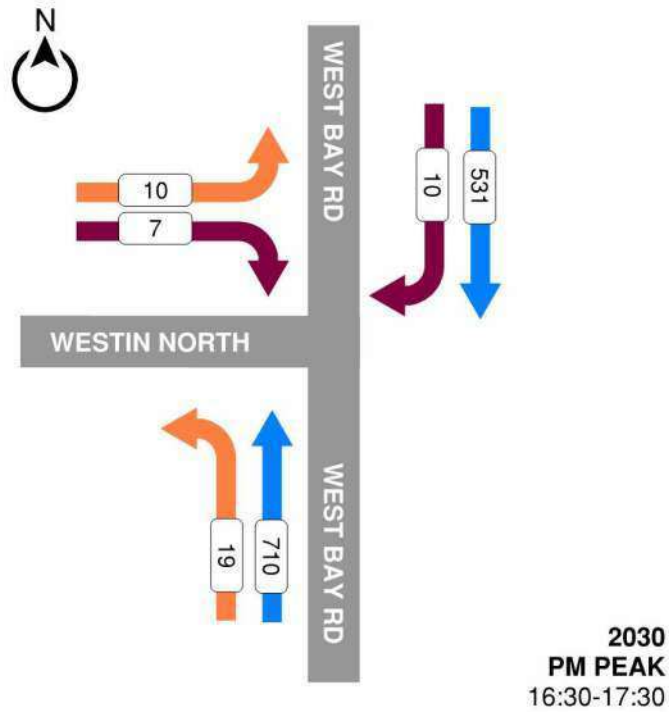


Figure D. 28 - Westin North Access on West Bay Road
2030 - Without Development - Evening Peak

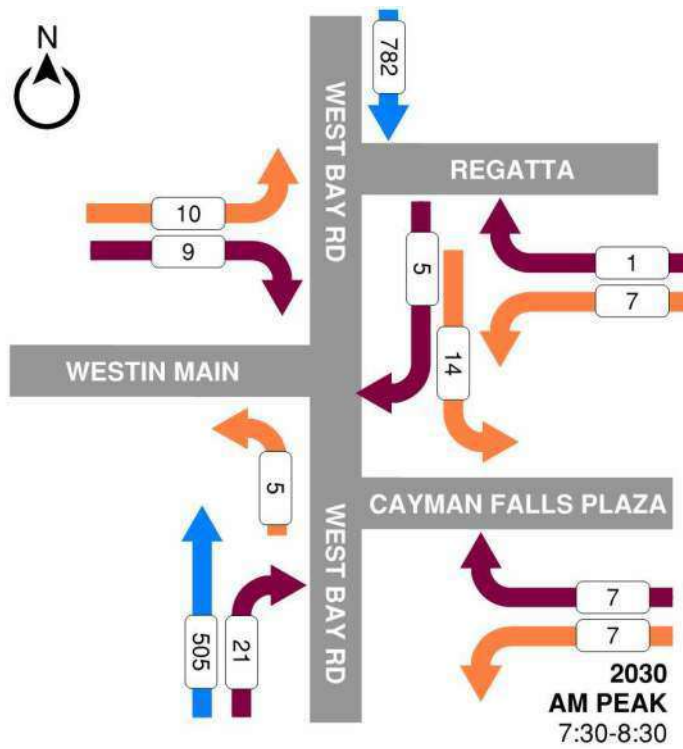


Figure D. 29 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2030 - Without Development - Morning Peak

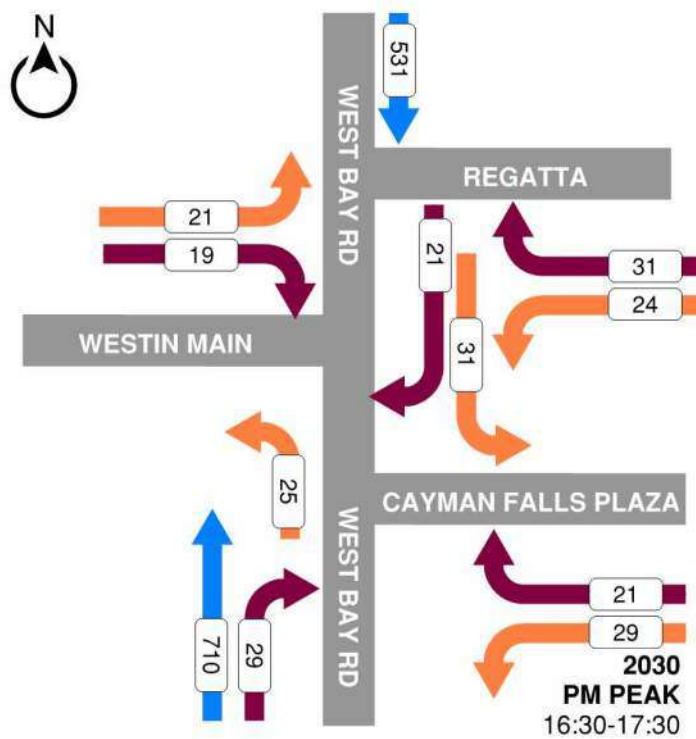


Figure D. 30 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2030 - Without Development - Evening Peak

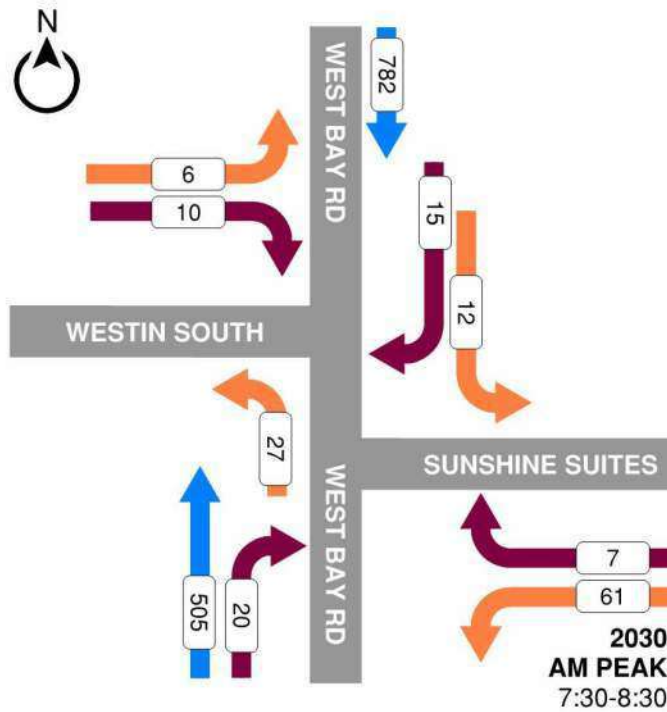


Figure D. 31 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2030 - Without Development - Morning Peak

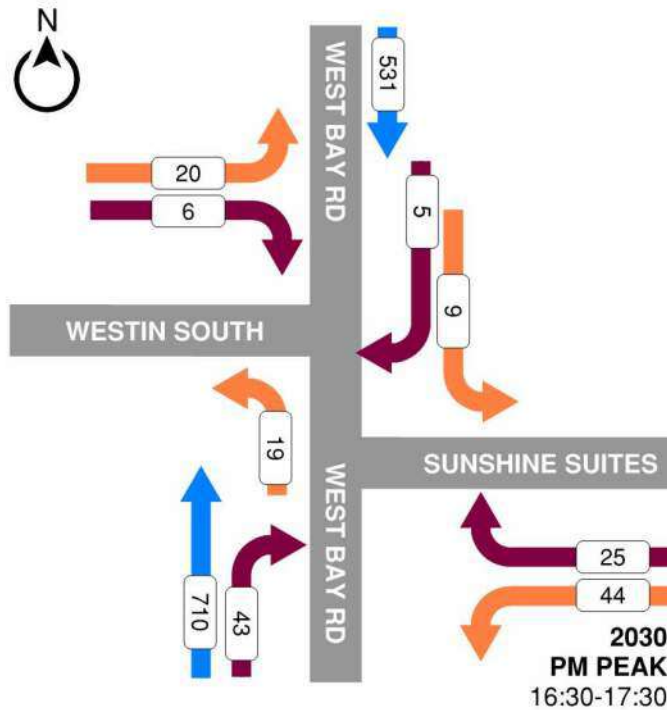


Figure D. 32 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2030 - Without Development - Evening Peak

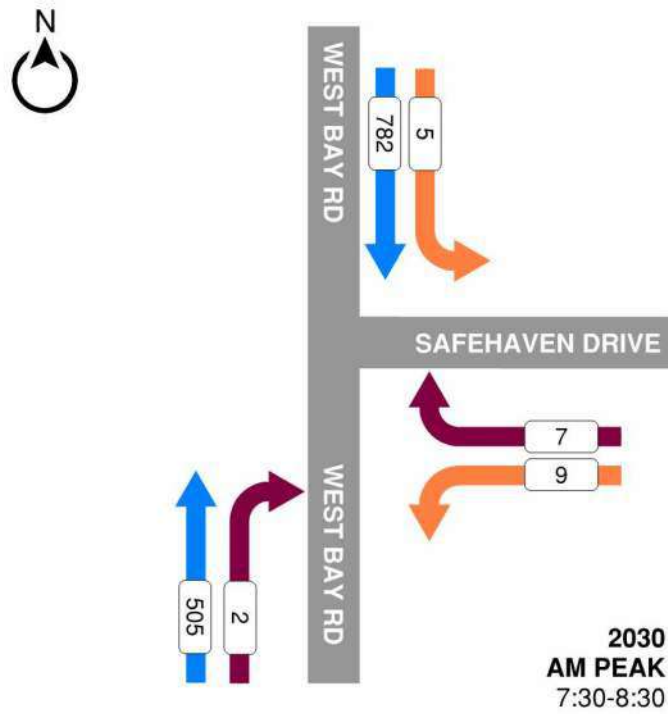


Figure D. 33 - Intersection of West Bay Road & Safehaven Drive
2030 - Without Development - Morning Peak

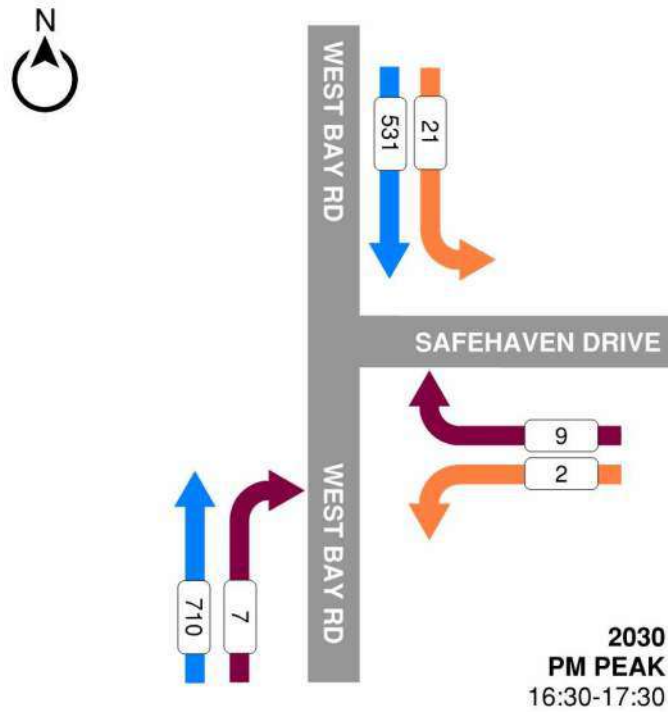


Figure D. 34 - Intersection of West Bay Road & Safehaven Drive
2030 - Without Development - Evening Peak

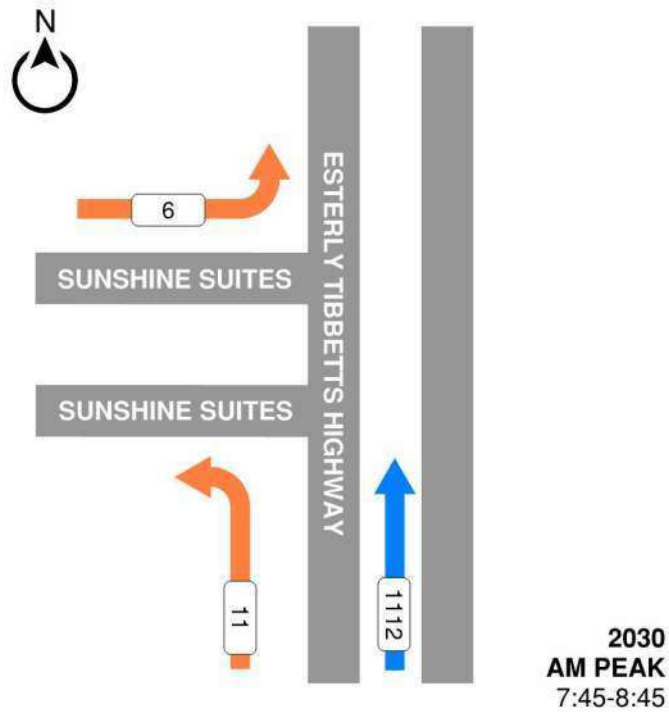


Figure D. 35 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2030 - Without Development - Morning Peak

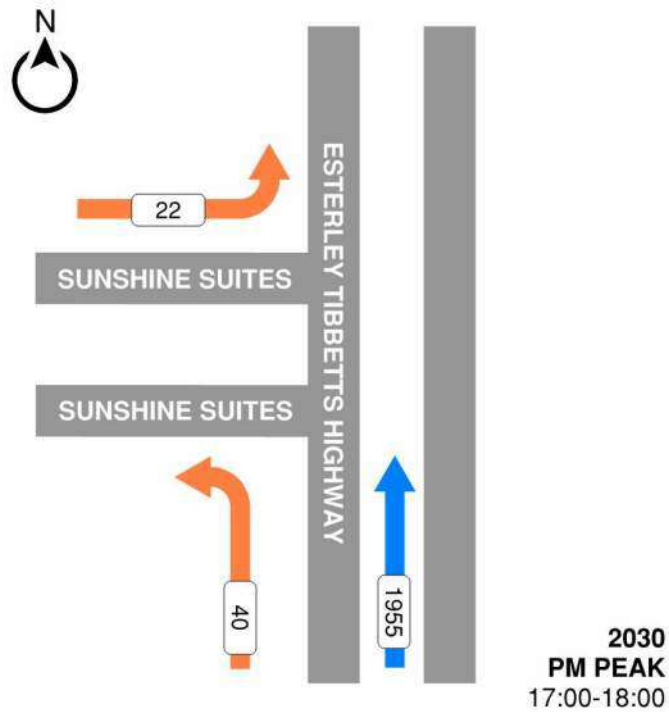


Figure D. 36 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2030 - Without Development - Evening Peak

