



DEPARTMENT OF COMMERCE  
 DIPATTAMENTON I KUMETSIO  
 Suite 601, 6th Floor GTC Bldg.  
 Tamuning, Guam 96911  
 Tel.:(671) 646-5841 Fax: (671) 646-7242  
 GOVERNMENT OF GUAM  
 AGANA, GUAM 96910

RECEIVED MAR 19 1991

MAR 18 1991

DC-EDP-056-91a

Memorandum

To: Chairman, Territorial Land Use Commission  
 Chairman, Territorial Seashore Protection  
 Commission

From: Director, Department of Commerce

Subject: Concensus Approval of Position Statement  
 Submission for TLUC/TSPC

To expedite the review of applications which have under gone the DRC evaluation process, the Department of Commerce is herewith providing a comprehensive listing of projects for TLUC consideration.

Commerce has reviewed the applications on the listing attached and acknowledges both the potential benefits and disbenefits that could affect the positive development of Guam's economy as a result of their implementation. We recommend approval for all listed projects, provided the concerns and requirements of other agencies are adequately addressed.

Should you have any questions, please contact me.

PETER R. BACINAS

attachment

DEPT. OF LAND MGMNT.  
 PLANNING DIV.  
 REC'D ON 3/19/91  
 TIME 9:00  
 CDC



construct two 3-storey apartment buildings (30 ft.) in an "R-2" (Multi-Family Dwelling) zone.  
90-120

Lot 5162-6, Dededo (Maeda-Ssangyong Joint Venture c/o W.B. Flores & Associates) To construct a barracks on the existing site to provide housing for Hyatt Recency workers.  
DRC Date: January 3, 1991. 90-121

*Done*  
Lots 5019-A-1, 5019-a-2, 10062-2, and 10062-2-1, Dededo Summer Palace Project (Zhong Ye Inc. c/o Jose Leon Guerrero, Real Estate & Land Use Planning) To amend the TLUC prior approval (8/24/89, 12,28,89) of the Tentative Subdivision Approval.  
DRC Date: January 3, 1991. 90-128

Lot 10-R-1-NEW Tract 10, Oka Tamuning (Nanbo Guam Limited c/o Jose S. Leon Guerrero, Jr.) Zone Change to construct a 2-storey commercial building for office spaces and some retail activities, duty free shops, etc., from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone.  
DRC Date: January 22, 1990. 90-134.

Lot 2146-6-1C--R1-NEW, Dededo (Gov. and Mrs. Paul Calvo c/o Dev & Associates, Inc.) Deviation from 2-storey requirement to 3-storey, in an "R-2" zone. Proposed height of 29"--=5" is within the height limit of 30 feet.  
DRC Date: January 22, 1991. 90-135

Lots 5021-R1, Dededo (Harmon Loop Office Park, J.P.D. Guam Co. Inc. c/o Untalan & Associates) Height Variance of 4-Storey and a parking variance for the size of the parking stalls, in a "C" (Commercial Zone).  
DRC Date: January 22, 1991. 90-036

Lot 7031-NEW-R9-3, Yigo (Ana & Ramon Taitano c/o WE International Prefab Inc.) Zone Variance to construct a 4-plex unit on a 1-acre lot, in an "A" (Agricultural) zone.  
DRC Date: January 22, 1991. 90-137

*Done*  
Lot 2144-1C-R10, Tamuning (Unique Construction Inc. c/o Landmark, Land Planning & Development Consulting) to reinstate the use of existing workers dormitory that was previously approved, in an "M-1" zone.  
DRC Date: January 22, 1991. 90-132

Lots 180-3-2-2-1, 180-3-2-2-2 & 180-3-2-2-3, Yona (Sumitomo Construction Co. Ltd. c/o Segawa Development Consultant Inc.) CONDITIONAL USE to construct temporary housing facilities for H=2 workers for the Manenggon Hills Project in an "A" (Rural) zone.  
DRC Date: February 7, 1991. 91-001



GOVERNMENT OF GUAM  
AGANA, GUAM 96910

APR 1 3 26 PM '91  
LAND MGMT

NT

90-134

**MEMORANDUM**

**To:** Director, Department of Land Management  
**From:** Director, Department of Parks and Recreation  
**Subject:** Position Statement

The Department of Parks and Recreation has reviewed the zone change application for Block 10-R-1NEW, Tract 10, Oka, Tamuning; by Nanbo Guam Limited.

