

# Raymond S. Laguana

Mayor, Municipality of Barrigada  
P.O. Box 786, Agana, Guam 96910  
Telephone: 734-3737

March 3, 1994

Honorable Edward D. Reyes  
Twenty-Second Guam Legislature  
155 Hesler Street  
Agana, Guam 96910

Re: Bill No. 828: Rezoning Lots Nos. 5223-6-NEW-R-10,  
5223-6-NEW-3, 5223-6-NEW-4, and 5223-6-NEW-5.

Dear Senator Reyes:

For the record my name is Raymond S. Laguana, I am here to present testimony in support of Bill No. 828, " 5223-6-NEW-R-10, 5223-6-NEW-3, 5223-6-NEW-4, and 5223-6-NEW-5, all within the municipality of Barrigada from "A" to "M-1".

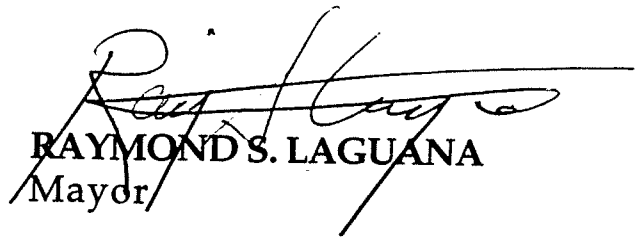
As Mayor of the municipality of Barrigada, I take this opportunity to solicit your assistance as Chairman and members of the Committee on Housing to support the abovementioned rezoning contained in Bill No. 828. The properties to be rezoned are situated in and around the Barrigada Heights and Macheche Hill area.

Mr. Chairman, members of the Committee, a rezoning of the abovementioned lots would allow the land owners to best utilize their property to its highest and best potential. With its current Agricultural zoning, the parcels are not suitable nor are they economically practical for farming. Therefore, on behalf of the Municipal Planning Council, we support the zone change of the abovementioned lots from Agricultural ("A") to Light Industrial ("M1") as contained in Bill No. 828.

It should also be noted that the properties to be rezoned already has the necessary utilities, water, power, sewer and telephone lines available in and around the area and that a change in zoning would not pose additional requirements on the infrastructure.

Thank you and "Si Yu'us Ma'ase!"

Respectfully,



RAYMOND S. LAGUANA  
Mayor

March 1, 1994

**HONORABLE EDWARD D. REYES**

Chairman, Committee on Housing & Community Development  
22nd Guam Legislature  
Agana, Guam

Re: Bill No. 828

Dear Mr. Chairman:

I am appearing today in support of Bill No. 828. The bill as it relates to our interest proposes to rezone Lot Nos. 5223-6-NEW-3, 5223-6 NEW-4, 5223-6 NEW-5, and 5223-6-NEW-R10 from Agriculture (A) to Light Industrial (MI).

The above properties are owned by Perez Development, Inc. and its legal description and area are described as follows:

- 1.) Lot No. 5223-6 NEW-3, Barrigada, Guam, containing an area of 3,723± square meters as shown on Map Drawing No. 8354 recorded at the Department of Land Management under Instrument No. 340390.
- 2.) Lot No. 5223-6 NEW-4, Barrigada, Guam, containing an area of 6,224± square meters as shown on Map Drawing No. 8354 recorded at the Department of Land Management under Instrument No. 340390.
- 3.) Lot No. 5223-6 NEW-5, Barrigada, Guam, containing an area of 6,225± square meters as shown on Map Drawing No. 8354 recorded at the Department of Land Management under Instrument No. 340390.
- 4.) Lot No. 5223-6 NEW-R10, Barrigada, Guam, containing an area of 22,122± square meters as shown on Map Drawing No. 8354 recorded at the Department of Land Management under Instrument No. 340390.

Presently Lot No. 5223-6 NEW-R10 is being used as a quarry and the request for rezoning will permit the operation of rock crushing machinery in order to make the operation of the quarry more efficient.

The surrounding areas of this property have been rezoned MI. A list of the surrounding lots is attached hereto, most being

Honorable Edward D. Reyes

March 1, 1994

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re-zoned under PL. 21-55 to MI. A copy of the listing of these adjacent lots as contained in PL. 21-55 is therefore attached hereto. These lots, as mentioned above, all surround our quarry site properties and appear to run down to the end of the Macheche Hill and beyond. In that regard, a related company of ours, Perez Estates, Inc. owns Lot No. 10130-R2 NEW, Macheche, Dededo, Guam, containing 68,391.98 square meters. I humbly ask the Committee to include this lot in the bill in order to allow us to also use it for its highest and best use in light of the fact that neighboring lots have also zoned M-1. This property received a conditional zone change from "A Rural zone to PD" under minutes of a TPC meeting recorded under Doc. No. 417242.

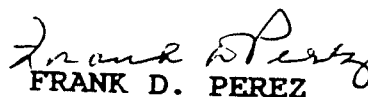
I therefore respectfully ask the inclusion of Lot No. 10130-R2 NEW, Macheche, Dededo, Guam in Section 1 of the bill and respectfully ask the Committee to add a new subsection (c) to Section 2 to allow its rezoning into law. The new subsection (c) would read:

(c) Lot No. 10130-R2 NEW, Macheche, situated in the Municipality of Dededo, Guam, said to contain an aggregate area of 68,391.98 square meters, as delineated on L.M. No. 129-FY88 as recorded under Instrument No. 410658, and owned by Perez Estates, Inc., is hereby rezoned to Light Industrial (MI).

I also would note that the total aggregate area for the quarry site parcels listed in section 2(a) is 38,294 square meters. Thus, the reference to 40,301± square meters in section 2 should be corrected to reflect the correct aggregate area.

Mr. Chairman and members of the committee, thank you for allowing me to testify on the above matter and hope that you would act favorably on our request to include Lot No. 10130-R2 NEW, Dededo, Guam in the present bill

Sincerely,

  
FRANK D. PEREZ

area. Seedlings of such species will be provided by the Department which will also supervise their planting.

(f) Appropriation authorized. The Department is authorized to submit the necessary appropriation to the Legislature to carry out the Program within ninety (90) days of the enactment of this Section."

PUBLIC LAW NO. 21-55

Bill No. 405 (COR)

Date Became Law: Sep. 20, 1991

Governor's Action: Approved

Introduced by:	F.R. Santos
M.D.A. Manibusan	J.G. Bamba
A.C. Blaz	J.P. Aguon
E.P. Arriola	M.Z. Bordallo
D.F. Brooks	H.D. Dierking
E.R. Duenas	E.M. Espaldon
C.T.C. Gutierrez	P.C. Lujan
G. Mailloux	D. Parkinson
M.C. Ruth	J.T. San Agustin
D.L.G. Shimizu	A.R. Unpingco

AN ACT TO AUTHORIZE THE GOVERNOR OF GUAM TO SELL AND EXCHANGE LAND IN THE MUNICIPALITY OF YONA; AND TO REZONE CERTAIN PARCELS OF LAND IN THE MUNICIPALITY OF DEDEDO.

- Section 1... Legislative findings.
- Section 2... Sale of Yona Lot No. 196 is authorized.
- Section 3... Sale of Tract 1 in Tagachang, Yona is authorized.
- Section 4... The government-owned land to be sold at its appraised current fair market value.
- Section 5... Exchange of the whole or a portion of Lot No. 123, Yona.
- Section 6... Land exchange shall be based upon the value of the land at the time property was taken.
- Section 7... Restrictions in deeds on sold or exchanged property.
- Section 8... Authorizing the Legislature to approve the land sales and exchange.
- Section 9... Lots in Harmon, Dededo rezoned from Agricultural ("A") to light Industrial ("M").
- Section 10... Rezoning of Harmon lots from Multi-Family Dwelling ("R-2") to light Industrial ("M-1").

