



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

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Office of the Commissioner

**Report by the Division of Comprehensive and Coastal Zone Planning on
the Petition to Amend Official Zoning Map No. SJZ-1, Application No.
ZAJ-24-1**

Petition of applicant, Department of Public Works (DPW), Government of the Virgin Islands to amend Parcel No. 6-A Estate Susannaberg, No. 17A Cruz Bay Quarter, St. John from R-2 (Residential-Low Density-One and Two Family) to P (Public) zoning to construct a new maintenance building with parking and other site improvements.



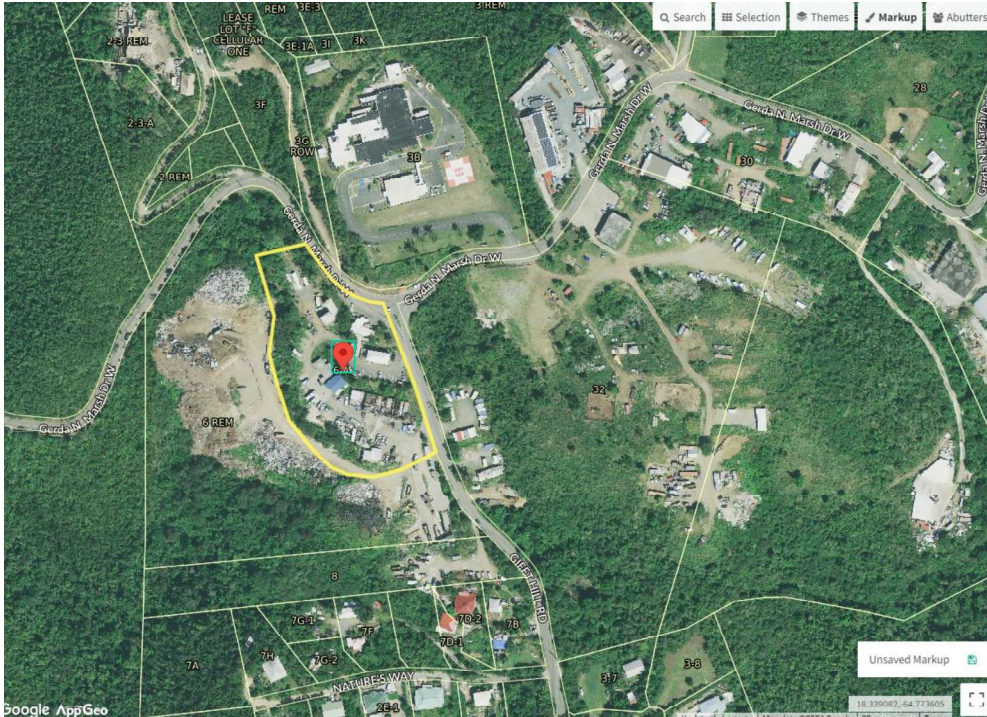
Photo of current site condition- hurricane damaged maintenance building

Property Owner(s): Government of the Virgin Islands as per Deed dated January 14, 1971, Document No. 113/1971.

Applicant Representative(s): Jermaine McClean, District Engineer for DPW and Jeffrey Boschulte, Architect.

