



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

OFFICE OF THE LEGISLATIVE SECRETARY
 ACKNOWLEDGMENT RECEIPT
 Received By R. J. [Signature]
 Time 4:50 PM
 Date 1-2-97

JAN 02 1997

OFFICE OF THE SPEAKER
 Date: 1-2-97
 Time: 1:35 pm
 Received By: [Signature]
 Print Name: Arlene B. Torres


The Honorable Don Parkinson
 Speaker
 Twenty-Third Guam Legislature
 Guam Legislature Temporary Building
 155 Hesler Street
 Agana, Guam 96910

Dear Mr. Speaker:

Enclosed please find a copy of Bill No. 330 (LS), "AN ACT TO REZONE LOT NO. 217-1 IN THE MUNICIPALITY OF AGAT, GUAM, FROM 'R-1' (SINGLE FAMILY RESIDENTIAL) TO 'C' (COMMERCIAL)", which was enacted into law without signature and which is now designated as **Public Law No. 23-134.**

A copy has also been delivered to the Office of the Legislative Secretary.

Very truly yours,


 Carl T. C. Gutierrez
 Governor of Guam

Attachment
 231630



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JAN 02 1997

The Honorable Hope A. Cristobal
Acting Legislative Secretary
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910


OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>J. Leegi</u>
Time	<u>2:45</u>
Date	<u>1/2/97</u>

Dear Madame Legislative Secretary:

Enclosed please find a copy of Bill No. 330 (LS), "AN ACT TO REZONE LOT NO. 217-1 IN THE MUNICIPALITY OF AGAT, GUAM, FROM 'R-1' (SINGLE FAMILY RESIDENTIAL) TO 'C' (COMMERCIAL)", which was enacted into law without signature and which is now designated as **Public Law No. 23-134**.

A copy has also been delivered to the Office of the Speaker.

Very truly yours,


Carl T. C. Gutierrez
Governor of Guam

Attachment

231629

(for file purposes)
me

Same as Doc. No. 231630

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 330 (LS), "AN ACT TO REZONE LOT NO. 217-1 IN THE MUNICIPALITY OF AGAT, GUAM, FROM "R-1" (SINGLE FAMILY RESIDENTIAL) TO "C" (COMMERCIAL)," was on the 12th day of December, 1996, duly and regularly passed.



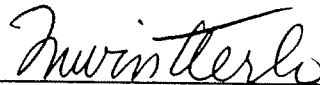
DON PARKINSON
Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 19th day of December,
1996, at 11:30 o'clock 9 .M.



Assistant Staff Officer
Governor's Office

APPROVED:

CARL T. C. GUTIERREZ
Governor of Guam

Date: _____

Public Law No. 23-134
(Became law without the Governor's signature)

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 330 (LS)

Introduced by:

T. S. Nelson
M. C. Charfauros
T. C. Ada

AN ACT TO REZONE LOT NO. 217-1 IN THE
MUNICIPALITY OF AGAT, GUAM, FROM "R-1"
(SINGLE FAMILY RESIDENTIAL) TO "C"
(COMMERCIAL).

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

2 **Section 1. Legislative Statement and Findings.** It has come to the
3 attention of the Legislature that the owner of Lot No. 217-1 situated in the
4 Municipality of Agat and fronting Route 12 is requesting the Legislature to
5 act on a zone change. The Legislature finds that the zone change being
6 sought by the owner is merited, allowing the landowner maximum utilization
7 of the real property. The Legislature further finds that rezoning the
8 aforementioned lot to "C" (Commercial) would yield the government
9 additional revenues through the form of increased real estate taxes,
10 commercial and other fees upon development of the property. Additionally,
11 the necessary infrastructure, sewer, water, power and telephone are situated
12 in and around the properties to be rezoned and would pose limited impact on
13 existing infrastructure.

14 **Section 2. Rezone Authorized.** Lot Nos. 217-1, fronting Route 12, in the
15 Municipality of Agat, containing an area of 7,572.35 square meters, belonging

1 to Arthur B. Toves, is hereby rezoned from "R-1" (Single Family Residential)
2 to "C" (Commercial).

3 **Section 3. Change in Zoning Maps.** The Director of the Department of
4 Land Management (the "Director") is directed to amend all zoning maps and
5 all other pertinent documents to reflect the zone change authorized in Section
6 2 of this Act.