The Department has no mandated concerns in regards to the subject application.

  
**ANTHONY C. MARIANO**

DEPT. OF LAND MGMT.  
PLANNING DIV.  
REC'D ON 4/18/91  
TIME 4:30  
CDC



IPATTAMENTON MANMANEHAN  
Department of Land Management  
DIBISION MAMPLANEHAN TANO  
GOVERNMENT OF GUAM  
AGANA, GUAM 96910

P.H.  
4/3/91

July 11, 1991

To: Chairman, Territorial Land Use Commission  
From: Territorial Planner  
Subject: STAFF REPORT

1. PURPOSE:

a. Application Summary:

Block 10-R1NEW Tract 10, Municipality of Tamuning, (Nambo Guam Limited c/o Jose Leon Guerrero) Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone, in order to construct a 2-storey commercial building for office spaces, Duty Free and small gift shops and restaurant.

b. Legal Authority:

Zoning Law: Gov't Code of Guam, Title XVIII.

2. FACTS:

- a. Location: Project site is the southeast corner lot at the intersection of Camp Watkins Road and Farenholt Avenue.
- b. Lot Area: 14,481 square meters  
155,873 square feet
- c. Present Zoning: "R-2" Multi-Family Dwelling
- d. Field Description: Project site is fairly level with water, power and sewer available.
- e. Surrounding Land Use: PUD, Commercial, Single-Family and Multiple Family uses.
- f. Master Plan: Mixed Uses.
- g. Community Design Plan: Mixed Uses.



h. Previous mission Actions: None.

i. DRC Findings and Concerns:

DPW - Recommends approval may required additional information

GEPA - No objection with conditions

BoP - No major objections

DoAgri - No objections

DoCom - Recommend approval provided concerns & requirements of other agencies are adequately addressed

CLC - No basis for action

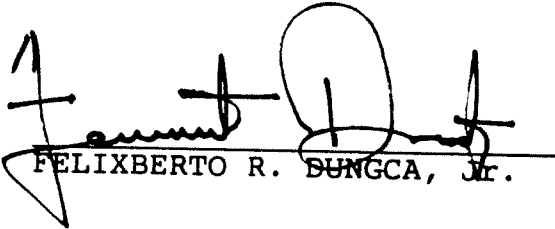
PUAG - No Objection provided all provision(s) are satisfied

DPR - No mandated concerns.

j. Staff Recommendation:

Recommends approval.

CASE PLANNER:



FELIXBERTO R. BUNGCA, Jr.

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM MARIANA ISLANDS 96910

March 19, 1991

Alfredo Dungca  
Tamuning Mayor  
c/o Mayor's Council

Dear Mayor:

An application has been filed with the Territorial Land Use Commission by:

Nambo Guam Limited c/o Jose Leon Guerrero, Lot 10-R-1-NEW Tract  
10, Oka Tamuning

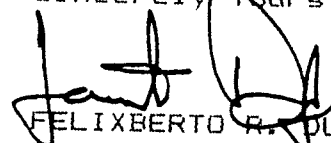
~~90-073~~ 90-134

for Zone Change to construct a 2-storey commercial building for office spaces and some retail activities, duty free shops, etc., from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone.

For any Zone Change request(s) that may have adverse effects on the public's interest, the Territorial Land Use Commission (TLUC) is mandated by law to conduct a public hearing in the municipal district where the subject lot is located. Accordingly, we would like to schedule a public hearing to be held at your office on Wednesday, April 3, 1991 at 10:00 a.m.

Please confirmed the time and date requested.

Sincerely yours,



FELIXBERTO R. DUNGCA, Jr.  
Territorial Planner

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM MARIANA ISLANDS 96910

March 19, 1991

LOT \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Sir/Madam:

An application has been filed with the Territorial Land Use Commission by:

Nambo Guam Limited c/o Jose Leon Guerrero, Lot 10-R-1-NEW Tract 10, Oka Tamuning, for Zone Change to construct 2-storey commercial building for office spaces and retail activities, duty free shops, etc. from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone.

For any Zone Change application, the Territorial Land Use Commission is mandated to conduct a Public Hearing in the Municipal District where the property is located. Accordingly, a Public Hearing on this application is scheduled to be held:

PLACE: Tamuning Mayor's Office

DATE: April 3, 1991, Wednesday

TIME: 10:00 a.m.

