

**ACKNOWLEDGMENT OF RECEIPT**  
**SUMMARY ZONE CHANGE PACKET**

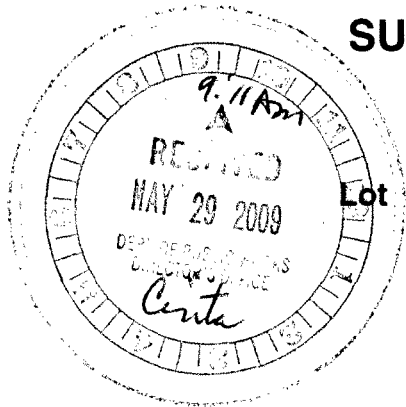
LEGISLATURE  
1

for

Lot 5396-R5NEW-5-R1, Municipality of Mangilao

**YANGUANG ZHENG**

**SZC 2009-54**



2009 JUN -3 AM 8:30 PM

Legislative Secretary  
 30<sup>th</sup> Guam Legislature  
 Signature: *Centa*  
 Name (print): Chelsea Reidy  
 Date: 6/2/09  
 Time: 8:50

Building Official (Director's Office)  
 Department of Public Works  
 Signature: *Jacinta Perez*  
 Name (print): Jacinta Perez  
 Date: 5-29-09  
 Time: 9:11 AM

FOR RECORDATION ONLY:  
 Deputy Civil Registrar

Dept. of Public Works  
 Bldg. Permit/Bldg. Official

[ \_\_\_\_\_ ]

*SANDIE DIAZ*  
 Name (print)

*[Signature]*  
 Signature

5-29-09  
 Date

THIS IS NOT APPLICABLE

SEE ATTACHED RECORDED

NOA

30-89-0661  
 Office of the Speaker  
 Judith T. Won Pat, Ed. D.

Date: 6/2/09  
 Time: \_\_\_\_\_  
 Received by: *[Signature]* 10:35-

[ \_\_\_\_\_ ]

Applicant's Name

YANGUANG ZHENG

*[Signature]*  
 Signature

5/27/09  
 Date Time



**DIPĀTTAMENTON MINANEHAN TĀNO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUĀHAN**  
 (Government of Guam)



FELIX P. CAMACHO  
 Governor of Guam

TEREZO R. MORTERA  
 Director

MICHAEL W. CRUZ, M.D.  
 Lieutenant Governor of Guam

MICHAEL C. JAMES  
 Deputy Director

Street Address:  
 590 S. Marine Corps Drive  
 Suite 733 ITC Building  
 Tamuning, GU 96913

Mailing Address:  
 P.O. Box 2950  
 Hagåtña, GU 96932

Website:  
<http://dlm.guam.gov>

E-mail Address:  
[dlm@mail.gov.gu](mailto:dlm@mail.gov.gu)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

May 21, 2009

Honorable Senator Tina Muna-Barnes  
 Legislative Secretary, 29<sup>th</sup> Guam Legislature  
 155 Hessler Place  
 Hagåtña, Guam 96932

Re: Summary Zone Change Application No. SZC 2009-54  
 Lot 5396-R5NEW-5-R1, Municipality of Mangilao,  
 for Yanguang Zheng

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), The Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 5396R5NEW-5-R1, Municipality of Mangilao, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to allow for construction of a 3-unit, 2-storey townhouse complex for affordable rentals.

As such, the Department of Land Management **Approved** the Zone Change with conditions as specified on **May 21, 2009**.

Your attention to this matter is greatly appreciated.

Sincerely,

Terezo R. Mortera  
 Director

PCG  
 Attachment(s):

1. Zone Change Map F3- 67 S40, Amendment No. 63
2. Staff Report and Notice of Action
3. Certifications of Utility Agencies ; GWA
4. Zone Change Application



Department of Land Management  
 Government of Guam  
 Application No. **790705**  
 Date: 09 Month 05 Day 27 Time 2:45  
 Receipt No. \_\_\_\_\_  
 Signature: *Juan B. Amador*

=====  
 (Space above for Recordation)

**DEPARTMENT OF LAND MANAGEMENT**  
 Government of Guam  
 Hagåtña, Guam 96910

**NOTICE OF ACTION**

Application No. SZC 2009-54

May 21, 2009  
 Date

**To: Yanguang Zheng**  
**P.O. Box 20232 GMF**  
**Barrigada, Guam 96921**

The Department of Land Management, pursuant to Title 21 GCA, Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedures for Agricultural and Single-Family Residential rezoning), and Executive Order No. 92-08:

- APPROVED  
 DISAPPROVED  
 **APPROVED WITH CONDITIONS**

your request on **Lot 5396-R5NEW-5-R1, Municipality of Mangilao**, for a **Zone Change:**

- from "A" (Rural) to "R-1" (Single-Family Dwelling)  
 from "A" (Rural) to "R-2" (Multi-Family Dwelling)  
 **from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling)**

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions or involved clarification, see the conditions below for further details.

**NOTATION: Zone Change on Lot 5396-R5NEW-5-R1, Municipality of Mangilao, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to allow construction of a 3-unit, 2-storey townhouse complex for affordable rentals.**

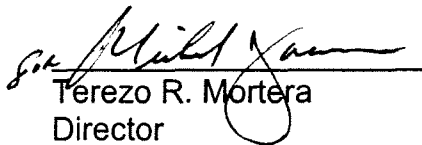
790705

**CONDITIONS:** The Department of Land Management **Approved** the application based on the following conditions:

1. That the applicant comply with all permitting agency conditions and requirements;
2. That the building construction site development plan provide detail of structure location, parking layout, landscaping plan, disposal of sewage and access; and that the site development plan be approved by the Guam Chief Planner prior to issuance of a building construction permit;
3. That any future increase in dwelling units or use intensity from the approved site plan shall require the owner/developer to resubmit a revised site development plan to the Guam Chief Planner for re-evaluation to determine physical and social impacts prior to requesting for a building permit;
4. That said zone change under this process shall not include the following uses or conversions: Horizontal Property Regimes ((21 GCA, Chapters 45) (Horizontal Property Act) and 47 (Time Share Ownership)), hotels/motels, and residential commercial activities such as laundry room, gift shop, and the like; and temporary workers housing facilities;
5. That the development be hooked up to public sewer and comply with GEPA's waste-water disposal system requirements and conditions;
6. That the applicant provide a green and play area as well as a perimeter fence for the safety of children and tenants;
7. That the applicant provide 2:1 parking for each dwelling unit.



Carlos R. Untalan  
Guam Chief Planner



Terezo R. Mortera  
Director

May 21, 2009  
Date

May 21, 2009  
Date

 Case Planner: Penmer C. Gulac, Planner III

Attachments: Certification of Utility Agencies  
Position Statement(s) ; GWA  
MPC Resolution, Mayor of Mangilao


cc: Building Permit Section, DPW

\*\*\*\*\*

**CERTIFICATION OF UNDERSTANDING**

I, **Yanguang Zheng**, understand and accept the conditions above as a part of the Notice of Action, and further agree to adhere to the conditions made a part of and attached to this Notice of Action as mandated by the approval of this zone change by the Department of Land Management.

Yanguang Zheng

  
\_\_\_\_\_  
Signature of Applicant

5/27/09  
Date

=====

**NOTICE:** This Notice of Action must be presented by the applicant and/or their representative (engineer, contractor, etc.) to all permitting agencies in securing permits for construction.

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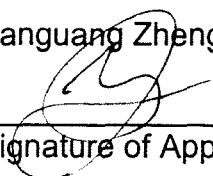
**AGREEMENT**

**Summary Zone Change**

**Application No. 2009-54**

I, **Yanguang Zheng**, the undersigned, acknowledge that approval of the Zone Change request does not constitute automatic approval or guarantee the issuance of the "Building Permit" for the construction of any dwelling. I further understand that the issuance of the necessary "Building Permit" will be dictated by the availability and/or adequacy of infrastructure in the area. This will be determined by the infrastructural agencies, i.e., Guam Environmental Protection Agency, Guam Power Authority, Guam Waterworks Authority and the Department of Public Works.