VOTING SHEET

Bill No. 330
 Resolution No. _____
 Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.		✓		
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			KA
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.				✓
PANGELINAN, Vicente C	✓			
PARKINSON, Don				✓
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.		✓		
WONPAT-BORJA, Judith	✓			

TOTAL 17 2 2

CERTIFIED TRUE AND CORRECT:

 Recording Secretary

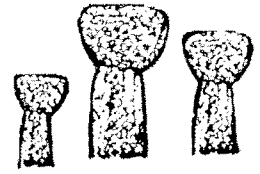
PL 23-134



Ufisinan I TaoTao Tano'

Sinadot Anghet L.G. Santos

Ge'hilo' I Kumunidat Guma' yan
Asunton Kottura na Kumite



February 12, 1996

Speaker Don Parkinson
Twenty-Third Guam Legislature
155 Hesler Street
Agana, Guam 96910

Dear Mr. Speaker:

The Committee on Community, Housing, and Cultural Affairs, to which was referred Bill No. 330, hereby reports back to the Legislature with its recommendation **TO DO PASS Bill No. 330** - "An act to rezone Lot No. 217-1 in the municipality of Agat, Guam from "R-1" (Single Family Residential) to "C" (Commercial)".

The voting record is as follows:

TO PASS	<u>7</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
INACTIVE FILE	<u>0</u>

The Committee Report and supporting documents are attached.

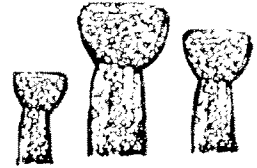
ANGEL L.G. SANTOS
attachments

Fanohge Chamoru • Commonwealth Pa'go!

#324 W. Soledad Ave., Suite 202 Agana, Guam 96910
• Tel: (671) 472-3586/3411 • Fax: (671) 477-4482



Ufisinan I TaoTao Tano'
Senator Angel L.G. Santos
Chairperson, Committee on Community,
Housing & Cultural Affairs



February 9, 1996

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report on **Bill No. 330** - "An act to rezone Lot No. 217-1 in the municipality of Agat, Guam from "R-1" (Single Family Residential) to "C" (Commercial)".

Transmitted herewith for your consideration and action is our Committee Report on the subject matter.

Please indicate your choice on the attached VOTING RECORD and return the documents to my office for transmittal to the other members.

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

Your attention and cooperation in this matter are greatly appreciated.

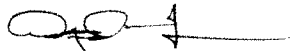
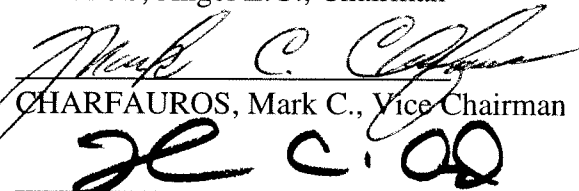
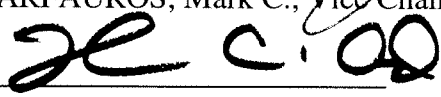
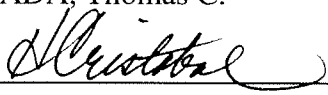
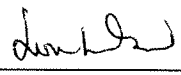
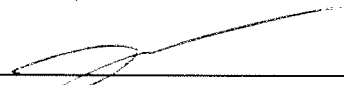
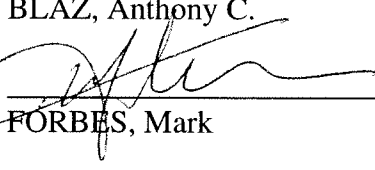
A handwritten signature in black ink, appearing to be "Angel L.G. Santos".

ANGEL L.G. SANTOS
attachments

Commonwealth Now!

COMMITTEE ON COMMUNITY, HOUSING, AND CULTURAL AFFAIRS
23rd Guam Legislature
VOTING RECORD

Bill No. 330 - "An act to rezone Lot No. 217-1 in the municipality of Agat, Guam from "R-1" (Single Family Residential) to "C" (Commercial)".

	<u>TO</u> <u>PASS</u>	<u>NOT TO</u> <u>PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE</u> <u>FILE</u>
 SANTOS, Angel L.G., Chairman	✓			
 CHARFAUROS, Mark C., Vice Chairman	✓			
 ADA, Thomas C.	✓			
 CRISTOBAL, Hope A.	✓			
 LEON GUERRERO, Lou	✓			
NELSON, Ted S.				
 PANGELINAN, Vicente C.	✓			
WON-PAT BORJA, Judith				
BLAZ, Anthony C.				
 FORBES, Mark	✓			
LAMORENA V, Alberto				
LEON GUERRERO, Carlotta				
PARKINSON, Don, Ex-Officio				



COMMITTEE ON COMMUNITY, HOUSING, AND
CULTURAL AFFAIRS
Twenty-Third Guam Legislature



REPORT

on

Bill No. 330

“An act to rezone Lot No. 217-1 in the municipality of Agat, Guam from “R-1” (Single Family Residential) to “C” (Commercial)”.

