



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-3, Application No.
CCZP0025-26**

Petition of applicant, Sam Globe Limited, to amend Parcel No. 10 Estate Fortsberg, No. 17A and 17B Coral Bay Quarter, St. John from R-1 (Residential-Low Density) to B-2 (Business-Secondary/Neighborhood). The purpose of the request is to bring the property into zoning conformity with its past retail and commercial usage.



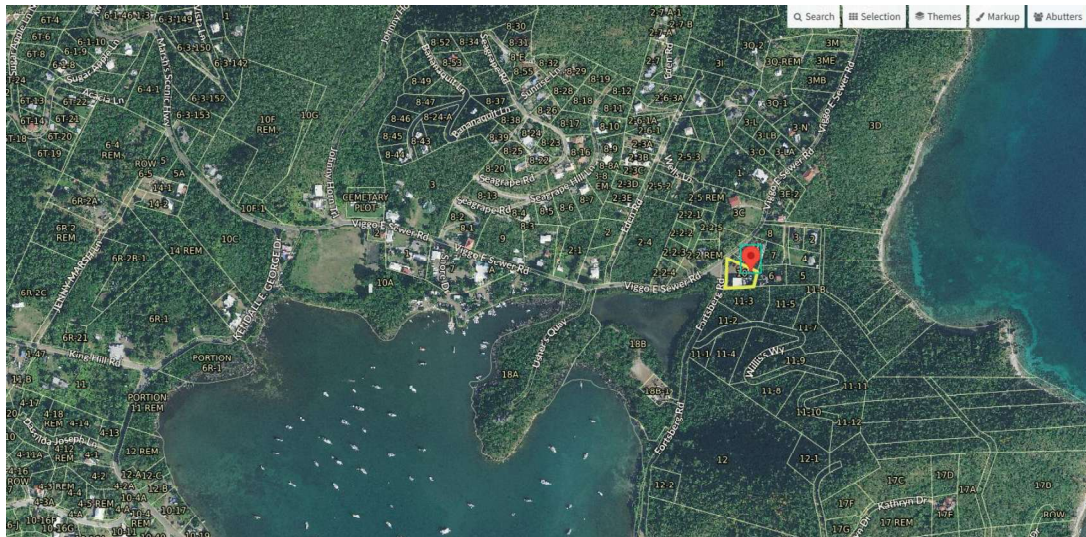
Site photo-unoccupied non-residential structure on property

Property Owner(s): Sam Globe, LTD as per Amended Adjudication filed October 27, 2023, Document No. 2023006198.

Applicant Representative(s): Willis Todmann, company representative for Sam Globe Limited; Sam Globe Limited principals- President Cloris Faye Samuel and Secretary Mechele Lett; Counsel Ronald W. Belfon, Esq.; Zoning Consultant Brian Turnbull; and Janice M. Penn, Administrative Manager.

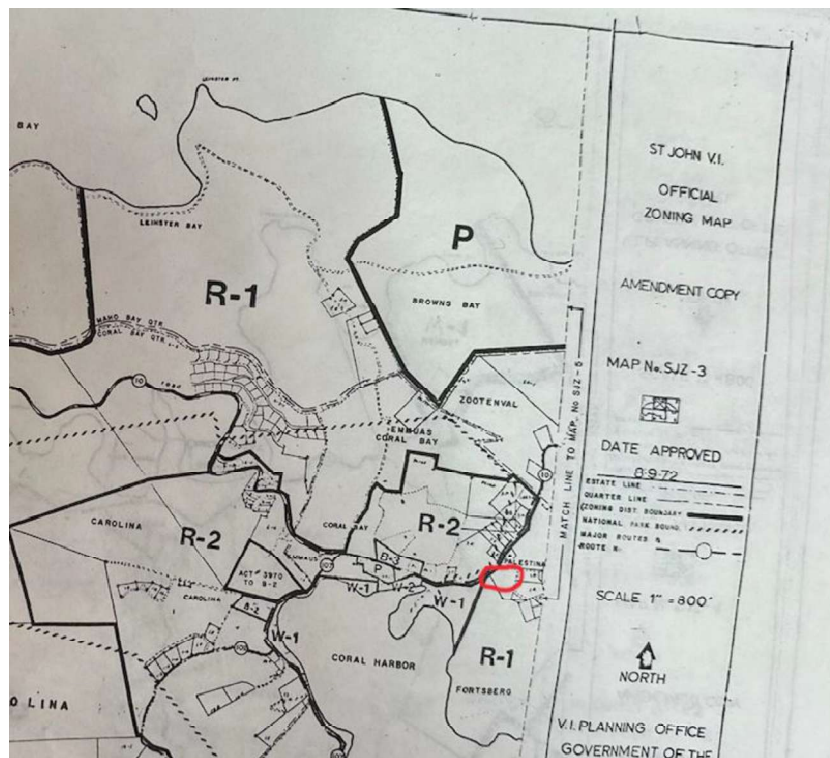
Acreeage: 0.51 U.S. acres as described on survey drawing No. D9-1061-T72.