Yanguang Zheng:

  
\_\_\_\_\_  
Signature of Applicant

5/27/09  
Date



**SUMMARY ZONE CHANGE  
LOT 5396-R5NEW-5-R1  
MUNICIPALITY OF MANGILAO**



SPACE FOR RECORDATION

**APPLICATION NO. 2009-54  
SUMMARY ZONE CHANGE  
YANGUANG ZHENG  
Prepared on MAY 01, 2009**

**APPROVED WITH CONDITIONS  
[AS NOTED ON NOTICE OF ACTION AND  
PURSUANT TO TITLE 21, GCA, CHAPTER 61,  
SECTION 61639 AND EXECUTIVE ORDER 92-08]**

**FROM: "R-1" SINGLE-FAMILY DWELLING**

*Terezo R. Mortera* **5/26/09**  
DATE

**TO: "R-2" MULTI-FAMILY DWELLING**

**TEREZO R. MORTERA  
DIRECTOR  
DEPARTMENT OF LAND MANAGEMENT**

**LOT NO: 5396-R5 NEW-5-R1  
REF MAP: DLM MAP NO. 212 FY 2001**

**BLOCK NOS. N/A**

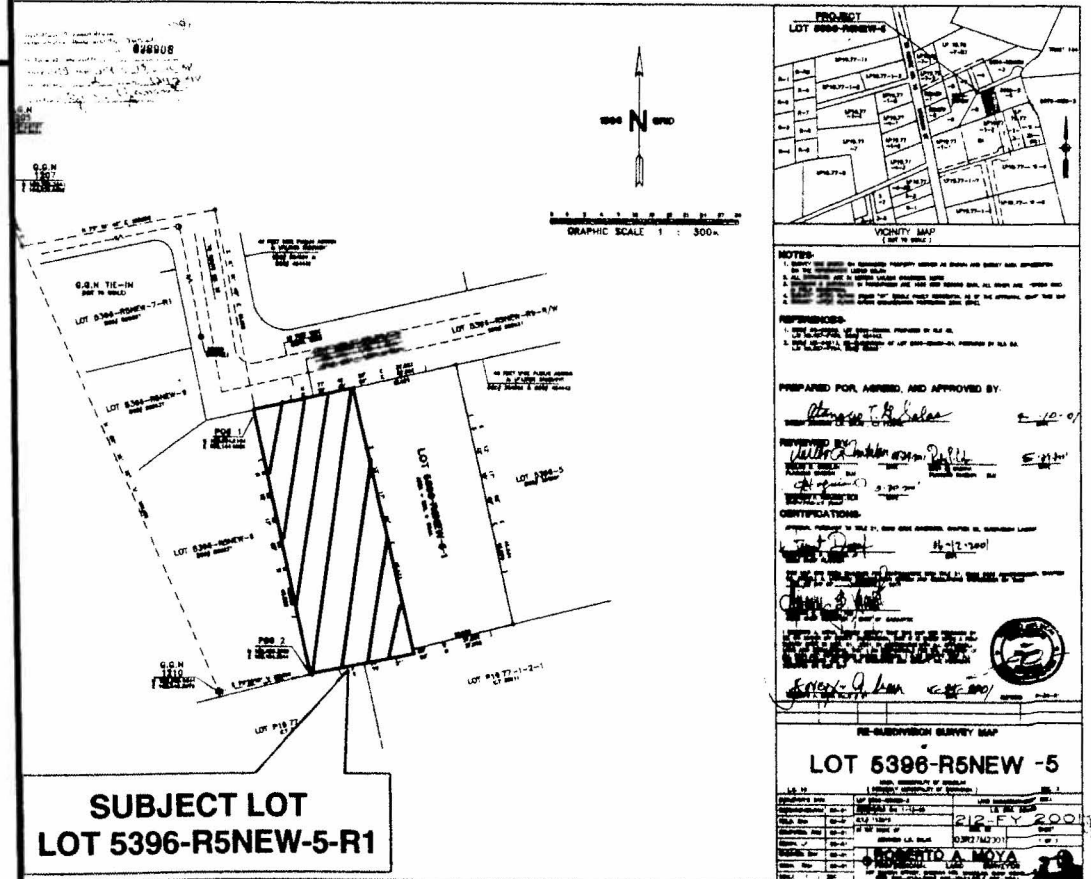
**TRACT: N/A**

**MUNICIPALITY: MANGILAO**

**SCALE: N/A**

**AMENDMENT NO: 63**

**ZONING MAP NO: F3 67S40**





**SUMMARY ZONE CHANGE  
LOT 5396-R5NEW-5-R1  
MUNICIPALITY OF MANGILAO**



SPACE FOR RECORDATION

APPLICATION NO. 2009-54  
SUMMARY ZONE CHANGE  
YANGUANG ZHENG  
Prepared on MAY 01, 2009

FROM: "R-1" SINGLE-FAMILY DWELLING

TO: "R-2" MULTI-FAMILY DWELLING

LOT NO: 5396-R5 NEW-5-R1  
REF MAP: DLM MAP NO. 212 FY 2001

BLOCK NOS. N/A

TRACT: N/A

MUNICIPALITY: MANGILAO

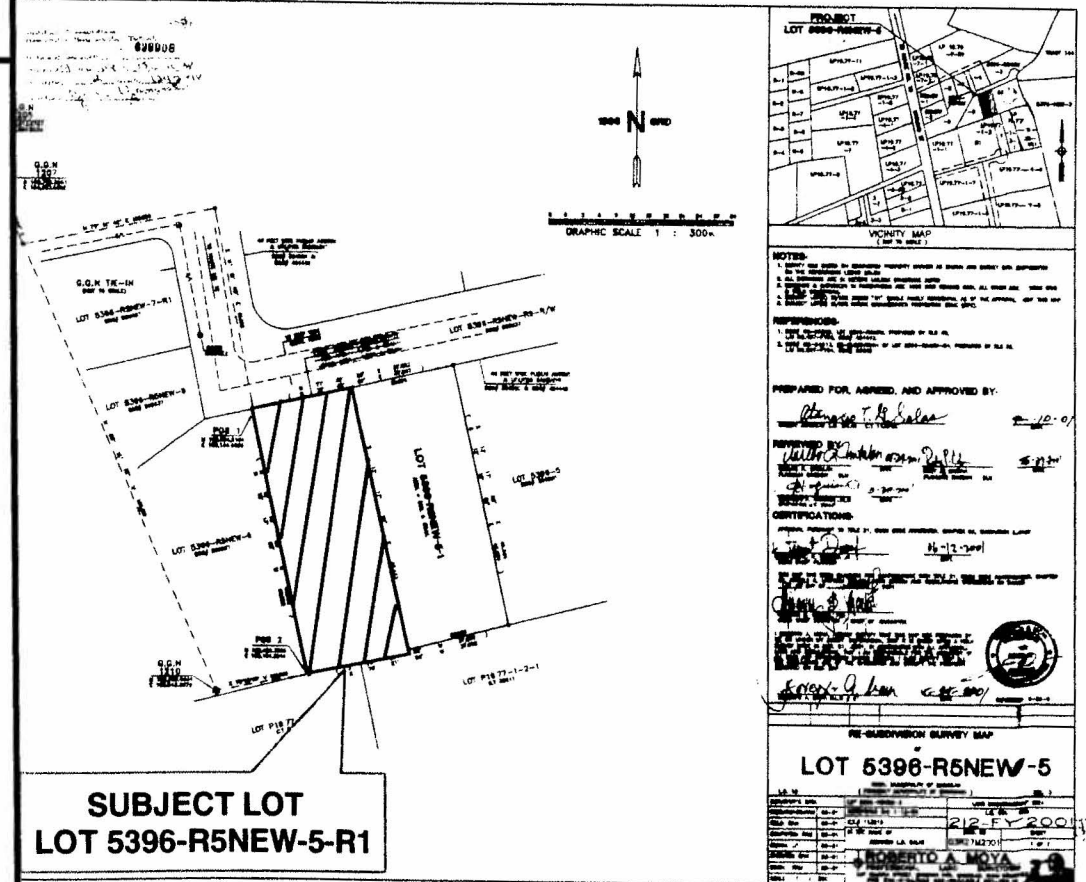
SCALE: N/A

AMENDMENT NO: 63

ZONING MAP NO: F3 67S40

APPROVED WITH CONDITIONS  
[AS NOTED ON NOTICE OF ACTION AND  
PURSUANT TO TITLE 21, GCA, CHAPTER 61,  
SECTION 61639 AND EXECUTIVE ORDER 92-08]

*Terezo R. Mortera* 5/26/09  
TEREZO R. MORTERA DATE  
DIRECTOR  
DEPARTMENT OF LAND MANAGEMENT



May 21, 2009

To: Director, Department of Land Management

From: Guam Chief Planner

Subject: Staff Report - Case No. SZC 2009-54

Re: **Summary Zone Change- Lot 5396-R5NEW-5-R1, Municipality of Mangilao: Yanguang Zheng**

**1. PURPOSE:**

- a. Application Summary. The Applicant, **Yanguang Zheng**, is requesting for a zone change on **Lot 5396-R5NEW-5-R1** in the Municipality of Mangilao, from "R-1" (Single-Family Dwelling) Zone to "R-2" (Multi-Family Dwelling) Zone **in order to allow construction of a 3-unit, 2-storey townhouse complex for affordable rentals.**
- b. Legal Authority. 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones, Section 61639 (Summary Procedure for Agricultural and Single Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), Public Law 21-82:4 as amended by P.L. 21-144:8.