February 9, 1995

COMMITTEE MEMBERS

Angel L.G. Santos, Chairman

Mark C. Charfauros, Vice-Chairman

Thomas C. Ada

Anthony C. Blaz

Hope A. Cristobal

Mark Forbes

Alberto Lamorena V

Carlotta Leon Guerrero

Lou Leon Guerrero

Vice Speaker Ted S. Nelson

Vicente C. Pangelinan

Judy Won Pat-Borja

Speaker Don Parkinson, Ex-Officio

I. OVERVIEW

The Committee on Community, Housing, and Cultural Affairs conducted a public hearing on January 30, 1996 at 9:00 AM at the Legislative Public Hearing Room, Agana, to receive public input on Bill No. 330. Public notice was given in the Pacific Daily News on January 26, 1996.

Committee members present were:

Senator Angel Santos, Chairman	Senator Mark Charfauros, Vice Chairman
Senator Tom Ada	Senator Ted Nelson
Senator Ben Pangelinan	Senator Judith Won Pat-Borja
Senator Tony Lamorena V	Senator Carlotta Leon Guerrero

Also present was Senator Joanne Brown.

Present to testify in support of the Bill were

Arthur B. Toves	Fred Y. Arizala
Mayor Greg M. Borja	Mayor Tony C. Babauta

Favorable written testimony was submitted by Mr. Anthony A. Leon Guerrero, President, Bank of Guam.

II. SUMMARY OF THE HEARING

Mr. Toves testified that he is requesting a zone change on his property from R1 to C in order to construct and operate a shopping mall to provide service to the southern villages of Agat, Umatac, Merizo and Inarajan. The mall will house businesses like the Payless Market, Bank of Guam, Shirley's Coffee Shop, a beauty shop and hardware store. People from the south will finally have easy and convenient access to these businesses and services, saving them time and money. It will afford employment opportunities to our people in the area. Having a shopping center conveniently located can also spur housing development in the southern villages. Having a shopping center within the area is a major consideration for people deciding on where to build a home. A shopping center will bring a much needed boost to the sagging economy brought about by the Naval downsizing which has dramatically affected his village of Agat. Mr. Toves presented the Committee a copy of the Agat Municipal Planning Council's resolution to approve the zone change.

The other gentlemen present echoed their support for the zone request. Mayor Babauta indicated that jobs, training for students and young people would be enhanced and all necessary infrastructure is in place and this project is a welcome addition to the community. Mayor Borja noted that Mr. Toves is always engaged in development and that

he and his wife are not afraid to invest in such an endeavor as a way to improve the quality of life in the area. Borja indicated that a Santa Rita MPC resolution supporting the rezoning is forthcoming. Mr. Arizala and the Agat Vice Mayor, Joaquin Topasna, also gave their oral support.

III. FINDINGS AND RECOMMENDATION

Bill 330 is a measure to rezone Lot No. 217-1 in the municipality of Agat, Guam from R1 to C. The property has all necessary infrastructure to service the proposed shopping mall. The Committee notes that the Agat Municipal Planning Council as well as the mayors of Merizo and Santa Rita have provided their endorsements. The Committee also gives its favorable recommendation for the rezoning so that Mr. Toves may proceed with his development.

Accordingly, the Committee on Community, Housing, and Cultural Affairs, to which was referred Bill No. 330, submits its findings and recommendation to the Twenty-Third Guam Legislature "TO DO PASS" Bill No. 330.



COMMITTEE ON RULES

Twenty-Third Guam Legislature
155 Hesler St., Agana, Guam 96910



*make folder
AW*

July 28, 1995

MEMORANDUM

TO: Chairman, Committee on Community, Housing and
Cultural Affairs

FROM: Chairman, Committee on Rules

SUBJECT: Referral - Bill No. 330

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.



SONNY LUJAN ORSINI

Attachment:

1 **Section 2. Rezone Authorized.** Lot Nos. 217-1, fronting Route 12, in
2 the Municipality of Agat, containing an area of 7,572.35 square meters,
3 belonging to Arthur B. Toves, is hereby rezoned from "R-1" (Single Family
4 Residential) to "C" (Commercial).

5 **Section 3. Change in Zoning Maps.** The Director of the
6 Department of Land Management (the "Director") is directed to amend
7 all zoning maps and all other pertinent documents to reflect the zone
8 change authorized in Section 2 of this Act.



ANTHONY A. LEON GUERRERO
President
and
Chief Executive Officer



Bank of Guam

"The People's Bank"

MEMBER OF THE FEDERAL
DEPOSIT INSURANCE CORP.

P.O. Box BW
Agana, Guam 96910
Tel: (671) 472-5300



January 30, 1996

The Honorable Senator Angel L.G. Santos
Chairman, Committee on Community,
Housing and Cultural Affairs
Twenty-Third Guam Legislature
Quan Building, 2nd Floor
Agaña, Guam 96910

Via Telefax: 477-4482

Re: Testimony in Favor of Art Toves' Zoning Variance for a Mini-Mall in Agat

Mister Chairman and Distinguished Members of the Committee. My name is Anthony Leon Guerrero. I am President and Chief Executive Officer of Bank of Guam. I apologize for not being able to attend the hearing on the subject matter, but I would like to offer this written testimony in favor of the action being contemplated by this Committee.