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Legislative findings and statement. It has been brought to the attention of the Legislature that owners of lots contiguous to Lot No. 196 and Tract "I", Yona, desire to purchase said Lot

Section 4. Sale prices. The sale prices of the government-owned land authorized to be sold by this Act shall be at its current fair market value to be established by two (2) independent appraisals of the property, based on its current highest and best use, said appraisals to be performed by two (2) Guam licensed real estate appraisers. Said appraisals shall be performed no more than six (6) months prior to the date of sale. The cost of said appraisals shall be for the account of the buyers.

Section 5. Exchange of Lot No. 123. The Governor of Guam is hereby authorized to exchange the whole or a portion of Lot No. 123, Yona, for Lot No. 3068-1-R2, which lot was taken from Jesus L.G. Cruz for the Guam Housing and Urban Renewal Authority's Sinajana Redevelopment Project.

Section 6. (a) Basis of exchange. The exchange authorized in Section 5 of this Act shall be on a value for value basis and shall be based upon the value of the land at the time that Lot No. 3068-1-R2 was taken from Jesus L.G. Cruz. The government land in Yona set aside for this exchange shall be appraised and the exchange shall be based upon the value of the government land at the time of the taking of Mr. Cruz's Sinajana property.

(b) Costs. All appraisals and survey, registration and mapping costs involving the Yona property and associated with the exchange authorized in this Act, shall be for the account of Jesus L.G. Cruz.

Section 7. Restrictions in deeds. The deeds conveying the property authorized by this Act to be sold or exchanged shall each contain a provision that the property conveyed or exchanged cannot be transferred or otherwise conveyed to any other person for a period of no less than ten (10) years from the date of the sale or exchange, and that a violation of the prohibition shall cause the title to said property to automatically revert to the government of Guam.

Section 8. Authorization. The land sales and exchange authorized in this Act are hereby approved by the Legislature, and no further submission to, or authorization or approval by, the Legislature is required.

Section 9. Rezoning from Agricultural ("A") to Light Industrial ("M-1"). The following lots, all situated in the Harmon area of the Municipality of Dededo, being suitable and appropriate for light industrial use and warehouse facilities, are hereby rezoned from Agricultural ("A") to Light Industrial ("M1"):

LOTS NOS.:

5235-1  
5235-2  
5235-3  
5235-4

OWNERS:

Dolores B. Bello  
Margarita G. Benavente  
Eric Eun-Ha Choi  
Pedro G. Benavente

LOTS NOS.:

5235-5  
 5235-6  
 5235-7  
 5235-R7  
 5242-2-2NEW  
  
 5242-2-2-R2  
 5243-3-R11  
 5224-2-4NEW-R3  
 5224-2-4NEW-1  
 5224-2-4NEW-2  
 5224-2-4NEW-3  
 5224-2, Lot No. 4,  
 Tract 1417  
 5224-1-20-1 thru 16  
 5224 Lot No. 1, Tract 1410A  
 5224 Lot 2, Lot 4,  
 Lot 5, Tract 1410A  
 5224-1-3  
 5224-1-11  
 5224-1-12  
 5224-1-13  
 5224-1-14  
 5224-1-15  
 5225-1-NEW  
 5224-3-2  
 5224-6-R4  
 5224-6-3  
 5224-6-4  
 5224-7-1  
 5224-7-2  
 Tract No. 1415, Block 1  
 Lots 1 thru 7  
  
 Tract No. 1415,  
 Block 2, Lot 1  
 5223-R9-1

OWNERS:

Rosario B. Espinoza  
 Calvo Enterprises  
 Calvo Enterprises  
 Calvo Enterprises  
 Sung Hee Development,  
 Inc.  
 Sung Hee Development, Inc.  
 Charles Whang  
 Francisco G. Benavente  
 Francisco G. Benevente  
 Francisco G. Benevente  
 Francisco G. Benevente  
  
 Francisco G. Benavente  
 Dolores B./Benny B. Bello  
 Carline B. Bukikosa  
  
 Dolores B. Bello  
 Bella B. Martinez  
 Bella B. Martinez  
 George B. Bello  
 George B. Bello  
 Josephine Bello Duenas  
 Josephine Bello Duenas  
 Dolores B. Bello  
 Myong S. Chong  
 Pedro G. Benavente  
 Pedro G. Benavente  
 Pedro G. Benavente  
 Northern Island Co., Inc  
 Northern Island Co., Inc.  
  
 Jose G./Joseph M.  
 Benavente  
  
 Jose G. Benavente  
 Juan L.G. Guerrero

Section 10. Rezoning from Multi-Family Dwelling ("R-2") to Light Industrial ("M-1"). The following lots, all situated in the Harmon area of the Municipality of Dededo, being suitable and appropriate for light industrial use and warehouse facilities, are hereby rezoned from Multi-Family Dwelling ("R-2") to Light Industrial ("M-1"):

LOTS NOS.:

5071-#1-5  
 5048-4  
 Tract 100-C, Block 1,  
 Lot 5

OWNERS:

Francisco M. Rosario  
 Calvo Enterprises  
  
 Damian C. Flores

LOTS NOS.:  
5248-5  
5248-3-3

OWNERS:  
Calvo Enterprises  
Calvo Enterprises

PUBLIC LAW NO. 21-56

Bill No. 437 (COR)  
Date Became Law: Sep. 20, 1991  
Governor's Action: Approved

Introduced by:	G. Mailloux
M.D.A. Manibusan	H.D. Dierking
J.P. Aguon	E.P. Arriola
J.G. Bamba	A.C. Blaz
M.Z. Bordallo	D.F. Brooks
E.R. Duenas	E.M. Espaldon
C.T.C. Gutierrez	P.C. Lujan
D. Parkinson	M.C. Ruth
J.T. San Agustin	F.R. Santos
D.L.G. Shimizu	A.R. Unpingco

AN ACT TO REZONE CERTAIN REAL PROPERTY IN YIGO AND ELSEWHERE.

- Section 1... Rezoning agricultural land to R-2 in Yigo, Guam.
- Section 2... The rezoning authorized in Section 1 of this Act is conditioned on the installation of infrastructure required for the proposed uses of the property.
- Section 3... Rezoning R-1 to R-2 in Afame, Sinajana, Guam.

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

Section 1. Rezoning Agricultural land to R-2. Certain real property described as Lot 7090-1, Yigo, Guam, consisting of approximately eighty three thousand (83,000) square meters of land adjacent to Andersen Air Force Base and Ano Estates and belonging to Mr. and Mrs. Steve Herring, is hereby rezoned from Agricultural ("A") to Multi-Family Dwellings ("R-2").

Section 2. Condition. The rezoning authorized in Section 1 of this Act is conditioned on the installation of infrastructure required to provide adequate service for the proposed uses of the property. Upon completion of the installation of the required infrastructure and notification to the Department of Land Management of such installation, the Director of Land Management shall have all zoning maps and documents amended to reflect the rezoning herein authorized.

Section 3. Rezoning R-1 to R-2. Certain real property described as (i) Lot No. 19.5-13, Afame, Sinajana, Guam, Estate No.



1 Agricultural ("A") to Commercial ("C").

2 (f) **Lots rezoned.** Lot No. 2149-3-18, situated along Farenholt Ave.,  
3 Tamuning, containing an area of 1,677 square meters, and identified in  
4 Certificate of Title No. 13457, owned by Mr. and Mrs. Thomas S.S. Huang  
5 and Mrs. and Mrs. Wu Chang Kao, is hereby rezoned from Multi-family  
6 Residential ("R-2") to Commercial ("C").

