# GOVERNMENT MOTION NO. 1 2019\2020

## AMENDMENT TO THE DEVELOPMENT PLAN 1997

**Proposed Rezoning:**

**WEST BAY NORTH WEST, BLOCK 4D PARCELS 514 AND 515** (formally BLOCK 4D PARCEL 199, BLOCK 4D PARCEL 200 and a section of BLOCK 4D PARCEL 130)

**WHEREAS** on the 21st February 2018 (CPA/04/18; Item 3.2) The Central Planning Authority (CPA) originally considered the request to amend the Development Plan from Medium Density Residential to Neighbourhood Commercial over a section of Block 4D Parcels 130 and 199, and Block 4D Parcels 200. At this meeting it was resolved to commence the rezone process for Block 4D parcels 199 and 200 only;

**AND WHEREAS** the applicant subsequently wrote to the CPA on March 9th 2018 to ask that the application be put on hold until a new survey could be done and the parcel boundaries reconfigured to align with the original proposed rezone area;

**AND WHEREAS** on the 22nd August 2018 (CPA/19/18; Item 3.1) The Central Planning Authority (CPA) again considered the request to amend the Development Plan from Medium Density Residential to Neighbourhood Commercial over Block 4D Parcels 130, 199 and 200. It was resolved to only commence the rezone process for Block 4D Parcels 514 and 515. It was resolved to support the rezoning application;

**AND WHEREAS** the proposed amendments were duly advertised in the *Cayman Compass* on the 29th and 31st of August 2018 and the 3rd and 4th of September 2018, in accordance with Section 11(2) of the Development and Planning Law (2005 Revision), and persons were invited to view the application at the Department of Planning for comment. During the 60-day comment period, no letters of objection were received on the proposed amendment;

**AND WHEREAS** on the 14th of November 2018 (CPA/25/18; Item 3.1) the Central Planning Authority again considered the proposal and resolved to forward the rezone to the Ministry of Commerce, Planning and Infrastructure for onward transmission to the Legislative Assembly for consideration;

**AND WHEREAS** on 9th July 2019 Cabinet considered the rezoning proposal and approved that the matter be submitted to the Legislative Assembly for consideration;

**BE IT NOW THEREFORE RESOLVED THAT** in accordance in Section 10(2)(b) of the Development and Planning Law (2017 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and maps of which are attached hereto;

**AND BE IT FURTHER RESOLVED** to alter the zoning area of Registration Section West Bay North West, Block 4D Parcels 514 and Block 4D Parcel 515 from Medium Density Residential to Neighbourhood Commercial.

MOVED BY: Honourable Joseph Hew,
Minister of Commerce, Planning, & Infrastructure

Received in the Office of the Clerk this 17 day of October, 2019

Passed/~~Rejected~~ by the Legislative Assembly this 5th day of December, 2019

Clerk of the Legislative Assembly

LEGISLATIVE DEPARTMENT
OCT 17 2019

# SUMMARY OF REZONING PROPOSAL

## Proposed Amendment to the Development Plan 1997 for Block 4D Parcels 514 and 515

## Medium Density Residential to Neighborhood Commercial

The subject parcels (Block 4D Parcels 514 and 515) are located in the District of West Bay, Grand Cayman, on Batabano Road near to the Esterley Tibbetts Highway entrance. The Parcels (514 and 515) are approximately 3 acres (130,680 sq. ft.) in total with the current planning zoning being Medium Density Residential.

The area in general has been evolving with the recent expansion of the Esterley Tibbetts Highway as well as the increased local population. It is important to note that the lots to the west are all zoned Neighbourhood Commercial. The area proposed to be rezoned is only along the roadside, while the remaining land to the north shall stay residential; as to maintain the same zoning character of the lots to the west.

The Central Planning Authority (CPA) originally considered the request to amend the Development Plan from Medium Density Residential to Neighbourhood Commercial on Block 4D Parcels 130, 199 and 200 on February the 21st 2018 - CPA/04/18; Item 3.2 - and it was resolved to only amend the sections of parcels 4D199 and 4D200 and forward the application for 60 day notification and advertising period pursuant to Section 11(2) of the Development and Planning Law (2017 revision).

The applicant subsequently wrote to the CPA on March 9th 2018 to ask that the application be put on hold until a new survey could be done and the parcel boundaries reconfigured to align with the original proposed rezone area. On August 10th 2018, the applicant wrote to the CPA to inform them that the survey had been completed and the new parcels registered, and asked that the Authority again hear the application for the amendment to the zoning of new parcels 4D514 and 4D515.

The CPA again considered the request to amend the Development Plan from Medium Density Residential to Neighbourhood Commercial on Block 4D Parcels 514 and 515 on August 22nd 2018 – CPA/19/18; Item 3.1 - and it was resolved to forward the rezoning application for 60 day notification and advertising per Section 11 (2) in the Development and Planning Law (2017 Revision).

