



Territory of Guam
Territorio Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

RECEIVED
OFFICE OF THE SPEAKER
DATE 6/22/93
TIME 11:00 AM
RECD BY: [Signature]

JUN 22 1993

SENT TO
LEGISLATIVE SECRETARY

The Honorable Joe T. San Agustin
Speaker, Twenty-Second Guam Legislature
155 Hesler Street
Agana, Guam 96910

A handwritten signature in cursive script, likely belonging to Joe T. San Agustin.

Dear Mr. Speaker:

Transmitted herewith is Bill No. 113 which I have signed into law this date as
Public Law 22-22.

Sincerely yours,

A handwritten signature in cursive script, likely belonging to Frank F. Blas.

FRANK F. BLAS
Governor of Guam
Acting

220267

Attachment

TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session

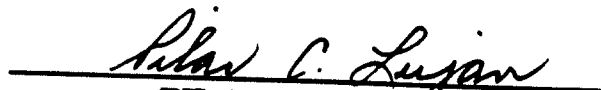
CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 113 (LS), "AN ACT TO REZONE LOT NO. 11, BLOCK 16, TRACT 232, SINAJAÑA, FROM SINGLE FAMILY RESIDENTIAL TO COMMERCIAL," was on the 7th day of June, 1993, duly and regularly passed.




JOE T. SAN AGUSTIN
Speaker

Attested:



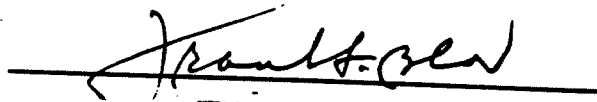
PILAR C. LUJAN
Senator and Legislative Secretary

This Act was received by the Governor this 10th day of June
1993, at 3:17 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



FRANK F. BLAS
Governor of Guam
ACTING

Date: JUN 22 1993

Public Law No. 22-22

**TWENTY-SECOND GUAM LEGISLATURE
1993 (FIRST) Regular Session**

Bill No. 113 (LS)

As amended by the Committee on Rules

Introduced by:

**F. R. Santos
T. S. Nelson
J. P. Aguon
E. D. Reyes
T. C. Ada
E. P. Arriola
M. Z. Bordallo
H. D. Dierking
C. T. C. Gutierrez
P. C. Lujan
V. C. Pangelinan
D. Parkinson
J. T. San Agustin
D. L. G. Shimizu
J. G. Bamba
A. C. Blaz
D. F. Brooks
F. P. Camacho
M. D. A. Maribusan
T. V. C. Tanaka
A. R. Unpingco**

**AN ACT TO REZONE LOT NO. 11, BLOCK 16, TRACT
232, SINAJAÑA, FROM SINGLE FAMILY RESIDENTIAL
TO COMMERCIAL.**

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

**Section 1. Legislative Statement. The Guam Housing and Urban
Renewal Authority ("GHURA") has requested the assistance of the**

1 Legislature in rezoning Lot No. 11, Block 16, Tract 232, Sinajaña, consisting of
2 29,838 square feet, adjacent to the "Sinajaña Payless Market" and "Mark's
3 Sinajaña Shopping Center" (the "Property"). In 1989, GHURA sold the
4 Property to Mrs. Luisa F. Torres, a first priority applicant under GHURA's
5 Disposition Policy for Commercial Lots. At the time of the sale GHURA
6 believed that the Property was zoned commercial. However, based on
7 information obtained from the Department of Land Management, the
8 Legislature finds that the Property is still covered by its original zoning as
9 residential, GHURA through an oversight not having the Property rezoned
10 commercial as intended in the area's masterplan.

11 **Section 2. Lot Rezoned.** Lot No. 11, Block 16, Tract 232, situated in the
12 Municipality of Sinajaña, within the Sinajaña Urban Renewal Project, said to
13 contain an area of 29,838 square feet, and belonging to Mrs. Luisa F. Torres,
14 is hereby rezoned from Single Family Residential ("R-1") to Commercial
15 ("C").