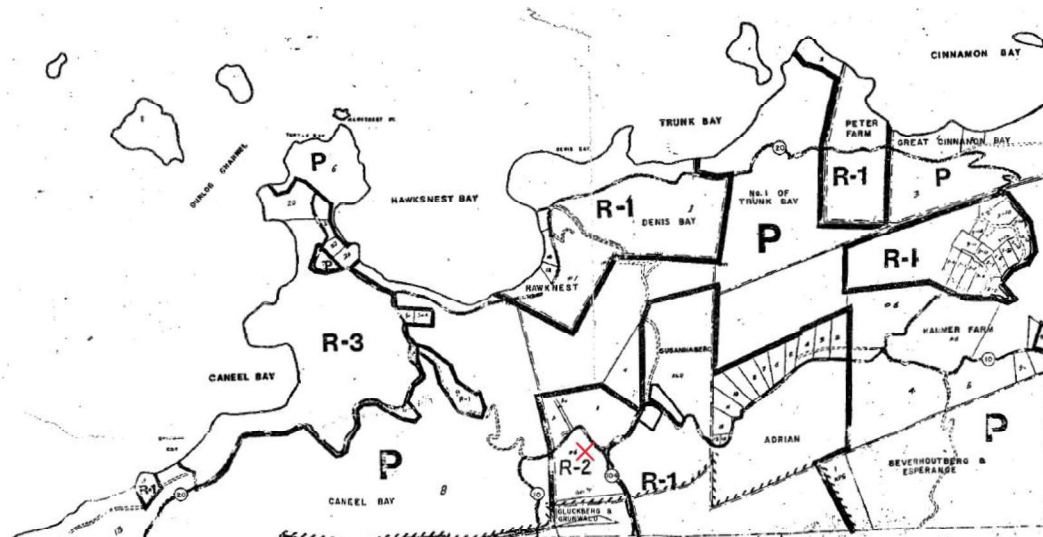
Acreeage: 2.44 acres as described on survey drawing D9-7873-T006.

Surrounding Uses and Zones: Surrounding the property to the north is the Myrah Keating Smith Community Health Center. To the east is a multi-use nonconforming property. To the south and west is the Waste Management Authority (WMA) Transfer Station.



MapGeo aerial view of property (marked in red)

The surrounding area is zoned R-1 (Residential-Low Density), R-2, R-3 (Residential-Medium Density), R-4 (Residential-Medium Density), B-2 (Business-Secondary/Neighborhood), B-4 (Business-Residential Areas), C (Commercial), and P (Public).

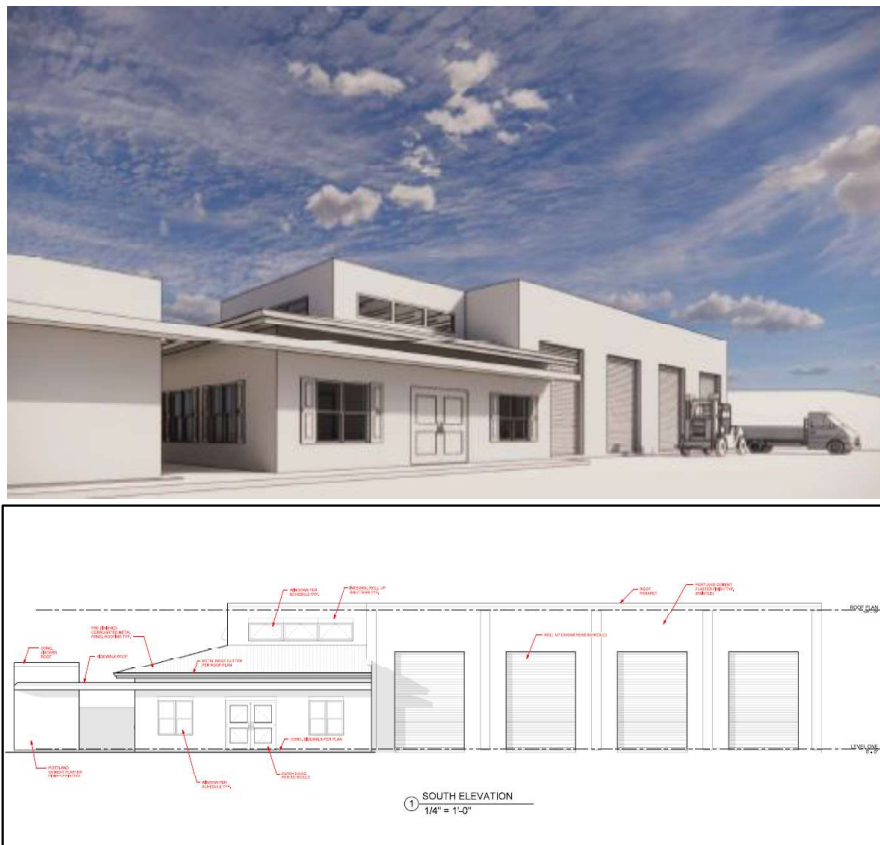


Official Zoning Map No. SJZ-1 (property location indicated by red X)

Infrastructure: Water will be supplied by cistern and wastewater handled by a septic system.