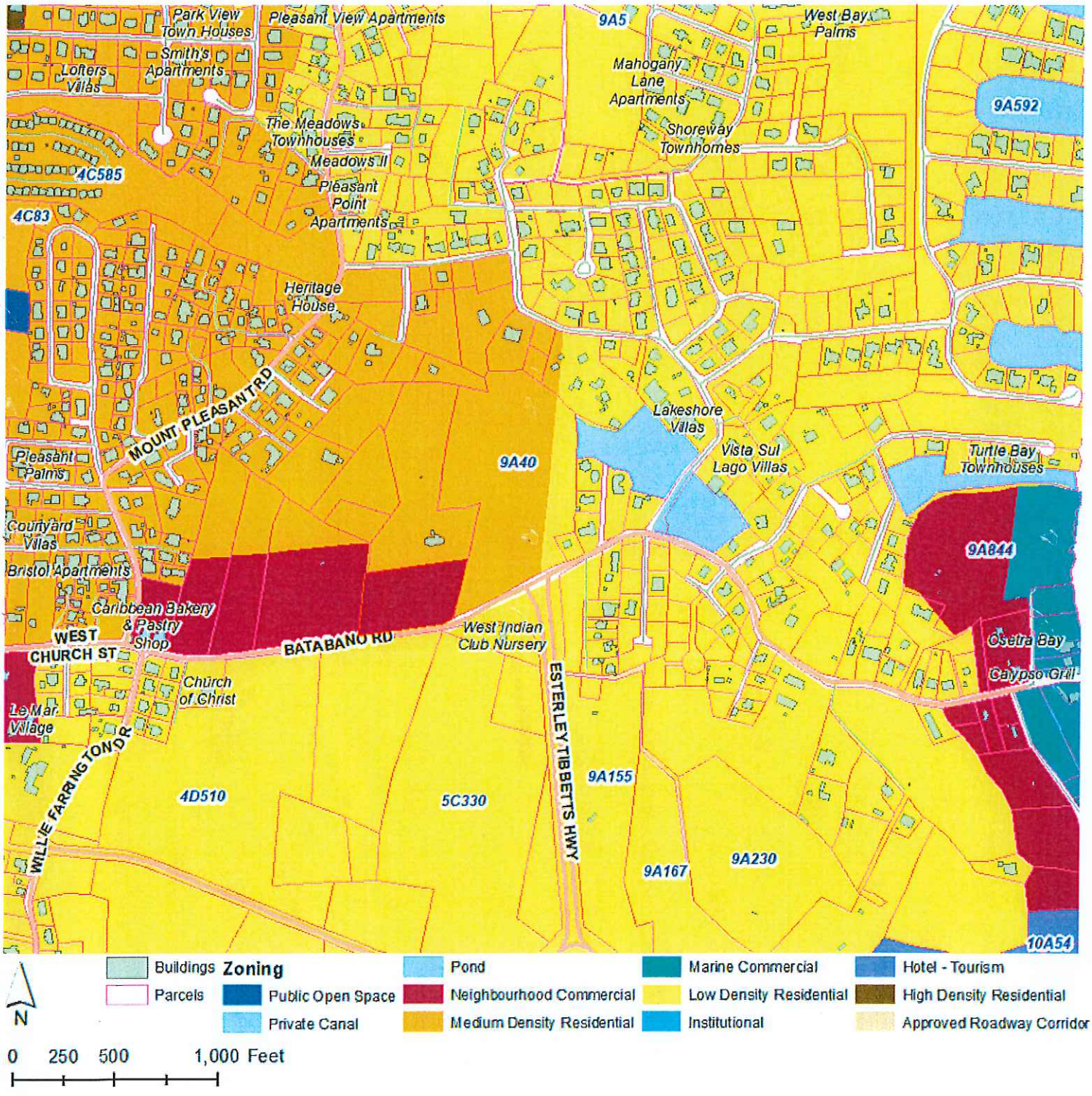
Notice of the proposed amendment of the parcels outlined above was advertised in the Cayman Compass on August 29th, August 31st, September 3rd and September 4th 2018.