**2. FACTS:**

- a. Location. The subject lot fronts Anatacio Road and is approximately 300 feet east of Mariano Road in Mangilao and also approximately 1,200 feet east of Department of Public Health Center and Route No. 10 in Mangilao (see attached vicinity map).
- b. Field Description. The subject lot is vacant and overgrown with vegetation. The topography fairly is flat. All public utilities such as sewer, water, power, telephone service connections are within 100 feet fronting the right-of-way known as Anatacio Road.
- c. Lot Area. 862 square meters or 9,278.45 square feet
- d. Present Zoning. "R-1" (Single – Family Dwelling ) Zone
- e. 1967 Master Plan. Residential
- f. Community Design Plan. Residential ; Medium Density
- g. Surrounding Area. The surrounding area consists of single-family dwellings and multi-family dwellings (within 500 - 750 - 1,000 feet), and some vacant lots as well as clusters of multi-family (four-plexes, 10-20 unit apartment complexes, and commercial activities. Other activities that exists are a bank, offices, restaurants and a public health center to the west and along Route No. 10. To the north and northwest within 1, 200 feet are apartment complexes in the R2 zones. The proposed development is conducive to the existing land use trend comprising of mix uses of single-family, multi-family and commercial activities that are sporadically increasing within 750 - 2,000 feet to the west, north, and northeast respectively. All public utilities are within 100 feet on the right-of-way. No major impacts are expected to existing infrastructure or immediate surroundings.



### 3. APPLICATION CHRONOLOGICAL FACTS.

- a. Date Application Accepted: April 14, 2009
- b. Certifications:

**DPW:** Have not submitted their Official Certification as of Staff Report Date. Per Planning Staff inspection, the property is accessible from Mariano Road and west into Anatacio Road which is fronting the subject lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

**GWA:** Have submitted their Official Certification and states that water and sewer service lines within 200 feet of the subject development. GWA has no objections to the zone change provided that the applicant comply with the following requirements during the building permit process stage:

- Submittals to GWA: Certified Water, Sewer and Fire Flow demand calculations and drawings illustrating both existing and proposed site utility layout. Submittal shall demonstrate compliance with proposed zoning rules and regulations.

GWA's approval does not constitute a guarantee that water and waste water service is immediately available to the subject lot. Any extensions or capacity upgrades required shall be subject to water and sewer development charges may be applicable. Sewer and water service requirements are attached and should coordinate with GWA's Customer Service unit.

**GEPA:** Guam EPA have not submitted their Official Certification as of Staff Report Date. Per Planning Staff inspection, the property is within 100 feet of the public sewer and water connection along Anatacio Road which is fronting the subject lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

**GPA:** The Authority have not submitted their Official Certification of Staff Report Date. Per Planning Staff inspection, the property is within 100 feet of the GPA power service line connection along Anatacio Road which is fronting the subject lot. The applicant is advised to coordinated with GPA Engineering and Customer Service for all permit requirements and to comply with all requirements pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

(Note): Pursuant to Section 61639 (a)(1), failure to provide the Department of Land Management, from any infrastructure agency as to the availability and/or adequacy of infrastructure (water, power, sewer), within ten (10) working days from receipt of this request, shall constitute an assumption by DLM that the agency not answering the request has no objection to the rezoning.

- c. Municipal Public Hearing Results: Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived and any hearing is deferred to the Mayor and the Municipal Planning Council of Mangilao.

- d. Municipal Planning Council (MPC) Resolution: The Mayor of Mangilao received a copy of the application for the proposed development by Mr. Yanguang Zheng. A MPC hearing was conducted on May 6, 2009, at 6:00 pm, at the Senior Citizen Center. Present were Mayor Blas, MPC members, the applicant, and planning staff. There were no major concerns discussed and that the MPC all voted to support the application for the zone change and proposed development. An MPC Resolution No. 09-01 from the Mangilao Municipal Planning Council supporting the application was received by DLM on May 12, 2009.

4. **STAFF RECOMMENDATION:** Planning Staff recommends **APPROVAL** of the Summary Zone Change request with the following conditions:

1. That the applicant comply with all permitting agency conditions and requirements;
2. That the building construction site development plan provide detail of structure location, parking layout, landscaping plan, disposal of sewage and access; and that the site development plan be approved by the Guam Chief Planner prior to issuance of a building construction permit;
3. That any future increase in dwelling units or use intensity from the approved site development plan shall require the owner/developer to resubmit a revised site development plan to the Guam Chief Planner, Department of Land Management for re-evaluation and re-assessment to determine physical, as well as, social impacts prior to requesting for a building permit;
4. That said zone change under this process shall not include the following uses or conversions: Horizontal Property Regimes (Title 21, GCA Chapters 45 (Horizontal Property Act) and 47 (Time Share Ownership), hotels/motels, and residential commercial activities such as laundry room, gift shop, and the likes; and temporary workers housing facilities;
5. That the development be hooked up to public sewer and comply with GEPA's waste-water disposal system requirements and conditions;
6. That the applicant provide a green and play area as well as a perimeter fence for the safety of children and tenants;
7. That the applicant provide 2:1 parking for each dwelling unit.



**Carlos R. Untalan**  
Guam Chief Planner

May 21, 2009  
Date



PG  
Attachments as noted



Office of the Mayor  
Municipality of Mangilao



PO Box 786 Hagaina, GU 96932 Tel: (671) 734-2163 / 5731 Fax: (671) 734-4130  
Nonito "Nito" C. Blas, Mayor Allan "Al" G. Unquera, Vice Mayor

Resolution 09-01  
Introduced By:

*[Handwritten signatures and initials]*

- Mayor Nonito "Nito" C. Blas
- MMPC Members:
- Ben Carbullido
- Fred Mendiola
- Jose Santos
- Roke Mantanona
- Juan Aguon
- Francisco Francisco
- Oscar Jesus
- Nenitte A. Pereda

5-11-09  
**RECEIVED**  
05-15-09  
pass  
to plan G.

Relative to the Mangilao Municipal Planning Council reviewing Application No. SZC 2009-54 for Mr. Yanguang Zheng, owner of Lot 5396-R5New-R1 for a Zone Change from R-1 (Single Family Dwelling) to R2 (Multi-Family Dwelling) Zone for a proposed 3-unit, 2-story townhouse complex for affordable rentals.

BE IT RESOLVED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL, MUNICIPALITY OF MANGILAO:

WHEREAS, a proposed 3-unit, 2 story townhouse complex for rentals to be built on 862sm on Lot 5396-R5NEW-R1 originally zoned as R1 for Zone change to R2 as per Public Law 21-144 for affordable rentals for the community:

WHEREAS, the Department of Land Management pursuant to Public Law 21-144 Section 3 waivers of public hearings for subject application and

WHEREAS, a public hearing was conducted on May 6, 2009 at 6:00 p.m. at the Mangilao Senior Citizen Center conducted by Mayor Nonito "Nito" C. Blas and staff member Soledad B. Diaz (A.A.). There was no one present to object to this application. Therefore be it

RESOLVED, that there is water, sewer, power and telephone services available in the vicinity and that prior to approval of this application that the applicant conform to the conditions imposed by Guam Water Works and Guam Power Authority and other Government Agencies during building permit process. Be it further

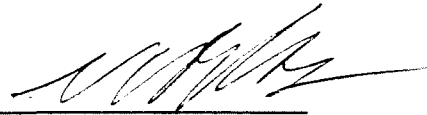
RESOLVED, that the Mangilao Municipal Planning Council met on their regular monthly meeting on May 6, 2009 and voted unanimously to approve said application with no objection to this application. Be it further

RESOLVED, that should the summary zone change be approved by Department of Land Management, the applicant must comply with all rules, regulations, codes and request from all required agencies. Be it further

RESOLVED, that the Chairman of the Mangilao Municipal Planning Council certifies and the secretary attests the adoption hereof and that copies of the same be therefore transmitted to the Summary Zone Change Section, Department of Land Management Planning Division.

