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To:
Department of Natural Resources
Division of ///comprehensive and Coastal Zone Planning
St. Croix, USVI
Att: Leia La Place-Mathews
Territorial Planner

I am writing this letter after the Sept 15th hearing for CCZP0069-25 6a Beeston Hill rezoning request from R-1 to B-2 by Mr. Atta Misbeh. My opinion has not changed after hearing from the property owner's consultant Ms. Barnes and her teachable moments. Over the past four years, I have consistently expressed my opposition to spot zoning. My awareness was initially sparked by the proposed rezoning of Beeston Hill with Mr. Misbeh's first attempt. As I dove into the concept of spot zoning in the USVI, I was shocked to know that the Legislature can at their will overrule the experts at DPNR and override the Governor for special interests. I became an advocate against spot zoning attempts that try and turn existing green residential land on the island to business with the intent to become new commercial areas. Once you're aware of this issue of spot zoning, you'll start to notice the numerous abandoned commercial buildings scattered throughout St. Croix, highlighting the urgent need for rehabilitation and revitalization of these neglected business zoned areas. It is appalling to me to destroy green hillsides for new business/commercial development. Prioritizing commercial development over preservation can have negative consequences for the environment and future generations. Just Right Trucking is a perfect example of the negative effects of spot zoning. The hill was once zoned residential and was spot zoned to Business than Industrial for special interests.

The case of Beeston Hill is a prime example of the importance of preserving residential areas. The hill serves as a natural buffer between commercial districts, providing an atmosphere that makes it an ideal location for a residential development that adheres to the existing zoning regulations. The 6A land was priced as R-1 and purchased as R-1 by the current owner. In fact we bought our home in Beeston Hill after many years living at Hovenssa because of the location. The area's charming hillside location has a unique appeal that makes it a hidden gem, and it's essential to preserve this character by respecting the

current zoning boundaries. A B-2 zoning will disrupt this residential neighborhood and change the area dramatically for all St. Croix residents. I am not opposing an addition of a residential development. I am opposing this B-2 profit driven scheme. B-2 is not needed for the proposed residential project, which leads me to believe the request is disingenuous at best.

Rezoning to B-2 for this proposed small residential development on Beeston Hill would be considered up zoning. Ms. Barnes stated that the only reason the owner is asking for B-2 zoning is it would give the owner more financing options and more leverage for the project. In fact it would unlock for the owner new valuable development potential that could attract new investments for the 15+ acres. If the owner gets the B-2 zoning he could make the case that his original plan of 24 town house units lost its financing, or was not feasible to be built, or he could be approached by a new financier offering to buy the land leading to a financial windfall quadrupling his initial investment. How could we prevent that from happening? As proposed right now, we know his project is not binding. The proposed project, as submitted with the application, seems underutilized, as it only occupies 3 to 4 acres of the site, which totals 15+ acres. This raises questions about the potential for future development and the possibility of the remaining land being used for other purposes. The limited scope of the initial project may not be the only intention for the site, and it's crucial to consider the potential long term implications of approving this application. If his goal as Ms. Barnes stated is to build much needed affordable housing why is there not a plan to build more than 24 town houses? Are we supposed to believe the prime 11 acres are going to be left untouched under a B-2 zoning?

The fact that the owner would be a first time developer of a residential project of this nature raises questions for me. His current expertise is as a grocery store/gas station owner and a half owner of a concrete business. During the hearing I had a proven developer texting me that "the developer is quoting selling costs that would put him under water to begin. Current building is averaging \$300 PSF for budget vertical construction not including roads, parking and utilities" In the hearing it was stated that the units would be between 750 PSF to 1500 PSF with selling prices of \$150,000 to \$400, 000. Using this low average cost price of \$300 PSF the units would cost \$225,000 to \$450,000 to build. Even with owning a concrete company these numbers do not add up. Frankly, in the hearing it did not sound as though a lot of planning had been done regarding the financials for the development. The unclear financials and the lack of environmental studies are just another reason for me to question the legitimacy of this development.

Ms Barnes' stated objective of attracting young professionals back to the island is admirable, but the proposed 24 unit housing project falls short of achieving

this goal. With only 70% of the units designated for rental, and half of those being short term rentals (which attract visitors), it's unclear how this development will effectively address the needs of young professionals seeking stable, long term housing. Furthermore, the fact that only 3 to 4 acres of the 15+ acres site will be utilized, leaving 11 acres undeveloped, raises questions about the project's overall vision and commitment to meeting the stated goal. The gap between the stated objective and the actual proposal is significant, making it difficult to see how this proposed project will realistically achieve its intended purpose. It must be stated again that the request for B-2 zoning for the stated proposal, when not needed is a road block the owner created himself. The request to spot zone 15+ acres for this project is blatant overreach, with the intended purpose to obscure the developer's true intentions and manipulate public opinion.