TWENTY-SECOND GUAM LEGISLATURE

1993 (FIRST) Regular Session

Date: 6/7/93

VOTING SHEET

Bill No. 113

Resolution No. _____

Question: _____

NAME	AYE	NO	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
ARRIOLA, Elizabeth P.	✓			
BAMBA, J. George	✓			
BLAZ, Anthony C.	✓			
BORDALLO, Madeleine Z.	✓			
BROOKS, Doris F.	✓			
CAMACHO, Felix P.	✓			
DIERKING, Herminia D.	✓			
GUTIERREZ, Carl T. C.	✓			
LUJAN, Pilar C.	✓			
MANIBUSAN, Marilyn D. A.	✓			
NELSON, Ted S.	✓			
PANGELINAN, Vicente	✓			
PARKINSON, Don	✓			
REYES, Edward D.	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Francisco R.	✓			
SHIMIZU, David L. G.				✓
TANAKA, Thomas V. C.	✓			
UNPINGCO, Antonio R.	✓			

TOTAL 20 _____ 1

Senator Edward D. Reyes

Chairman

Committee on Housing and Community Development

Twenty-Second Guam Legislature

228 Archbishop Flores St.
Agana, Guam 96910

Tel: (671) 472-3453-4
Fax: (671) 477-6338

April 13, 1993

SPEAKER JOE T. SAN AGUSTIN
Twenty-Second Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Housing and Community Development, to which was referred **BILL NO. 113**, [An Act to Rezone Lot No. 11, Block 16, Tract 232, Sinajana, from Single-Family Dwelling (R-1) to Commercial (C).], wishes to report back to the Legislature with its recommendation to pass Bill No. 113. The voting record is as follows:

TO PASS	-9-
NOT TO PASS	<u>0</u>
ABSTAIN /Not Voting	-1-
TO PLACE IN INACTIVE FILE	-0-

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.




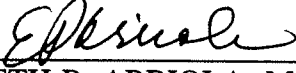

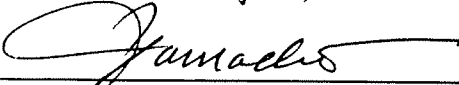
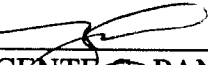
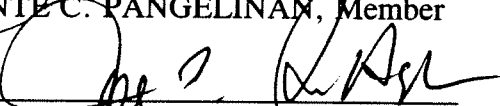
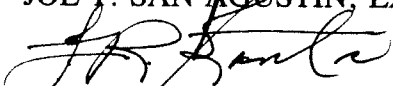

EDWARD D. REYES

Attachments

COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
 22nd Guam Legislature

VOTING RECORD

Bill No. 113 - "An Act to Rezone Lot No. 11, Block 16, Tract 232, Sinajana, from Single-Family Dwelling (R-1) to Commercial (C)".

	<u>TO</u> <u>PASS</u>	<u>NOT TO</u> <u>PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE</u> <u>FILE</u>
 EDWARD D. REYES, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 TED S. NELSON, Vice-Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 THOMAS C. ADA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ELIZABETH P. ARRIOLA, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 ANTHONY C. BLAZ, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FELIX P. CAMACHO, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARILYN D.A. MANIBUSAN, Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 VICENTE C. PANGELINAN, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 JOE T. SAN AGUSTIN, Ex-Officio Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 FRANCISCO R. SANTOS, Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Senator Edward D. Reyes
Chairman
Committee on Housing and Community Development
Twenty-Second Guam Legislature

228 Archbishop Flores St.
Agana, Guam 96910

Tel: (671) 472-3453-4
Fax: (671) 477-6338

April 13, 1993

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - Bill No. 113 - " An Act to Rezone Lot No. 11, Block 16, Tract 232, Sinajana, from Single-Family Dwelling (R-1) to Commercial (C)."

Transmitted herewith for your information and action is the Committee on Housing and Community Development's Report on the subject Bill.