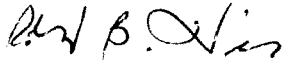
DULY RECORDED AND ADOPTED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL  
ON THE 6<sup>ST</sup> DAY OF MAY 2 009.

CERTIFIED:



Mayor Nonito "Nito" C. Blas  
Chairman, MMPC

ATTESTED:



Soledad B. Diaz  
Secretary - A.A.

# GUAM WATERWORKS AUTHORITY


578 North Marine Corp Drive  
Tumon, Guam 96931

April 24, 2009

Terezo Mortera  
Director, Department of Land Management  
Government of Guam  
Hagatna Guam 96910

P. Gulac  
RECEIVED  
5/13/09  
DUM/Plan

**SUBJECT:** Certification by Guam Waterworks Authority in Accordance with GCA Title 21, Chapter 61, Section 61639 thru 61670. Summary Zone Change Application #2009-054; from "R-1" to "R-2" Zone; Lot-5396-R5NEW-5-R1, Municipality of Mangilao; Applicant: Yanguang Zheng

**VIA:** Don Antrobus, GWA Chief Engineer 

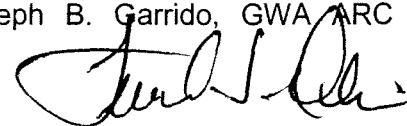
GWA has completed its review of the subject Summary Zone Change from "R-1" to "R-2", in order to construct a 3-unit, 2-storey townhouse complex for affordable rentals. The existing lot is currently vacant with both water and sewer service lines located within 200 feet of subject development. GWA has no objections to the zone change provided that Applicant comply with the following requirements during the building permit process stage:

- Submittals to GWA: Certified Water, Sewer and Fire Flow demand calculations and drawings illustrating both existing and proposed site utility layout. Submittal shall demonstrate compliance with proposed zoning rules and regulations.

GWA approval does not constitute a guarantee that water and wastewater service is immediately available to subject lot. Any extension or capacity upgrades required of the water and wastewater system in order to serve the proposal shall be subjected to the rules and regulations of GWA and shall be at the expense of the developer.

Applicant is also on notice that water and sewer development charges may be applicable. GWA Position Statement shall remain valid for 365 calendar days from the date above. For further information, contact Mr. Joseph B. Garrido, GWA ARC representative @ 647-7814.

  
LJO: jlg

  
LEONARD J. OLIVE  
General Manager



**DIPATTAMENTON MINANEHAN TANO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
 (Government of Guam)



FELIX P. CAMACHO  
 Governor of Guam

TEREZO R. MORTERA  
 Director

MICHAEL W. CRUZ, M.D.  
 Lieutenant Governor of Guam

MICHAEL C. JAMES  
 Deputy Director

Street Address:  
 590 S. Marine Corps Drive  
 Suite 733 ITC Building  
 Tamuning, GU 96913

Mailing Address:  
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 Hagåtña, GU 96932

Website:  
<http://dlm.guam.gov>

E-mail Address:  
[dlm@mail.gov.gu](mailto:dlm@mail.gov.gu)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

April 15, 2009

Honorable Nito Blas  
 Mayor of Mangilao  
 c/o Municipal Planning Council

Hafa Adai Mayor Blas:

An application has been filed with the Department of Land Management, Division of planning by:

Yanguang Zheng, owner of Lot 5396-R5NEW-5-R1, Municipality of Mangilao, under Application No. SZC 2009-54, for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a 3-unit, 2-storey townhouse complex for affordable rentals.

Pursuant to Public Law 21-144, Section 3 (Waiver of Formal Public Hearing), the Department of Land Management hereby waives the requirement of a formal public hearing and defers any hearing on the application to your Municipal Planning Council (the MPC).

Although the Department has waived the requirements of a formal public hearing, a mandatory MPC Resolution is required prior to any final action on the application. To ensure that our recommendation is consistent with the desire of your community, we request that your MPC submit a Resolution stating its position (i.e., support, objections, concerns, conditions, etc.) on the zone change. The Resolution should be transmitted within fourteen (14) days from the date of DLM filing with your office. The Resolution can be faxed to the Department at 649-5383 to the attention of Summary Zone Change Section, Land Planning.

Thank you for your attention to this matter

Senseramente,

Terezo R. Mortera  
 Director

X.   
 Nito C. Blas, Mayor  
 Municipality of Mangilao  
 Tel. 734-2163/5731 Fax 734-4130

Attachment: SZC Application No. 2009-54  
 PCG

**FILE**



**DIPATTAMENTON MINANEHAN TANO'**  
(Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
(Government of Guam)

FELIX P. CAMACHO  
GOVERNOR OF GUAM

TEREZO R. MORTERA  
DIRECTOR

MICHAEL W. CRUZ, M.D.  
LIEUTENANT GOVERNOR OF GUAM

MICHAEL C. JAMES  
DEPUTY DIRECTOR

April 14, 2009

To: Certifying Agencies/Departments  
Application Review Committee (ARC)

From: Guam Chief Planner

Subject: Request for Certification

Attached for your review and action is an application under Public Law 21-82, Section 4; Summary Zone Change Program.

Applicant(s): **Yanguang Zheng**

Application No. **SZC 2009-54**

Project Description: To rezone the property from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a 3-unit, 2-storey townhouse complex for affordable rentals on (Lot 5396-R5NEW-5-R1, Municipality of Mangilao)

Date Received: **April 10, 2009**

Date Accepted: **April 14, 2009**

**\*\* Due Date for Certification: April 29, 2009**  
(Public Law 21-144, Section 8(b)(A)(1))

Certification must be directed to Director, Department of Land Management, Division of Planning. If you have any questions, please call 649-5385 or 5390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.

Carlos R. Untalan  
Guam Chief Planner

Attachment: SZC Application No. 2009-54

PCG

Street Address:  
590 S. Marine Corps Dr.  
ITC Bldg. Suite 733  
Tamuning, Guam 96913

Mailing Address:  
P.O. Box 2950  
Hagåtña, Guam 96932

E-mail Address:  
dlm@mail.gov.gu

Telephone  
671-649-5263

Facsimile  
671-649-5383

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

TO: Director, Department of Land Management  
c/o Division of Land Planning  
Government of Guam  
P.O. Box 2950, Agana, Guam 96910

P. Gulac 4/8/09  
**RECEIVED**  
DLM Planning

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a *Zone Change*.

1. Information on Applicant:

Name of Applicant: Yanguang Zheng U.S. Citizen:  Yes  No

Mailing Address: P.O. Box 20232 GMF Barrigada, Guam 96921

Telephone No.: Business: 727-5868 (Cellular) Home: \_\_\_\_\_

2. Location, Description and Ownership: (NOTE: The maximum lot cannot exceed two (2) acres or 8,093.743 square meters or 87,120 square feet, gross area.)

Subdivision Name: N/A

Lot(s): 5396-R5NEW-5-R1 Block: N/A Tract: N/A

Lot Area: Acres: N/A Square Meters: 862.0 Square Feet: 9,278.45

Village: \_\_\_\_\_ Municipality: Mangilao

Registered Owner(s): Yanguang Zheng

Certificate of Title No.: N/A Recorded Document No.: \_\_\_\_\_

Deed (Gift, Warranty, etc.): Warranty Deed Deed Document No.: 787090

3. Current and Proposed Land Use:

Current Use: Vacant - Undeveloped Current Zoned: "R-1" (Single-Family Dwelling)

Proposed Use: 3-Units, 2-storey Townhouse Complex for affordable housing rentals Proposed Zone: "R-2" (Multi-Family Dwelling)

4. Justification Letter: Attach a typed, brief and concise justification (letter format if possible) explaining your intentions and purpose of the Zone Change request. Your letter should be addressed to the Director of Land Management.

5. Support Information. The following supporting information shall be attached to this application:

a. A map, drawn to scale, showing existing zoning within 1000 feet radius and all parcels and their uses within 750 feet radius from the subject lot boundaries. The map shall contain:

- (1) Lot number for every parcel(s);
- (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
- (3) All adjacent easements and roads leading to, and serving property, their widths, and condition of surfaces;
- (4) The nearest location of all public utilities to the subject lot; and
- (5) Show any/all features of property such as flat/hilly terrain, flood hazard, etc..