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the decision-making process on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before April 2, 1991, Tuesday. Written comments should be addressed to:

TERRITORIAL LAND USE COMMISSION  
c/o Land Planning Division, Department of Land Management  
P. O. Box 2950  
Agana, Guam Mariana Islands 96910

You can view the development application at our office or your Mayor's office.

Thank you for your interest.

  
FELIXBERTO R. DUNGCA, Jr.  
Territorial Planner

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
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Territorial Planner



90-134

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM MARIANA ISLANDS 96910

March 19, 1991

Alfredo Dungca  
Tamuning Mayor  
c/o Mayor's Council

Dear Mayor:

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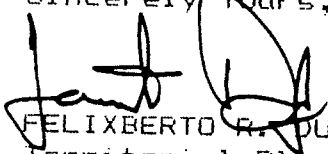
Nambo Guam Limited c/o Jose Leon Guerrero, Lot 10-R-1-NEW Tract  
10, Oka Tamuning

for Zone Change to construct a 2-storey commercial building for office spaces and some retail activities, duty free shops, etc., from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone.

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Please confirmed the time and date requested.

Sincerely yours,

  
FELIXBERTO R. DUNGCA, Jr.  
Territorial Planner

RECEIVED  
FRO 3/28/91  
Tamuning Mayor's  
OFFICE

DEPARTMENT OF LAND MANAGEMENT  
GOVERNMENT OF GUAM  
P.O. BOX 2950  
AGANA, GUAM MARIANA ISLANDS 96910

March 19, 1991

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\_\_\_\_\_  
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c/o Land Planning Division, Department of Land Management  
P. O. Box 2950  
Agana, Guam Mariana Islands 96910

You can view the development application at our office or your Mayor's office.

Thank you for your interest.

  
FELIXBERTO R. DUNGCA, Jr.  
Territorial Planner

Public Hearing - Tamuning  
Attendance Sheet

4/3/91 10:30AM

Name: Print

Signature:

1) DANIEL L. SALA

*[Signature]*

COIC ELDERADO EAST

2) Pete ADA

*[Signature]*

Warbo Ag

3) VINCE ATALIA

*[Signature]*

Narbo Guam

4) *[Signature]*

5) *[Signature]*

*[Signature]*

6) Ricardo Brinto *[Signature]*

7) *[Signature]*

8) *[Signature]*

*[Signature]* Tamuning

9) SYLVIA M. FLORES

TAMUNING *[Signature]*

10)

11)

12)

13)

14)



**PMT engineering**

engineers • consultants • construction managers

April 3, 1991

Felixberto R. Dunca, Jr.  
TLUC, C/O Dept. of Land Mgt.  
P.O. Box 2950  
Agana, Guam 96910

Dear Mr. Dunca:

I have just received your 19 March, 1991 notice of public hearing for lot # 10-R-1-NEW Tract 10, Oka Tamuning. The notice was sent to an address that is seven years old.

For future notices, my new address is:

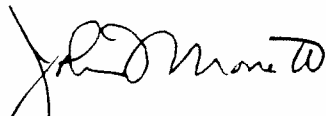
John T. Moore III  
P.O. Box 11469  
Tamuning, Guam 96931

Regarding the property, I wish to go on record as opposed to this zone change request.

I am hand carrying this response to your notice to the public hearing at the Mayor's office today.

Thank you for your notice. Please send any future notices to the above address.

Sincerely,



John T. Moore III, PE  
President, PMP

Daniel L. Sala, President  
Eldorado East Homeowners Asso.  
Camp Watkins Road  
April 2, 1991 (646-6657)

TERRITORIAL LAND USE COMMISSION  
c/o Land Planing Division, Division of Land Management  
P.O. Box 2950  
Agana, Guam 96910

Dear Sir:

As a representative of Eldorado East Homeowners Association I would like to go on record with the following concerns and objections to the proposed zone change to the following:

Nambo Guam Limited c/o Jose Leon Guerrero, Lot 10-R-1-New Tract 10, Oka Tamuning, for Zone Change to construct 2-storey commerical building for office spaces and retail activities, duty free shops, etc. from "R-2" (Multi-Family Dwelling) to "C" (Commercial ) zone.