7 **Section 14. (a) Legislative intent.** Bill and Terry Hagen, long time  
8 residents of Guam and entrepreneurial owners of Pacific Galleries, have  
9 approached the Legislature requesting a rezoning of their property in the  
10 Macheche Hill area of Dededo from Agricultural ("A") to Light Industrial  
11 ("M-1"). The Hagens' request is to enable them to build a facility to store the  
12 materials and products which they utilize in their business of custom frame-  
13 making.

14 The Legislature notes that the development activity in the area renders  
15 the area relatively unsuitable for agricultural purposes. Likewise, several  
16 large tracts of property within five hundred feet (500') of the Hagens' parcel  
17 have already been rezoned to Light Industrial as said zoning has been  
18 determined to be the most compatible with the Air Impact Compatibility Use  
19 Zones (AICUZ) for NAS Agaña and the Guam International Airport. In light  
20 of this, the Legislature finds that the rezoning requested by the Hagens' is not  
21 incompatible with surrounding land uses and will provide them the storage  
22 capacity and capability they need to maintain an economical and efficient  
23 inventory for their business.

24 (b) **Rezoning.** Lot No. 5234-8, situated in the Municipality of Dededo,  
25 containing an area of 4,405± square meters, and owned by Bill and Teresita  
26 Hagen, is hereby rezoned from Agricultural ("A") to Light Industrial ("M-1").

27 **Section 15. (a) Legislative statement.** Lot No. 5224-1-5, owned by Benny

PL 21-145

1 B. Bello, and Lot No. 5248-3-2, owned by Anna B. Lujan, are situated amongst  
2 a group of lots in the Harmon, Macheche Hill area of Dededo. Development  
3 in the area is presently restricted because of the Air Installations Compatible  
4 Use Zones (AICUZ) regulations promulgated by the Navy for flights from  
5 NAS Agaña. In recognizing this, the Legislature has previously rezoned lots  
6 contiguous to parcels for the development of warehousing facilities which  
7 are critically needed on the island. Thus, the Legislature is of the consensus  
8 that the rezoning of these two (2) parcels is not incompatible with land uses in  
9 the area.

10 (b) Lot rezoned. Lot No. 5224-1-5, Tract 308, situated in the Municipality  
11 of Barrigada, said to contain 4,047± square meters, as shown on LM  
12 Drawing No. TM 72-12, and owned by Benny B. Bello, is hereby rezoned from  
13 Agricultural ("A") to Light Industrial ("M-1").

14 (c) Lot rezoned. Lot No. 5248-3-2, situated in the Municipality of  
15 Barrigada, said to contain an area of 930 square meters, and owned by Anna  
16 B. Lujan, is hereby rezoned from Agricultural ("A") to Light Industrial ("M-  
17 1").

18 (d) Lot rezoned. Lot No. 5224-7-4-5-11, situated in the Municipality of  
19 Barrigada, said to contain an area of 4,050± square meters, and owned by  
20 John P. Benavente, is hereby rezoned from Agricultural ("A") to Light  
21 Industrial ("M-1").

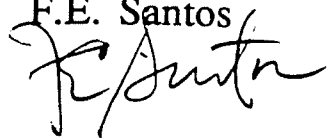
22 Section 16. (a) Legislative statement. The Legislature is aware of  
23 several developers desiring to build affordable housing projects on private  
24 land utilizing private funds. These efforts must be supported in order to  
25 alleviate the housing shortage presently affecting the island and greatly  
26 aggravated by the devastation caused by Typhoon Omar. Two (2) of these  
27 developers, Omnitech International and Tony Martinez own property which

PL 21-14)

TWENTY SECOND GUAM LEGISLATURE  
FIRST (1993) REGULAR SESSION

Bill No. 777

Introduced by:

F.E. Santos  


AN ACT TO REZONE CERTAIN PARCELS OF  
PRIVATE PROPERTY IN THE MUNICIPALITY OF  
YONA FROM AGRICULTURAL (A), SINGLE  
FAMILY RESIDENTIAL (R1) AND MULTI-  
FAMILY RESIDENTIAL (R2) TO MULTI-FAMILY  
RESIDENTIAL.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF  
2 GUAM:

3 SECTION 1. LEGISLATIVE STATEMENT. The Guam  
4 Legislature is aware that there is an acute shortage of affordable  
5 rental housing units. This situation is aggravated by the ever  
6 increasing need to recruit off-island teachers for Guam's  
7 classrooms and the population shifts brought about by  
8 individuals arriving on island for various reasons. These  
9 teachers, when they arrive on island, are immediately  
10 confronted with the problem of finding an affordable home,  
11 preferably near the school in which they teach. The Legislature  
12 finds that this situation exists not only for off island teachers but

1 also for other enterprises who find a need to bring in people to be  
2 employed in their businesses, as well as, the military community  
3 with its normal rotation of personnel. An indication of the acute  
4 shortage of affordable housing for these professionals is the  
5 request by the University of Guam for government property to  
6 build affordable housing for its professional staff. Rather than  
7 dedicate valuable government land to government housing  
8 projects, the Legislature is of the consensus that it would be  
9 more beneficial to the island if private development were  
10 encouraged and subsequently utilized by these professionals.

11 The Guam Legislature has been approached by Tanota  
12 Partners, a limited partnership, and Six D Enterprises, Inc., a long  
13 standing Guam housing developer, with a request to rezone  
14 their property in Yona from Agricultural (A), Single Family  
15 Residential (R1) and Multi-Family Dwellings (R2) to Multi-Family  
16 Dwellings (R2) in order to build an apartment complex. The  
17 Legislature notes that the property is adequate in size for the  
18 stated purposes and that the needed utilities, inclusive of  
19 adequate sewer lines, do serve the parcel. The Legislature finds  
20 that the intended use of the property is a desirable use which  
21 will benefit the community in providing needed housing  
22 resources. Likewise, the Legislature is of the consensus that the  
23 requesting zoning of the property is not incompatible with the  
24 permitted land uses of adjacent properties.

25 The Legislature notes that the architectural firm of the  
26 world renowned architect, Frank Lloyd Wright, prepared  
27 architectural and engineering designs for multi-family dwelling  
28 complexes which would take advantage of the location, terrain

1 and viewpoint of the property. The fact that the owners of the  
2 property were willing to contract such a world renowned firm to  
3 prepare suitable A & E plans which would take into consideration  
4 the topography of the parcels is indicative of the owners desire  
5 to insure that their plans and development enhance, rather  
6 than detract, from the area.

7 The Legislature further notes that the Territorial Planning  
8 Commission (now known as the Territorial Land Use Commission)  
9 has previously approved the rezoning of portions of these lots  
10 (those portions fronting on Route 4) from Agricultural (A) to  
11 Single Family Residential (R1) and to Multi-Family Dwelling (R2)  
12 thus creating a situation where the lots are split zoned. This  
13 Legislature finds that split zoning is unfair to the owner of the  
14 property in that it constrains the use of the full parcel to the  
15 highest and best use which would be that of the higher zoning.  
16 In approving this rezoning from Agricultural (A) to Single  
17 Family Residential (R1) and Multi-Family Dwellings (R2), the TPC  
18 noted that waste water infrastructure existing along Route 4 are  
19 more than adequate for the development. Likewise, the  
20 Legislature notes that the lots directly across the subject  
21 properties, also fronting on Route 4 have already been rezoned  
22 to Multi-Family Dwellings (R2). In consideration of this, the  
23 Legislature is of the consensus that the rezoning is fully  
24 compatible with the surrounding land uses.