The narrative report is accompanied by the following:

1. Bill No. 113
2. Committee on Housing and Community Development Voting Sheet;
3. Written Testimony and Sign-in Sheet
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.

Your attention and cooperation in this matter is greatly appreciated.


EDWARD D. REYES

Attachments.

COMMITTEE ON HOUSING AND
COMMUNITY DEVELOPMENT
Twenty-Second Guam Legislature

COMMITTEE REPORT
ON BILL NO. 113

"AN ACT TO REZONE LOT NO. 11, BLOCK 16, TRACT
232, SINAJANA, FROM SINGLE-FAMILY DWELLING (R-
1) TO COMMERCIAL."

APRIL 13, 1993

I. OVERVIEW

The Committee on Housing and Community Development scheduled a Public Hearing on Friday, February 19, 1993 at 9:30 a.m. in the Public Hearing Room, Guam Legislature Temporary Building, Agana. The notice of public hearing was published in the Pacific Daily News on February 15, 1993.

Members of the Committee present at the public hearing were:

Senator Edward D. Reyes, Chairman
Senator Ted Nelson, Vice-Chairman
Senator Tom Ada
Senator Tony Blaz
Senator Felix Camacho
Senator Marilyn Manibusan
Senator Ben Pangelinan.

Appearing before the Committee to testify on Bill 113 were:

Mr. Ricardo Calvo, Deputy Director, Guam Housing and Urban Renewal Authority.

Mr. Joe Santos, Planner, Department of Land Management.

II. SUMMARY OF TESTIMONY

Mr. Ricardo Calvo, Deputy Director, Guam Housing & Urban Renewal Authority.

Mr. Calvo presented written testimony from Mrs. Pilar A. Cruz, Executive Director of GHURA in favor of the Bill. The request for rezoning was initiated by GHURA to rectify an administrative oversight on the designation and zoning of this Lot. Mrs. Luisa F. Torres, being a First Priority applicant under the Sinajana Disposition Policy for commercial lots bought the lot under the premise of a commercial lot and not as a residential lot. When Mrs. Torres' application for a commercial operation was rejected by the Department of Land Management, GHURA became aware that it had inadvertently retained the original zoning of "R1" in the recorded Urban Renewal plans.

Mr. Joe Santos, Planner, Department of Land Management.

Mr. Santos testified orally that Land Management agrees that the error in zoning should be corrected and that they support this Bill.

III. FINDING AND RECOMMENDATION

The Committee finds that an administrative mistake on the part of the Guam Housing and Urban Renewal Authority is depriving Mrs. Luisa F. Torres from using her land to its full potential as envisioned in the Sinajana Urban Renewal Plan. The Plan gave her first priority to buy a commercial lot, and thinking she bought one, she proceeded with a commercial venture, only to be halted in the process because of the erroneous zoning.

This error was made by the government of Guam and it should be corrected so that Mrs. Torres' lot will be a commercial lot, as originally intended.

The Committee on Housing and Community Development to which was referred **Bill No. 113** - "AN ACT TO REZONE LOT NO. 11, BLOCK 16, TRACT 232, SINAJANA, FROM SINGLE-FAMILY DWELLING (R-1) TO COMMERCIAL" - does hereby submit its findings and recommendation to the Twenty-Second Guam Legislature "**TO DO PASS**" **Bill No. 113**.

JAN 04 '93

TWENTY SECOND GUAM LEGISLATURE
FIRST (1993) REGULAR SESSION

Bill No. 113(LS)

Introduced by:

F.R. Santos


AN ACT TO REZONE LOT NO. 11, BLOCK 16,
TRACT 232, SINAJANA, FROM SINGLE FAMILY
RESIDENTIAL (R1) TO COMMERCIAL (C).