Other needed DPNR Division reviews: The property must undergo the Federal Consistency process due to the use of federal funding for demolition and construction. This process mirrors the CZM/Tier 1 process with stringent requirements on public involvement and environmental/community impact analysis.

Project Summary: At DPNR-CCZP's public hearing, Mr. McClean and Mr. Boschulte testified DPW is currently working on a Disaster Recovery Project for DPW's maintenance building which was damaged in the 2017 storms. The property also houses DPW's main office building, VITRAN office, and Island Green Building Association's recycling facility. The maintenance building repair project is federally funded, requiring compliance with many processes and guidelines, including zoning.



Conceptual drawing of proposed maintenance building redevelopment

Public Response at DPNR-CCZP Public Hearing held January 17, 2024: No opposition or concerns were expressed with the proposal during the hearing. There was one post-hearing letter of opposition. The reason for opposition was that residential land on the north shore is premium-value parcels.

Analysis of Request/Reason for Recommendation: This property was previously part of a larger parcel that included the WMA property. The original parcel (Parcel No. 6) was used as a nonconforming landfill (prior to the 1972 adoption of the zoning law) and ceased operation in the early 1990s. The WMA property (Parcel No. 6 Remainder Est. Susannaberg) underwent the zoning map amendment process and received P-Public zoning in 2022 by Act. No. 8608.

This petition follows eight previous petitions, starting in 2022, for rezoning government owned properties to P-Public for two reasons: 1. To comply with Virgin Islands Code, Title 29, Chapter 3, Subchapter I, Section 229 (q) which states, “Properties which are publicly owned should be shown upon the zoning map as such” and 2. The receipt of federal funds for Disaster Recovery projects.

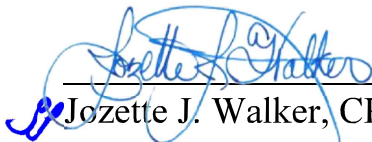
Previous government petitions for rezoning government owned land to P-Public

Agency	Property and Island	Zoning map amendment	Year and Act granting rezoning
WMA	64-31 Smith Bay, St. Thomas	R-3 to P	2022, Act 8601
WMA	C Nazareth, St. Thomas	R-2 to P	2022, Act 8606
WMA	73C Concordia, West End, St. Croix	R-3 to P	2022, Act 8605
WMA	1 Cotton Valley, St. Croix	R-2 to P	2022, Act 8607
WMA	10-M Fredensborg, St. Croix	A-1 to P	2022, Act 8599
WMA	6 REM Susannaberg, St. John	R-2 to P	2022, Act 8608
DPW	73-B & 271 Concordia, West End, St. Croix	R-3 to P	2022, Act 8677
Virgin Islands Territorial Emergency Management Agency	102-A REM, 102-B, & 102-C Hermon Hill, St. Croix	R-3 to P	2023, Act 8710

This site was grandfathered, however, the nonconforming section of the Zoning Code, Section 234, places restrictions on the extension and enlargement of nonconforming buildings. The zoning map amendment is being sought to bring the nonconforming property into zoning conformity, eliminating the restrictions of Section 234 and to bring into compliance government owned land receiving federal funds with Section 229 (q).

Recommendation

The Department of Planning and Natural Resources recommends that Parcel No. 6-A Estate Susannaberg, No. 17A Cruz Bay Quarter, St. John be rezoned from R-2 (Residential-Low Density-One and Two Family) to P (Public).



Jozette J. Walker, CPM
Assistant Commissioner

1.29.2024

Date

Cc: Jean-Pierre L. Oriol, Commissioner