25 **SECTION 2. LOTS REZONED.** Lots No. 164-NEW, 155 NEW  
26 and 163 NEW-R1, situated in Yona, said to contain an aggregate  
27 area of 400,000 +/- square meteters, and owned by Tanota  
28 Partners, and Lots No. 156-R5; 147-R5; 147-4; 157-A-1 and

1 156-3; said to contain an aggregate area of 200,000 +/- square  
2 meters, and owned by Six D Enterprises, all delineated under LM  
3 Map D#L-654, are hereby rezoned from Agricultural (A), Single  
4 Family Residential (R1) and Multi-Family Residential (R2) to  
5 Multi-Family Dwellings (R2).



UNIVERSITY OF GUAM  
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March 1, 1994

Twenty-Second Guam Legislature  
Committee on Housing and  
Community Development  
Agana, Guam 96910

Dear Chairman Reyes and Committee Members,

I am submitting the following testimony **opposing** Bill No. 777,

AN ACT TO REZONE CERTAIN PARCELS OF PRIVATE PROPERTY IN THE MUNICIPALITY OF YONA FROM AGRICULTURAL (A), SINGLE FAMILY RESIDENTIAL (R1) AND MULTIFAMILY RESIDENTIAL (R2) TO MULTI-FAMILY RESIDENTIAL.

I am submitting this testimony as a member of the Technical Advisory Committee (TAC) for the I Tano'-ta Land Use Plan for Guam, and in support of the planning efforts of the Territorial Planning Council (TPC).

The proposed bill will rezone land adjacent to Pago Bay from low density (A and R1) to high density (R2), allegedly for "affordable housing." While affordable housing is a valid concern for Guam, this bill does not address this issue, but rather, will adversely affect planning efforts designed to support economic growth and diversification in a manner compatible with environmental and cultural preservation.

As a member of the I Tano'ta Land Use Plan Technical Advisory Committee, I helped develop the criteria for the 2M zone which would cover portions of the area affected by this bill. The 2M zone was developed specifically to address several critical concerns facing Guam now and in the future: economic diversification, compatible usage, protection of existing and proposed facilities, environmental preservation, and protection of fishing and recreational areas of cultural importance.

The economic downturn recently experienced by Guam is largely due to our singular dependence on tourism, which is greatly affected by external factors that Guam cannot control. This problem has been a wake-up call for diversification into other areas that can provide additional sources of revenue and hence, add a degree of economic stability. The areas of mariculture, aquaculture and marine biotechnology are rapidly expanding fields that should be incorporated into future plans. The Pago Bay area, from Fadian Point to Tagachang Point is the most suitable area on island for such future development. The 2M zone in this area was

developed to take advantage of economic opportunities by providing an area specifically designated for marine resource development-related activities.

Presently, two multi-million dollar facilities exist in this area, the Guam Aquaculture Development and Training Center, administered by the Guam Department of Commerce, and the University of Guam Marine Laboratory. These two facilities presently contribute between one and two million dollars annually to the Guam economy in extramural grants and contracts. The proposed Territorial Aquarium, which has advanced to the final planning stages is to be sited within the same 2M zone. The proposed 2M zone provides compatible uses for all of these facilities that require pristine seawater in order to function. Additionally, this zoning provides an area to attract other facilities which need adequate supplies of clean seawater. Higher density development is incompatible with these facilities.

Pago Bay continues to be an important area for local fishermen and youths who enjoy the recreational sport of boogie boarding. The 2M zone allows for these groups to be guaranteed an area to pursue their endeavors without the encroachment of incompatible developments. Guam only has one Pago Bay, which supports some of the greatest coral and fish diversity and abundance on island. Prior to considering rezoning this area for high density development, the needs of the general public in maintaining several bays and beaches in a more pristine state should be weighed. As more of Guam's reefs become impacted by coastal development, the economic and intrinsic value of environmental preservation must also be considered. The 2M zone has been well-thought out to support the mutually compatible goals of economic utilization, cultural preservation and environmental protection.

The proposed rezoning to allow for high density and high intensity development in the Pago Bay area is clearly incompatible with the planning efforts to date, the existing facilities, the proposed and potential facilities, and the needs of the local community. I realize that members of the Legislature may not have been aware of all of these issue when this bill was drafted. I would welcome the opportunity to meet with senators and staff to discuss the benefits of the 2M zone in more specific detail.

In conclusion, I am requesting your consideration of the long-term planning efforts and needs touched on in this testimony, and that Bill 777, as written, be withdrawn until the important issues addressed can be examined, and an equitable solution can be developed. If I can be of any assistance in this matter, please feel free to contact me at your convenience.

Respectfully Submitted,

*Robert H. Richmond*

Robert H. Richmond, Ph.D.  
Professor of Marine Biology



March 1, 1994

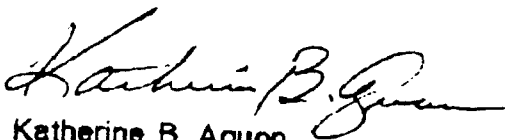
Senator Eddie Reyes  
Chairman  
Housing & Community Development

Dear Senator Reyes,

I submit my testimony in opposition to Bill No. 777 introduced by the late Senator Frank R. Santos.

Residents of Pago Bay have consistently opposed all plans for R2 development of the areas surrounding Pago Bay, including the areas designated in Senator Santos' bill. I had spoken to the late Senator regarding the residents' opposition to his bill from the very beginning. We felt at the time, and still do, that Guam's unique tropical environment in these areas should be protected. Pago Bay is now the only area where the traditional Chamorro practice of mañahag fishing is not impeded by jet-skis, motorboats, and other motorized recreational water crafts. It is tragic that a zealous desire to build affordable housing for teachers will result in the destruction of the natural habitats supporting the mañahak, ti'ao, satmoneti, mafute', aguas, kichu, tarakitu, atulai, and many of our tropical fish. I am sure educators would not want to become a part in the extinction of these fish species, or in the demise of the Chamorro traditional practice of net-fishing, the talaya. Imagine the poor talayeru trying to fish in a resort development.

Although attitudes are changing today, there remains a close cultural attachment between the Chamorros and their environment. Name a Chamorro who does not believe in the spirit of our ancestors! Name a Chamorro who does not say "Guela yan Guelo kao siña hu na'setbe i liyang-miyu sa' ti hu hago' guatu gi gima'-hu."... Bulldozing and reshaping of our natural resources have already occurred in the areas designated for development. We are not against development for the people, but we do not want a massive reshaping of the only viable natural resource supporting our tropical fish and the place where our talayeru can fish in tranquillity.



Katherine B. Aguon  
Resident of Pago Bay  
Representative of Pago Bay Estates



# TANOTA PARTNERS

A Guam Limited Partnership  
P. O. Box 3117  
Agana, Guam U.S.A., 96910  
Tel: (671)646-1384/646-1385



ALFRED C. YSRAEL  
President

FAX (671) 649-9269

DIANA Z. YSRAEL  
Secretary-Treasurer

February 28, 1994

Bayview  
Apts.

Senator Edward Reyes, Chairman  
Committee on Housing  
Twenty-Second Guam Legislature  
Agana, Guam 96910

•  
Bel-Air  
Apts.

Re: *Pago Bay Zoning*

•  
Harmon  
Apts.