40)

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

2

3 SECTION 1. LEGISLATIVE STATEMENT. The Guam
4 Housing and Urban Renewal (GHURA) has requested the
5 assistance of the Guam Legislature in rezoning Lot No. 11,
6 Block 16, Tract 232, Sinajana, consisting of 29,838 square feet,
7 adjacent to the Sinajana Payless Market and Mark's Sinajana
8 Shopping Center. In 1989, GHURA sold the said lot to Mrs.
9 Luisa F. Torres, a first priority applicant under the Authority's
10 Disposition Policy for Commercial Lots. At the time of the
11 sale GHURA was under the impression that the property was
12 zoned commercial, however, based on information obtained
13 from the Department of Land Management, the subject lot
14 maintains its original zoning as residential. It was later
15 learned that GHURA through an oversight, did not have the
16 property rezoned commercial as intended in the area's
17 masterplan.

18

19 SECTION 2. LOT REZONED. Lot No. 11, Block 16, Tract 232,
20 situated in the Municipality of Sinajana, in Sinajana Urban
21 Renewal Project, said to contain an area of 29,838 square feet,
22 and belonging to Mrs. Luisa F. Torres is hereby rezoned from
23 Single Family Residential (R1) to Commercial (C).

GUAM HOUSING AND URBAN RENEWAL AUTHORITY

TESTIMONY ON BILL NO. 113

FEBRUARY 19, 1993

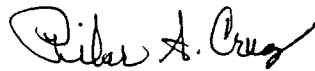
Good morning Mr. Chairman and members of the Committee on Housing and Community Development. My name is Pilar A. Cruz, the Executive Director of Guam Housing and Urban Renewal Authority and I am here this day to testify favorably on Bill 113, "An Act to Rezone Lot 11, Block 16, Tract 232, Sinajana, from single-family residential (R-1) to Commercial (C)".

This request was originated by Guam Housing and Urban Renewal Authority (GHURA), to rectify an administrative oversight on the designation and zoning of Lot 11, Block 16, which was sold under the premise of a commercial lot and not as a residential lot to Mrs. Luisa F. Torres, a First Priority applicant under the Sinajana Disposition Policy for commercial lots. It was not until just recently, however, when Ms. Torres' application for a commercial operation was rejected by the Department of Land Management that GHURA became aware that it had inadvertently retained the original zoning as residential of said lot in the recorded Urban Renewal Plans. The lot was intended to be zoned as a commercial lot under the Plan.

