

## **LAWMAKERS VET PETITIONERS ON REZONING REQUESTS**

**Date :** July 31, 2018

St. Thomas – The Committee of the Whole led by Senate President Myron Jackson, held a meeting at the Capitol Building on Tuesday, to receive testimony on zoning hearings as it pertains to the JRS Holding, LLC and the V.I. Christian Ministries. Policymakers did not vote on the zoning requests at the meeting today.

Sen. Myron Jackson said, “One of the issues that plague the Territory is the lack of infrastructure and development. There aren’t street lights in place, pedestrian sidewalks to access the medical facilities, public transportation or proper sewage.” He asked, “How can we correct the infrastructure needs of the land use plan?” Matthew Laplace, the Territorial Planner for the Department of Planning and Natural Resources (DPNR), stated at this time, development is limited. Government agencies must collaborate to build the infrastructure.

The petition seeks to amend the Official Zoning Map No. STZ-7 from R-2 (Residential-Low Density One and Two Family) to B-1 (Business-Central- Business District) for Parcel No. 48 Estate Thomas, No. 6A New Quarter, St. Thomas. The applicant’s proposed use is to create a mixed-use development consisting of medical offices, retail, a wellness center, and residential units for primarily short-term patients seeking medical treatment.

The Ensemble Complex is a three-story commercial complex housing medical practices, a wellness center, physical rehabilitation facilities, pharmacies, office spaces, and retail. The application seeks to change the current zoning category from residential to a central business district. With a recommendation from Dawn Henry, Commissioner of DPNR, to have the entrance and road access expanded to accommodate commercial use.

In a written testimony submitted to the Senate, Petitioner Jerry Smith, MD stated that this facility seeks to provide a high-traffic commercial trade center that offers a cohesive environment where medical, professional, and retail entities can thrive, grow and more conveniently serve the consumers of a variety of services.

Although lawmakers expressed support for the rezoning request, they addressed their concerns. “My concern is that if the drainage is improperly built, it can cause flooding to residents in the area,” said Sen. Janelle Sarauw. In response, Laplace stated that the applicant is required to meet DPNR standards for building the drainage. The applicant must submit engineering plans to DPNR before the start of the project.

“Will the road project be completed before building the establishment?” Sen. Jean Forde questioned. Attorney Joseph Caines, Attorney of the Law Office of Joseph Caines representing

Dr. Smith stated that the construction of the road may or shall be done either before or during the development of the first phase of The Ensemble Complex.

Sen. Novelle Francis inquired of who is fiscally responsible for expanding the roads from one lane to two lanes. Laplace said, "The cost for the road expansion is the responsibility of the petitioner." Sen. Francis further asked, "Is all of the funding in place?" In response, Attorney Caines stated that not all the funding is in place for development, because it is a multi-million-dollar project. However, my client is confident that he will obtain financing to widen the road on an easement."

Sen. Brian Smith shared his remarks on the zoning application. "Comparatively to neighboring islands, the Virgin Islands needs more business development. Sometimes we hold back development, and this occurred for over twenty years. It is time to move forward by supporting business ventures."

Separately, policymakers also considered the following: Report on Petition to Amend Official Zoning Map No. STZ-7-Application No. ZAT-18-1 a petition of VI Christian Ministries (authorized agent, Attorney Jennifer Jones) requesting use variances to the R-1 (Residential-Low Density zoned Parcel No. 105 Remainder Estate Bolongo Bay, No.3 Frenchman's Bay Quarter, St. Thomas. The purpose of the request is to allow for office and storage use. The proposed method is to convert the former bowling alley to offices and storage.

Based on the report of Dawn Henry, Commissioner of DPNR, the public opposed the rezoning request because of the effects of traffic, pollution, sound and a possible increase in flooding. Sen. Tregenza Roach asked, "Considering that there aren't any structural changes to the property, how accurate are these concerns?" Well, some concerns did not have anything to do with the property or the project stated Attorney Jennifer Jones, Authorized Agent of the Property. "People like to create a problem in their mind that doesn't exist," said Sen. Smith.

Photos: <http://www.legvi.org/committeemeetings/Media>

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