NEAR-TERM ASSESSMENT HORIZON – 2030 - WITH DEVELOPMENT

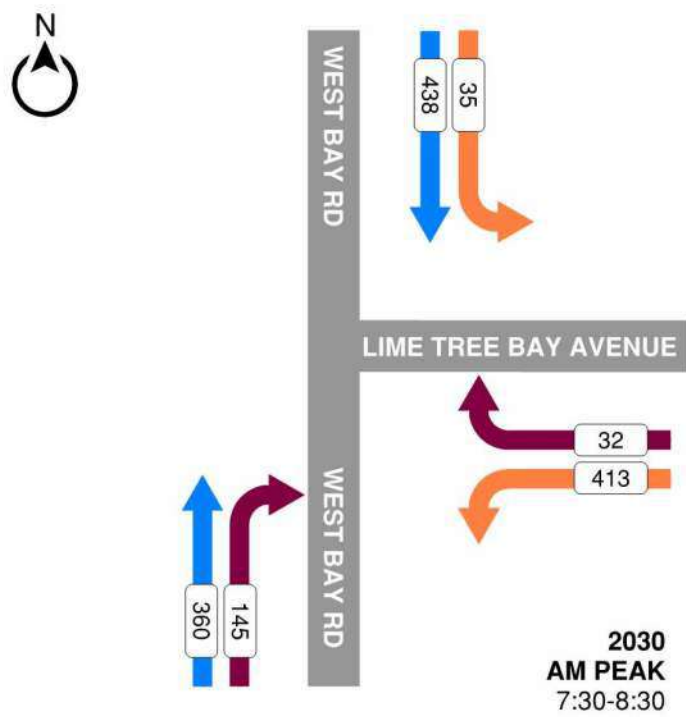


Figure D. 37 - Intersection of West Bay Road & Lime Tree Bay Avenue
2030 - With Development - Morning Peak

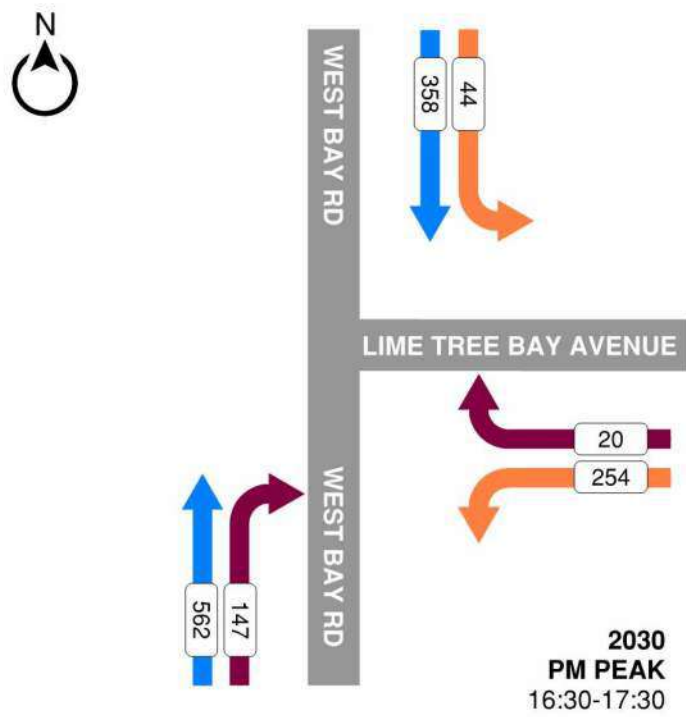


Figure D. 38 - Intersection of West Bay Road & Lime Tree Bay Avenue
2030 - With Development - Evening Peak

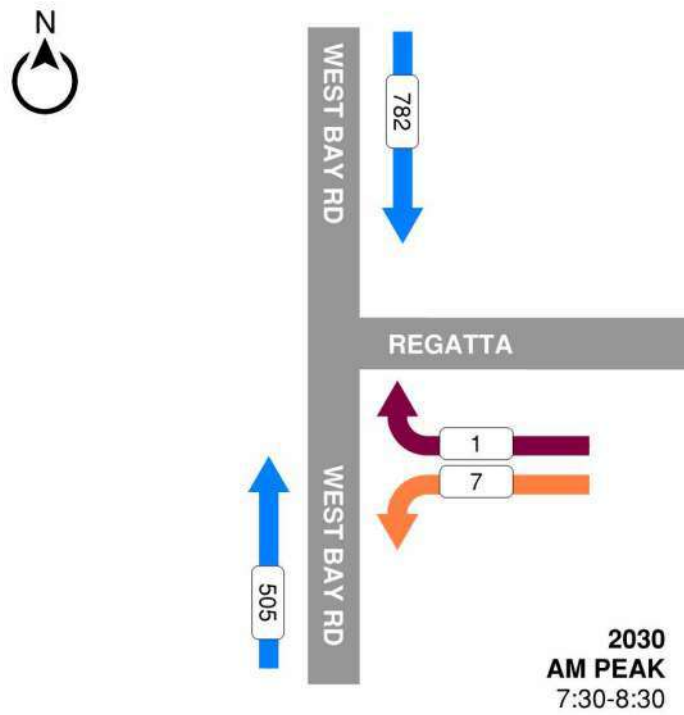


Figure D. 39 - Regatta Office Park exit on West Bay Road
2030 - With Development - Morning Peak

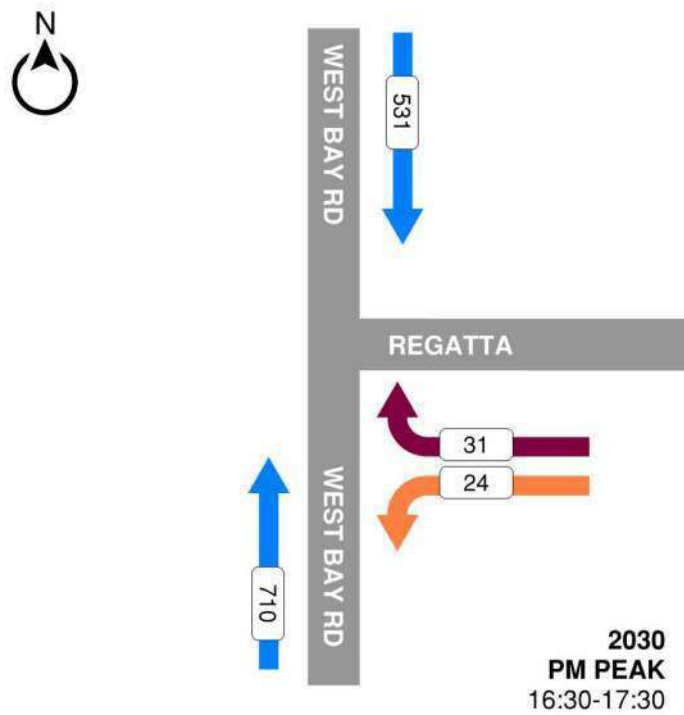


Figure D. 40 - Regatta Office Park exit on West Bay Road
2030 - With Development - Evening Peak

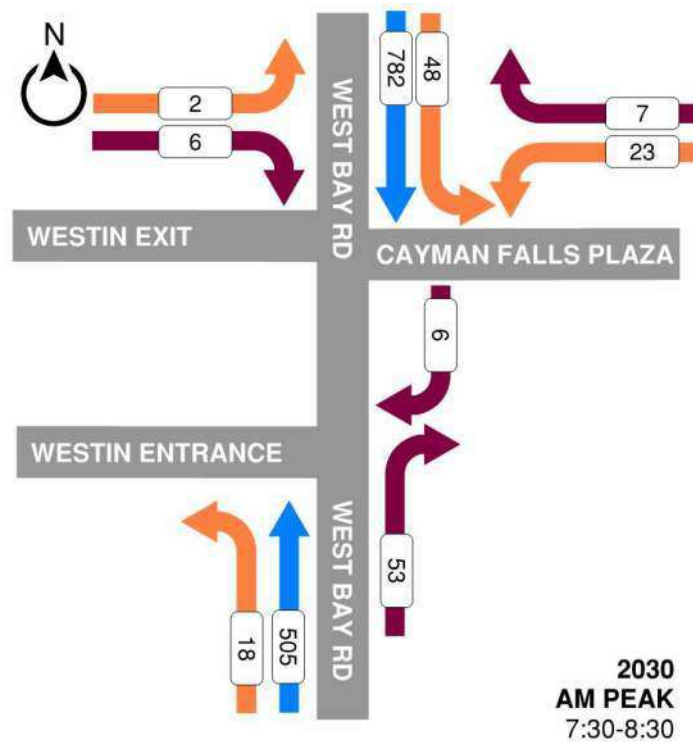


Figure D. 41 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2030 - With Development - Morning Peak

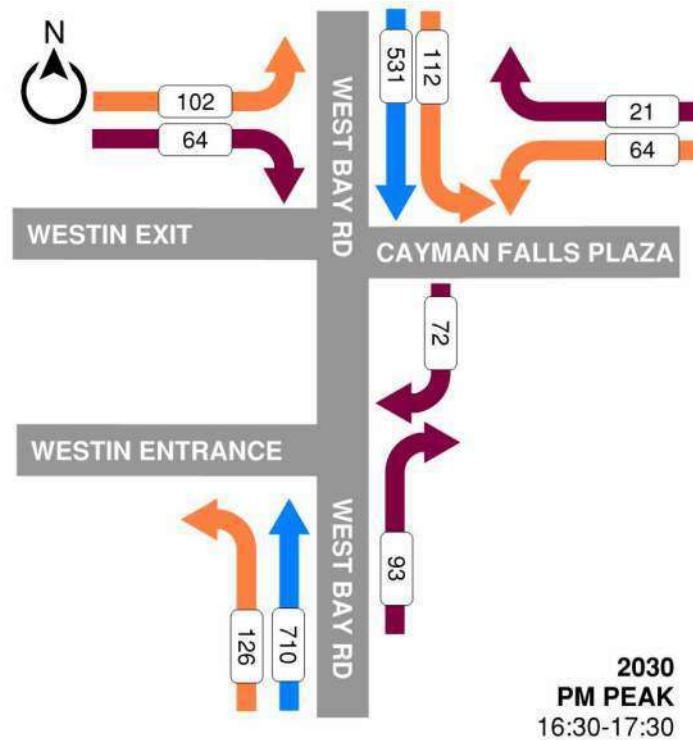


Figure D. 42 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2030 - With Development - Evening Peak

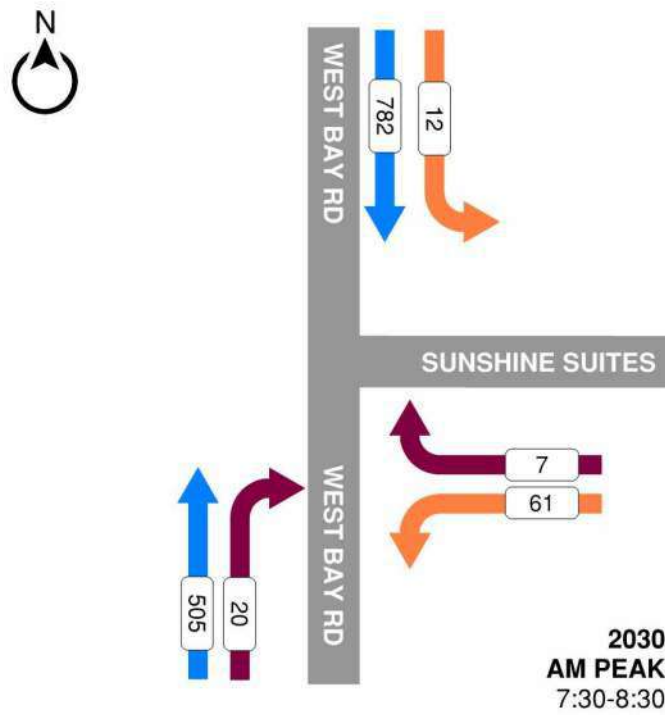


Figure D. 43 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2030 - With Development - Morning Peak

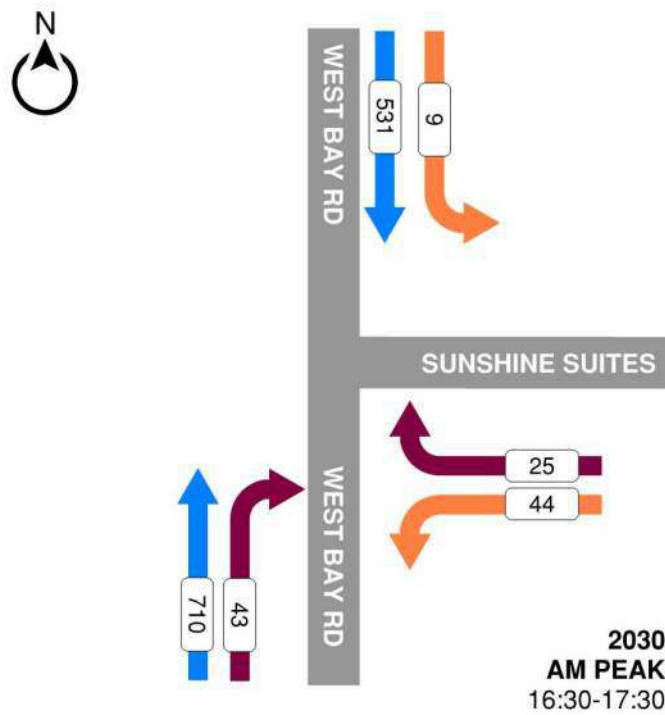


Figure D. 44 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2030 - With Development - Evening Peak

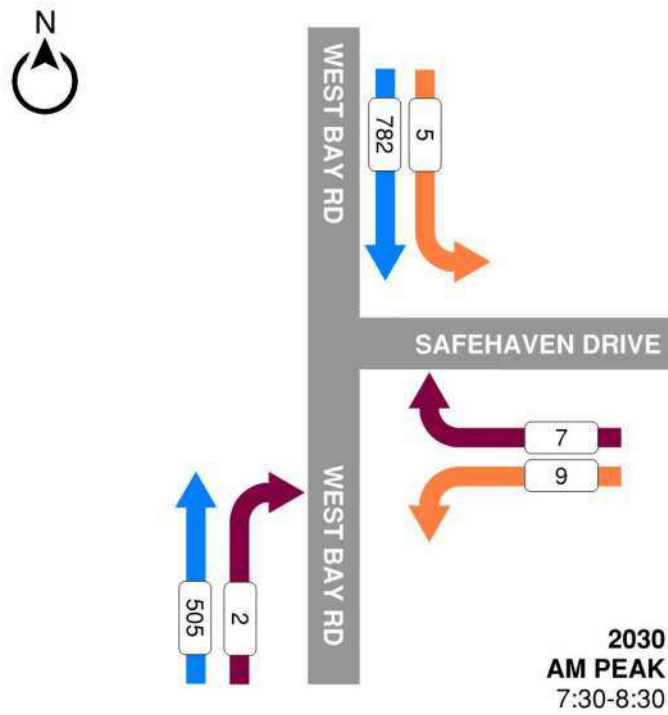


Figure D. 45 - Intersection of West Bay Road & Safehaven Drive
2030 - With Development - Morning Peak