Surrounding Uses and Zones: To the north is the public road and across the street are single family homes. To the east is business-zoned Parcel No. 9. To the south is undeveloped land. To the west is a road leading to Estate Fortsberg and the mangrove pond.



MapGeo aerial view of property (marked with red)

The surrounding area is zoned R-1, R-2, W-1, and B-3. One prior zoning map amendment is noted: Parcel No. 9 Estate Fortsberg, rezoned from R-1 to B-3 in 2009 by Act No. 7065.



Official Zoning Map No. SJZ-3 (property location indicated by red circle)

Infrastructure: Water service is provided by well and cistern. Sewer is handled by a septic tank.

Other DPNR Division reviews needed: None, unless permits required for restoration/renovation.

Project Summary: The applicant's request is to bring the property into conformity with its longstanding commercial and retail use history. During the public hearing, the applicant explained that the site has historically accommodated commercial activities, including an entertainment venue and later a hardware and building materials business, and is strategically located at the entrance to Estate Fortsberg. The applicant contends that the rezoning would support the growing needs of the Coral Bay community by allowing neighborhood-oriented commercial uses that could provide goods and services to residents, visitors, and nearby residential developments. The property currently contains a damaged structure, a well and cistern, and a septic system, although no specific development proposal has been finalized. The applicant indicated that any future development would comply with all applicable zoning, environmental, parking, landscaping, and permitting requirements, including potential upgrades to wastewater treatment infrastructure (a small packaged sewage system).

Public Response at DPNR-CCZP Public Hearing held July 20, 2026: Questions were raised regarding future site development, infrastructure, buffering, flood hazard considerations, and the appropriateness of the requested B-2 zoning classification.

Public testimony submitted during and after the public hearing included opposition to the B-2 designation based on concerns about compatibility with the surrounding residential area and the potential for spot zoning, with suggestions that a more limited commercial classification may be more appropriate. Overall public sentiment was generally an urging for caution regarding the proposed rezoning. Two commenters recommend denial or deferral, while another did not oppose rezoning outright but requested a more comprehensive review before any approval.

Summary of Major Themes Raised

1. Compatibility with Surrounding Land Uses

- Estate Fortsberg is predominantly residential in character.
- Concerns were raised that introducing B-2 commercial zoning could create conflicts with nearby residences through:

Increased traffic, Noise, Lighting, Parking demands, and Expanded commercial activity

- Commenters noted that changes to a single parcel could alter the character of the neighborhood and affect neighboring property owners' expectations.

2. Consistency with Planning and Zoning Policies

- Questions were raised regarding whether the request aligns with:

Existing zoning patterns in the Fortsberg/Coral Bay area and the 2024 Comprehensive Land and Water Use Plan (Comp Plan).

- Nearby commercial properties were cited as being zoned either B-2 or B-3, prompting discussion about which classification, if any, is appropriate.
- Concerns were also expressed that rezoning a single parcel primarily for a specific owner's benefit could constitute spot zoning.

3. Need for Additional Justification

- Several commenters stated that the application does not adequately demonstrate:
 - A public necessity for additional commercially zoned land.
 - Why existing commercial areas in Coral Bay cannot accommodate the proposed need.
 - A clearly defined future use for the property.
- The absence of a specific development proposal makes it difficult to fully assess impacts.

4. Flood Hazard and Environmental Concerns

- Multiple comments noted that portions of the property lie within FEMA Flood Zone AE, a Special Flood Hazard Area.
- Concerns included:
 - Flooding risks and regulatory requirements.
 - Potential impacts on neighboring properties.
 - Increased stormwater runoff associated with more intensive development.

- Additional concerns were raised regarding the parcel's proximity to a salt pond wetland and its role as a buffer protecting environmentally sensitive resources.

5. Long-Term Development Implications

- Commenters emphasized that zoning rights remain with the property regardless of ownership.
- Although current owners may envision a limited commercial use, future owners could pursue a wider range of business activities permitted under B-2 zoning.
- Approval could potentially encourage similar rezoning requests, leading to incremental commercial expansion into residential areas.