As you may know, I have been involved in the business affairs of our community for a long time, and I served as the Chairman of the Board of the Guam Economic Development Authority for nearly eight years. One of the things that I have noted over time is that we, the people of Guam, and particularly our government officials have lost sight of a fundamental truth in our frenzied efforts to develop economically. We have lost sight of who is to benefit from that development.

When the military security clearance requirements were lifted in the early 1960s, the people of Guam were relatively poor, without sufficient resources to invest in any meaningful development initiatives. As a result, we turned our attentions to attracting outside money to help build our economy. This was not a bad thing; it was necessary, and our efforts have largely succeeded. However, in the process we have established a system in which we concentrate on outside investment . . . outside development . . . almost to the exclusion of support for local economic projects. This is not a good thing; in our rush to develop, we have left our own people behind.

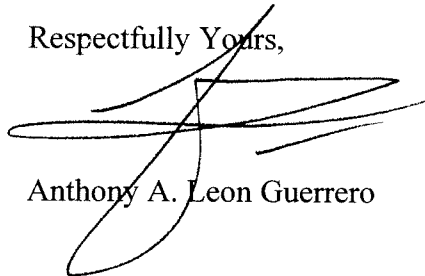
I am familiar with the project proposed by Mr. Toves, if only he can obtain the necessary zoning variance to move forward. I am also familiar with Art himself, and I know that his intention is to help with the establishment of locally-owned business enterprises in a community that remains predominantly indigenous. I support his vision and his efforts, as I believe that it will be good for the people of Guam, even if taken by itself. Looking at the larger picture, though, the success of this project will serve as an inspiration to others of our people, stimulating more and more projects of this type and of other types as the years go by. This is exactly what is needed for the

people of Guam to benefit from our economic advantages. This is exactly what is needed for the people of Guam to truly enjoy the economic development that is all around us.

For these reasons, I ask that you approve the zoning variance sought by Mr. Toves. I believe that our children and our grandchildren will look back and view this decision as a turning point in the economic development history of our island, when our government actually returned to policies that support the direct participation of the local people in the economic miracle that our island has created.

Thank you for your time and your patience in receiving my views on this matter. If there is anything more that I might add to your deliberations, please let me know. Otherwise, I remain

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'Anthony A. Leon Guerrero'. The signature is stylized with several overlapping loops and horizontal strokes.

Anthony A. Leon Guerrero

330

Mr. Chairman and members of the Committee,

I want to thank you and the Members of the Committee for holding the hearing and for allowing me to testify on the measure.

My name is Art Toves, a lifelong resident of Agat. I am here today to testify on Bill #330-An Act to Rezone Lot No. 217-1, Agat from "R-1" to "C" Commercial.

I am also presenting signatures from people residing within a 500 foot radius of the property, informing them of my plan to build a Shopping Mall to provide service to the Southern Villages of Agat, Umatac, Merizo and Inarajan. You will find a copy of a resolution passed by the Agat Municipal Council supporting the project.

The Shopping Mall will offer your southern Constituents, the services and convenience of businesses like the Payless Market, Bank of Guam, Shirley's Coffee Shop, a beauty shop, and hardware store.

The people from the south will finally have easy and convenient access to these businesses and services, saving them time and money. It will afford employment opportunities to our people in the area. Having a shopping center conveniently located can also spur housing development in the southern villages. Having a shopping center within the area is a major consideration for people deciding on where to build a home.

A shopping center will bring a much needed boost to the sagging economy brought about by the Naval downsizing which has dramatically affected my village of Agat.

I am soliciting the help of all of the senators to allow us the convenience of shopping much closer to our villages rather than being forced to fight the traffic madness of Marine Drive.

I want to thank you again, for your kind attention and request that you and the other senators act favorably on Bill 330. Thank you and Si Yuus Masse.

2/13/96

January 11, 1996

Honorable Angel L.G. Santos
Chairman, Committee on Housing &
Community Development
Twenty Third Guam Legislature
Agana, Guam

Re: Bill No. 330 - An Act To
Rezone Lot No. 217-1, Agat
From "R-1" to "C".

Dear Senator Santos:

I was informed that the documents I submitted to Senator Nelson in support of the above referenced bill to rezone my property were lost.

I again solicited signatures from people who reside within a 500 foot radius as well as obtained a copy of the Agat Municipal Council's resolution. These documents as well as other required data are hereby transmitted. Hopefully you can commence the process of enacting the bill into law.