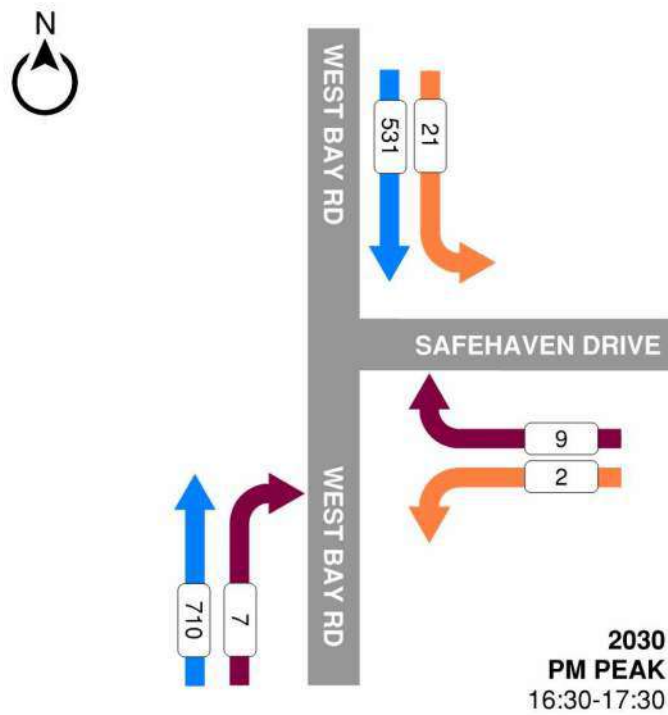


Figure D. 46 - Intersection of West Bay Road & Safehaven Drive
2030 - With Development - Evening Peak

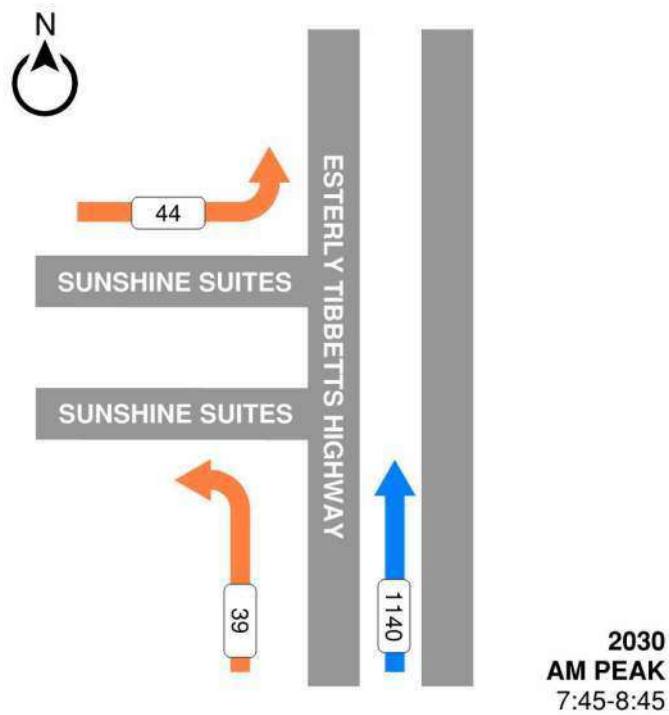


Figure D. 47 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2030 - With Development - Morning Peak

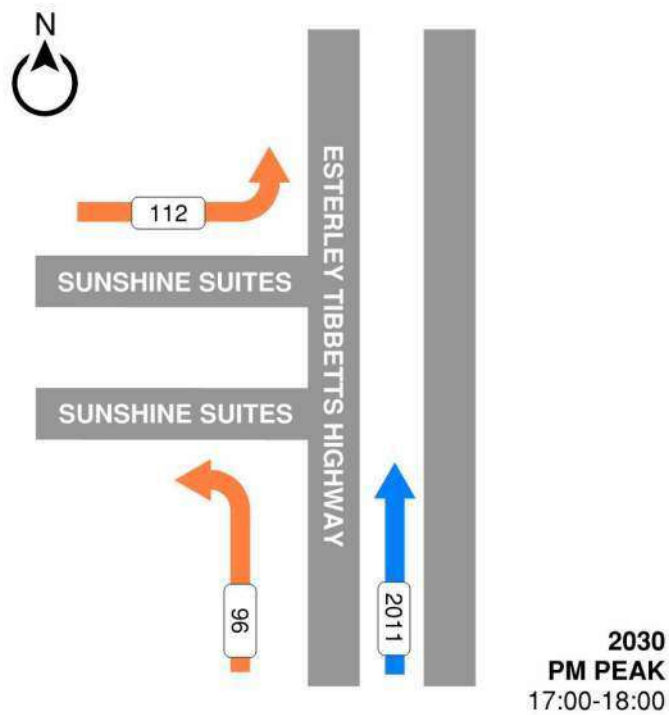


Figure D. 48 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2030 - With Development - Evening Peak

MEDIUM-TERM YEAR ASSESSMENT HORIZON - 2035 - WITHOUT DEVELOPMENT

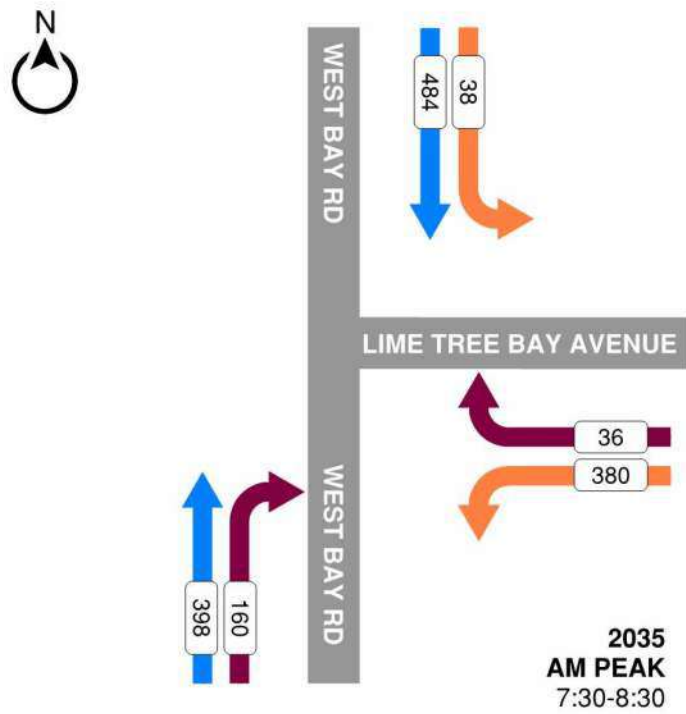


Figure D. 49 - Intersection of West Bay Road & Lime Tree Bay Avenue
2035 - Without Development - Morning Peak

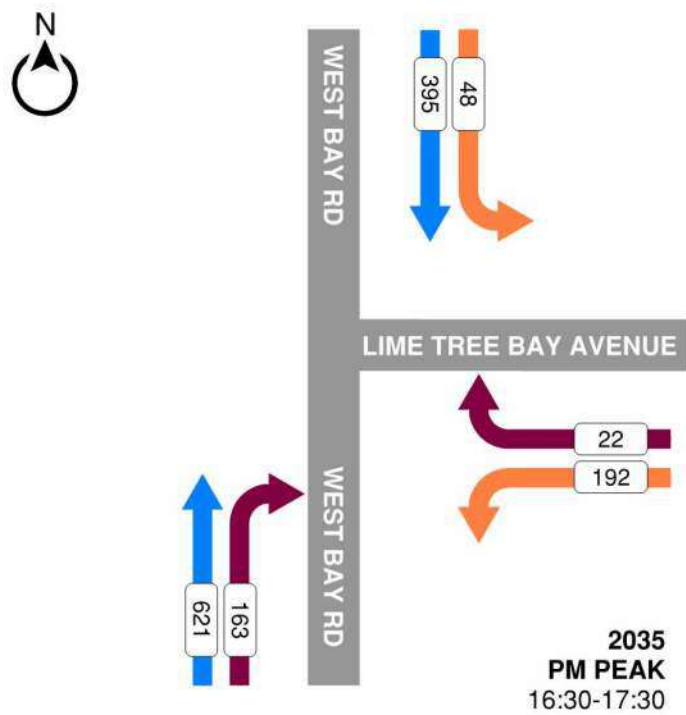


Figure D. 50 - Intersection of West Bay Road & Lime Tree Bay Avenue
2035 - Without Development - Evening Peak

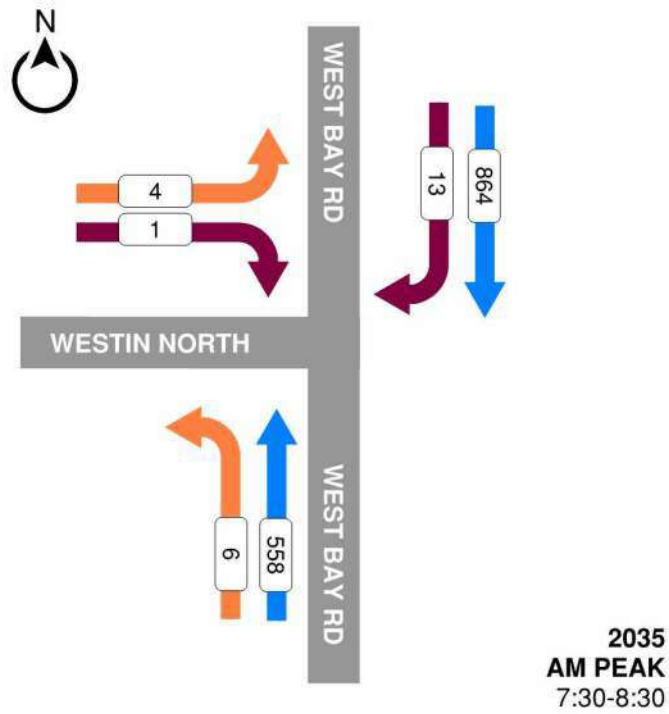


Figure D. 51 - Westin North Access on West Bay Road
2035 - Without Development - Morning Peak

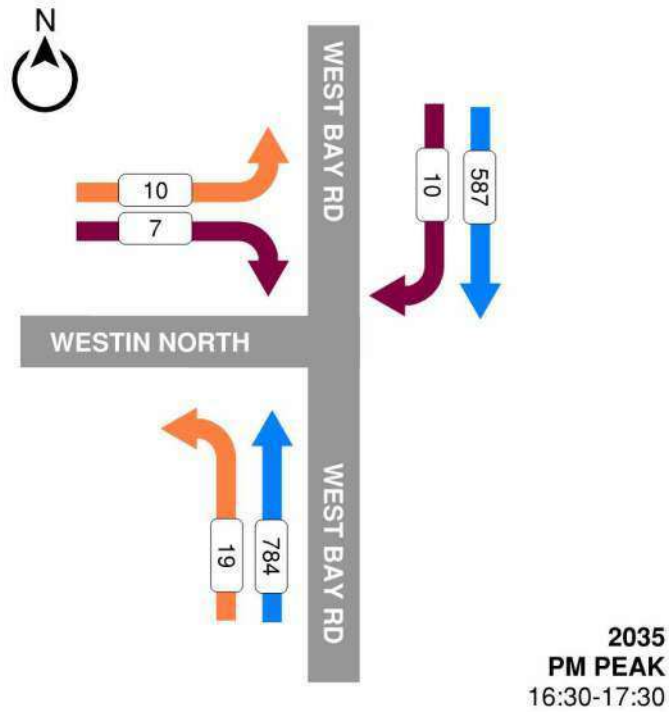


Figure D. 52 - Westin North Access on West Bay Road
2035 - Without Development - Evening Peak

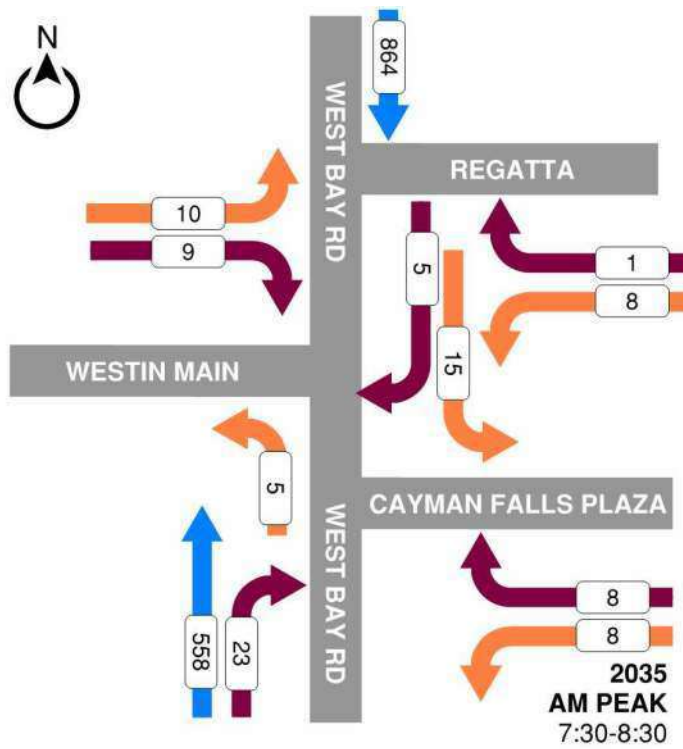


Figure D. 53 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2035 - Without Development - Morning Peak

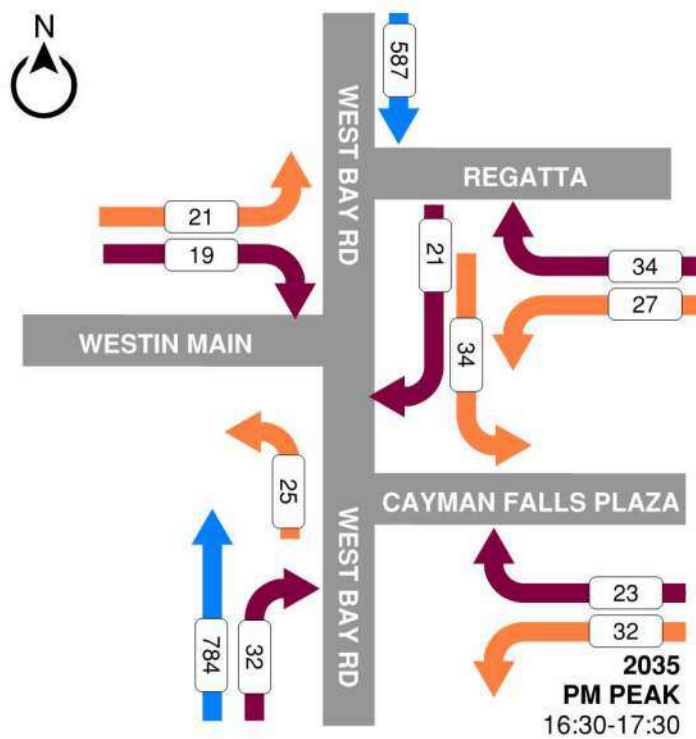


Figure D. 54 - Regatta Office Park exit / Westin Main Access / Cayman Falls North Access on West Bay Road - 2035 - Without Development - Evening Peak

