



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. STZ-7, Application No.
ZAT-24-8**

Petition of applicant, Able Investments, LLC, to amend Parcel No. 61-3 Estate Thomas, No. 6A New Quarter, St. Thomas from R-5 (Residential-High Density) to B-2 (Business-Secondary/Neighborhood) zoning to develop an office/commercial development.



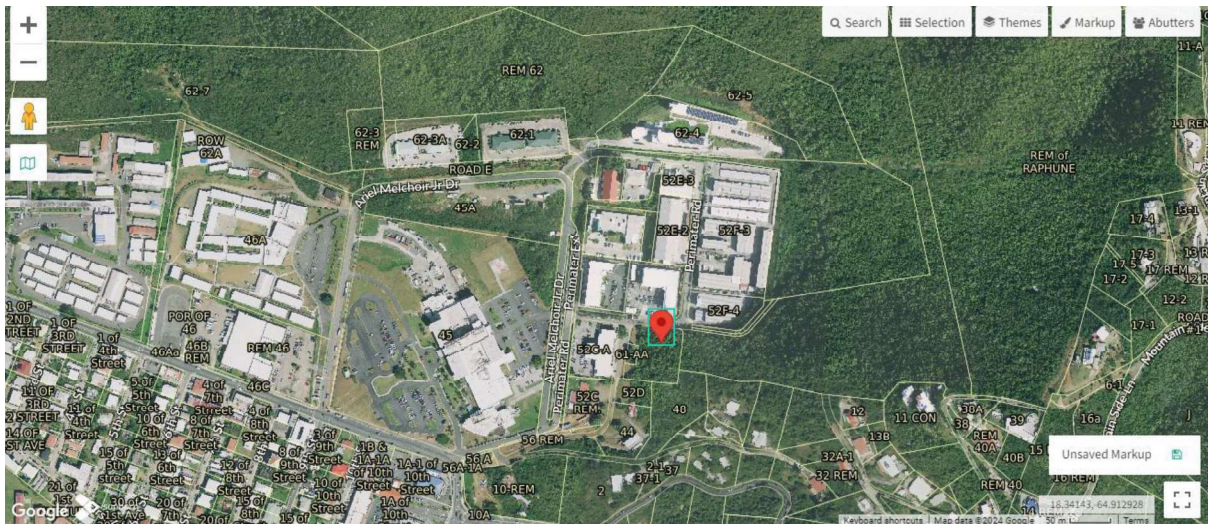
Photo of current site condition- undeveloped lot located behind the Paragon Medical Building and the Lockhart Family cemetery

Property Owner(s): Able Investments, LLC as per Warranty Deed dated March 30, 2023, Document No. 2023003154.

Applicant Representative(s): Errol K. Baker, managing member. Brent Blyden, architect/engineer.

Acres: 1.002 acres as shown on survey drawing D9-9704-T022.

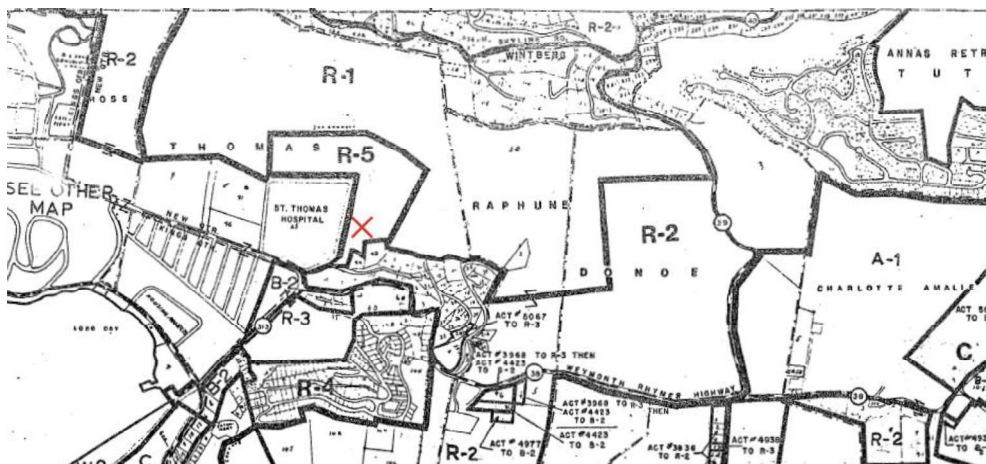
Surrounding Uses and Zones: Surrounding the property to the north is commercial development consisting of retail, offices, and warehouses. To the east is undeveloped land. To the south is undeveloped land and a vacant structure. To the west is the Paragon Medical Building.