There is no doubt in my mind as to the merits of my project to develop a shopping mall on the property once it is rezoned.

The shopping mall will bring PayLess Market, Bank of Guam, Shirley's Restaurant and other businesses to Agat enhancing the economic activity in the area.

As you well know the military down-sizing resulting in the curtailment of many naval activities has seriously affected the Agat area. My project, while modest in scope, will help alleviate the economic slump caused by said military downsizing.

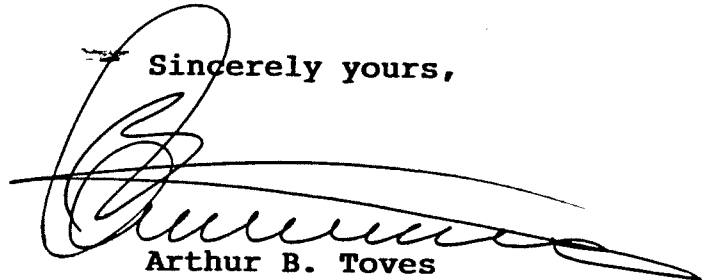
In addition, it would also enhance the quality of life of the southern area by bringing closer to the

southern villages of Santa Rita, Agat and Umatac the convenience of a shopping mall.

I am sure that the foregoing factors are what led the Municipal Planning Council of Agat to support the project.

Thanking you in advance for your support and cooperation, I remain

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Arthur B. Toves', with a long horizontal flourish extending to the right. The signature is written over the printed name below it.

Arthur B. Toves



Merizo Mayors Office
Government of Guam

HCR BOX 16078
Merizo, Guam 96916

IGNACIO "BUCK" S. CRUZ
Mayor

RITA A. TAINATONGO
Administrative Assistant

LEILANI L. CRUZ
Municipal Clerk

MERIZO MUNICIPAL
PLANNING COUNCIL

IGNACIO S. "BUCK" CRUZ
Chairman

STEVE L. SPENCER
Vice Chairperson

PATTY JO HOFF
Secretary

DOLORES C. CANDASO
Treasurer

MEMBERS

Catalina G. Baza

Vicente T. Champaco

Antonio S. Cruz

Jesus N. Lujan

Doris T. Escalera

John P. Tajeron

Jose M. Tedpahogo

TELEPHONES:

828-8312

828-8772

FAX:

828-2429

PLEASE DELIVER TO

Art Torres

TELECOPIER NUMBER:

477-3403

FROM:

Mayor Buck Cruz

TOTAL PAGES INCLUDING THIS PAGE:

2

If you do not receive legible copies of all pages sent, please call back as soon as possible: (671) 828-8312/8772 and ask for sender.

SENT BY:

Buck

DATE:

1-30-96

TIME SENT:

RE:

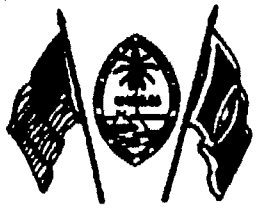
Testimony on Bill 330

COMMENTS:

Art, I hope that my
testimony on this bill
will help your development

Art
Buck

HAVE A NICE DAY!!!



Merizo Mayor's Office

Government of Guam

HCR BOX 16078
Merizo, Guam 96916

January 30, 1996

IGNACIO "BUCK" S. CRUZ
Mayor

RITA A. TAINATONGO
Administrative Assistant

LEILANI L. CRUZ
Municipal Clerk

MERIZO MUNICIPAL PLANNING COUNCIL

IGNACIO "BUCK" S. CRUZ
Chairman

STEVE L. SPENCER
Vice Chairperson

PATTY JO HOFF
Secretary

DOLORES C. CANDASO
Treasurer

MEMBERS

Edwin T. Cruz

Vicente T. Champaco

Antonio S. Cruz

Jesus N. Lujan

Doris T. Escalera

John P. Tajeron

Jose M. Tedpahogo

TELEPHONES:

828-8312
828-8772

FAX:

828-2429

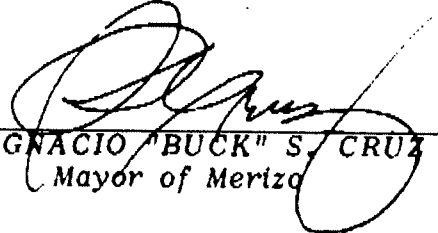
To: Committee on Housing and Community Development,
Guam Legislature

From: Mayor Buck Cruz

Subject: Public Hearing on Bill 330

For the record, I am in full support of Bill 330. We need this kind of development in ~~the~~ South. It is in keeping with our desire as to what kind of development we would like to see come to our Communities.

I hope that this Committee would give this Bill favorable consideration.