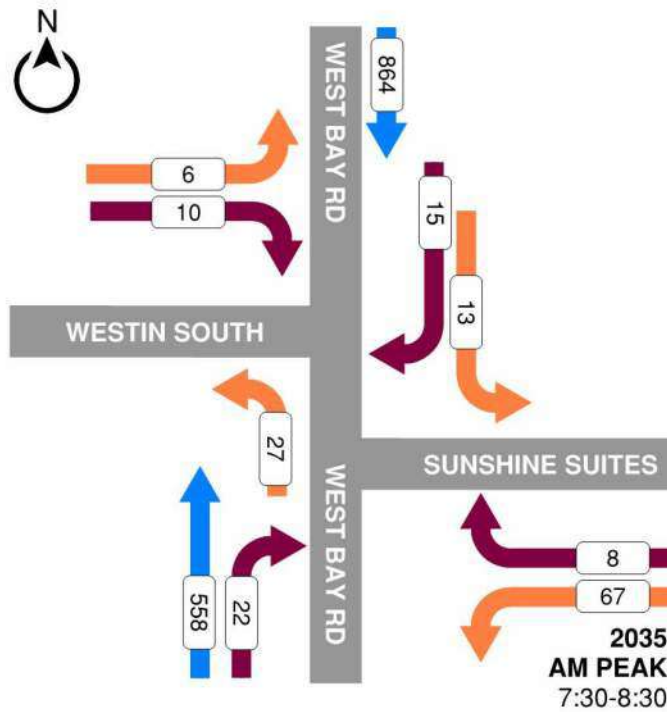


Figure D. 55 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2035 - Without Development - Morning Peak

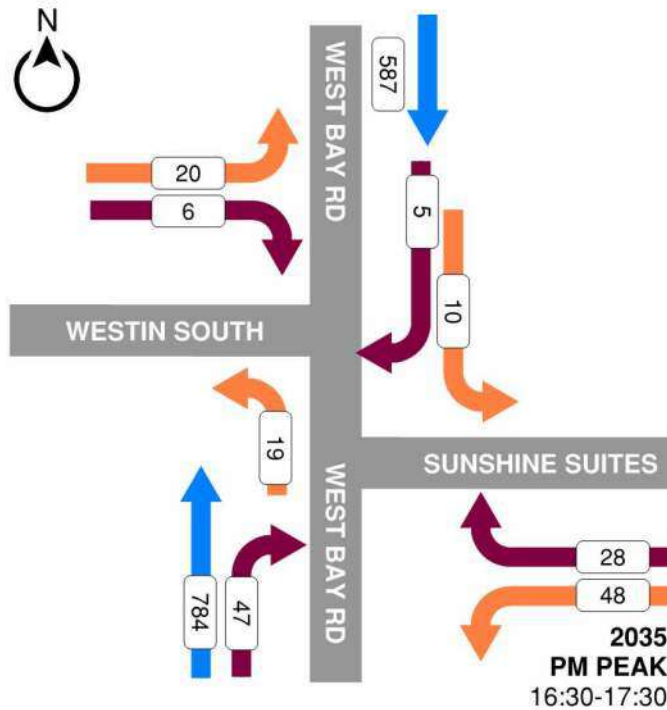


Figure D. 56 - Westin South / Cayman Falls South Access (Sunshine Suites) on West Bay Road - 2035 - Without Development - Evening Peak

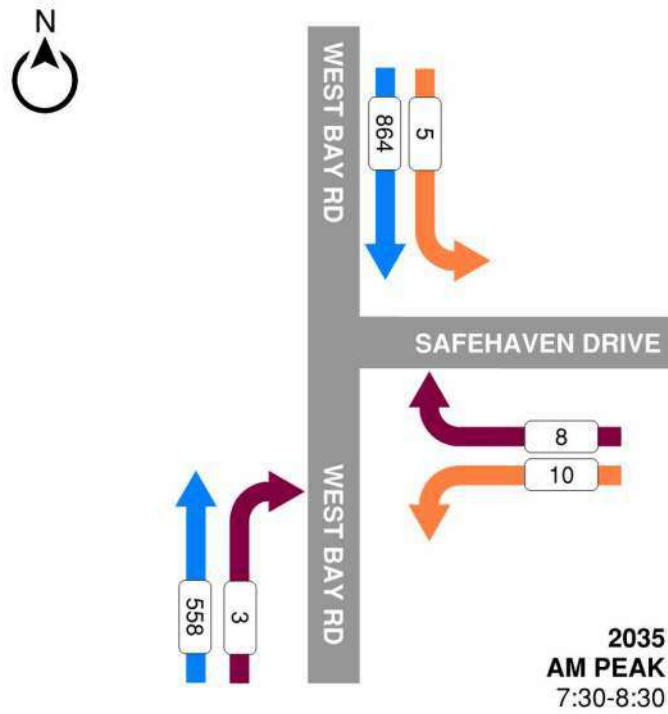


Figure D. 57 - Intersection of West Bay Road & Safehaven Drive
2035 - Without Development - Morning Peak

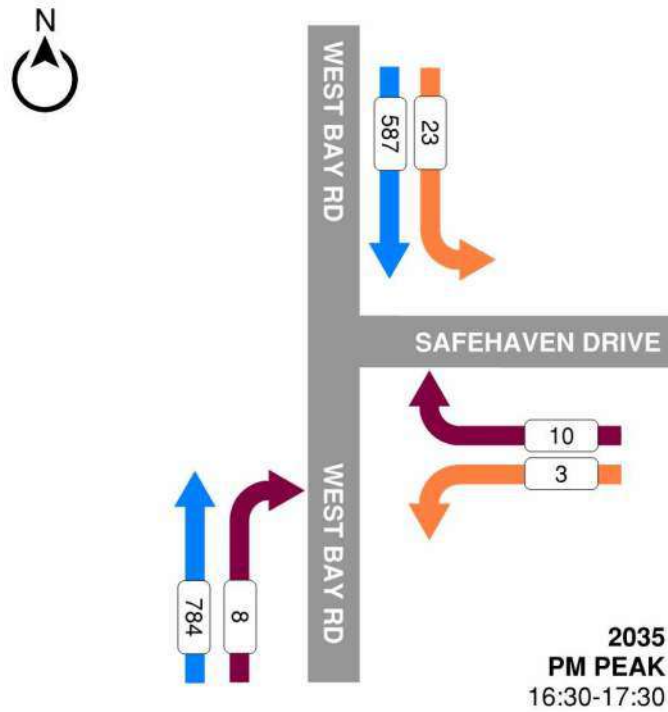


Figure D. 58 - Intersection of West Bay Road & Safehaven Drive
2035 - Without Development - Evening Peak

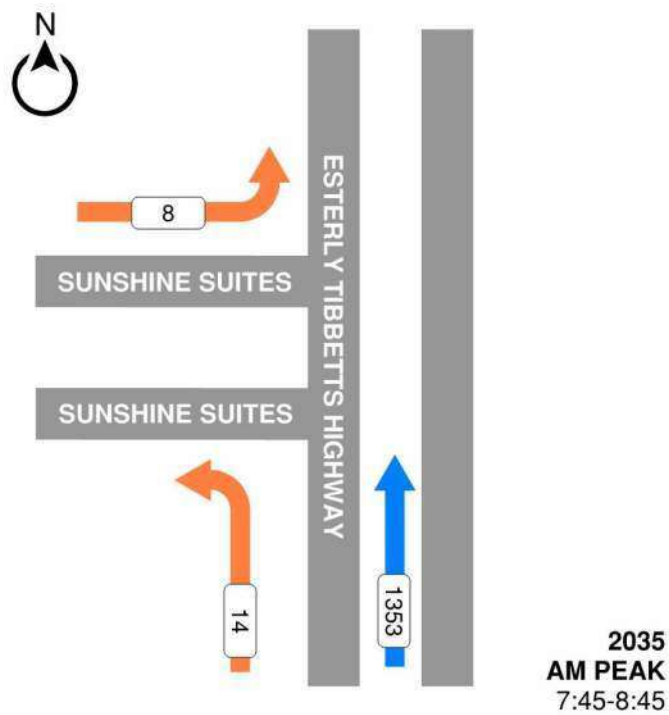


Figure D. 59 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2035 - Without Development - Morning Peak

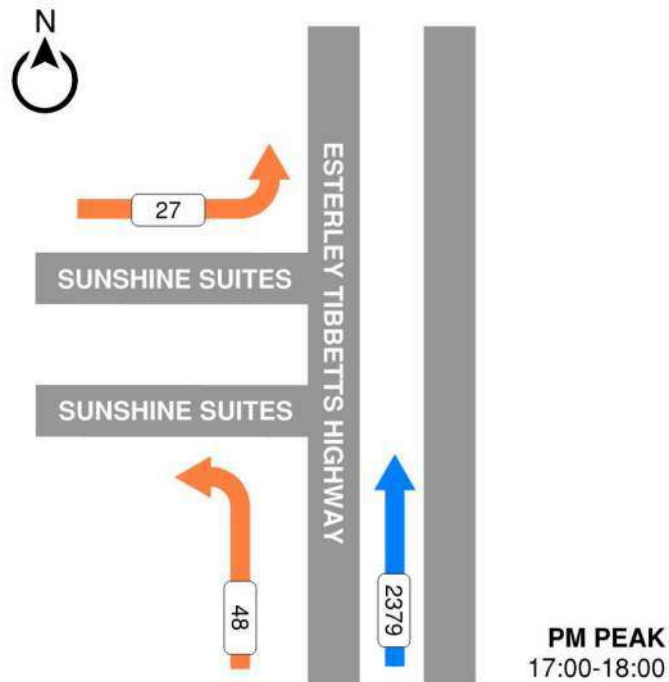


Figure D. 60 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2035 - Without Development - Evening Peak

MEDIUM-TERM YEAR ASSESSMENT HORIZON - 2035 - WITH DEVELOPMENT

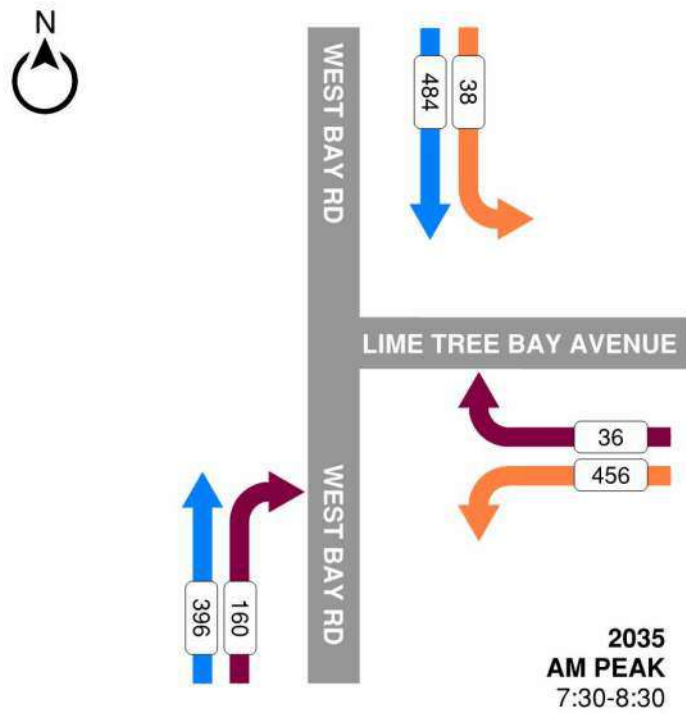


Figure D. 61 - Intersection of West Bay Road & Lime Tree Bay Avenue
2035 - With Development - Morning Peak

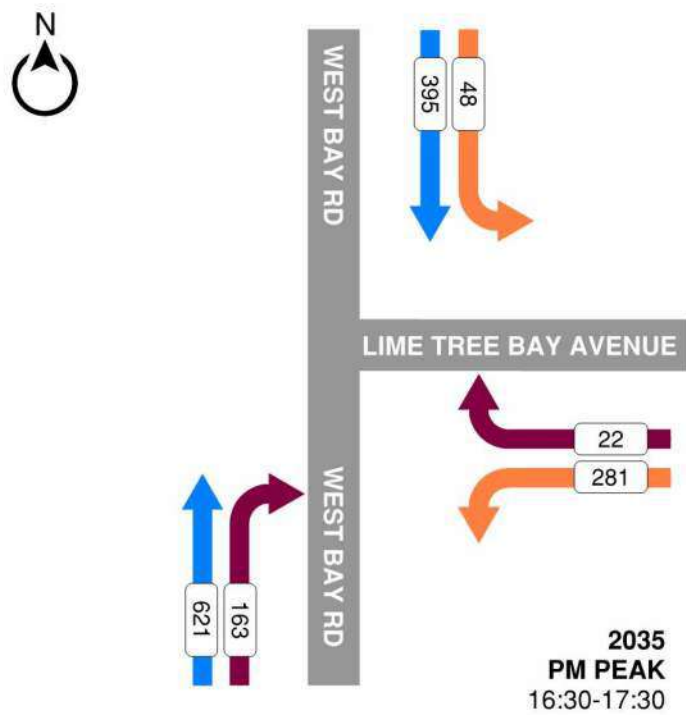


Figure D. 62 - Intersection of West Bay Road & Lime Tree Bay Avenue
2035 - With Development - Evening Peak

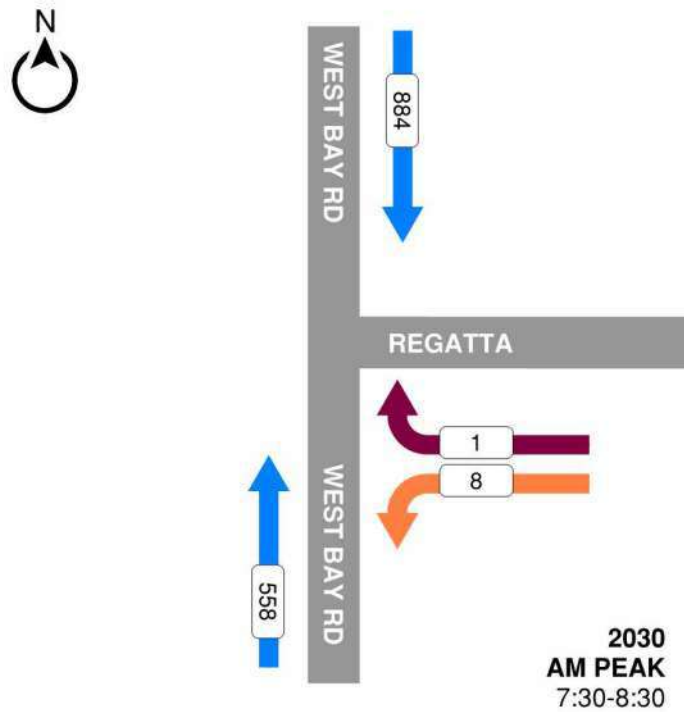


Figure D. 63 - Regatta Office Park exit on West Bay Road
2035 - With Development - Morning Peak

