



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

-----0-----

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

4611 Tutu Park Mall
Suite 300, 2nd Floor
St. Thomas, VI 00802
(340) 774-3320

45 Mars Hill, Frederiksted
St. Croix, VI 00840
(340) 773-1082
dprn.vi.gov



Office of the Commissioner

**Report by the Division of Comprehensive and Coastal Zone Planning on
the Petition to Amend Official Zoning Map No. STZ-4, Application No.
ZAT-24-5**

Petition of applicant, Department of Property and Procurement (DPP), Government of the Virgin Islands (assigned to the Bureau of Corrections (BOC)) to amend Lot Nos. 104, 105, 106, 107, 108, and 109 Estate Nisky (Subbase), St. Thomas from C (Commercial) to P (Public) zoning to bring an existing correctional institution into zoning conformity.



Photo of current site condition- hurricane damaged correctional institution

Property Owner(s): Government of the Virgin Islands as per Quitclaim Deed dated February 9, 1967, Document No. 2099/1967.

Applicant Representative(s): Mr. William Karr, architect with Witt O'Brien's, on behalf of DPP and BOC.

Acreage: 2.378 combined acres and shown on survey drawing B9-277-T70.

Surrounding Uses and Zones: Surrounding the property to the north, east, south, and west are government owned and commercially operating properties. Victor's Hideout, a restaurant, is also to the west. Lots 104 and 105 were auto repair and salvage businesses. Lot 106 is leased to a woodworking shop. DPP is assisting current tenants with relocation. Lots 107, 108, and 109 are the current correctional institution.



MapGeo aerial view of properties (marked in red)

The surrounding area is zoned R-3 (Residential-Medium Density), B-2 (Business-Secondary/Neighborhood), C (Commercial), I-2 (Light Industry), and W-2 (Waterfront-Commercial-Industrial).

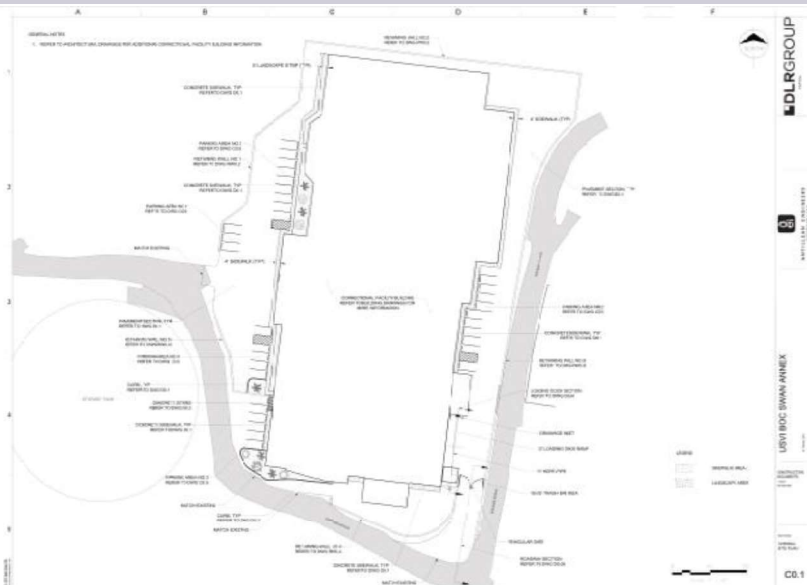


Official Zoning Map No. STZ-4 (property location indicated by red X)

Infrastructure: Water will be supplied by the public water line and backup cisterns. Wastewater will be handled by the public sewer line.

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. Karr testified DPP/BOC is currently working on a Disaster Recovery Project for the demolition and rebuild of the Alva A. Swan Correctional Annex which was damaged in the 2017 storms. At the time of closure due to the storms, there were 16 employees. The 80-bed facility will increase in building footprint, encompassing the six petitioned properties, and result in a 207-bed facility. The rebuilt, expanded facility will allow for the return of 139 inmates who are housed in various out-of-territory facilities. The rebuild is federally funded, requiring compliance with many processes and guidelines, including zoning.



Conceptual drawing of proposed correctional institution redevelopment

Public Response at DPNR-CCZP Public Hearing held February 23, 2024:

There was no opposition or concerns expressed with the proposal.

Analysis of Request/Reason for Recommendation: This petition follows nine 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

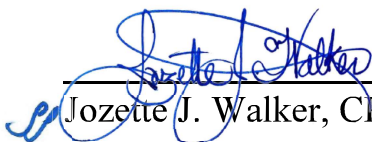
Agency	Property and Island	Zoning map amendment	Year and Act granting rezoning
WMA	64-31 Smith Bay, St. Thomas	R-3 to P	2022, Act 8601
WMA	C Nazareth, St. Thomas	R-2 to P	2022, Act 8606
WMA	73C Concordia, West End, St. Croix	R-3 to P	2022, Act 8605
WMA	1 Cotton Valley, St. Croix	R-2 to P	2022, Act 8607
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
DPW	6-A Susannaberg, St. John	Request R-2 to P	Currently in process

This site is grandfathered (nonconforming) and 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 Lot Nos. 104, 105, 106, 107, 108, and 109 Estate Nisky (Subbase), St. Thomas be rezoned from C (Commercial) to P (Public).



Jozette J. Walker, CPM
Assistant Commissioner

3.12.2024

Date

Cc: Jean-Pierre L. Oriol, Commissioner