SUMMARY ZONE CHANGE

5. Supporting Information (Continuation):

REF: Lot 5396-R5NEW-5-R1  
Mangilao

- b. The most recent survey map, certified and recorded at the Department of Land Management, showing the subject property.
- c. For "R-1" Zone Change request: A proposed property map showing how many lots are to be subdivided.
- d. For "R-2" Zone Change request: Preliminary sketch plan should be drawn to scale and show the following items:
  - (1) Density: Number of units and type. (i.e. Eight (8) units, three (3) bedroom, two (2) baths, etc..)
  - (2) All setbacks or distance from proposed building to property boundary line.
  - (3) Parking Stalls must be numbered. Also, show one parking for persons with disabilities every sixty (60) regular stalls (minimum).
  - (4) Recreational area or playground must be provided for children of tenants.
  - (5) Show nearest location of sewer, water, power connection or hook-up.
  - (6) Entrance and Exit of project area.
  - (7) Etc...Any other information you feel is necessary or pertinent to your request.

6. Application Fee: In accordance with *Guam Code Annotated 21 GCA, Chapter 61, Sections 61633 and 61660(c); and Public Law 21-144, Section 8(b)(3).*

7. Required Signatures: All legal owners/lessees of designated parcel shall sign form with name(s) type or handwritten, signed and dated:

*I/We hereby certify that all information contained in this application and its supplements are true and correct. I/We also understand that any misrepresentation in this application shall void the entire submission.*

Yanguang Zheng

zheng yanguang  
Owner (Print/Sign)

\_\_\_\_\_  
Owner (Print/Sign)

4/7/09  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Representative (If any).

\_\_\_\_\_  
Date

**THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.**

April 7, 2009

To: Director, Department of Land Management  
c/o Land Planning Division  
Summary Zone Change Section

7- Golac 4/8/09  
**RECEIVED**  
Land Planning

Subject: Summary Zone Change Application on Lot No. 5396-R5 NEW-5-R1;  
Municipality of Mangilao, Guam for Yanguang Zheng

Dear Sir:

Pursuant to Public Law 21-82, (as amended by P.L. 1-144), I am submitting an application for a Summary Zone Change on the above property. As part of the requirements for the application, I am providing you the information you are requesting as required to evaluate my application:

- a. What is the current zone on the property: R-1" (Single Family Dwelling zone as shown on the official zoning map (attached).
- b. Who currently owns the property? Yanguang Zheng
- c. How did you acquire the property? Through a Warranty Deed, is attached.
- d. From whom did you acquire the property? This property was purchased from Dianne L. Salas, (see attached Warranty Deed, acquired on March 4, 2009).
- e. What is currently on the property. The lot is vacant and undeveloped with overgrown vegetation.
- f. Are you hooked up to public sewer or is your structure serviced by an individual septic tank/leaching field? The proposed development is located near Jesus Mariano Road and approximately 1,000 feet east of Route No. 10. Public sewer manhole is located about 100 feet from my property, we plan to connect the proposed development to public sewer and water if allowed by the utility agency. We will be coordinating with the agency and fulfill their mandated requirements and other pertinent permit requirements.
- g. What are your intentions or plans? Why are you applying for a zone change? For future development and construction of a 3-unit, 2-storey, townhouse complex for affordable rentals for the community of Guam and also to provide for additional housing for the increase military personnel to the island along with their families.
- h. Surrounding Us es: Briefly identify other types of uses or structures immediately surrounding your property; The land uses in the immediate area are single family dwellings, duplexes, apartments, and schools such as George Washington High School, Guam Community College, and the University of Guam and churches, day care center to the north, some retail stores and restaurants, offices and a bank on the commercial zone along Route No. 10 and apartments and condominiums near UOG and George Washington High School. There are also vacant lots to the west within 500 to residences along Mariano road. A new Payless Super Market will be constructed soon along Route No. 10 near Mariano Road.

I. Topography: Describe the topography of your property. Flat and levels off towards Mariano Road.

j. Soil Composition: Very briefly describe your soil using layman's language. (i.e., rocky, clay, sand, mixed, etc.). The composition of the soil is clay mixed with gravel on the surface and limestone on the subsurface and dark clay.

k. Access: Describe the access to your property: The main access is fronting the property and into Mariano Road unto Route No. 10 to the west. The subject lot is easily accessible for all traffic and government services.

We believe that rezoning the property to ``R-2`` will help us development and construct a townhouse complex for affordable housing for our community. The proposed development is near schools, and is also near commercial districts of Tamuning and Hagatna drive to Hagatna business district. The availability of infrastructure will enable us to realize this project as it is in an area that has potential growth both for residential and commercial development. It is conducive to the area master plan development and should have minimal impact to existing infrastructure such as water, sewer, power, etc. This project if approved would help provide some revenue to the tax base and also provide employment in support services to upkeep the units, provide ground maintenance and other service requirements.

Lastly, we believe that this project is timely and with the lifting of the GWA moratorium, this is very much needed for the future increase of Guam's population. The proposed plans are subject to site plan we are providing will be reviewed by all agencies like Land Management, Public Works, Guam EPA and other permitting agencies to meet all requirements and conditions prior to start of any clearing or construction activity on the site.

We thank you for your time to review our application and we are grateful for your favorable consideration on our application.

Sincerely,

  
Yanguang Zheng  
Owner and Licensed Contractor

Attachments required

TO CHALAN PAGO (RTE NO. 10)