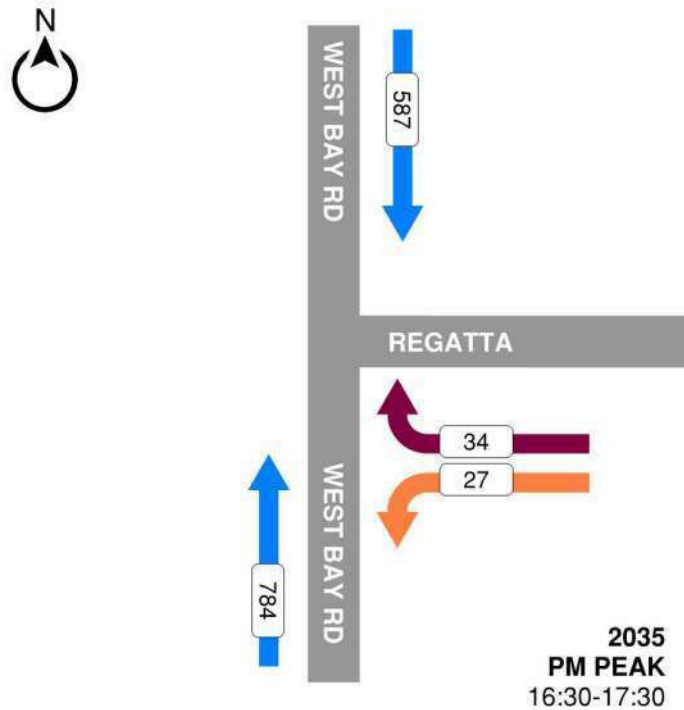


Figure D. 64 - Regatta Office Park exit on West Bay Road
2035 - With Development - Evening Peak

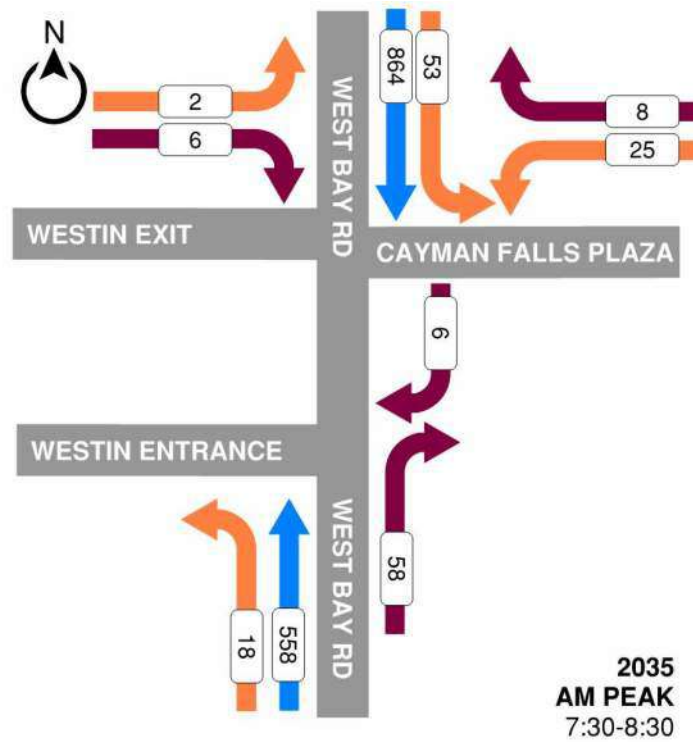


Figure D. 65 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2035 - With Development - Morning Peak

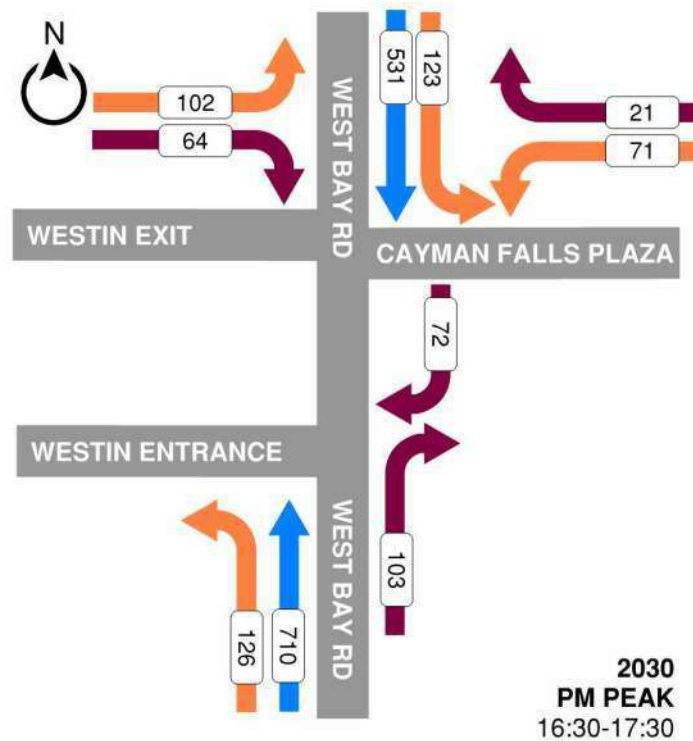


Figure D. 66 - Westin Entrance & Exit / Cayman Falls North Access on West Bay Road
2035 - With Development - Evening Peak

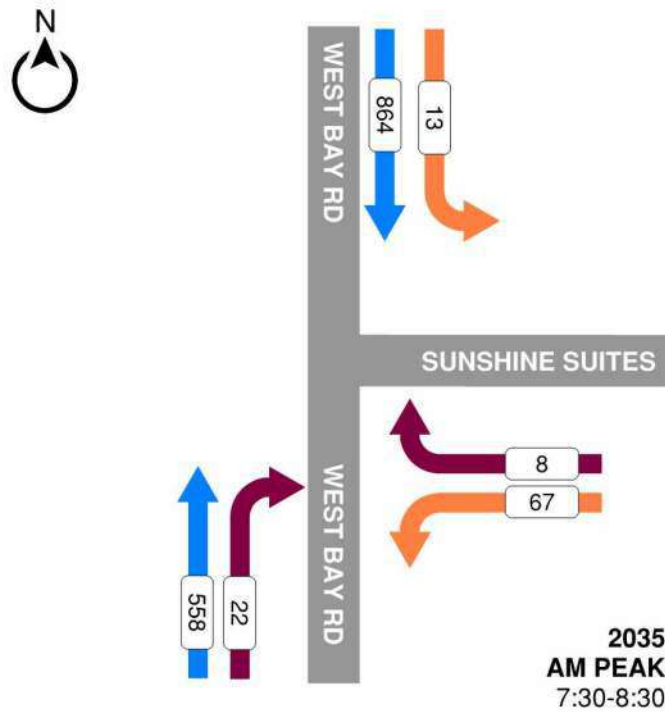


Figure D. 67 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2035 - With Development - Morning Peak

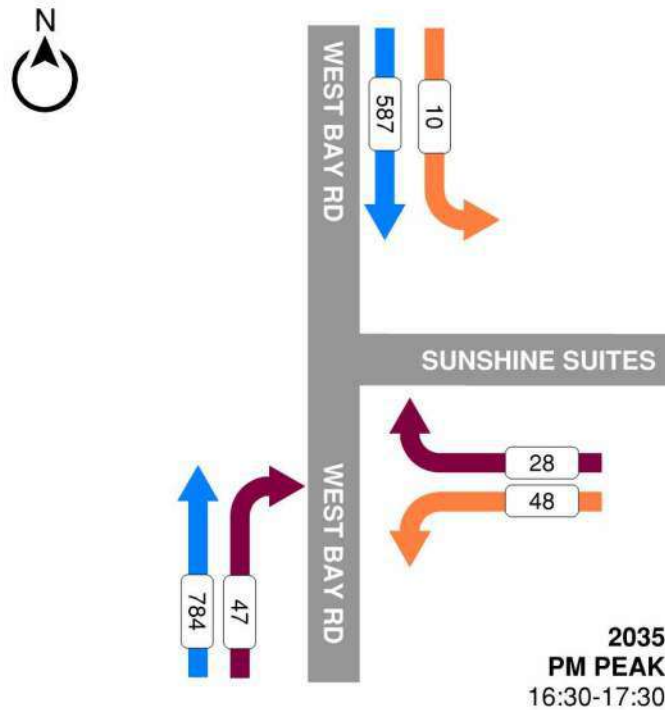


Figure D. 68 - Cayman Falls South Access (Sunshine Suites) on West Bay Road
2035 - With Development - Evening Peak

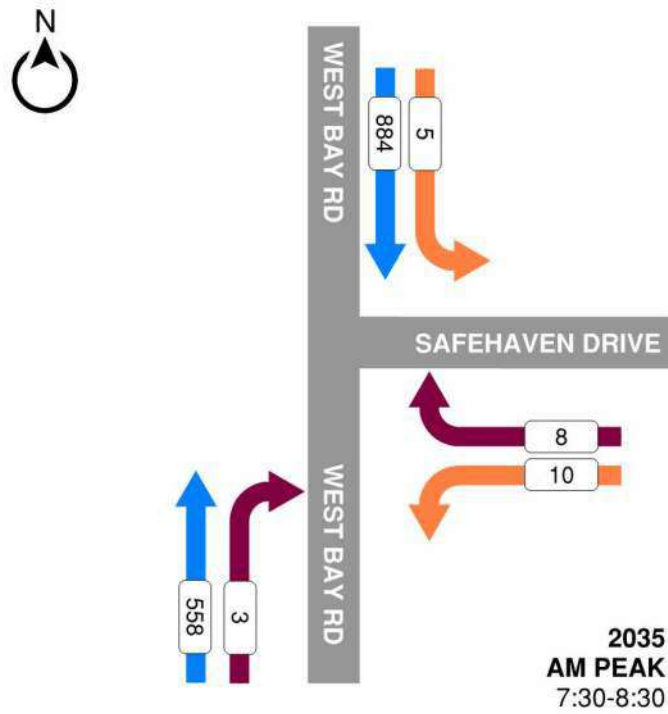


Figure D. 69 - Intersection of West Bay Road & Safehaven Drive
2035 - With Development - Morning Peak

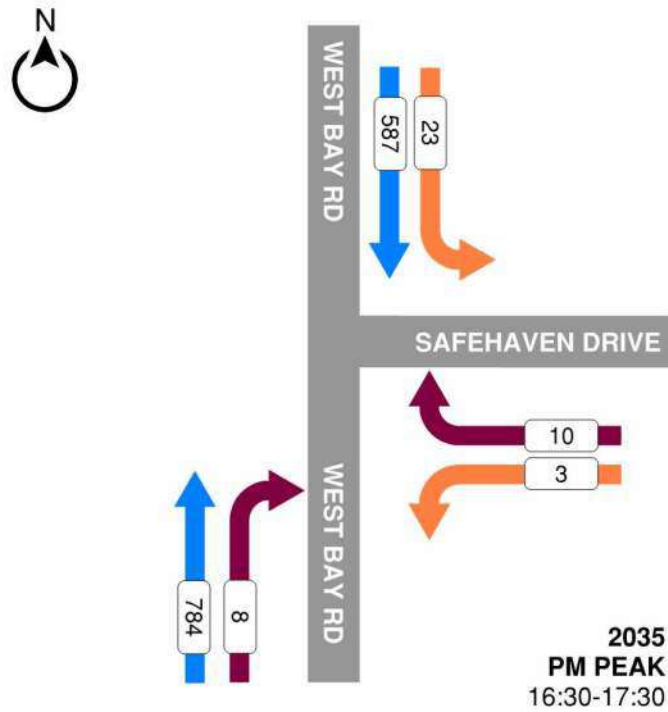


Figure D. 70 - Intersection of West Bay Road & Safehaven Drive
2035 - With Development - Evening Peak

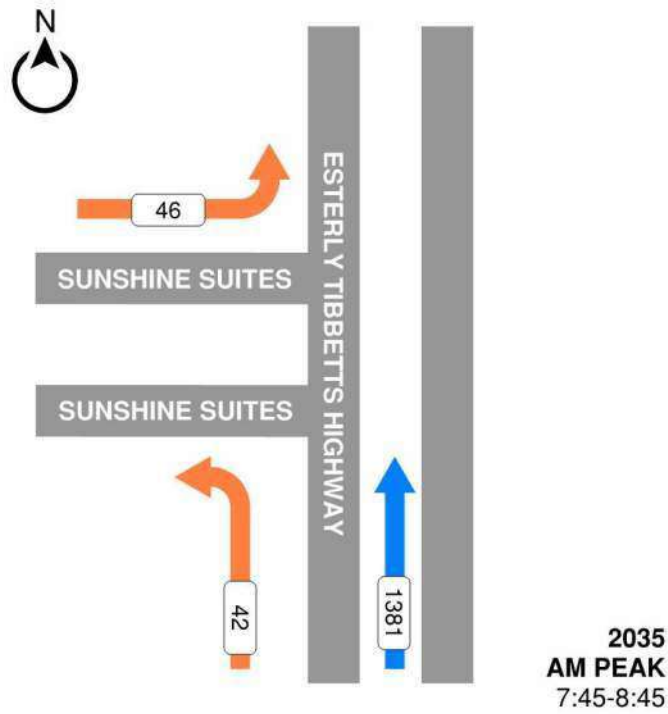


Figure D. 71 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2035 - With Development - Morning Peak

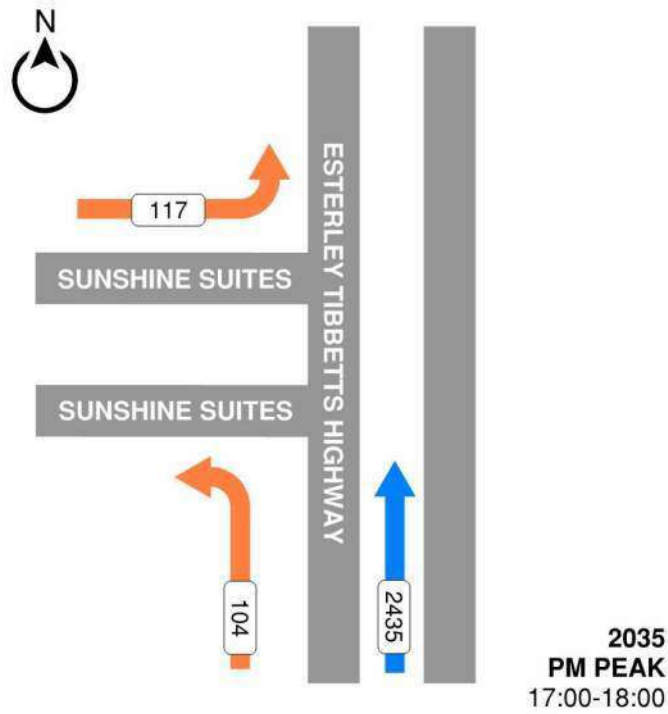


Figure D. 72 - Sunshine Suites Access / Egress on Esterley Tibbetts Highway
2035 - With Development - Evening Peak

Appendix B



ANDREW GIBB FCIQB RIBA MAPM LEED AP
CHARTERED ARCHITECT | CHARTERED BUILDER

P O Box 20 Grand Cayman KY1-1701 Cayman Islands
+ (3 4 5) 5 2 6 8 8 8 8 | andrew.gibb@gibbarchitect.com

15 May 2023

Your Refs: **CPA/24/22: Item 2.6**
CPA/06/23: Item 5.1

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

Sir

BLOCK 11D45 WEST BAY BEACH NORTH GRAND CAYMAN
APPLICATION FOR PLANNING CONSENT P22-0735:

Westin Grand Cayman Resort: New Hotel Annex, New Conference Facility ('Ballroom'),
Change-of-Use (Banquet Kitchen, Meeting Rooms, Back-of-House) & 2 Pools

Traffic Impact Analysis: Final Version May 2023: Submission

We act for Applicant /Owner /lessee Invincible Investment Corporation as agent.