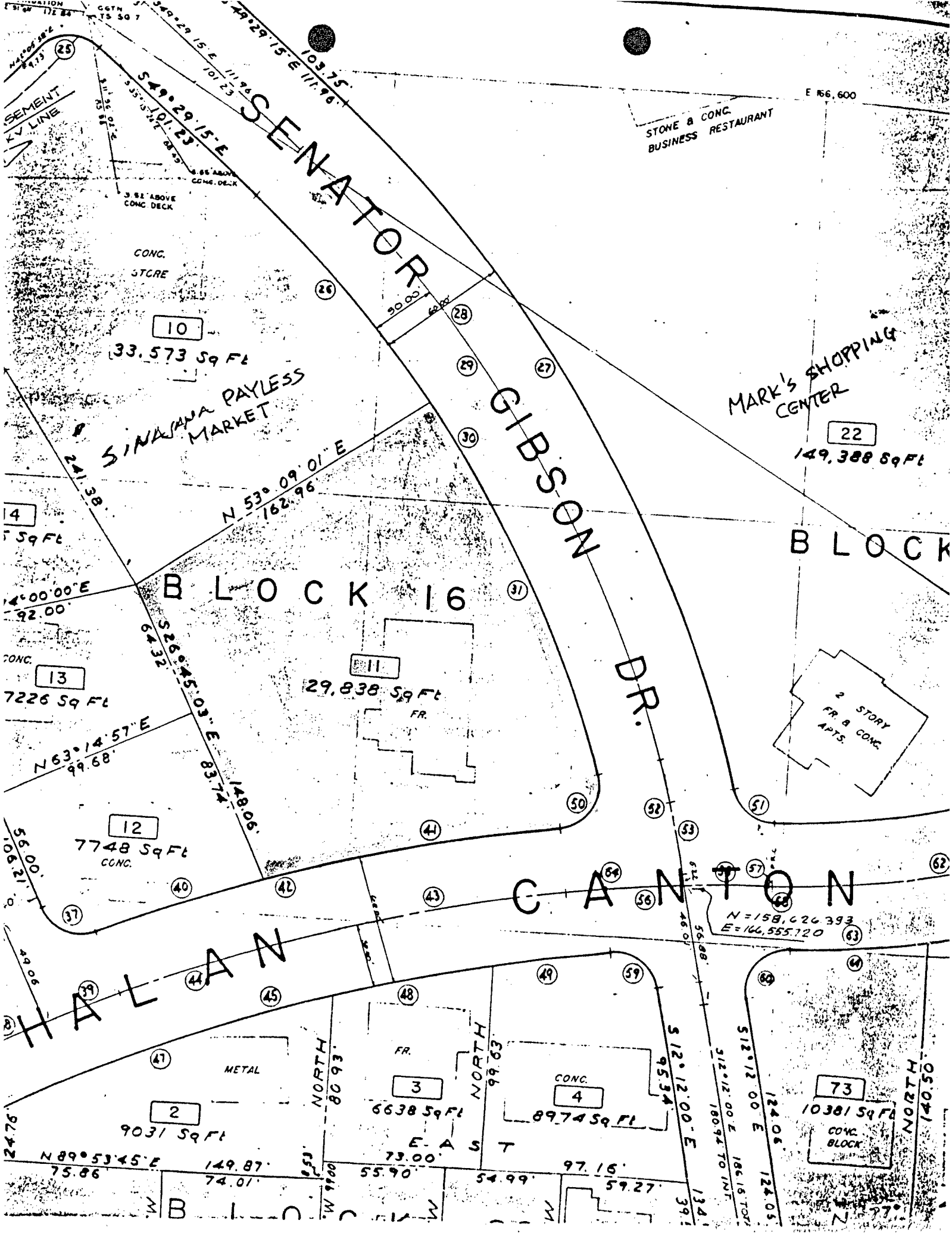
GHURA's intention to commercially zone Lot 11, Block 16, is evidenced by the fact that the recorded lot area of 29,838 square feet far exceeds that of a residential lot which averages about 6,500 square feet. Furthermore, said lot is abutting the Sinajana Payless Market and is adjacent to the Mark's Shopping Center which all fall within the village commercial area of the Sinajana Urban Renewal Project.

In view of the above, GHURA supports Bill 113(LS). Thank you for giving me the opportunity to appear before this committee.

Should you have any questions, I will be more than happy to answer them.



PILAR A. CRUZ
Executive Director



SENATOR

GIBSON

DR.

HALAN

CANTON

BLOCK 16

BLOCK

CEMENT
KV LINE

STONE & CONG.
BUSINESS RESTAURANT

SINAWA PAYLESS
MARKET

MARK'S SHOPPING
CENTER

10
33,573 Sq Ft

4
759 Sq Ft

13
7226 Sq Ft

12
7748 Sq Ft
CONC.

11
29,838 Sq Ft
FR.

22
149,388 Sq Ft

2 STORY
FR & CONG.
APTS.

2
9031 Sq Ft

3
6638 Sq Ft

4
8974 Sq Ft

73
10381 Sq Ft
CONC.
BLOCK

N 89° 53' 45" E 149.87
75.86 74.01

E. A. S. T
73.00 55.90

97.15 59.27

N = 158,626.393
E = 166,555.720

W B L O C K W M W M W

Committee on Housing & Community Development
SENATOR EDWARD D. REYES

Chairman

Twenty-Second Guam Legislature
Public Hearing

TIME : 9:30 A.M.
PLACE: PUBLIC HEARING ROOM
GUAM LEGISLATURE, AGANA
DATE: FEBRUARY 19, 1993

AGENDA

Bill No. 112 - An act to rezone Lot No. 3272-4, Chalan Pago-Ordot from Multi-Family Dwellings (R2) to Commercial (C); by F.R. Santos.

