



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

JAN 06 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

Dear Speaker Unpingco:

Enclosed please find a copy of Substitute Bill No. 586 (LS), "AN ACT TO REZONE LOT NO. 6, BLK 10, MUNICIPALITY OF BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO COMMERCIAL (C)", which was passed by the Twenty-Third Guam Legislature. This legislation became law without the Governor's signature. This Public Law is now designated as Public Law No. 23-145.

Governor's message and copy of the public law have been delivered to the Office of the Legislative Secretary.

Very truly yours,

Carl T. C. Gutierrez
Governor of Guam

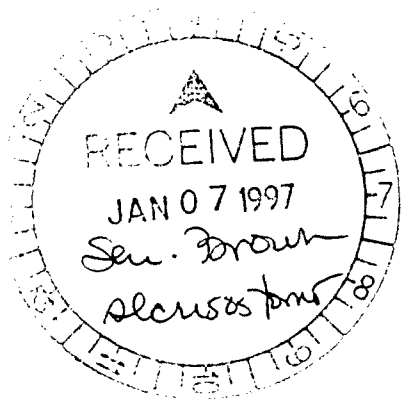
Attachment

000011

RECEIVED BY:

JAN 06 1997

*From Antonio
Unpingco*



RECEIVED BY:

JAN 06 1997

SENATOR
ANTONIO R. UNPINGCO

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 586 (LS), "AN ACT TO REZONE LOT NO. 6, BLK 10, MUNICIPALITY OF BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO COMMERCIAL (C)," was on the 23rd day of December, 1996, duly and regularly passed.



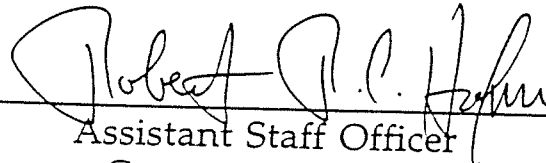
DON PARKINSON
Speaker

Attested:


SONNY LUJAN ORSINI

Senator and Legislative Secretary, Acting

This Act was received by the Governor this 23 day of December,
1996, at 4:55 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:

CARL T. C. GUTIERREZ
Governor of Guam

Date: January 6, 1997

Public Law No. 23-145

(Became law without the Governor's signature.)

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. 586 (LS)

Introduced by:

A. C. Blaz
T. S. Nelson

AN ACT TO REZONE LOT NO. 6, BLK 10,
MUNICIPALITY OF BARRIGADA FROM SINGLE
FAMILY DWELLING (R1) TO COMMERCIAL (C).

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

2 Section 1. Legislative statement. The owner of the subject property is
3 seeking the help of the Legislature to rezone their property from Single
4 Family Dwelling (R1) to Commercial (C) for the purpose of constructing a
5 two story building for residential and commercial activity. The commercial
6 activity is proposed for a Mom and Pop store and a Video Outlet. The top
7 floor will be their residential home.

8 Section 2. Lot rezoned. Lot No. 6, Blk 10, Municipality of Barrigada,
9 Guam which consists of an area of 1,086 square meters as shown on
10 Marianas area Drawing No. 10011, and owned by Chang Ho Kim, is hereby
11 rezoned from Single Family Dwelling (R1) to Commercial (C).

VOTING SHEET

Bill No. 586
 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				✓
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 0 2

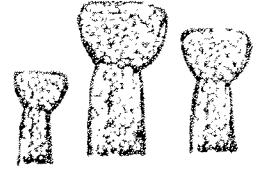
CERTIFIED TRUE AND CORRECT:

 Recording Secretary



Ufisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

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



September , 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. 586, hereby reports back to the Legislature with its recommendation **TO DO PASS Bill No. 586, as amended by the Committee** - "An act to rezone Lot No. 6, Blk 10, municipality of Barrigada from Single Family Dwelling (R1) to Commercial (C)".

The voting record is as follows:

TO PASS	<u>12</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!

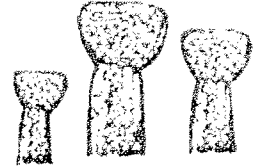
#324 W. Soledad Ave., Suite 202 Agana, Guam 96910

• Tel: (671) 472-3586/3411 • Fax: (671) 477-4482



Ufisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

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



September 3, 1996

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report on **Bill No. 586, as amended by the Committee** - An act to rezone Lot No. 6, Blk 10, municipality of Barrigada from Single Family Dwelling (R1) to Commercial (C).

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.

ANGEL L.G. SANTOS
attachments


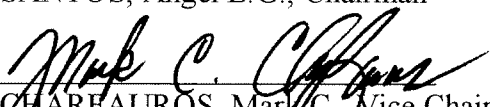
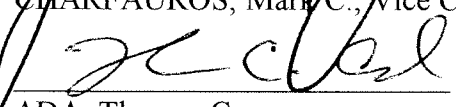
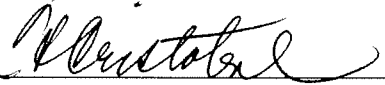