IGNACIO "BUCK" S. CRUZ
Mayor of Merizo

ISC/lle
CHRONO



WRITTEN STATEMENT

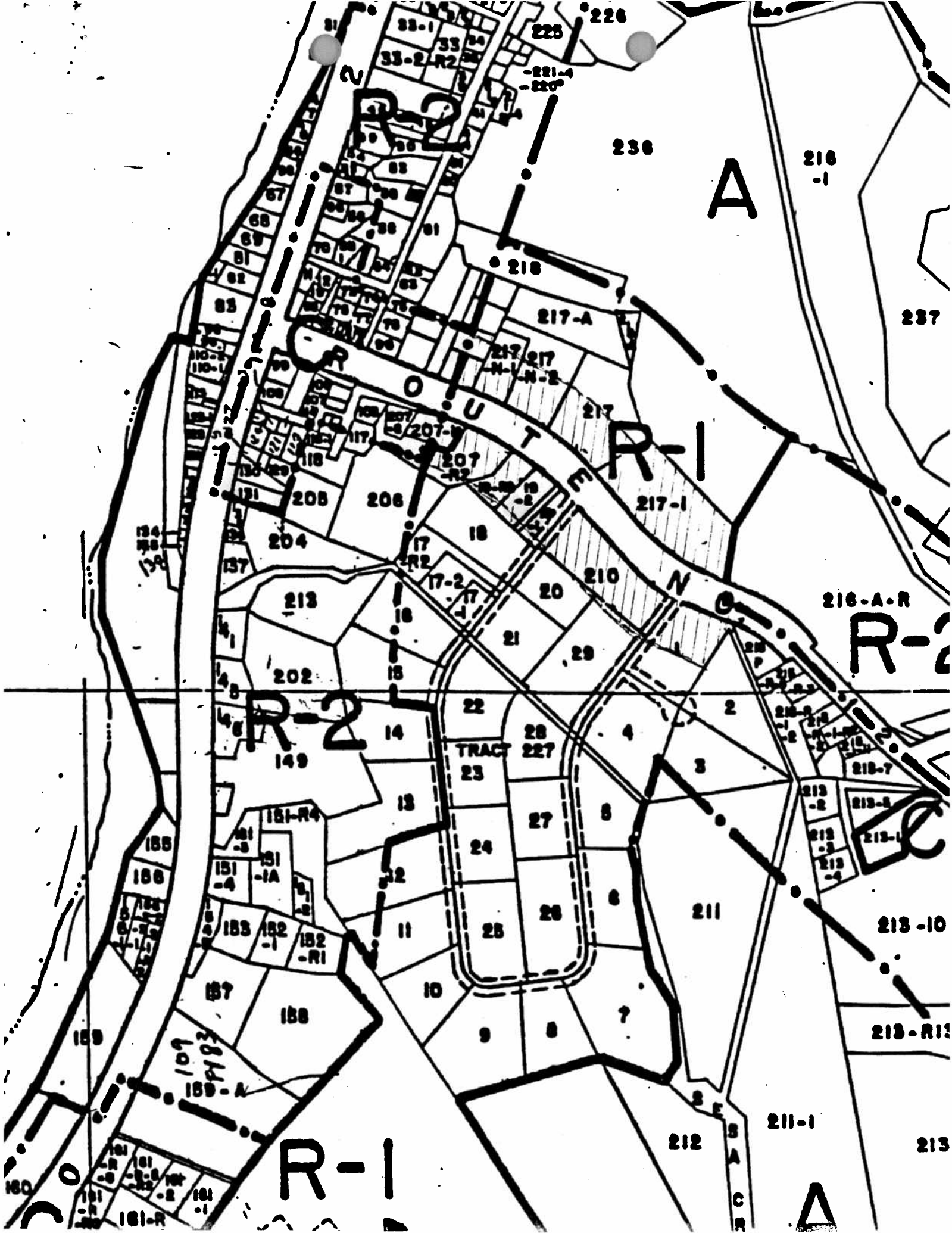
I AM ALFREDO Y. ARIZALA, A REGISTERED ARCHITECT IN GUAM WITH LICENSE NO. 94 AND PRESENTLY RESIDING IN TUMON, GUAM. I AM REQUESTING THE GUAM LEGISLATURE TO CONSIDER REZONING TO "COMMERCIAL" NOT ONLY LOT 217-1, AGAT BUT ALSO ALL THE LOTS ON BOTH SIDES OF ROUTE 12 FROM LOT 217-1 ALL THE WAY TO MARINE DRIVE (SEE ATTACHED SKETCH) FOR THE FOLLOWING REASONS:

- A. THE PRESENT COMMERCIAL AREA WILL BE EXTENDED FROM MARINE DRIVE TOWARDS SANTA RITA.
- B. A LARGER COMMERCIAL AREA WILL BE CREATED WHICH WOULD BENEFIT NOT ONLY THE VILLAGE OF AGAT BUT ALSO STA. RITA.
- C. A LOT ACROSS LOT 217-1 IS ALREADY BEING USED AS A COMMERCIAL LOT (A "MOM & POP" STORE IS PRESENTLY IN OPERATION ON THE LOT).
- D. THAT A COMMUNITY SHOPPING CENTER WILL BE LOCALLY DEVELOPED ON LOT 217-1 WHICH IS OWNED BY MR. & MRS. ARTHUR TOVES.
- E. THAT THE OWNER OF THE ADJACENT LOT (LOT 217) HAVE NO OBJECTION TO THE DEVELOPMENT OF A SHOPPING CENTER ON LOT 217-1.
- F. THAT SEWER, WATER AND POWER LINES ARE AVAILABLE IN THE AREA.
- G. THERE IS A NEED FOR A COMMUNITY SHOPPING CENTER IN THE AREA. THERE IS A NEED FOR A HARDWARE STORE AND A SUPERMARKET IN AGAT AND SANTA RITA WHICH ARE LOCATED IN THE AGANA AREA.
- H. THAT A SHOPPING CENTER WILL CREATE MORE JOBS FOR THE COMMUNITY.

THE GUAM LEGISLATURE WILL BE HELPING THE VILLAGE OF AGAT-SANTA RITA BY REZONING LOT 217-1 AND THE OTHER LOTS ALONG ROUTE 12 TOWARDS ROUTE 1 (MARINE DRIVE).

ALFREDO Y. ARIZALA, A.I.A.
REGISTERED ARCHITECT NO. 94

JANUARY 30, 1996



AGAT MAYOR'S OFFICE
AGAT MUNICIPAL PLANNING COUNCIL
AGAT, GUAM 96928

received
JAN 24 1996

*File,
pb: give
admin copy
for his info.
& file.*

AK

RESOLUTION NO. 95-07

Introduced by:

Antonio C. Babauta, Chairman
Joaquin G. Topasna, Vice Chairman
MEMBERS:
Deborah L. Babauta
Eduardo A. Biacan
Felix A. Chaco
Mary Jane Q. Cruz
Virginia S. Indalecio
Raquel Llamas
Johnny Q. Luces
Elisa D. Portacio
Cristobal M. Reyes
Rita G. Sablan

RELATIVE TO APPROVING THE ~~REZONING REQUEST OF~~ ARTHUR B. TOVES, PROPERTY LOCATED ON LOT NUMBER: 217-1, ROUTE 12, MUNICIPALITY OF AGAT, FOR A ZONE CHANGE FROM "R-1" (SINGLE FAMILY DWELLING) TO "C" (COMMERCIAL) ZONE IN ORDER TO BUILD A COMMERCIAL COMPLEX.

WHEREAS, Arthur B. Toves, is a resident of good standing of the Municipality of Agat, and have, over the years, contributed to the improvement and maintenance of Guam as a family community; and

WHEREAS, it has been brought to the attention of the Agat Municipal Planning Council that Arthur B. Toves plans to build a commercial complex to enhance his present property in order to stay abreast with the present lots adjacent to said lot, which are all residential lots or in the commercial zone; and

WHEREAS, in accordance with Public Law 21-82, Arthur B. Toves in fact, submitted all applications and documentation required for a rezoning of his property from "R-1" (Single Family Dwelling) to "C" (Commercial) Zone, which applications have satisfactorily shown that there will be more positive impacts on the community of Agat in general, than negative to those properties immediately contiguous to the parcel to be rezoned; and


WHEREAS, the Agat Municipal Planning Council has no objections to the rezoning request of the property of Arthur B. Toves specifically on Lot Number: 217-1 Route 12, Agat from "R-1" (Single family Dwelling) to "C" (Commercial) zone for the purpose to update and enhance his present property into a commercial complex.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Planning Council of Agat hereby approves of the rezoning of Lot Number: 217-1 Route 12, Municipality of Agat, pursuant to the provisions of Public Law 21-82 (as amended by Public Law 21-144), and hereby memorializes and recommends that the Director of Land Management and the Division of Planning, Department of Land Management approve as expeditiously, said zoning.

BE IT FURTHER RESOLVED that the Municipal Planning Council shall send copies of this resolution to the Governor of Guam, Senator Angel L.G. Santos - Chairman on the Committee on Housing and Community Development, the Territorial Land Use Commission, the Twenty-third Guam Legislature Senators, Director of Department of Land Management, Chief Planner of the Department of Land Management, and Arthur B. Toves.

DULY ADOPTED THIS 22nd DAY OF JUNE, 1995 IN THE DISTRICT OF AGAT.