Dear Senator Reyes and Members of the Housing Committee:

•  
Harmon  
Plaza

We request your favorable consideration and approval of a zoning classification of R-2 for Lots 156-R5, 147-R5, 164-R5, 164-NEW, 155-NEW and 163-NEWR1 (the "Pago Bay Lots"), all located in the municipality of Yona (as contained in Bill 777).

•  
Inarajan  
Apts.

Guam is in desperate need of more housing for its residents. The lack of housing units and high demand have driven the cost of housing to unaffordable levels. Increasing the amount of R-2 land would increase the amount of housing on our island which in turn will lower the current high cost of housing.

•  
Latte  
Apts.

The Pago Bay Lots are ideally suited for R-2 (multi-family dwelling). The Pago Bay Lots are located along Route 4 with water, sewer, telephone, cable and electricity immediately available. Housing in this area would be conveniently located next to Yona and to jobs in Agana and Mangilo and would help to alleviate the current traffic congestion located on the North to South route out of Dededo and Yigo.

•  
Marliposa  
Parks

The surrounding parcels are currently zoned R-2 and C. A new zoning designation of R-2 (from the current zoning of A, R-1 and R-2) would bring the Pago Bay Lots into conformity with its neighboring parcels.

•  
Miramar  
Apts.

•  
Pacifica  
Apts.

•  
Windward  
Hills Apts.

Our firm (and its successor corporations) has been providing the people of Guam with safe, clean, affordable, typhoon proof housing for over 30 years. We were the first to provide fully air conditioned and furnished rental units, and revived the use of decorative tile roofs, arches and balusters. Our housing plans have been duplicated and used throughout the island. Our firm is not a real estate speculator, but a long term investor in the housing market on Guam. We intend to move

•  
Hillside  
Development

•  
Pago Bay  
Development

•  
Diana's



# TANOTA PARTNERS

*A Guam Limited Partnership*

P. O. Box 3117

Agana, Guam U.S.A., 96910

Tel: (671)646-1384/646-1385



**ALFRED C. YSRAEL**  
*President*

**DIANA Z. YSRAEL**  
*Secretary-Treasurer*

Bayview  
Apts.

Bel-Air  
Apts.

Harmon  
Apts.

Harmon  
Plaza

Inarajan  
Apts.

Latte  
Apts.

Mariposa  
Parks

Miramar  
Apts.

Pacific  
Apts.

Windward  
Hills Apts.

Hillside  
development

Pago Bay  
development

Diana's

forward on our plans to construct comfortable and attractive housing units on the Pago Bay Lots. The prestigious architectural firm of Frank Lloyd Wright Foundation has created an extensive and detailed plan for the development of the Pago Bay Lots. The local architectural firm of Onuma and Associates have also concluded that multi family dwelling are best suited for the Pago Bay Lots.

Therefore, for the reasons stated above, we respectfully request your support for the approval of a R-2 zoning for the Pago Bay Lots so the residents of Guam can soon enjoy the spectacular views of Pago Bay from the comfort of their safe, attractive and affordable home.

Very truly yours,

TANOTA PARTNERS,  
*A Guam Limited Partnership*

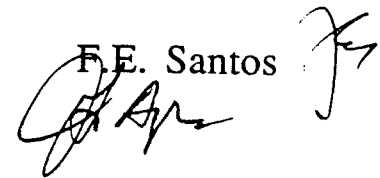
By:

Michael Z. Ysrael  
Authorized Representative

TWENTY SECOND GUAM LEGISLATURE  
SECOND(1994) REGULAR SESSION

Bill No. 813

Introduced by:

F.E. Santos 

AN ACT TO REZONE A CERTAIN PARCEL OF  
PRIVATE PROERTY IN THE MUNICIPALITY OF  
BARRIGADA.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2

3 SECTION 1. LEGISLATIVE INTENT: The Guam  
4 Legislature has been requested by the owners of Lot No. 3A,  
5 Tract 295, situated in the Barrigada Heights area, fronting on  
6 Route 16, to have the parcel rezoned from Agricultural (A) to  
7 Commercial (C) in order to build a three storey commercial  
8 building to house professional offices and retail outlets. The  
9 Legislature, aware of the increasing commercialization of the  
10 Route 16 area, is of the consensus that a commercial building,  
11 capable of housing medical offices and clinics, as well as, other  
12 professional offices, would be beneficial to the area, as well as,  
13 bring such services to the residents of Barrigada Hts. and the  
14 adjoining areas. The Legislature has been apprised that there  
15 are existing water, sewer and power infrastructure in the area  
16 which the proposed uses would be able to hook up to. The

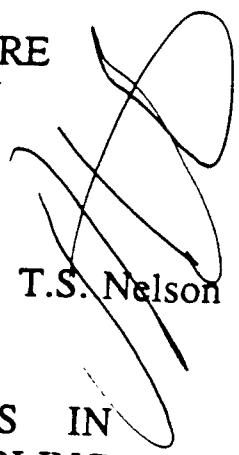
1 Legislature further notes that the proposed uses for the lot is  
2 compatible with the land uses of surround parcels.

3       **SECTION 2. LOTS REZONED:** Lot No. 3A, Parcel 295, said  
4 to contain an area of 8242 +/- square meters, situated in the  
5 Municipality of Barrigada, as delineated on LM Chk No. 630 FY74,  
6 and owned by Ernesto M. and Leticia Espaldon, is hereby rezoned  
7 from Agricultural (A) to Commercial (C).

TWENTY SECOND GUAM LEGISLATURE  
FIRST (1993) REGULAR SESSION

Bill No. 639(LS)

Introduced by:



T.S. Nelson

AN ACT TO REZONE CERTAIN LOTS IN  
MANGILAO FOR THE PURPOSE OF ENABLING  
THEIR OWNERS TO BUILD HOMES.

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2

3 SECTION 1. LEGISLATIVE INTENT. The Guam Legislature has  
4 been approached by Margarita Flores Cabrera and Concepcion C.  
5 Flores, sisters, and owners of Lots No. 2390-5 and 2390-6,  
6 situated on Dairy Road, Mangilao, requesting a rezoning of said  
7 property from Agricultural (A) to Multi-Family Dwelling (R2) for  
8 the purpose of building affordable housing units (apartment  
9 type) for their son, daughters and their families. The Legislature  
10 has been informed that the adequate infrastructure for the  
11 intended purposes is already in place and the proposed plans will  
12 be substantially in conformance with surrounding land uses.  
13

14 SECTION 2. LOT REZONED. Lot No. 2390-5 and 2390-6, said to  
15 contain approximately 1,896 s.m. and 2,823 s.m. respectively, as  
16 recorded under Document No. 323916, and owned by Margarita  
17 F. Cabrera and Concepcion C. Flores, respectively, are hereby  
18 rezoned from Agricultural (A) to Multi-Family Dwellings (R2).  
19

20 SECTION 3. LEGISLATIVE INTENT. Ms. Bernice Lujan  
21 Edquilane is the owner of Lot No. P19.83-1NEW-5, Mangilao, and  
22 desires to have her property rezoned from Agricultural (A) to  
23 Single Family Residential (R1) in order to be able to subdivide the  
24 property into two residential lots for her and her brother,  
25 Michael Lujan Edquilane. The Legislature finds that the area in

26 which this lot is situated is already residentialized with single  
27 family dwellings and there are multi-family dwellings in the area.  
28 Thus, the rezoning requested is compatible with the area.  
29 Likewise, the necessary infrastructure required for the  
30 requested land use is immediately available to the area. The  
31 Legislature has been apprised that the Municipal Planning  
32 Council of Mangilao has issued letters stating the Council's  
33 favorable position on this rezoning plan.  
34