Bill No. 113 - An act to rezone Lot No. 11, Block 16, Tract 232, Sinajana, from Single-Family Dwelling (R1) to Commercial (C); by F.R. Santos.

Bill No. 120 - An act to authorize the Governor of Guam to approve a long term lease for agricultural purposes; by F.R. Santos.

Bill No. 187 - An act to rezone Lot No. 1-1, Tract 2621, containing an area of 3,176.07 s.m. in the Municipality of Yona from Agricultural (A) to Single-Family Dwelling (R-1); by E.D. Reyes.

Bill No. 267 - An act to rezone Lot No. 10135-1-7, containing an area of 13,253 s.m. in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R-1); by E.D. Reyes.

Bill No. 268 - An act to authorize the Governor of Guam to exchange certain government lands with private landowners in the Municipality of Agat for the purpose of establishing public access and utility easement; by E.D. Reyes.

Senator

EDWARD D. REYES

Chairman, Committee on Housing and Community Development



PUBLIC HEARING

FRIDAY, FEBRUARY 19, 1993

9:30 AM

Public Hearing Room

Guam Legislature, Agana

Bill No. 112 - An act to rezone Lot No. 3272-4, Chalan Pago-Ordot from Multi-Family Dwellings (R2) to Commercial (C); by F.R. Santos.

Bill No. 113 - An act to rezone Lot No. 11, Block 16, Tract 232, Sinajana, from Single-Family Dwelling (R1) to Commercial (C); by F.R. Santos.

Bill No. 120 - An act to authorize the Governor of Guam to approve a long term lease for agricultural purposes; by F.R. Santos.

Bill No. 187 - An act to rezone Lot No. 1-1, Tract 2621, containing an area of 3,176.07 s.m. in the Municipality of Yona from Agricultural (A) to Single-Family Dwelling (R-1); by E.D. Reyes.

Bill No. 267 - An act to rezone Lot No. 10135-1-7, containing an area of 13,253 s.m. in the Municipality of Dededo from Agricultural (A) to Single-Family Dwelling (R-1); by E.D. Reyes.

Bill No. 268 - An act to authorize the Governor of Guam to exchange certain government lands with private landowners in the Municipality of Agat for the purpose of establishing public access and utility easement.

JAN 04 '93

TWENTY SECOND GUAM LEGISLATURE
FIRST (1993) REGULAR SESSION

Bill No. 113 (LS)

Introduced by:

F.R. Santos

AN ACT TO REZONE LOT NO. 11, BLOCK 16,
TRACT 232, SINAJANA, FROM SINGLE FAMILY
RESIDENTIAL (R1) TO COMMERCIAL (C).

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

2
3 **SECTION 1. LEGISLATIVE STATEMENT.** The Guam
4 Housing and Urban Renewal (GHURA) has requested the
5 assistance of the Guam Legislature in rezoning Lot No. 11,
6 Block 16, Tract 232, Sinajana, consisting of 29,838 square feet,
7 adjacent to the Sinajana Payless Market and Mark's Sinajana
8 Shopping Center. In 1989, GHURA sold the said lot to Mrs.
9 Luisa F. Torres, a first priority applicant under the Authority's
10 Disposition Policy for Commercial Lots. At the time of the
11 sale GHURA was under the impression that the property was
12 zoned commercial, however, based on information obtained
13 from the Department of Land Management, the subject lot
14 maintains its original zoning as residential. It was later
15 learned that GHURA through an oversight, did not have the
16 property rezoned commercial as intended in the area's
17 masterplan.

18
19 **SECTION 2. LOT REZONED.** Lot No. 11, Block 16, Tract 232,
20 situated in the Municipality of Sinajana, in Sinajana Urban
21 Renewal Project, said to contain an area of 29,838 square feet,
22 and belonging to Mrs. Luisa F. Torres is hereby rezoned from
23 Single Family Residential (R1) to Commercial (C).