1. The Tumuning Mayor is on record as stating that there should be no futher conversion of R-1 or R-2 property in the village, we agree with the Mayor.
2. The lot is surrounded by R-2 property along Camp Watkins Road.
3. There is no need to have any more retail activities, duty fee shops etc. in this area. The Palace and the Agana Beach Hotel will already have these shops available for our visitors to the islands. There is definitely no need for them for use of our local citizens. Jose Leon Guerrero proposed development is not necessary.
4. We are also very concerned about what type of retail establishments will eventually take over in order to be profitable. We are concerned about shooting galleys, night clubs similar to the Viking Club in Tumon and even massage parlors. Neither we or the commission have been assured that any subsequent owner or tenant can't engage in these less desirable commerical enterprises. Lets not have another Tumon.

Sincerely,

  
Daniel L. Sala

# **COMMITTEE REPORT**

**o n**

**Bill No. 526**

**An Act to rezone a certain parcel  
of land in Barrigada from Single  
Family Residential (R-1) to Multi-  
Family Dwelling (R-2)**

**Twenty First Guam Legislature  
Committee on Housing,  
Community Development  
Federal and Foreign Affairs**

**Senator Francisco R. Santos  
Chairman**

**January 6, 1992**

## **Public Hearing**

The Committee on Housing, Community Development, Federal and Foreign Affairs, to which was referred Bills No. 526 scheduled and conducted a public hearing on said measure on November 25, 1991, at 9:00 AM, in the Legislative Public Hearing Room.

In accordance with the Standing Rules of the Guam Legislature, the Committee caused to have published and announced notices for said hearings in a newspaper of general circulation. In addition, an invitation to submit testimony to the Committee was forwarded to:

The Legislative Review Committee  
Governor's Office  
The Department of Land Management  
The Municipal Planning Council of Barrigada  
The Mayor of Barrigada

Present at the public hearing were the following Committee members:

Senator Francisco R. Santos, Chairman  
Senator Pilar C. Lujan, Vice Chair  
Senator Elizabeth P. Arriola  
Senator Anthony C. Blaz  
Senator Marilyn D.A. Manibusan

Submitting testimony to the Committee were:

The Department of Land Management

The Bureau of Planning

Mrs. Paul Campus

### SUMMARY OF TESTIMONY

Mr. and Mrs. Paul Campus owners of the property, approached Senator Gordon Mailloux, sponsor of the legislation, requesting a rezoning of their property in the municipality of Barrigada, from Single Family Residential (R-1) to Multi-Family Dwelling (R-2), for the purpose of converting an existing duplex apartment to a quadplex four unit apartment... The lot contains adequate land area for the intended purposes and adequate off street parking will be provided for. Basic infrastructure exists in the area and because the area is rapidly developing, infrastructure development is on going.

Mr. and Mrs. Campus decided to approach the Legislature because of advice that going through the Territorial Land Use Commission route would take approximately six months and that it would require retaining a consultant in order to prepare the submissions required by the TLUC. Because of the financial burdens hiring a consultant would place on the project, thereby seriously affecting its affordability, and because the six months wait would also affect the ultimate cost of the project to be built, the husband and wife decided to approach the Legislature.



The only testimony in opposition to the measure was that submitted by the Bureau of Planning as its standard form opposition to any rezoning by the Legislature. The Bureau of Planning testifies against all rezonings, land sales or land exchanges performed by the Legislature because of their prevailing preference to refer everything to the TLUC methodology without any regard as to whether the rezoning is but a simple matter of redesignating land use or whether the request is totally reasonable and poses no problems with the infrastructure of the area.

The Department of Land Management deferred its comments on the matter, as it does with all other rezoning matters, preferring to defer to the zoning authority of the Legislature.

## **Committee Findings and Recommendations**

- The Committee finds that the rezoning being requested is not unreasonable nor does it pose a threat or problem to the existing infrastructure of the area.

- The Committee finds that the planned project will enable Mr. and Mrs. Campus to utilize their property to the highest and best uses in order to provide for their family, now and in the future. The Legislature commends Mr. and Mrs. Campus for their initiative in this matter and in their initiative to

help, in whatever small way, in the housing problem now confronting Guam.

- The Committee finds that the TLUC methodology, because of its cumbersomeness, would cause problems for rezoning requests such as the one contained in this measure simply because the TLUC process takes an inexorbitant and unreasonable amount of time and, in many instances, individuals requiring simple rezonings, such as this contained in Bill 526, are required to retain the services of expensive land use consultants and engineers to prepare all the documentation demanded by the TLUC.

- The Committee recommends that the Legislature do pass the rezoning request contained in Bill 526, as referred to the Committee.