The Central Planning Authority (CPA) in response to our application for the above planning consent (adjourned for this purpose) required that Applicant produce and submit for their consideration, a Traffic Impact Analysis (TIA) of the planning consent application project scope, and where the Terms of Reference (ToRs) for such TIA were approved by CPA under Item 5.1 CPA/06/23.

The final TIA as prepared by APEC Consulting Engineers and dated May 2023, is hereby submitted to the Department of Planning for consideration by CPA in due course.

Yours sincerely

Appendix C

An architectural rendering of a resort street at dusk. The scene features a wide, paved pedestrian walkway with a dark, textured central section and lighter, patterned side sections. Several palm trees and other lush greenery line the street. On the left, a modern, low-rise building with a white facade and large windows is visible. On the right, a taller, multi-story building with a mix of white and brown panels is shown. People are walking along the sidewalks, and a few cars are parked or driving on the street. The sky is a mix of blue and orange, suggesting sunset or sunrise. A large, dark, textured pillar stands in the foreground on the right side.

The Westin Grand Cayman Resort, Hotel Annex & Conference Centre Parking Management Strategy (draft v.2.1)

05 May 2023



Existing Parking Conditions

(refer Diagram A)

Applicant currently provides 198 parking spots to accommodate 343 guestrooms, a 3-meal restaurant (for guest use only), a specialty restaurant and approximately 10,000 sq ft of retail, meeting and conference space. Staff and employees use about 80 of these bays per shift and rental cars about 20 bays. This leaves around 100 parking bays for social and local traffic needs.

Applicant provides the neighbouring Sunshine Suites resort guests access to the Westin Resort facilities. These guests and other pedestrians patronising the Cayman Falls shops and restaurants are left to cross West Bay Roads as they see fit and many elect not use the current pedestrian crossing due to its inconvenient location.

Attendees of locally hosted conferences, galas and charity events (which have in the past included the Cayman Arts Festival, Cayman National Orchestra concerts, the Governor’s Award luncheon, the CARIFTA Games Congress, the Royal Cayman Islands Police training course and breakfast and the Miss Cayman Islands Universe Pageant) are left to find parking and many patrons, finding themselves frustrated at the apparent lack of ‘convenient’ parking directly outside the Westin Resort, attempt to leave their vehicles along roadway verges in the area or on adjacent properties or vacant lots.

This situation, not just for the new Hotel Annex and Conference Centre as proposed, but even for the existing Westin Resort as it stands, is not conducive to the amenity of the neighbourhood for its guests and residents, and presents an opportunity for structural and operational improvement of its parking facilities.

Existing Parking Utilisation

The current Westin Resort daily parking utilisation for its 343 guest rooms averages out at 20 rental vehicles- 16 sourced at Owen Roberts International Airport and 4 sourced at the Resort and kept parked on the premises.

There are approximately 80 parking bays used per shift by Resort employees.

On any given day, there are approximately 100 parking bays occupied either by Resort guests or employees on shift. The balance of the 198 provided parking is variously occupied by local patrons, other staff or visitors or are vacant (estimated between 15 and 20 bays when conference facilities are not in use). The net Utilisation Ratio is therefore 0.5 per available guestroom based on guest and employee use of available parking spaces.

Refer to the attached supplementary Parking Deployment, Use & Efficiency analysis.

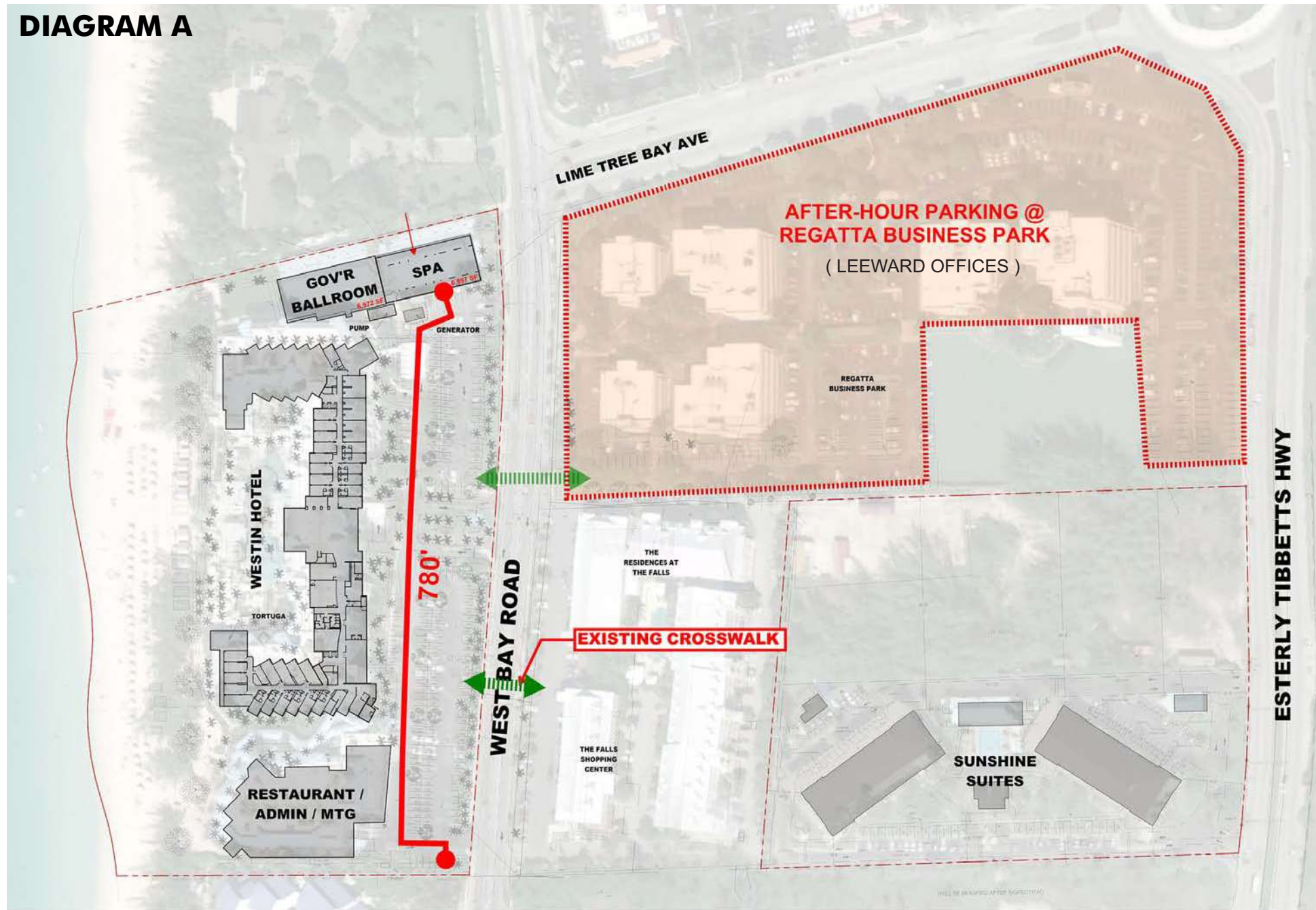
Future Parking Utilisation

Based on the above Utilisation Ratio of 0.5, Applicant forecasts daily parking utilisation of its proposed 559 guestrooms at 32 parking bays for rental cars (combination of airport and on-premises rental vehicles) and approximately 130 parking bays used per shift by Resort employees.

This yields a total forecasted parking requirement of 162 bays.

Based on a projected provision of 385 parking bays in compliance with Development & Planning Regulations, there would be an excess of 223 parking bays available for Resort ‘special events’ hosted in its conference and other meeting facilities.

DIAGRAM A



Proposed Improved Parking Facilities

(refer Diagram B)

In terms of the variance as requested of the Central Planning Authority in Applicant’s letter motivating the grant of planning permission for a new Hotel Annex and Conference Centre and notwithstanding that the area proposed to accommodate off-site parking is only 380 ft away from the Westin Resort itself (a leisurely 2-minute walk), Applicant as resort operator, proposes to adopt the following procedures in order to establish a Parking Management Strategy as required under regulation 8(1)(c) as varied in terms of this motivation, that alleviates the congestion issues listed above:

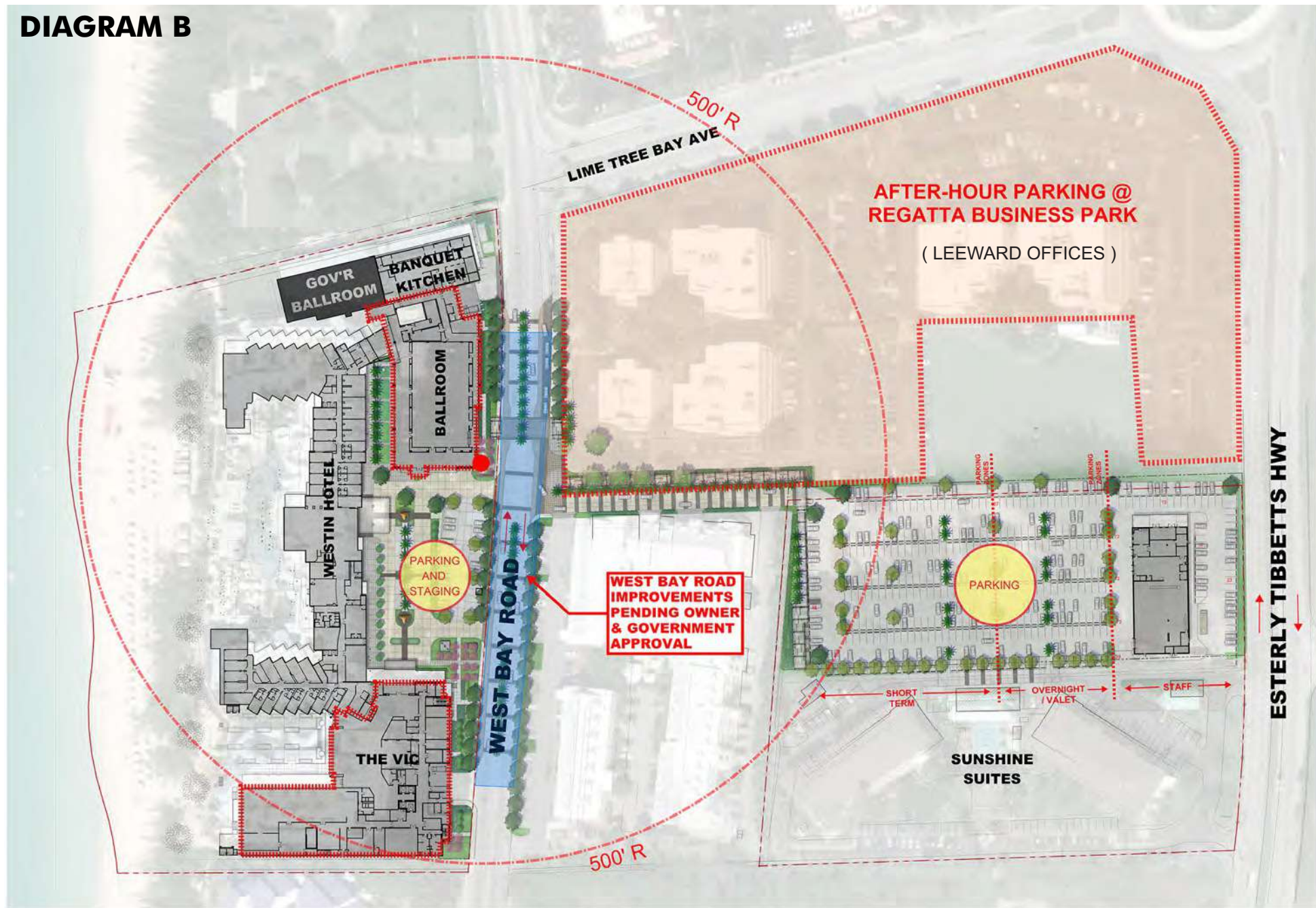
- Provide approximately 140 bay dedicated Resort staff/employee parking
- Provide a dedicated shuttle connection to the Resort for use by staff, guests and residents if they so desire or require
- Provide a total of 385 parking bays to accommodate 559 guestrooms and related facilities- a ratio of 0.69 parking bays per room compared to the existing Resort's lower ratio of 0.58 parking bays per room (Planning Regulations stipulates 0.5 parking bay per guestroom)
- Provide more flexibility in parking provision for evening gala and entertainment events for local residents and patrons
- Create in partnership with the National Roads Authority¹ and adjacent neighbours, a landscaped street-scape where the resort fronts onto West Bay Road consistent with the expectations of a 1st class 5 star resort destination and similar and equal to the landscaping created at Camana Bay

¹ As part of the Authority’s proposed West Bay Road beautification initiative based on the Authority's ‘Complete Street’ principles and concepts to create a more amenable West Bay Road pedestrian experience in phases through the use of landscape, traffic calming installations and incorporating a safe pedestrian and shuttle crossing points with user request crossing control systems along West Bay Road

- Create an effective, identifiable and well-lit pedestrian crossing point as incorporated with and part of the landscaped street-scape allowing safe crossing of West Bay Road for both pedestrians and shuttles at all times of day and night
- Create more certainty for a direct connection and parking availability for guests and residents in contrast to cruise-searching hoping to find parking
- Eliminate potential traffic generated by 130 Resort employees entering and leaving via West Bay Road by encouraging them to use Esterley Tibbetts Highway to enter and exit their assigned parking areas
- Implement and enforce employee parking restrictions using the latest GPS technology
- Provide a 5 star valet parking service with sufficient staging area (an amenity now expected in all major high-end resorts internationally, and rapidly becoming the expectation locally) that provides a useful and convenient way of Resort guests and patrons to efficiently access the Resort facilities
- Provide parking monitors to adjacent neighbors during high demand periods to ensure parking enforcement
- Eliminate casual and haphazard parking along West Bay Road and adjacent properties (and a nuisance to Cayman Falls shopping centre on West Bay Road opposite the Resort)
- Provide excess parking that could be utilised for other local events (such as receptions at the adjacent Governor's Residence)

The Parking Management Strategy should be maintained as a dynamic and comprehensive structural and integrated operational parking management plan that deploys a significantly more efficient parking system at a higher capacity and level of convenience without loss of amenity for guests and residents alike.