LEGACY SQUARE

PUBLIC HEALTH

LEGEND: R - RESIDENTIAL  
R/R2 MULTI-FAMILY  
V - VACANT LOT

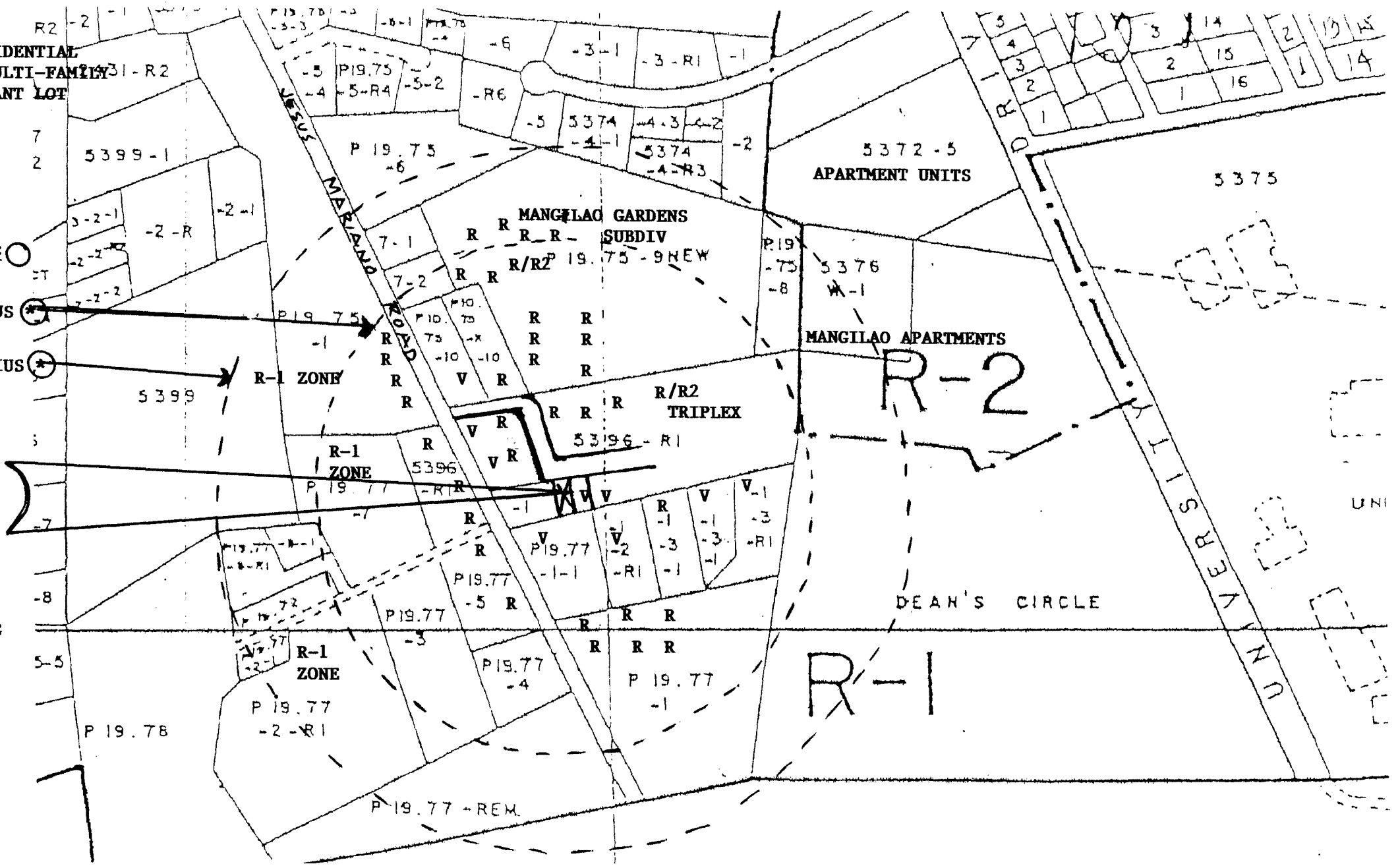
LAND USE RADIUS: ○

750 - FT RADIUS

1,000 - FT RADIUS

SUBJECT LOT:  
5396-R5NEW-5-R1

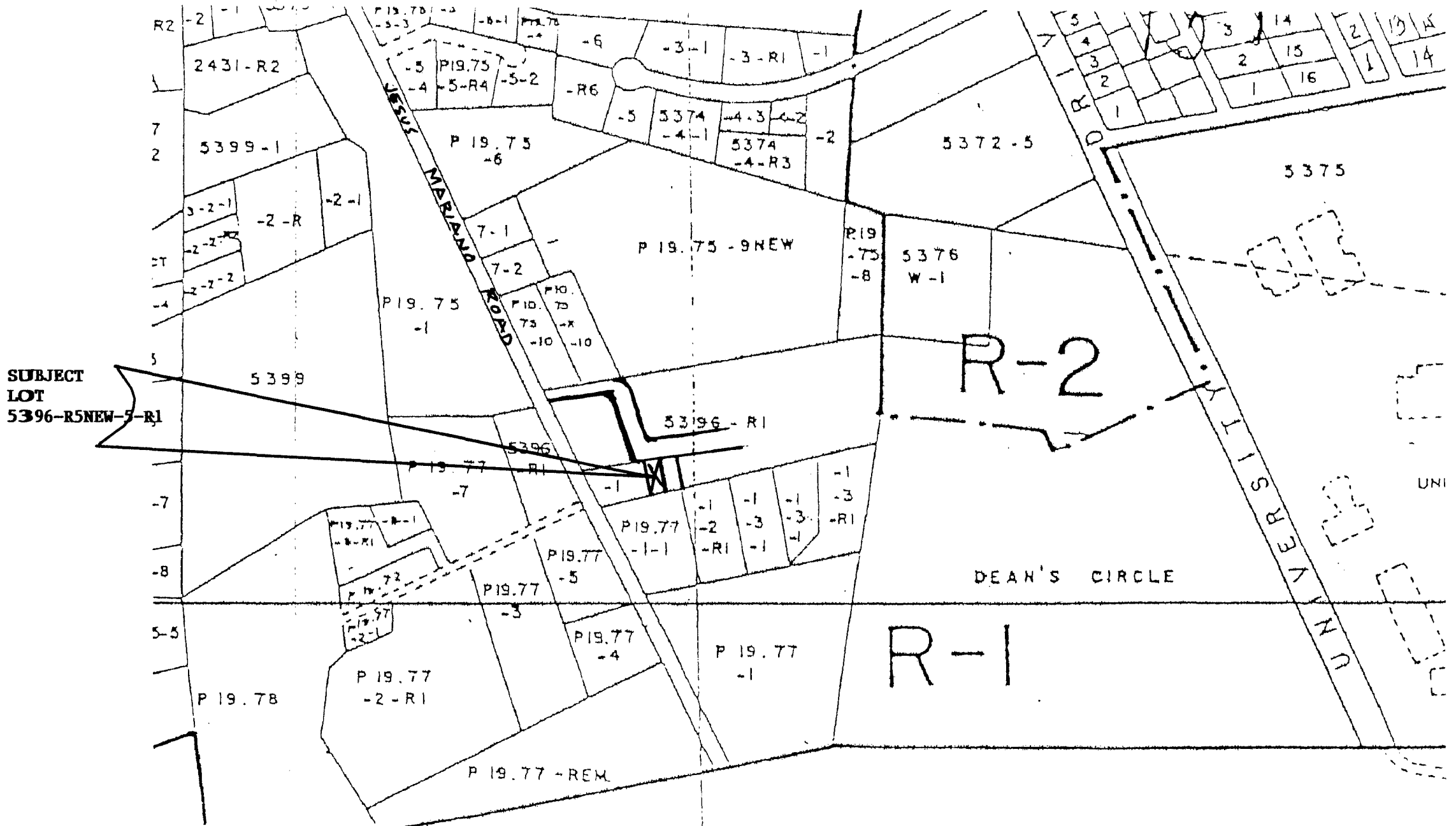
OWNER:  
YANGUANG, ZHENG



TO CHALAN PAGO (RTE NO. 10)