MapGeo aerial view of property (marked in red)

The surrounding area is zoned R-1 (Residential-Low Density), R-2 (Residential-Low Density-One and Two Family), R-5, B-1 (Business-Central Business District), B-2, and P-Public with five Estate Thomas rezonings detailed below:

Parcel No.	Year rezoned	Original zone	Rezoned to	Act No.
52	1986	R-5	B-2	5236
62-1	2010	R-5	B-2	7228
62-3A	2013	R-5	B-2	7473
62-5	2014	R-1	R-5	7606
48	2018	R-2	B-1	8078

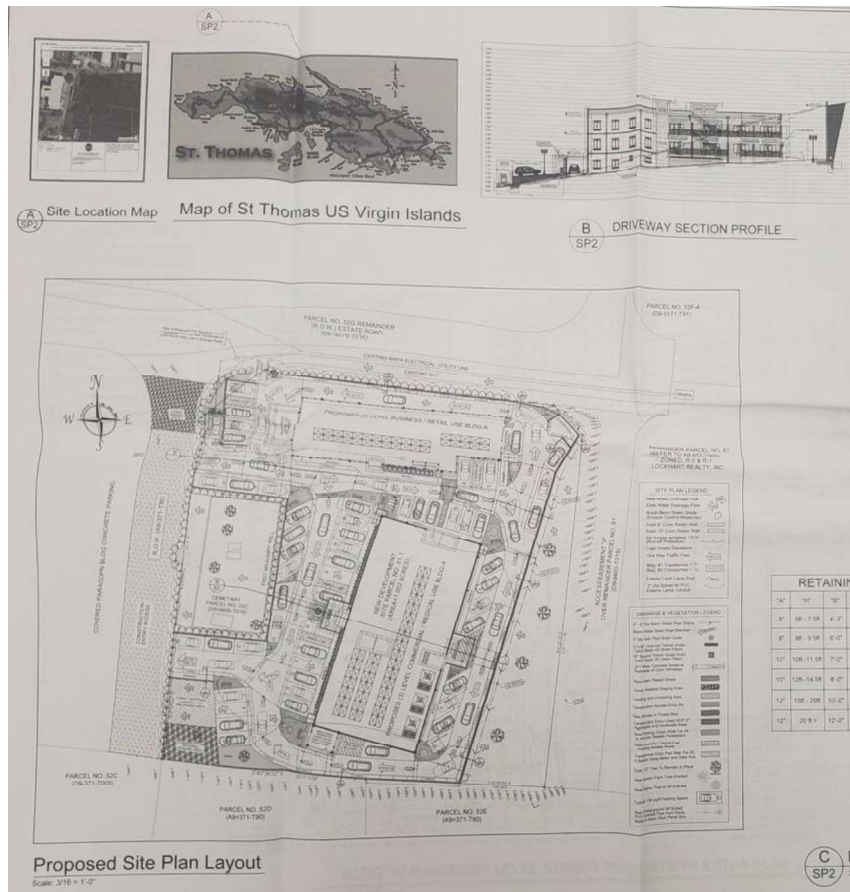


Official Zoning Map No. STZ-7 (property location indicated by red X)

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

Other needed DPNR Division reviews: A Phase I Cultural Resources Survey will need to be conducted and reviewed by the Virgin Islands State Historic Preservation Office.

Project Summary: At DPNR-CCZP’s public hearing, Mr. Errol Baker and Mr. Brent Blyden testified the proposed multi-use office/commercial development will consist of two, three-story buildings, available for office, retail, restaurant, and classroom use. The development will occur in two phases and may take four years to complete. There may be a total of 29 bays, 55 parking spaces including eight accessible, and amenities such as solar and backup generator.



Public Response at DPNR-CCZP Public Hearing held July 22, 2024: There was no opposition or concerns expressed with the proposal. There were no post-hearing comments received.

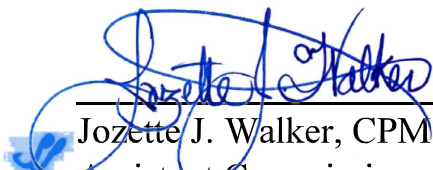
Analysis of Request/Reason for Recommendation: The current R-5 zoning is a high-density residential zone that allows both residential and non-residential uses. The density of 160 persons per acre equals that of the B-1 zone and is the highest density allowed in our Zoning Code. The R-5 zone differs from the B-1 zone in that the R-5 zone was established because of the importance of tourism and the need for hotels, apartment hotels, and other multi-family residential units. It permits a greater variety in the number and types of dwelling units that could be constructed and was primarily to provide residential use. It is only found in Estates Thomas and Lower John Dunko, St. Thomas.

The applicant's primary use for Parcel No. 61-3 Est. Thomas is non-residential uses, many of which would be allowed as accessory to residential or hotel use and not as stand-alone primary uses. The applicant does not intend the primary use of residential or hotel and has opted to seek rezoning to allow the non-residential uses to occur as a matter of right.

Due to rezonings, the characteristics that have developed in the area over the past 50 years indicate the R-5 zoning was not appropriate and another mixed-use zoning was preferred for the area. After analyzing the applicant's request for primarily non-residential use, the decline of the R-5 zone in the location, and the mixed character of the area; the department recommends approval of the rezoning request. The requested B-2 zone is in line with what has been granted in the past and the proposed development would not be out of character with the surrounding area.

Recommendation

The Department of Planning and Natural Resources recommends that Parcel No. 61-3 Estate Thomas, No. 6A New Quarter, St. Thomas be rezoned from R-5 (Residential-High Density) to B-2 (Business-Secondary/Neighborhood).



Jozette J. Walker, CPM
Assistant Commissioner

8.5.2024

Date

Cc: Jean-Pierre L. Oriol, Commissioner