35 **SECTION 4. LOT REZONED.** Lot No. P19.83-1NEW-5, situated in  
36 the Municipality of Mangilao, said to contain an area of 1858  
37 square meters, as designated on Land Management Map No. 281-  
38 FY80, and owned by Ms. Bernice Lujan Edquilane, is hereby  
39 rezoned from Agricultural (A) to Single Family Residential (R1).  
40



## PUBLIC UTILITY AGENCY OF GUAM

Government of Guam  
Post Office Box 3010, Agana, Guam 96910  
Phone: (671) 646-8891-6 / 649-7824  
Fax: (671) 649-0158

Bernice L. Edquilane  
62 West O'Brien Dr.  
Agana, Guam 96910

OCT 28 1993

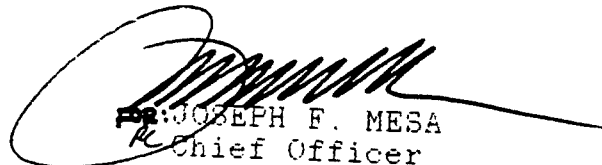
Reference: Certification of water and sewer  
Lot No. P19.83-1NEW-5, Mangilao

Dear Ms. Edquilane:

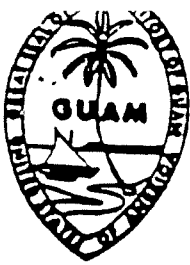
This is in response to your letter dated October 21, 1993, requesting for certification of water and sewer on the above referenced lot.

The existing 6-inch waterline is located along the main road of Chalan Pescador. There is no public sewer. You will have to obtain the Environmental Protection Agency approval for a septic-tank leaching field.

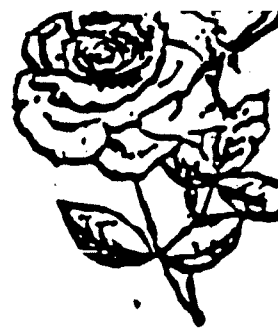
Sincerely,

  
JOSEPH F. MESA  
Chief Officer





OFFICE OF THE MAYOR  
MUNICIPALITY OF MANGILAO  
NONITO (NITO) C. BLAS  
MAYOR  
TELEPHONE: 734-2163



"THE ROSE"  
Official Village Flower

October 19, 1993

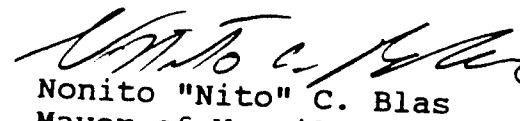
HONORABLE EDWARD D. REYES  
Senator, Twenty-second Guam Legislature  
Chairman, Committee on Housing and Community  
Development

Re: Rezoning of P19.83-1NEW-5, Barrigada, Estate No.57631

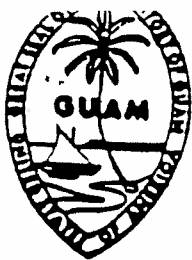
Dear Senator Reyes,

Please be advised that I have no objection to the rezoning of Ms. Edquilane's property (P19.83-1NEW-5), located in Mangilao, from Agricultural to ~~R2~~ R1. Your assistance in rezoning this parcel of land will enable her to subdivide and then give half of the parcel through deed of gift to her brother, Michael L. Edquilane.

Your assistance in Ms. Edquilane's request is sincerely appreciated. Should you have any questions in this matter, please feel free to contact my office at 734-2163. Dankulu Na Si Yu'os Ma'ase.

  
Nonito "Nito" C. Blas  
Mayor of Mangilao

cc: Governor Joseph Ada  
Senator Ted Nelson  
Ms. Edquilane  
Dept. of Land Management



OFFICE OF THE MAYOR  
MUNICIPALITY OF MANGILAO  
NONITO (NITO) C. BLAS  
MAYOR  
TELEPHONE: 734-2163



"THE ROSE"  
Official Village Flower

October 19, 1993

HONORABLE TED NELSON  
Senator, Twenty-second Guam Legislature

Re: Rezoning of P19.83-1NEW-5, Barrigada, Estate No.57631

Dear Senator Nelson,

Please be advised that I have no objection to the rezoning of Ms. Edquilane's property (P19.83-1NEW-5), located in Mangilao, from Agricultural to R<sub>2</sub>. Your assistance in rezoning this parcel of land will enable her to subdivide and then give half of the parcel through deed of gift to her brother, Michael L. Edquilane.

Your assistance in Ms. Edquilane's request is sincerely appreciated. Should you have any questions in this matter, please feel free to contact my office at 734-2163. Dankulu Na Si Yu'os Ma'ase.

  
Nonito "Nito" C. Blas  
Mayor of Mangilao

cc: Governor Joseph Ada  
Senator Edward D. Reyes  
Ms. Edquilane  
Dept. of Land Management

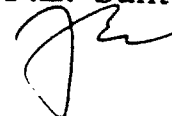
TWENTY SECOND GUAM LEGISLATURE  
SECOND (1994) REGULAR SESSION

FEB 14 '94

Bill No. 830(LS)

Introduced by:

F.E. Santos



AN ACT TO REZONE LOT NO. 2396 NEW-2-2,  
MANGILAO, FROM SINGLE FAMILY  
RESIDENTIAL (R1) TO MULTI FAMILY  
DWELLING (R2).

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:  
2

3 SECTION 1. LEGISLATIVE STATEMENT. The Guam  
4 Legislature has been approached by Mr. Francisco Francisco with  
5 a request to rezone his property in Mangilao from Single Family  
6 Residential (R1) to Multi-Family Dwellings (R2) in order to permit  
7 him to build an apartment structure to provide homes for his  
8 married children. Mr. Francisco notes that he does not have  
9 enough property to be able to give his children a house lot of  
10 their own and the only way he can provide for his children is to  
11 provide them an apartment to live in. The Legislature notes that  
12 Mr. Francisco's property is adequate in size for his stated  
13 purposes and that the needed utilities do serve the parcel. The

14 Legislature finds that Mr. Francisco's intended use of the  
15 property is a desirable use which will benefit both his children  
16 and the community.

17         **SECTION 2. LOT REZONED.** Lot No. 2396 NEW-2-2, Land  
18 Square 18 Sec 3, situated in Mangilao, said to contain an area of  
19 1,960 square meters, as delineated on Land Management  
20 Drawing No. 321-FY72, and owned by Francisco Francisco, is  
21 hereby rezoned from Single Family Residential (R1) to Multi-  
22 Family Dwellings (R2).

Mayor Nonito "Nito" C. Blas, Chairman,  
Mangilao Municipal Planning Council  
Mangilao, Guam

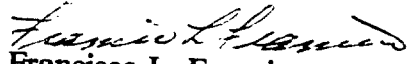
March 4, 1994

Dear Mayor Blas,

We are requesting to rezone our property, Lot Number 2396 NEW-2-2, located in Dairy Road, from R1 (Single Family Residential) to R2 (Multi-Family Dwellings). This will enable us to build an apartment structure to provide homes for our married children. We feel we can benefit not only our children but also the community with our intended use of property.

Attached is a copy of our petition as required within the 500 feet radius neighbors.

We would appreciate your approval or recommendation on our request.

  
Francisco L. Francisco

  
Rosita P. Francisco





**LOT 2396 NEW-1**

JOSE R. CAMPOS  
DOC. # 26128

S 88° 06' 45" E  
36.14 m. 118.57'

POB

N 22° 09' 13.51m  
49.32'

S 42° 19' 24.75m  
81.20'

N 42° 19' 5.57m  
77.33'

S 00° 33m  
70.96'

**LOT 2**  
(PORTION)  
AREA =

**LOT 2396 NEW-2-1**

AREA = 1,960 sq.m. = 21,097 sq. ft.  
FOR TRANSFER TO:  
JOSE L. AND JOSEFINA S. FRANCISCO

**BASIC LOT 2396 NEW-2**

~~REG. AREA = 4,687 sq. m.~~  
COMP. AREA = 4,685 sq. m.