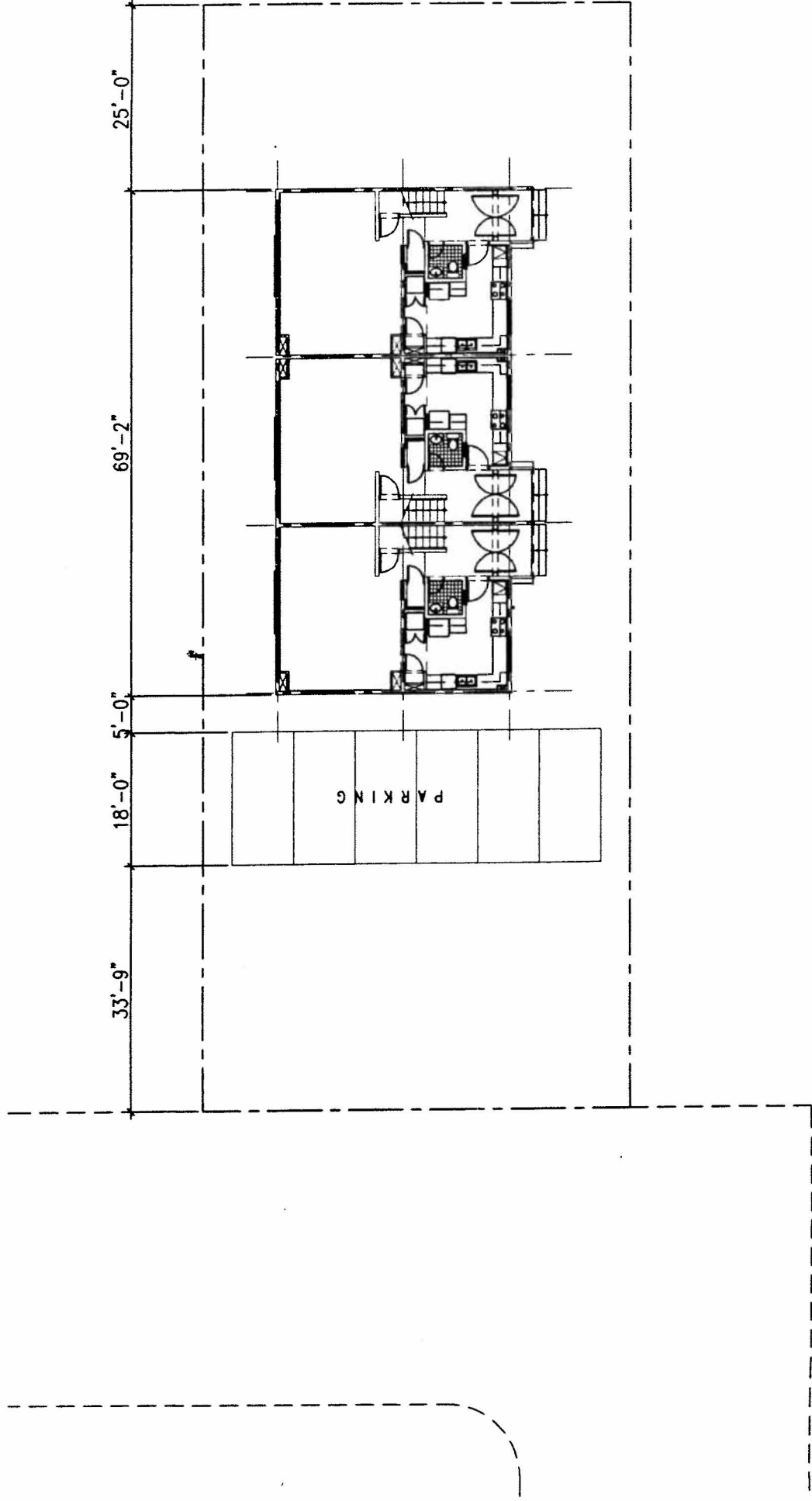
LEGACY SQUARE

PUBLIC HEALTH

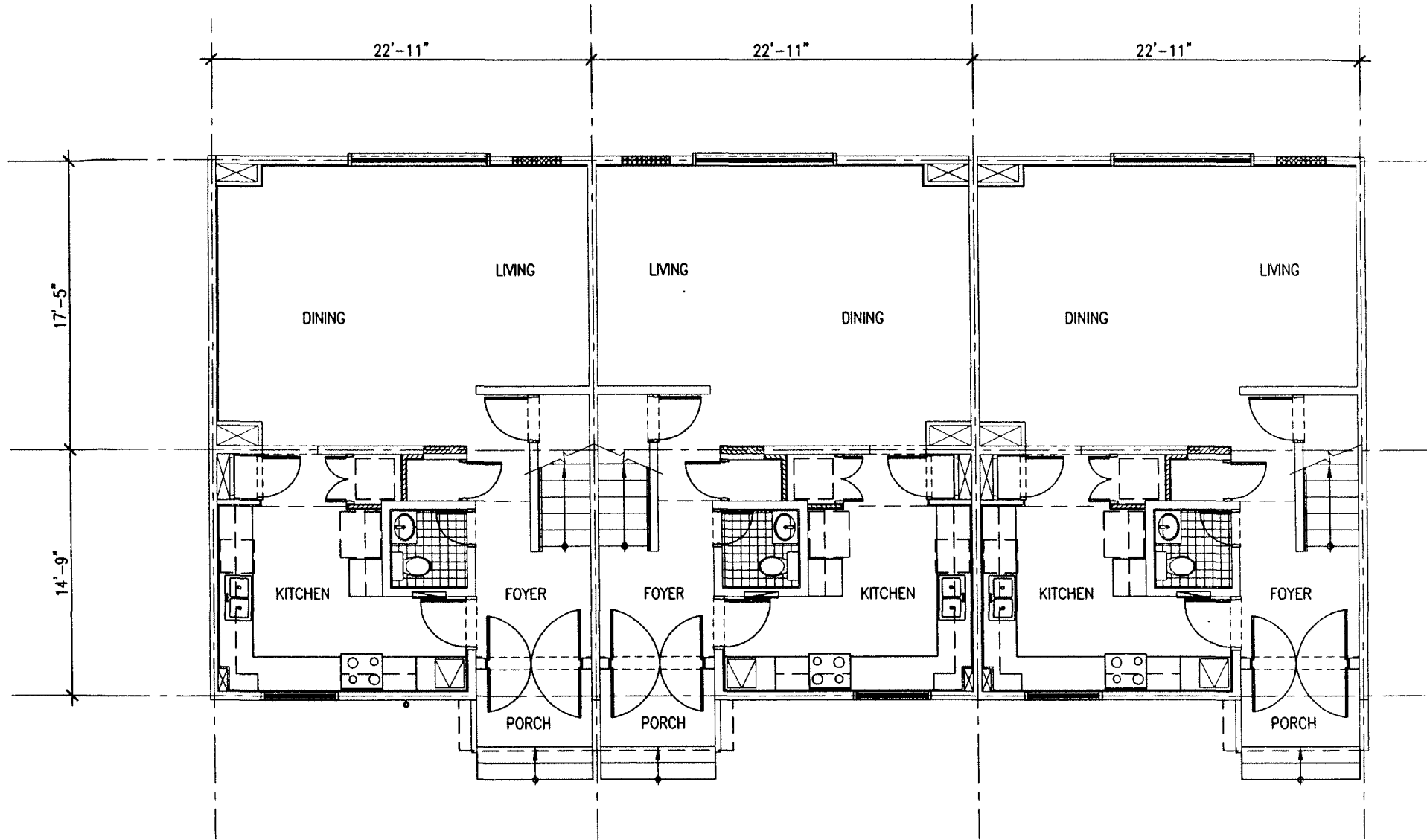


**SUBJECT LOT**  
**5396-R5NEW-5-R1**

**OWNER: YANGUANG, ZHENG**  
**LOT 5396-R5NEW-5-R1 MANGILAO**

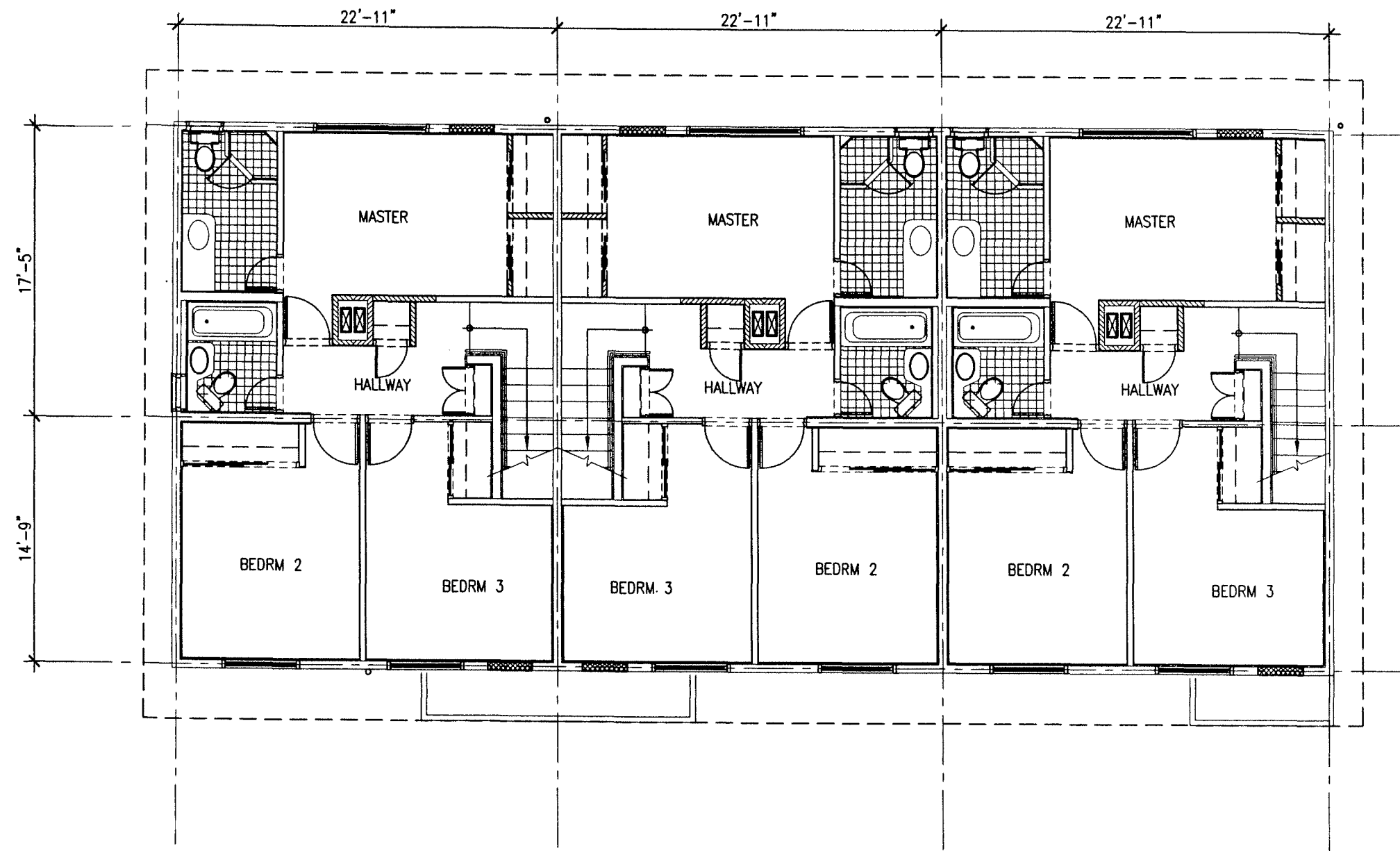


**PLOT / SITE PLAN 3- UNITS, 2-STOREY TOWNHOUSE COMPLEX**  
**LOT NO. 5396-R5NEW-5-R1 MANGILAO**  
**YANG GUAM ZHENG (OWNER)**