DIAGRAM B



Parking Operational Plan & Features

Applicant intends as part of giving effect to the primary objective of creating and maintaining a comprehensive structural and integrated operational parking provision strategy, to deploy the following components

(refer route map in Diagram C):

Valet Parking service

for Resort guests and local patrons
indicated as blue / orange routes

Staging at the Westin Resort’s proposed Arrival Forecourt will use 27 dedicated staging bays as a operational ‘hub’. Valets, stationed at the Resort Arrival Forecourt or in the off-site parking lot, are dispatched using radio or WiFi communications.

Vehicles parked by valets are taken from the Forecourt to the Main Parking Area along the orange route as indicated (south along West Bay Road then left into the Sunshine Suites Resort access roadway, past the Resort and into the Parking Area), and returned to the Forecourt along the blue route as indicated (exit the Main Parking Area left into Esterley Tibbetts Highway, left into Lime Tree Bay Avenue, left into West Bay Road then right into the Westin Resort Forecourt ingo).

Shuttle service

Shuttle for employees

Employee shuttle indicated as dark blue dashed route

A shuttle service is available for employees who are required under the Parking Management Strategy to park their vehicles in a designated part of the

Main Parking Area, and from which a shuttle bus will depart and return at primary shift change hours and as needed upon request.

The route of the employee shuttle will be left into Esterley Tibbetts Highway, left into Lime Tree Bay Avenue, left into West Bay Road then right into the Banquet Kitchen service lay-by, back onto West Bay Road, right into the Hotel Annex service lay-by, then returning south along West Bay Road then left into the Sunshine Suites Resort access roadway, past the Resort and into the employee section of the Main Parking Area.

Resort Guest Shuttle

Shuttle for self-park/local events (using electric carts) indicated as blue chainlink route

Resort guests and local patrons may wish to avail themselves of the Resort Guest Shuttle, which will be a shuttle service using high-capacity passenger carts departing and arriving as needed on guest or patron request.

This shuttle will use the access roadway leading from the Main Parking Area past the north side of the Cayman Falls shopping centre to cross over West Bay Road (adjacent to the re-located pedestrian crossing) into the Resort Forecourt ingo- and return along the same route to the Main Parking Area.

The frequency of this shuttle will be based on guests’ and patrons’ requests, Resort conference functions at the time as well as restaurant brunch service, late lunch service, evening service etc and high Resort guest occupancy demand.

Mandated Parking Zones

Resort Arrival Forecourt

The Resort Arrival Forecourt will be designated for these parking and vehicular uses only- casual arrival with the intent of using valet parking will be

acceptable, but casual long-term parking use of any of the parking bays will not be permitted:

- Taxi or non-guest /patron driver drop-off at either Annex or Westin portes cochere- taxi to leave the Forecourt after drop-off
- Taxi arrival and park (anticipating a fare or a called-in fare pick-up)- taxi occupies a designated bay by pre-arrangement with Resort operator for a designated time
- Vehicles awaiting valet dispatch to Main Parking Area or vehicles returned from Main Parking Area by valets to departing Resort guests or patrons, who after collecting their vehicle, leave the Resort Forecourt (NOTE: additional queuing space will be available in the new parking lot callable upon need)
- Parking for disabled Resort guests and patrons

Main Parking Area

The Main Parking Area will be partitioned into zones that will provide

- prime parking areas intended for Resort guests and patrons along with rental car parking and storage located closest to the Resort to the east of the Cayman Falls residential precinct- to be used by valets to park vehicles after guest drop-off in the Resort Forecourt
- secondary parking areas intended for staff parking only and which use will be mandated by the Resort operator, and located east of the prime parking area designated for Resort guest and patron use. Employee's vehicles are to have appropriate identification, and if found in a non-assigned parking space including Resort and Conference Centre guest and patron parking zones, Sunshine Suites and Cayman Falls parking zones, will result in a sanction imposed by the Resort operator as employer.

Pedestrian Crossing Zone

An essential component of the Parking Management Strategy is the provision of an effective and efficient means of crossing West Bay Road on the way from the Main Parking Area to the Resort Forecourt, the two Resort portes cochere and the Conference Centre entrance.

The crossing point itself is intended to be incorporated in the National Roads Authority plans for 'streetification' of the West Bay Road precinct which intends creating a more amenable West Bay Road pedestrian experience in phases through the use of landscape, traffic calming installations and a clear identification of a pedestrian zone that would include the crossing point over West Bay Road in a safe and seamless manner.

Owner will work hand in hand with adjacent neighbors and the NRA to coordinate on the installation of a fully compliant and safe streetscape.

Pedestrian Promenade

This is the land- and hard-scaped walkway that provides the main pedestrian connection between the Resort pedestrian crossing point on West Bay Road and the Main Parking Area. It is approximately 380' long including the pedestrian crossing, 8' to 10' wide and which would take no longer than 2 minutes to traverse at a leisurely pace.

The pavilion roof and vertical screening interspersed with lush landscaping and efficient but unobtrusive safety lighting provides a pleasant ambulatory experience for those Resort guests and patrons taking advantage of the convenient connectivity with the Resort Forecourt, Annex, Westin and Conference Centre entrances.

Main Parking Area Access Street

This roadway is a 20'-0" right-of-way over the Cayman Fall centre property along its north boundary in favour of the leasehold proprietor (Sunshine Suites owner) of parcel 11D37 on which the Main Parking Area is located.

This street allows 2-way vehicular traffic access directly from West Bay Road to the Main Parking Area, and more importantly, when suitably upgraded, is the

traffic route over which Resort guests and patrons access this parking area as well as the route used by the courtesy Resort Guest Shuttle service only. Valet service will operate only along the 'orange' and 'blue' routes as indicated on Diagram C.

In full co-operation with the owners of the Leeward Office Park, the pedestrian traffic will be routed through the Pedestrian Promenade which effectively separates the vehicular traffic on the adjacent right-of-way street from pedestrian use of the Promenade.

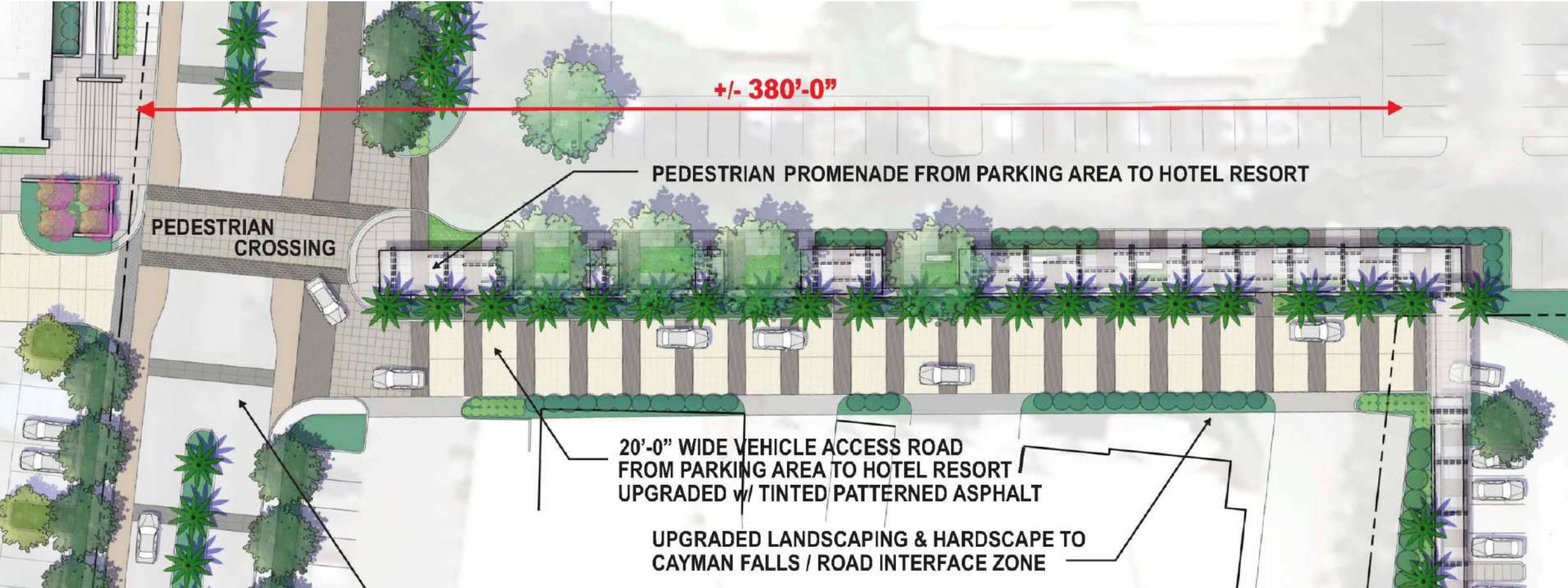
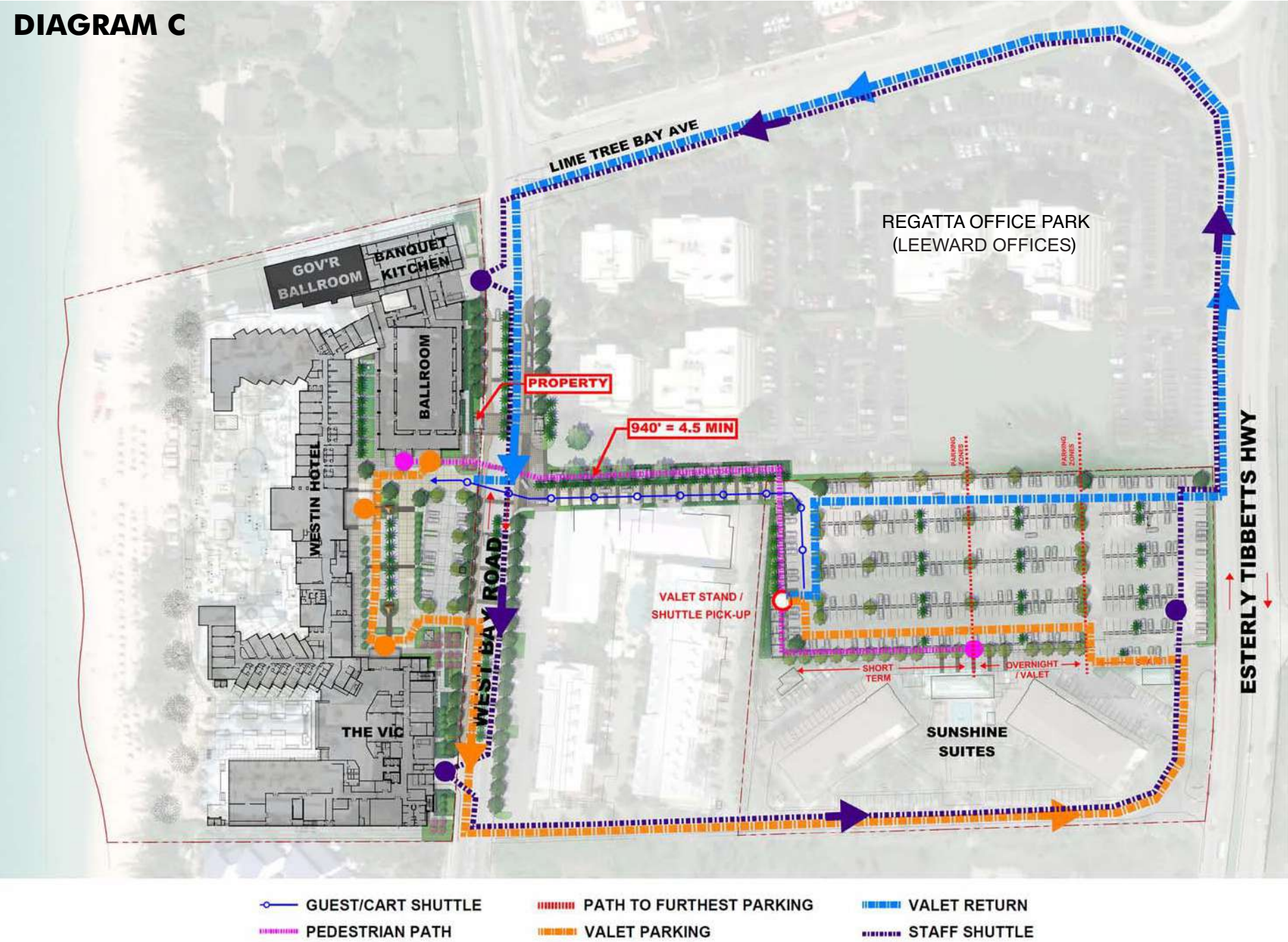


DIAGRAM C



Educating Grand Cayman Residents about new parking provisions at the Westin Resort

It is an important component of the success of the Parking Management Strategy that all residents, guests and patrons of the Westin Resort and Conference Centre are informed of the proposed new Main Parking Area and how they will get to know about it, know how to access and exit it, and more significantly, are aware of its benefits and advantages.

A series of public relations and notification exercises involving e-mail campaigns, social media, online information (e.g. on the resort website), and print media, are to be derived as part of the Parking Management Strategy that will inform the public, local residents, guest and patrons on these key issues in an easily accessible and understandable manner- by the time the Resort and Conference Centre development is complete and open for business, the using public (local residents, Resort guests and patrons as well as conference attendees) should be absolutely familiar with the location of, access to and connection with the Resort and Conference Centre facilities- whether access to them from the Main Parking Area is by walking up the Pedestrian Promenade or by shuttle service, or availing themselves of parking valet service available at the Resort forecourt off West Bay Road.

Location of and Access to and from the Main Parking Area

The location of the Main Parking Area is to be clearly defined by easily-legible maps and diagrams that indicate its area and parking bay layout, and the different zones for Westin staff and Westin guests and patron are clearly delineated.

Access routes to and from Esterley Tibbetts Highway as well as from West Bay Road are to be clearly defined and whether the routes are one-way or two-way roads- the intention to inform the public how easy these access points are to reach and use.

The communication of location awareness should ensure from an early point in the Resort and Conference Centre development, local residents are informed of the location and benefits of the Main Parking Area as and when they choose to visit the Resort itself or an event hosted at any of the Resort or Conference Centre facilities.

Access to and Use of the Resort Forecourt & Porte Cocheres

As important to the public's awareness of the location and benefits of the Main Parking Area, is the awareness of the purpose of the Resort and Conference Centre Forecourt and Portes Cochere, and more particularly, the very limited availability of parking in the Forecourt.