31.10m. 102.03'  
00" W  
29.14m. 95.61'  
60.24 m.

N 86° 26' 58.32m  
191.34'

Curve "A"  
Curve "B"  
Curve "C"  
S 00° 30' 00" E 26.04m. 85.43'

49.89m. 163.68'  
98.36 m. (98.48)  
18.26 m.

**LOT 2396 NEW-2-2**

AREA = 1,960 sq.m. = 21,097 sq. ft.



N 86° 26' 31.35  
62.70m. 205.71'

**LOT 1-**  
JOSE C. AND C.  
C.T. # 14

**LOT 2-A**  
JOSEPHINE S. CRU.  
C.T. # 14738

**LOT 4-A**

FRANCISCO P. AND ROSITA P. FRANCISCO  
DOC. # 84137

**LOT 3-A**

ENRIQUE A. AND ANA G. SALAS  
C.T. # 10282

**LOT 3-A-1**

3.00  
34'  
98.04  
030 N

00" E  
34'  
31.81 m.

N 00° 34'  
31.34 m.  
00" W

40' RIGHT-OF-WAY





AMENDMENT 14  
YONA

Zoning Map No. F3-67345

Adopted by the Territorial Planning Commission on

June 14, 1984

Antonio R. Charrauros  
ANTONIO R. CHARRAUROS  
Executive Secretary

Approved by the Governor of Guam on

RICARDO J. BORDALLO  
Governor of Guam

Affixed with the Great Seal of Guam on

EDWARD D. REYES  
Lt. Governor of Guam

TERMINAL OFFICE OF THE PLANNER  
OFFICE OF THE PLANNER  
DEPARTMENT OF LAND MANAGEMENT  
INSTRUMENT NO. 1358912

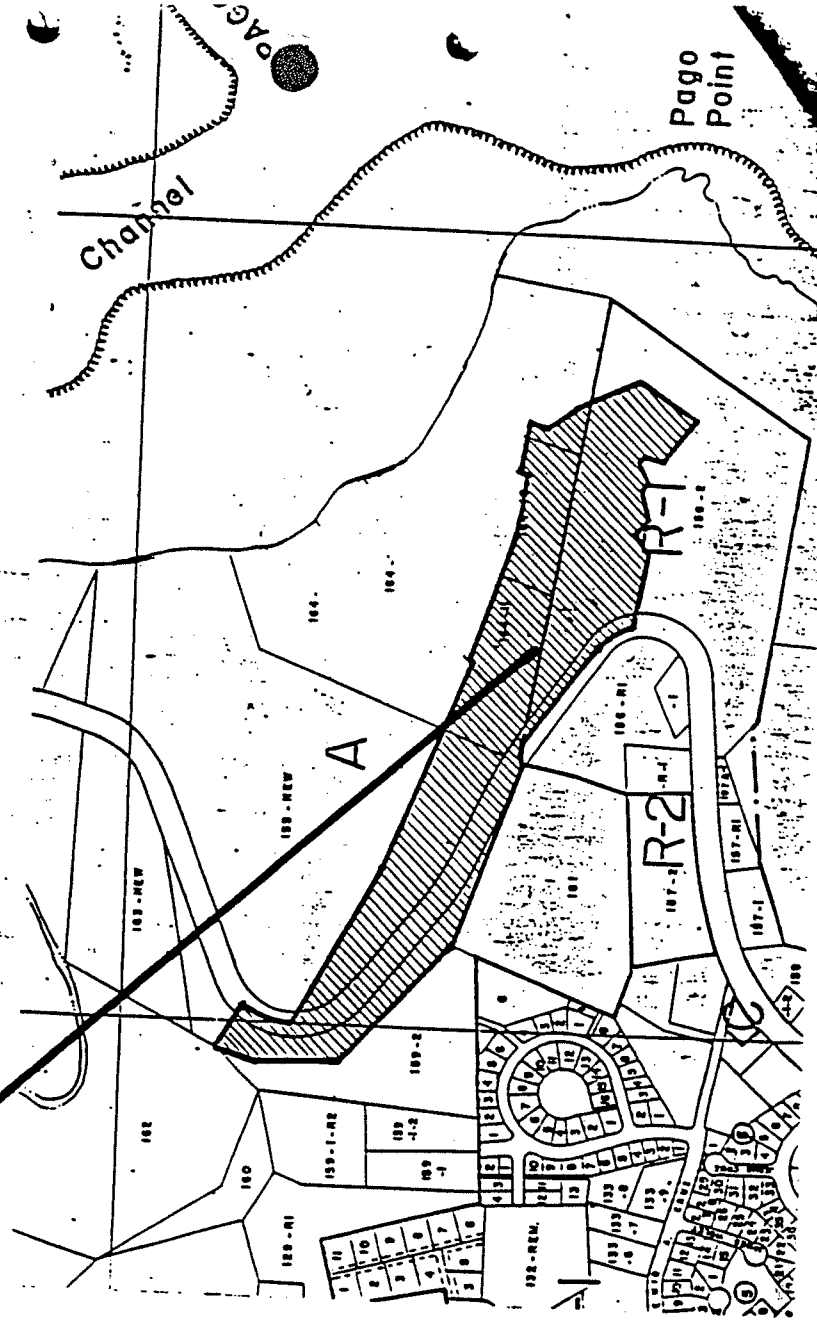
This instrument was recorded on

day of May 16 1984 P.M.

and duly recorded on 16 at Page 1  
Recording Officeoucher No. 171

Antonio R. Charrauros  
Executive Secretary

# ZONE CHANGE, FROM "A" and "R1" to "R2" Portions of Lot Nos. 155-NEW, ● 164-NEW, 156-R5 and 163-NEW-R1, YONA







TERRITORIAL PLANNING COMMISSION  
 DEPARTMENT OF LAND MANAGEMENT  
 GOVERNMENT OF GUAM  
 AGANA, GUAM 96910



NOTICE OF ACTION

DATE: January 7, 1987

To: Inland Builders Corporation  
 P.O. Box 2767  
 Agana, Guam 96910

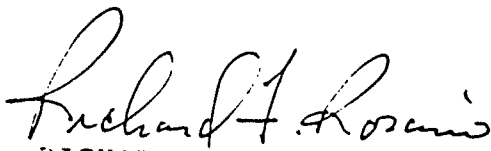
The Territorial Planning Commission, at its meeting on November 13, 1986,

/ Approved  / Denied  
 / Approved with conditions  / Tabled

your request on Lot No. 156-R-5, Block 6, Yona for a

<input type="checkbox"/> / Change of zone (including PUD)**	<input type="checkbox"/> / Subdivision
<input checked="" type="checkbox"/> / Zone variance	<input type="checkbox"/> / Tent. Approval
<input type="checkbox"/> / Conditional use	<input type="checkbox"/> / Final Approval
<input type="checkbox"/> / PUD Amendment	<input type="checkbox"/> / Resubdivision
<input type="checkbox"/> / Preliminary PUD prior to Public Hearing	<input type="checkbox"/> / Subdivision Definition
<input type="checkbox"/> / Determination of Policy Definition	* <input checked="" type="checkbox"/> / Miscellaneous

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions, or involved a clarification, please see the conditions below for further details. THIS NOTICE MUST BE RECORDED UPON ISSUANCE.