# 1ST FLOOR PLAN

SCALE: 1/4" = 1'-0"

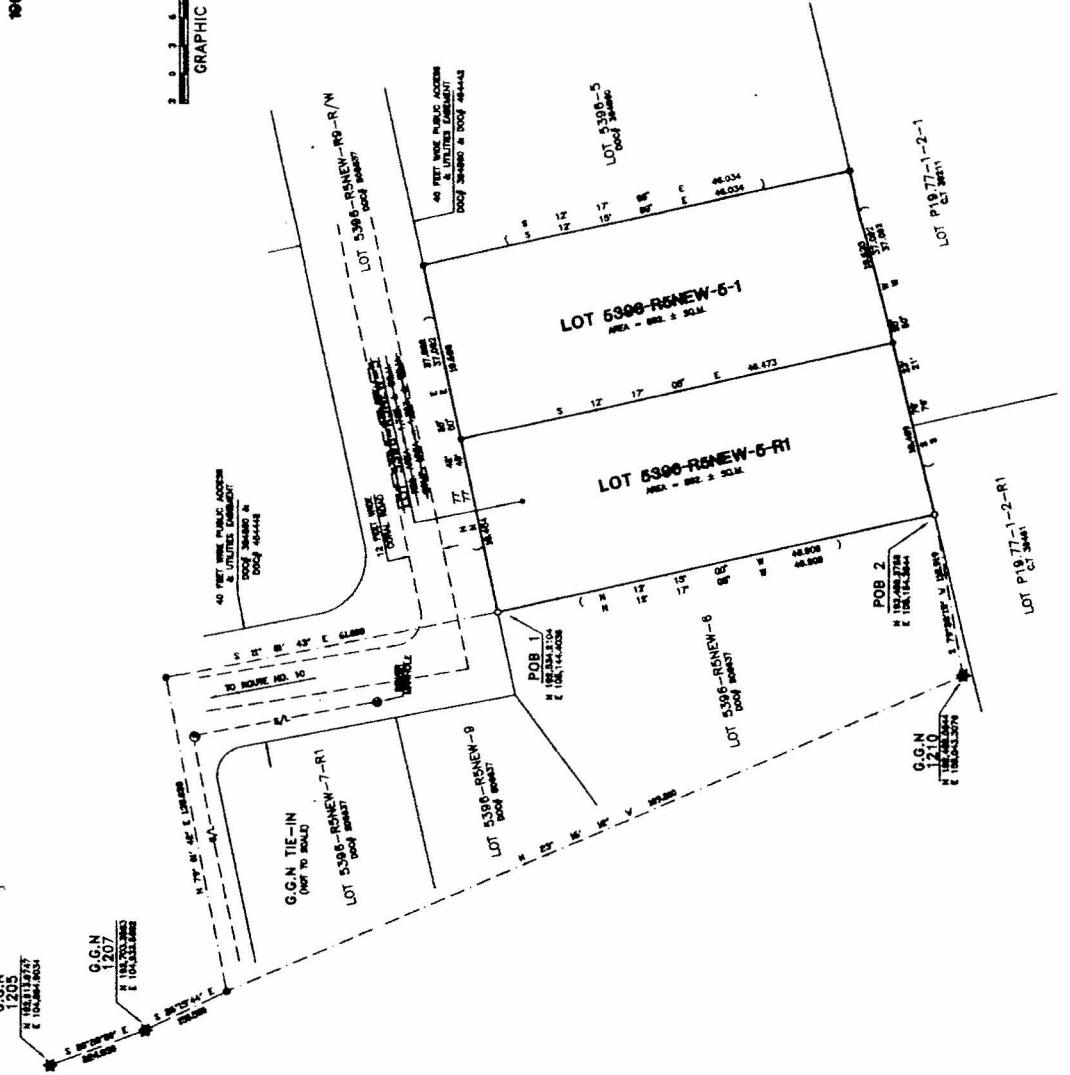
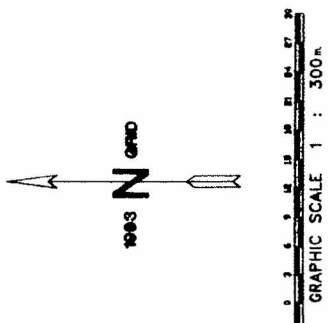


**2ND FLOOR PLAN**

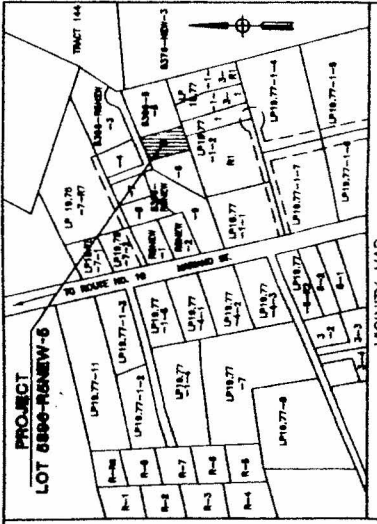
SCALE: 1/4" 1'-0"



638908  
 10/15/2019  
 10/15/2019  
 10/15/2019



- SYMBOLS**
- G.G.N. STATION
  - G.G.N. STATION USED AS TRAPLINE STATION
  - NO. 4 BENCH WITH PLASTIC CAP SET BY PLS. ST.
  - NO. 4 BENCH WITH PLASTIC CAP FOUND SET BY PLS. ST. DOCK MARK
  - NO. 4 BENCH WITH PLASTIC CAP FOUND SET BY PLS. ST. DOCK MARK
  - BENCH MARK



**NOTES:**  
 1. SURVEY WAS MADE ON INDIVIDUAL PROPERTY UNITS AS SHOWN AND SURVEY DATA SPECIFIED ON THE INSTRUMENTS LISTED BELOW.  
 2. ALL DISTANCES ARE IN METERS.  
 3. BENCHES & INSTRUMENTS IN PARALLELS ARE THIS AND RECORDS DATA, ALL OTHER ARE 1983 BENCH.  
 4. ALL DISTANCES WERE MEASURED BY SINGLE PARTY SURVEYING AS OF THE APPROVAL OF THIS MAP.  
 5. ALL DISTANCES WERE MEASURED BY SINGLE PARTY SURVEYING AS OF THE APPROVAL OF THIS MAP.  
 6. SURVEY LOT 6396-R5NEW-6 IS SUBJECT TO AN EASEMENT PROTECTION ZONE (EPZ).

**REFERENCES:**  
 1. G.G.N. STATION, LOT 6396-R5NEW-6, PROVIDED BY PLS. ST.  
 2. PLS. ST. STATION, LOT 6396-R5NEW-6, PROVIDED BY PLS. ST.  
 3. PLS. ST. STATION, LOT 6396-R5NEW-6, PROVIDED BY PLS. ST.

**PREPARED FOR, AGREED, AND APPROVED BY:**  
 T. R. Lopez  
 DATE: 2-10-01

**REVIEWED BY:**  
 Roberto A. Moya  
 DATE: 6-21-01

**CERTIFICATION:**  
 I, Roberto A. Moya, Land Surveyor, Chapter 62, Subdivision Law, State of Michigan, do hereby certify that the above described map was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional engineer in the State of Michigan.  
 DATE: 6-21-01

Roberto A. Moya  
 Land Surveyor  
 Chapter 62, Subdivision Law

**RE-SUBDIVISION SURVEY MAP**

**LOT 5396-R5NEW-5**

MICHIGAN DEPARTMENT OF LAND MANAGEMENT  
 LAND MANAGEMENT DIVISION  
 212-FY2001  
 03R27M2001

MAP NO.	LOT 5396-R5NEW-5	LAND MANAGEMENT DIV.
REGISTERED ON	1-13-00	LAND MANAGEMENT DIV.
FIELD NO.	03-21	212-FY2001
COMPILED BY	BY THE NAME OF	03R27M2001
DRAWN UP	03-21	1 OF 1
CHECKED BY	03-21	
BOOK NO.	03-21	
SCALE	1 : 300	

**ROBERTO A. MOYA**  
 LAND SURVEYOR  
 CHAPTER 62, SUBDIVISION LAW

12076