Now to look at the big picture around Beeston Hill. Beeston Hill as described by wikipedia is little more than a small hamlet, lying along route 70. This small hamlet is why the property owners purchased land in this area. It is a quiet neighborhood buffered by several residential neighborhoods centrally located between convenient commercial centers. Opposing B-2 means the residents are trying to keep it from turning into a "Barron Spot, with that monstrosity that's being constructed in an area that dwarfs the community" as Ms. Barnes stated in the hearing. Barron spot is described by wikipedia as a location with significant commercial and industrial development along the Melvin Evans Highway and Hess by pass road. Several parcels are available for sale, with developers looking to create new commercial or industrial facilities in this highly trafficked area. In fact there is B-2 land for sale right now in Barron Spot.

The island already has an abundance of commercial business areas, making it unnecessary to disturb another hillside to accommodate additional commercial development. Granting the owner approval to rezone the land would give him the potential to construct over 150 businesses, which far exceeds his stated intention of building townhouses. The discrepancy between his stated plans and the actual proposal may not be entirely transparent, and I believe the plan does not justify B-2 zoning for the entire hillside. Commercial business areas on the island are plentiful. My concern is that granting one landowner a zoning change to B-2 on Beeston Hill could set a precedent for other nearby residential landowners to seek similar treatment. This could potentially trigger a wave of requests from other property owners in the area, leading to a drastic transformation of the area becoming a new commercial hub. The potential consequences of such a change are far-reaching, and I worry would alter the character of the area in ways that are not desirable for the entire St. Croix community. As a resident, I don't feel that new commercial developments are necessary, and instead, I would like to see the legislature focus on passing

rehabilitation bills that offer incentives for revitalizing and renovating our existing commercial areas, which would ultimately benefit the entire community of St. Croix. Through collaborate efforts, DPNR and the community successfully developed a comprehensive land and water use plan aimed at preventing precisely these kinds of scenarios, demonstrating a thoughtful and balanced approach to development that prioritizes the well-being of all stakeholders, rather than catering to special interests or allowing profit driven agendas to dictate the course of growth. Spot zoning may sometimes be justified for a clear public benefit but in the case of spot zoning existing large parcels of residential land, I view it negatively as it can be arbitrary, and undermine the community's overall master plan, and unfairly favor private interests over the collective good. I strongly encourage DPNR to take a firm stance against this spot zoning proposal, which appears to be driven by financial gain rather than a genuine concern for the community's wellbeing. It could change the area for years to come, destroying large residential land for new business commercial development. New business development in this area could cause nearby existing commercial development to erode even further.

I would like to go on the record that my fellow neighbors and I opposing this rezoning request did not hire a consultant to speak on our behalf like the owner of the property. In Ms. Barnes final statement she used mischaracterizations and generalized the motives of a large group of people attending the hearing. She painted a picture that does not represent us and it was insulting. We are not a group unwilling to extend opportunities to others to improve their own housing and wealth building. That is a false indictment of what are concerns for the development are. No one stated opposition to new residential housing being built within the perimeters of the current zoning on the parcel of land. The opposition is solely focused to deny a request to B-2 zoning for the 15+ acres. Seeking to spot zone 15+acres for this project seems like an excessive and misleading request, suggesting that the owner and his paid consultant may be trying to hide their true intentions from the public. We would embrace considerate residential development that adheres to the existing zoning regulations for the land. Our perspective aims to safeguard all property owners in the USVI from individual financial exploitation through requests for spot zoning. We do not align with the portrayal Ms. Barnes has presented of us. In Ms. Barnes own words in 2018 when she was running to become a Senator she stated " A comprehensive land and water use plan: The practice of spot zoning and variances must be a thing of the past. It is very difficult for development to proceed without the assurance of future land and water use applications." With a proposal request to rezone all 15+ acres to B-2 when it is not needed to develop 24 town houses is misleading the general public and stating her client's motivation is to improve the middle income housing crisis on St. Croix falls short. It looks to me that both she and her client are looking towards a financial

windfall if they are successful in their attempt to rezone and the small housing project will fall from the table and be replaced with major commercial development.