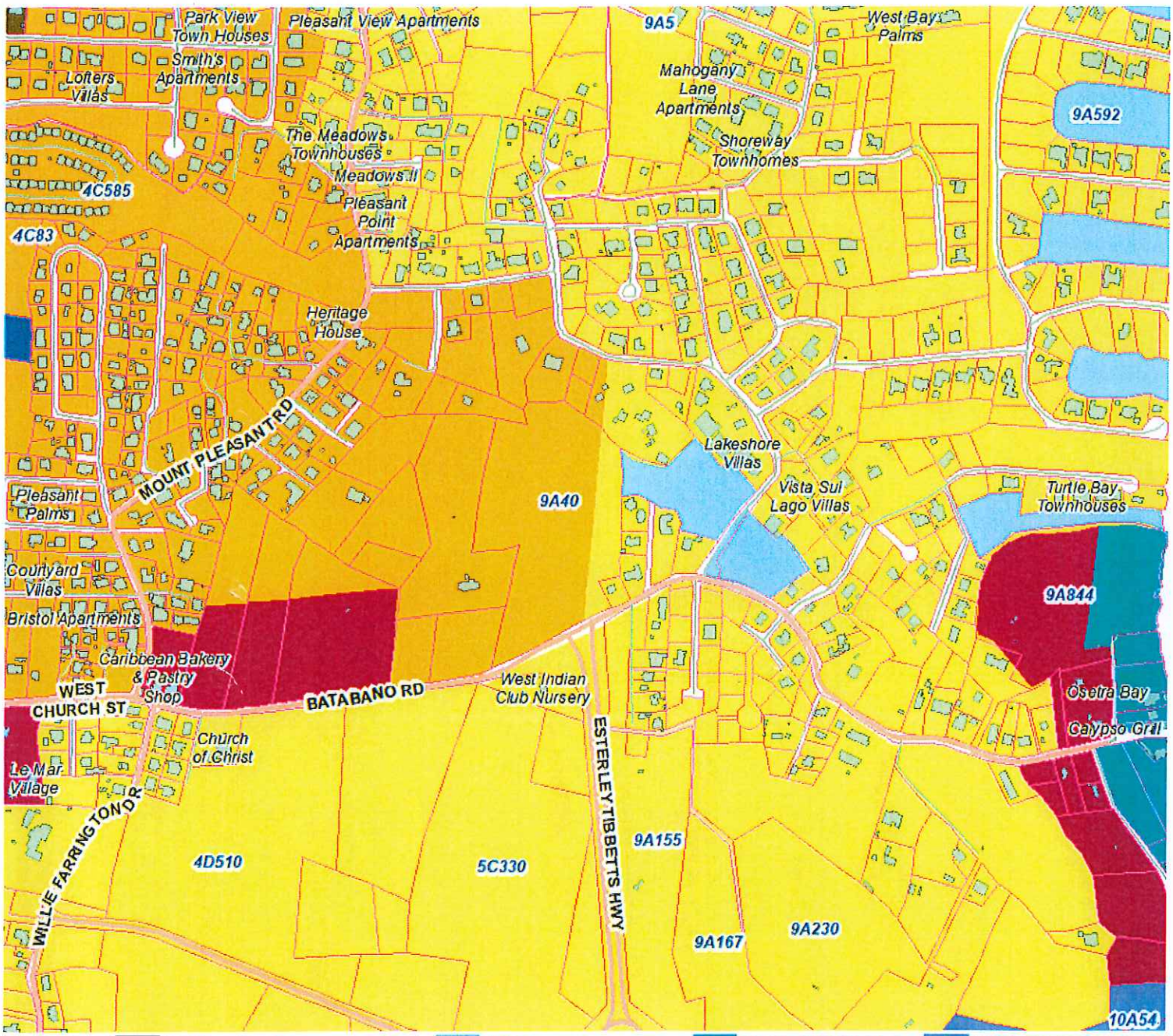
The public consultation period concluded on November 3rd 2018. No objections were received on the proposed amendment during the public consultation period.

Following the consultation period, the request to amend the Development Plan was again heard by the CPA on November 14th 2018 - CPA/25/18; Item 3.1. The CPA resolved to forward the proposed amendment to the Ministry of Commerce, Planning and Infrastructure for onward transmission to the Legislative Assembly for consideration.

On the 9th July 2019 Cabinet resolved to have the Honourable Minister for Commerce Planning and Infrastructure table the proposal to amend the Development Plan for the rezone of Block 4D Parcels 514 and 515 (RZ18-0002) from Medium Density Residential to Neighbourhood Commercial and submit it for consideration in the Legislative Assembly in accordance with section 10(2) (b) of the Development and Planning Law (2017 Revision).

The proposed rezoning is depicted on the attached 'Existing' and 'Proposed' maps.


Park View Town Houses
Pleasant View Apartments
9A5
West Bay Palms
Smith's Apartments
Lofters Villas
Mahogany Lane Apartments
9A592
The Meadows Townhouses
Shoreway Townhomes
Meadows II
4C585
Pleasant Point Apartments
4C83
Heritage House
MOUNT PLEASANT RD
Lakeshore Villas
Vista Sul Lago Villas
Turtle Bay Townhouses
Pleasant Palms
9A40
Courtyard Villas
9A844
Bristol Apartments
Caribbean Bakery & Pastry Shop
WEST CHURCH ST
BATABANO RD
West Indian Club Nursery
Osetra Bay
Calypso Grill
Church of Christ
Le Mar Village
ESTERLEY TIBBETTS HWY
WILLIE FARRINGTON DR
4D510
5C330
9A155
9A230
9A167
10A54
Buildings
Parcels
Zoning
Public Open Space
Private Canal
Pond
Neighbourhood Commercial
Medium Density Residential
Marine Commercial
Low Density Residential
Institutional
Hotel - Tourism
High Density Residential
Approved Roadway Corridor
N
0 250 500 1,000 Feet


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