

RVISED TESTIMONY ON BILL NO. 36-0200
COMMITTEE OF THE WHOLE
MONDAY MARCH 16, 2026
EARLE B. OTTLEY LEGISLATIVE HALL

Good day Honorable Milton E. Potter, President of the 36th Legislature of the US Virgin Islands and Chairman of the Committee of the Whole, Members of the 36th Legislature, and the listening and viewing audience.

I am Alicia V. Barnes, Principal of Rittenhouse Consulting. I appear before you today on behalf of applicant and property owner, Atta Misbeh, to provide testimony on Bill No. 36-0200 – An Act amending Official Zoning Map No. SCZ-7 for the island of St. Croix, Virgin Islands, rezoning a portion of the Remainder of Estate Beeston Hill (South Portion), Matricular No. 6a, Company Quarter, St. Croix, from R-1 (Residential–Low Density) to B-2 (Business– Secondary/Neighborhood).

I would like to provide additional comments regarding the pending rezoning request. While my formal testimony was submitted for the previously scheduled hearing, I would like to clarify several points considering the misinformation surrounding this matter.

First, the property owner has no plans to develop a commercial shopping center, as evidenced by its removal from the rezoning request. Second, the owner is not opposed to an R-3 rezoning. We believe this is a reasonable compromise that allows the project to proceed without further delay while addressing the concerns of surrounding residents.

However, I must also address the broader issues at play. This opposition is less about environmental concerns and more about economic elitism. The legislature holds the power to rezone because you represent the people of this territory, not a select few. St. Croix is currently facing a significant housing shortage. This rezoning would address that need directly, ensuring that progress is not stymied by a small group seeking to protect their personal interests at the expense of future generations.

Mr. Misbeh has lived and worked on St. Croix most of his life. He is a product of our public education system and like many of us has witnessed firsthand the challenges many residents experience when seeking adequate and affordable

housing. The proposed development would increase the available housing inventory on St. Croix and thus aid in mitigating the islands housing crisis.

The proposed development includes the construction of 24 units of residential moderate-income rentals in Estate Beeston Hill. This will be a thoughtful planned development with natural buffers and green space. The plan includes six two-story buildings with four units each, ranging from 750 square foot efficiencies to 1,500 square foot two-bedroom apartments. There will be two parking spaces per unit, a playground, and as previously mentioned green space.

It is important to note land use allowance is the first step in the development permitting process. Inherent in applicable permitting processes are safeguards to ensure protection of our natural environment as well as public health and safety.

Many if not all the concerns raised during the application's public comment period will be addressed later in the proposed development's permitting process. Notwithstanding, I would like to take this opportunity to address the concerns raised regarding the proposed development and to clarify any resulting misunderstandings.

Regarding the concern that the housing development entrance off the Beeston Hill private road will lead to traffic congestion, please be advised that formal traffic studies are a requirement during the land development and permitting phase. This phase is the appropriate time for the relevant authorities to address potential traffic issues and provide recommendations accordingly.

In response to the inquiry regarding the necessity of a B-2 designation over R-1, R-2, or R-3, as stated the property owner is not opposed to an R-3 rezoning.

Furthermore, there have been concerns that the rezoning will result in environmental, safety, and aesthetic issues. During the land development and permitting phase, the Department of Planning and Natural Resources (DPNR) requires flora and fauna studies, cultural resource surveys, and safety studies. These are standard regulatory requirements imposed on every major land development to ensure no detrimental harm to the environment occurs.

To address the comment that the cost estimates presented at the hearing were not realistic, the applicant possesses significant control over the major costs of the development. As the applicant owns the land, a concrete company, and heavy equipment, they are uniquely positioned to manage these expenses effectively.

Regarding the inquiry into the plan for the unused acreage remaining after development, there are currently no plans for that land beyond establishing an appropriate buffer for the adjacent property.

In response to questions concerning the assessment of utility infrastructure—including sewage, electrical, and water—as well as stormwater management and environmental impact, please note that these detailed studies are required during the land development permitting phase rather than the current allowable land use phase. All necessary assessments will be conducted at the appropriate stages of the permitting process.

I hope this information clarifies our position and addresses the points raised.

I would like to close by stating that I am aware of the source of this opposition, and it is not truly represented by the individuals testifying here today against this rezoning request. Instead, those responsible often hide behind cryptic emails and letters to the editor, attempting to pit us against one another. Mr. Misbeh and I will not succumb to these divisive tactics.

For too long, environmental regulations and zoning laws have been used as tools to marginalize and disenfranchise Black and Brown people under the guise of environmental protection. If an elite group of wealthy residents can prevent a property owner from developing his land today, nothing stops them from targeting any of us tomorrow. They attempted this with Just Right Trucking, and they are attempting it now with Mr. Misbeh.

Senators, the power is vested in you to protect all the people of this territory, not just a select elite few.

On behalf of the property owner, Mr. Atta Misbeh, I would like to thank you for the opportunity to provide testimony on Bill No. 36-0200. Mr. Misbeh and I remain available to answer any questions or provide further clarification as you consider this matter.