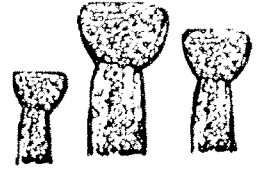

ANTONIO C. BABAUTA, Chairman


JOAQUIN G. TOPASNA, Vice Chairman


RAQUEL LLAMAS, Secretary



Ufisinan I TaoTao Tano'
Senator Angel L.G. Santos
 Chairperson, Committee on Community,
 Housing & Cultural Affairs



**PUBLIC HEARING
 WITNESS SIGN-IN SHEET**

Bill No. 330

“An act to rezone Lot No. 217-1 in the municipality of Agat, Guam from “R-1” (Single Family Residential) to “C” (Commercial)”; by T.S. Nelson, M.C. Charfauros, T.C. Ada

**Tuesday, January 30, 1996
 9:00 AM
 Legislative Public Hearing Room, Guam Legislature
 155 Hesler St., Agana**

NAME (please print)	ORGANIZATION	ORAL/WITTEN	FOR/AGAINST
ARTHUR B. TOVES	NONE	WRITTEN	FOR
FRED Y. ARIZALA	NONE	WRITTEN	FOR
GREG M. BORJA	MAYOR	ORAL	FOR
TONY C. BARRANTA	AGAT	ORAL	FOR

Notice of Public Hearing



23rd Guam Legislature
Tuesday, January 30, 1996
Legislative Public Hearing Room
155 Hesler Street, Agana

9:00 a.m. Public Hearing

Committee on Community, Housing & Cultural Affairs, Senator Angel L.G. Santos, Chairman

Bill No. 330 "An Act to rezone Lot No. 217-1 in the Municipality of Agat, Guam from "R-1" (Single Family Residential) to "C" (Commercial); by T.S. Nelaon, M.C. Charfauros, T.C. Ada

Bill No. 339 "An Act to repeal and reenact section 2(a) and (b) of P.L. 21-14 relative to authorizing the Governor to exchange property that has been taken by the government for public use with government owned lands"; by T.S. Nelson, J.P. Aguon, A.C. Blaz.

Bill No. 419 "An Act to amend section 11 of P.L. 21-60 relative to allowing recipients of joint government of Guam and Federal Emergency Management Agency land for the landless program in the villages of Agat and Yigo to mortgage their property within the subdivision for the purpose of home expansion" by V.C. Pangelinan, J. WonPat-Borja

Bill No. 485 "An Act to authorize the Governor to exchange government of Guam land at Barrigada Heights for a private property taken in Agana Heights for a public utility easement and right-of-way"; by M.C. Charfauros.

Joint Oversight Hearing

10:30 a.m.

Committees on

Community, Housing & Cultural Affairs,

Senator Angel L.G. Santos, Chairman

Judiciary, Criminal Justice and Environmental Affairs,

Senator Mark C. Charfauros, Chairman

General Governmental Operations and Micronesia Affairs,

Senator Ted S. Nelson, Chairman

- 1. Suehiro Hotel Project History;**
- 2. Suehiro Hotel Approval Process;**
- 3. Compliance with Notice of Approval (NOA); and**
- 4. Matapang Beach Park.**

The Public is Encouraged to Attend

PDN

1-26-96

AUG 03 1995

TWENTY-THIRD GUAM LEGISLATURE
1995 (First) Regular Session

Bill No. 230 (LS)

Introduced by:

T.S. Nelson
M.C. Charfauros

J. C. G. G.

AN ACT TO REZONE LOT NO. 217-1 IN THE MUNICIPALITY OF AGAT, GUAM, FROM "R-1" (SINGLE FAMILY RESIDENTIAL) TO "C" (COMMERCIAL).

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

3 **Section 1. Legislative Statement and Findings.** It has come to the
4 attention of the Legislature that the owner of Lot No. 217-1 situated in the
5 Municipality of Agat and fronting Route 12 is requesting the Legislature to
6 act on a zone change. The Legislature finds that the zone change being
7 sought by the owner is merited, and thus allowing the landowner
8 maximum utilization of the real property. The Legislature further finds
9 that by rezoning the aforementioned lot to "C" (Commercial), would yield
10 the government additional revenues through the form of increased real
11 estate taxes, commercial and other fees upon development of the property.
12 Additionally, the necessary infrastructure, sewer, water, power and
13 telephone are situated in and around the properties to be rezoned and
14 would pose limited impact on existing infrastructure.

1 **Section 2. Rezone Authorized.** Lot Nos. 217-1, fronting Route 12, in
2 the Municipality of Agat, containing an area of 7,572.35 square meters,
3 belonging to Arthur B. Toves, is hereby rezoned from "R-1" (Single Family
4 Residential) to "C" (Commercial).

5 **Section 3. Change in Zoning Maps.** The Director of the
6 Department of Land Management (the "Director") is directed to amend
7 all zoning maps and all other pertinent documents to reflect the zone
8 change authorized in Section 2 of this Act.