6. Community Needs Consideration

- One commenter noted that Coral Bay lacks certain services and amenities, including:
 - Office and commercial services
 - Community facilities
 - Childcare and eldercare services
 - Hardware, repair, storage, and other neighborhood-serving businesses
- This comment suggests that the community needs should be weighed as part of the overall rezoning analysis rather than serving as automatic justification for approval.

The comments collectively requested evaluation of:

1. Compatibility with surrounding residential land uses.
2. Consistency with the Comp Plan.
3. Potential spot-zoning concerns.
4. Existing zoning classification accuracy (R-1 vs. R-2).
5. Floodplain and environmental constraints.
6. Impacts on wetlands and stormwater management.
7. Need for a clearly defined future use.

8. Availability of existing commercial-zoned land nearby.
9. Long-term implications for future development and neighborhood character.

The comments collectively support a careful review of the rezoning request before approval. The primary concerns focused on residential neighborhood compatibility, planning consistency, flood and environmental impacts, and the lack of a clearly defined proposed use. While one commenter acknowledges potential community benefits from additional services, the overall feedback supports denial or deferral pending further justification, clarification, and impact analysis.

The applicant responded to the principal concerns raised during the public hearing and in written comments (File Item No. 18B. Applicant Response to Public Comments); however, several responses consist primarily of general assertions rather than documented analysis. In particular, the response does not provide specific Comp Plan policy support, technical floodplain or environmental documentation, a detailed description of the intended use, or a substantive discussion of precedent-setting effects and local commercial zoning patterns. As a result, several concerns raised by commenters remain only partially addressed.

Analysis of Request/Reason for Recommendation: The proposed amendment is not fully consistent with the Comp Plan. It may support objectives related to providing neighborhood-serving commercial services and economic opportunities within the Coral Bay community because tThe St. John section of the Comp Plan recognizes the need to improve access to goods, services, and community facilities, encourages infrastructure that supports small-scale local business investment, and identifies Coral Bay as an area where economic opportunities and community-serving commercial uses should be considered as part of future planning efforts.

The Comp Plan, however, also establishes that land use decisions should be based on sound planning principles, compatibility with surrounding land uses, environmental stewardship, and avoidance of spot zoning. The Comp Plan specifically identifies "No More Spot Zoning" as a territory-wide concern and calls for rezoning decisions to be guided by objective criteria and a broader planning framework. It further emphasizes protection of watersheds, wetlands, flood-prone areas, and other environmentally sensitive resources, along with careful evaluation of development impacts on surrounding neighborhoods.

The subject property is located within an area that remains predominantly residential in character, and public testimony raised concerns regarding compatibility with adjacent residential uses, potential traffic, noise, lighting, and parking impacts, as well as flooding and environmental constraints related to the property's proximity to wetlands and Special Flood Hazard Areas (a portion of the property is within FEMA Flood Zone AE). The application does not include a specific development proposal, technical environmental analysis, market justification, or documented demonstration of how the requested B-2 zoning would advance the broader planning vision for Coral Bay while avoiding adverse impacts to the surrounding area. Further, while the applicant references the parcel's historical commercial use, the record does not fully establish that the requested zoning amendment is necessary to achieve the goals and policies of the Comp Plan or that less intensive zoning alternatives have been adequately evaluated.

While the petition may advance certain Comp Plan objectives related to local economic development and neighborhood-serving commercial services, the application does not fully demonstrate consistency with Comp Plan policies concerning sound planning, land use compatibility, environmental protection, flood hazard considerations, and the Comp Plan's stated objective of reducing spot zoning. Additionally, B-3 zoning was evaluated and although it may provide a less intensive commercial classification than B-2 and may more closely reflect the property's historical pattern of isolated commercial activity, the Comp Plan does not provide sufficient support to conclude that either the B-2 or B-3 classification is fully consistent absent a broader Coral Bay land use strategy, demonstrated public need, compatibility analysis, and evaluation of environmental constraints. Accordingly, the distinction between B-2 and B-3 does not resolve the fundamental Comp Plan concerns regarding spot zoning, planning consistency, and long-term land use impacts.

Recommendation

The Department of Planning and Natural Resources recommends denial of the request.



Jozette J. Walker, CPM
Assistant Commissioner

9.2.2026

Date

Cc: Jean-Pierre L. Oriol, Commissioner