  
 RICHARD F. ROSARIO  
 Territorial Chief Planner

Conditions:

That the height of the A and B buildings be restricted to three stories. (Note: Applicant was informed that they could build a seven story structure on the other buildings).

\* Reconsideration of TPC's decision of October 9, 1986 for Zone Variance approval to construct a five story apartment building in a "R-2" (Multiple Dwelling) zone, totaling forty-five feet in height.

Approval by TPC is not a final approval. It is a recommendation to the Governor for approval. Modification will be left to the discretion of the Governor.

NOV 29 '94

TWENTY-SECOND GUAM LEGISLATURE  
1994 (SECOND) Regular Session

Bill No. 1194

Introduced by:

 F. E. Santos

AN ACT TO REZONE CERTAIN PARCELS OF  
PRIVATELY OWNED PROPERTY IN MACHECHE,  
BARRIGADA, BARRIGADA HEIGHTS, BARRIGADA,  
AND MANGILAO.

1           **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**

2           **Section 1. (a) Legislative intent.** The Legislature has been requested  
3 by Perez Development, Inc., Perez Estates, Inc., and Arthur B. Toves, owners  
4 of certain parcels of property in Barrigada, to rezone their properties in order  
5 to utilize them for their highest and best uses. The parcels are presently  
6 zoned Rural ("A") but because of the surrounding land uses and the structure  
7 and nature of the soil, they are not suitable for farming. The owners have  
8 pointed out that most of the surrounding parcels and the general area have  
9 been rezoned as a Light Industrial ("M-1") zone and business enterprises of  
10 such a nature have been established there. Lots Nos. 5223-6-NEW-R-10,  
11 5223-6-NEW-3, 5223-6-NEW-4, and 5223-6-NEW-5 are presently used as a  
12 rock quarry, and the request for rezoning is to permit the use of rock-crushing  
13 machinery to make the quarry operation more efficient and profitable. Lots  
14 Nos. 5224-1-18 and 5224-1-17 are intended for warehousing.

1 (b) **Lots rezoned.** (1) Lots Nos. 5223-6-NEW-R-10, 5223-6-NEW-3,  
2 5223-6-NEW-4, and 5223-6-NEW-5, situated in the Municipality of  
3 Barrigada, said to contain an aggregate area of 40,301± square meters, as  
4 shown on Land Management Drawing No. 270 FY83, owned by Perez  
5 Development, Inc., are hereby rezoned from Rural ("A") to Light Industrial  
6 ("M-1").

7 (2) Lots Nos. 5224-1-17 and 5224-1-18, Tract 308, situated in the  
8 Municipality of Barrigada, said to contain an aggregate are of 8,094± square  
9 meters, as described in that document recorded at the Department of Land  
10 Management under instrument no. 227124, and owned by Arthur B. Toves,  
11 are hereby rezoned from Rural ("A") to Light Industrial ("M-1").

12 (3) Lot No. 10130-R2NEW, situated in **Macheche**, Municipality of  
13 Dededo, said to contain an area of 68,391.98 square meters, as shown on  
14 Drawing No. L-968, Land Management Check No. 129-FY88, and owned by  
15 Perez Estates, Inc., is hereby rezoned from being a Planned Unit Development  
16 ("PUD") to Light Industrial ("M-1").

17 **Section 2. Legislative statement.** (a) Subsection (d) of Section 15 of  
18 Public Law No. 21-145, rezoned certain parcels of property owned by John A.  
19 Benavente in the **Bello** area of **Macheche Hill** and **Barrigada Heights**.  
20 Because of typographical errors, the subsection combined the numbers of  
21 separate lots and set out the wrong middle initial in Mr. Benavente's name.  
22 The Legislature finds it necessary to correct the rezoning done in subsection  
23 (d) as the lot numbers set out in that subsection do not exist and the name of  
24 the owner cited does not match that set out on the certificate of title issued for  
25 the property.

26 (b) **Lots rezoned.** Lots Nos. 5224-7-4, 5224-7-5 and 5224-7-11, all  
27 situated in **Y-Lisong**, Municipality of Barrigada, said to contain an aggregate

1 area of 5,574± square meters, as shown on Land Management Check No. 014  
2 FY85, and owned by John A. Benavente, are hereby rezoned from Agricultural  
3 ("A") to Light Industrial ("M-1").

4       **Section 3. Legislative intent.** (a) The Legislature has been requested  
5 by the owners of Lot No. 7A, Tract 295, situated in the **Barrigada Heights**  
6 area, fronting on Route 16, to rezone it from Rural ("A") to Commercial ("C")  
7 in order to build thereon a three-story commercial building to house  
8 professional offices and retail outlets. The Legislature, aware of the  
9 increasing commercialization of the Route 16 area, is of the consensus that a  
10 commercial building capable of housing medical offices and clinics, as well as  
11 other professional offices and retail spaces, would be beneficial to the area in  
12 bringing such services to the residents. The Legislature finds that there are  
13 existing water, sewer and power facilities to which the proposed uses can  
14 connect. The Legislature further finds that the proposed uses for the lot are  
15 compatible with the land uses of surrounding parcels.

16       (b) **Lot rezoned.** Lot No. 7A, Tract 295, situated in the Municipality of  
17 Barrigada, said to contain an area of 65,340± square feet, as shown on Land  
18 Management Check No. 630 FY74, and owned by Ernesto M. and Leticia  
19 Espaldon, is hereby rezoned from Rural ("A") to Commercial ("C").

20       **Section 4. (a) Legislature statement.** The Legislature has been  
21 requested by Francisco Francisco to rezone his property in Mangilao from  
22 Single Family Residential to Multi-family Residential to permit him to build  
23 an apartment structure to provide homes for his married children. The  
24 owner states that he does not have enough property to be able to give his  
25 children house lots of their own and the only way he can provide for his  
26 children is to provide them apartments to live in. The Legislature finds that  
27 Mr. Francisco's property is adequate in size for his stated purposes, that the

1 needed utilities do serve it, and that Mr. Francisco's intended use of the  
2 property is a desirable use which will benefit both his children and the  
3 community.

4 (b) **Lots rezoned.** Lot No. 2396 NEW-2-2, situated in the Municipality  
5 of Mangilao, said to contain an area of 1,960 square meters, as shown on  
6 Land Management Drawing No. 321-FY72, owned by Francisco Francisco, is  
7 hereby rezoned from Single Family Residential ("R-1") to Multi-family  
8 Residential ("R-2").

9 **Section 5. (a) Legislative intent.** Bernice Lujan Edquilane, the owner  
10 of Lot No. P19.83-1NEW-5, Mangilao, has requested the Legislature to  
11 rezone her property from Rural to Single Family Residential in order to  
12 subdivide it into two residential lots for her and her brother, Michael Lujan  
13 Edquilane. The Legislature finds that the area in which this lot is situated has  
14 already been covered with single family dwellings, that there are also multi-  
15 family dwellings in the area, and that the rezoning requested is compatible  
16 with the area, the necessary infrastructure required for the requested land use  
17 being immediately available to the area. The Legislature has been advised  
18 that the Municipal Planning Council of Mangilao has approved such  
19 rezoning.

20 (b) **Lot rezoned.** Lot No. Lot No. P19.83-1NEW-5, situated in the  
21 Municipality of Mangilao, said to contain an area of 1,858 square meters, as  
22 shown on Land Management Map No. 281-FY80, owned by Bernice Lujan  
23 Edquilane, is hereby rezoned from Rural ("A") to Single Family Residential  
24 ("R-1").