Local residents and Resort patrons should be made aware not only of the convenience of using the Main Parking Area, but that the Forecourt is primarily for guest and patron drop-off purposes only, some limited ADA and disabled persons parking provision and a taxi-rank. There is also provision for small tour bus lay-byes at the Conference Centre porte cochere to allow passenger alighting.

Valet Parking Service

Guests and patrons intending to use the Forecourt area should be fully aware that a competent valet parking service is available to them at the Forecourt on a drop-off and collect basis, and as in other major urban centres and cities around the world, making use of a valet parking service provided by hospitality operators, is common, convenient and safe both from a security aspect as well as no risk of damage to the vehicle being parked or retrieved by a suitable experienced valet.

Availability & Use of Shuttle Services

Local residents and Resort patrons should be made aware at an early stage of the Resort development, of the deployment and operation of a competent and convenient shuttle service to and from the Main Parking Area to the various Resort

and Conference Centre Porte Cocheres and drop-off points.

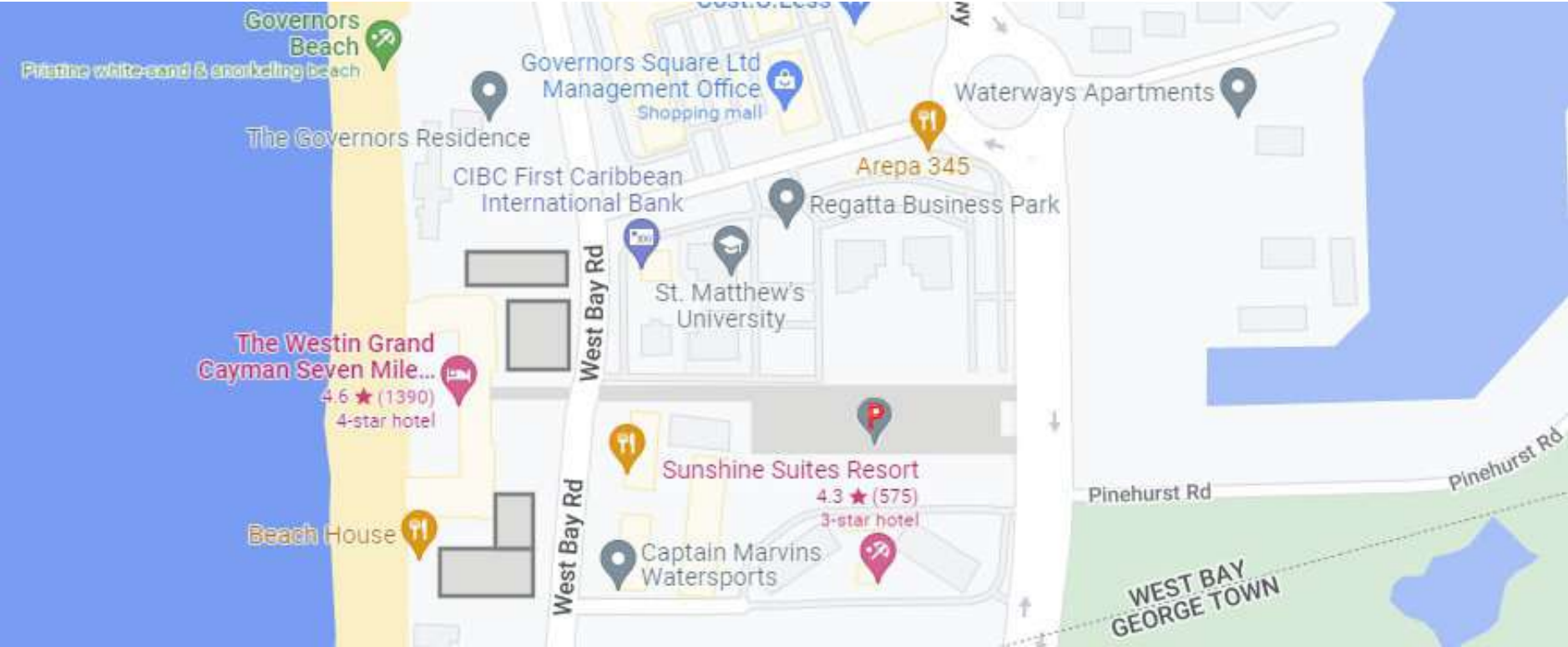
It is intended that the shuttle service be dynamic and responsive to Resort events, facility use and bespoke Conference Centre events such as weddings, service club meetings, graduation balls, concerts etc, and that different shuttle services would be deployed specifically to meet the needs of these different events.

Road Wayfinding & Signage

A critical component of the Parking Management Strategy is the design and deployment of a competent wayfinding and signage system that informs and instructs the using public (local residents, Resort guests and patron as well as conference attendees) as to proximity of and access to the Main Parking Area.

Signs informing location and direction to the parking areas should be informative and should reinforce correct route adoption- the intention is, along with the public education programme referred to herein, to allow users a clear indication of how to access the Main Parking Area, where to park within it, and how and where to exit to ensure access to north-bound or south-bound connector roads.

The Resort ownership is to engage an experienced third-party signage and wayfinding consultant to assist with the derivation of a competent wayfinding and signage deployment that satisfies industry best practice as well as providing the directions and route reinforcement critical to the success of the parking management plan serving the Resort and its facilities as being convenient, useful and to the entire satisfaction of the Resort guests, patrons and staff members.



Westin Resort and The Falls Shops & Offices: A Symbiotic Relationship?

Located directly opposite the Westin Resort on West Bay Road is The Falls- a 2-storey strip mall consisting of ground floor shops and restaurants including Captain Marvin’s Watersports, Legendz Bar, Eats Café, diner and Yoshi Sushi restaurant, with several offices and business service outlets on the upper level.

The Falls property statistics

- Gross area (including covered walkways is estimated at 36,000 sq ft
- Provided parking is estimated at 84 spaces, giving a provided parking ratio of 1 bay per 464 sq ft development area
- Planning requirements for parking provision are 1 bay per 300 sq ft, giving The Falls an apparent parking deficit of some 36 bays
- 9,000 sq ft is restaurant space which requires under planning regulations a parking provision requirement of 1 bay per 200 sq ft- the parking deficit should accordingly be increased to 50 bays.

This significant shortfall of parking provision has a negative effect on the relationship between The Falls and the Westin Resort opposite, as there exists a negative perception between the owners of The Falls and the Westin Resort that The Falls is losing potential customer parking space to Westin Resort guests, patrons and staff- particularly when large events are hosted at the Westin putting parking availability pressure on all immediately available parking spaces on both properties. It is likely that at The Falls’ busy restaurant and bar patronage time (lunch and evening service) there is a parking availability shortfall resulting in the Westin Resort parking provision being used by The Falls patrons.

Notwithstanding this parking shortfall at The Falls, there is considerable

patronage of The Falls’ retail businesses by guests resident at the Westin Resort, particularly the food and beverage outlets that offer a different food and bar experience to that of the Resort. The benefits of this custom to The Falls is appreciated by the food and beverage operators there, as these customers do not use parking facilities and so reduces pressure on the limited parking availability at The Falls.

This Parking Management Strategy would not be complete without addressing this parking provision issue. Westin Resort ownership regards resolution of this matter and the establishment of a working relationship with The Falls ownership that mitigates the mutually negative effects of this under-provision of parking spaces at The Falls and the irregular ‘fly’ parking occurring at the centre due to overall parking provision shortages in this immediate precinct of Seven Mile Beach resulting from patronage pressure at both Resort and The Falls. Aspects of this relationship re-set that should be recognised in the context of this Parking Management Strategy include

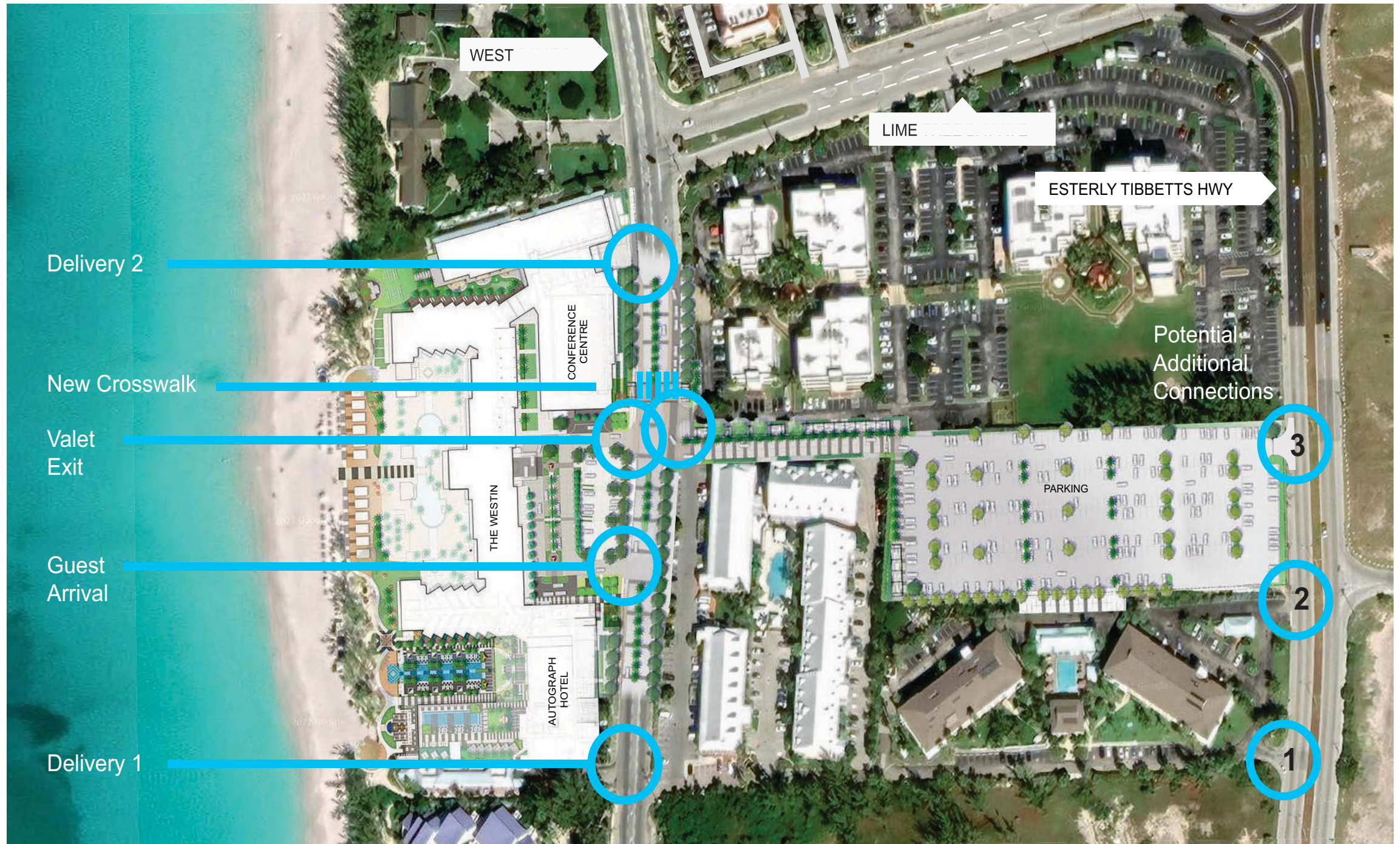
- provision of dedicated Westin Resort employee parking in the new Main Parking Area- parking restrictions will be enforced using the latest GPS technology which will prevent Resort employees from parking in The Falls retail parking spaces in both short term long terms
- deployment of parking monitor personnel at The Falls during high demand periods to ensure parking enforcement at Westin Resort expense, including during periods of construction activity at the Resort
- provision of improvements to the ROW road way over The Falls property serving the Main Parking Area and provision of landscaping between the Falls and Regatta Office Park to enhance the general amenity of these areas for mutual benefit to the Resort and The Falls
- provision of a dedicated shuttle connection to the Resort for use by staff, guests and patrons which is to further organise and regulate overall parking lot usage vs the alternative of ‘fly’ parking alternatives

- provision of a total of 345 parking bays in the new Main Parking Area which would allow for overflow parking to be available for use by patrons of The Falls, particularly Eats Café, Legendz Bar, and Yoshi Suchi restaurant
- provision of pre-organised parking plans based on time of arrival and departure to better accommodate evening gala events hosted at the Westin Resort and Conference Centre for local residents and patrons as well as informing The Falls restaurants and businesses of these events
- provision of an effective, identifiable and well-lit pedestrian crossing point inviting more custom by Resort guests and patrons to visit The Falls' various

restaurants, retail and service outlets

- elimination of casual, haphazard and sometimes illegal 'fly' parking occurring along the verges of West Bay Road and Safehaven Drive, and in and around adjacent properties such as The Falls, Sunshine Suites and adjacent to the Governor's Residence
- provision of excess parking capacity that could be utilised for other local events such as receptions hosted at the adjacent Governor's Residence, guests and patrons of which otherwise would have been tempted to park at The Falls, Governor's Square as well as at the Westin Resort itself









night view of pedestrian crossing

Parking Deployment, Use & Efficiency

Current Parking Utilization			
Rental Cars - Overnight Guest	Avg Daily		Parking
On-site rental	4		4
Off-site rental	16		16
Total	20		20
Employees	80		80
		Total Daily Parking	100
Existing Parking (excluding Regatta)	198	Utilization Factor	0.50
Parking bay per room	0.61	(Demand/Available rooms)	
Future Parking Requirement (keeping existing PLUS code requirement for the Hotel Annex)			
	Rooms/Area	Parking requirements	Required Parking
Hotel Guestrooms			
Westin Existing	325Keys	2:1 Ratio	163
Add'l rooms	234Keys	2:1 Ratio	117
	559	2:1 Ratio	280
Commercial Area			
Existing Westin Commercial Parking		Current Condition	27
Restaurant	6,500 incr sf	1 per 300 sf	45
Conference	8,500incr sf	1 per 300 sf	16
Spa & Salon	5,100 incr sf	1 per 300 sf	17
Total Required			385
		Parking bay per room	0.69

Planned Supply		
West of West Bay Road (parcel 11D45)		35
New Main Parking Area (parcel 11D37)		350
	Available	385
Forecasted Utilization		
Current Utilization Ratio	(Demand/Available spaces)	0.50
Forecasted Need		
Overnight Guest	(based on current ratio)	32
Employees	(based on current ratio)	130
Total Forecasted Need	(Current Demand x Available spaces)	162
Excess available for Special Events		223
Plus, Current Parking Variance allows for the Westin Grand Cayman to "off-park" in the Regatta (now Leeward) office park opposite the Resort		
Parking Variance		
Planning currently allows for 50% off-site parking variance		
Current Parking Requirement per Code		385
Allowed off-site parking		192
On-site parking		193
Current Parking Requirement based on Current Utilization		162
Allowed off-site parking		81
On-site parking		81

We would ask for 91% off-site parking variance for employee parking **shuttle to be provided**