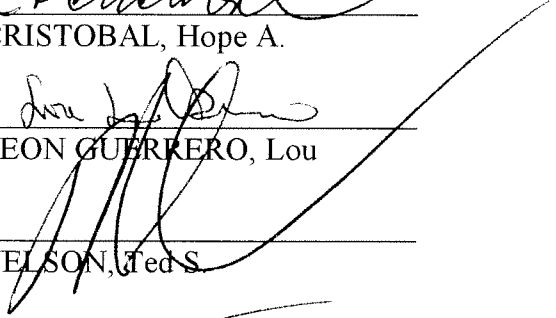
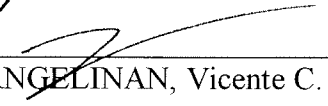
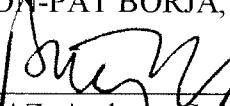

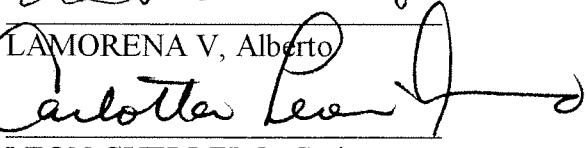

Fanohge Chamoru • Commonwealth Pa'go!

#324 W. Soledad Ave., Suite 202 Agana, Guam 96910

• Tel: (671) 472-3586/3411 • Fax: (671) 477-4482

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

Bill No. 586, as amended by the Committee - An act to rezone Lot No. 6, Blk 10, municipality of Barrigada from Single Family Dwelling (R1) 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>
 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. 586, as amended by the Committee
An act to rezone Lot No. 6, Blk 10, municipality of Barrigada
from Single Family Dwelling (R1) to Commercial (C).

September 3, 1996

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 August 22, 1996 at 10:00 AM at the Legislative Public Hearing Room, Agana, to receive public input on Bill No. 586. Public notice was given in the Pacific Daily News on August 20, 1996.

Committee members present were:

Senator Angel Santos, Chairman Senator Sonny Orsini

The Honorable Raymond Laguana, Barrigada Mayor, and Sung Hee Kim, on behalf of her husband Chang Ho Kim, owner of the property contained in this Bill, appeared to give testimony in support of the Bill's passage.

II. SUMMARY OF THE HEARING

Mayor Laguana testified that he supports this measure. He indicated to the Committee that the Barrigada Municipal Planning Council supports the zoning to Commercial of all properties along Routes 8, 10 and 16 so that the village itself will not be disturbed. The MPC discussed this particular zone request and approved it. He also requested that this bill be reported out on its own, not to be combined with other zoning bills. All infrastructure are in place to accommodate the custom tailor and embroidery shop which the Kim's desire to open.

Mrs. Kim also indicated her family's desire to rezone their Barrigada property so they may proceed with their commercial venture. They are currently residing on the second floor of the building and the tailor shop will be located on the first floor. In response to the Chair's inquiry, she indicated that the petition of neighbors within 500 feet of the property was circulated and she received their endorsement and the Barrigada MPC endorses the zone change.

III. FINDINGS AND RECOMMENDATION

Lot 6, Block 10, Barrigada is a corner lot fronting Route 10 opposite Untalan Middle School. Mr. Chang Ho Kim owns said property, consisting of 1,086 square meters which is currently zoned "R1" and on which is built a two-story structure. The Kim family uses the second floor for their residence and the first floor will house a tailor shop and possibly a mom-and-pop and video rental store.

The Committee is satisfied that this zone change is compatible with the character of the area, which includes a major artery of Guam's highway system, a school, single family dwellings, an animal feed store, a fast-food restaurant, a take-out pizzeria, a bakery, and gas

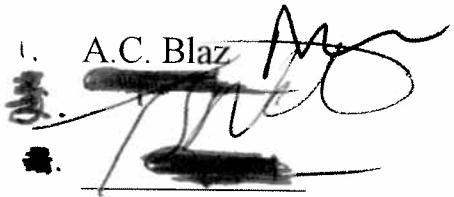
stations with convenience stores and tire shop. The neighborhood does not object to this request, which is also supported by the Barrigada Municipal Planning Council.

In the original Bill 586 Mr. Chang Ho Kim's name is erroneously spelled "Chong Ho Kim". The Committee made the necessary correction, which is the reason for the amended bill.

Accordingly, the Committee on Community, Housing, and Cultural Affairs, to which was referred Bill No. 586, submits its findings and recommendation to the Twenty-Third Guam Legislature "TO DO PASS" said Bill, as amended by the Committee.

TWENTY-THIRD GUAM LEGISLATURE
1996 (Second) Regular Session

Bill No. 586
as amended by the Committee on
Community, Housing and Cultural Affairs

1. A.C. Blaz


AN ACT TO REZONE LOT NO. 6, BLK 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C).

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

2 **SECTION 1. Legislative statement.** The owner of the subject property is seeking
3 the help of the Legislature to rezone their property from Single Family Dwelling (R1) to
4 Commercial (C) for the purpose of constructing a two story building for residential and
5 commercial activity. The commercial activity is proposed for a Mom and Pop store and a
6 Video Outlet. The top floor will be their residential home.

7 **SECTION 2. Lot rezoned.** Lot No. 6, Blk 10, Municipality of Barrigada, Guam
8 which consists of an area of 1,086 square meters as shown on Marianas area Drawing No.
9 10011, and owned by Chang Ho Kim, is hereby rezoned from Single Family Dwelling (R1)
10 to Commercial (C).

Bill No. 586

Introduced by:

1. A.C. Blaz 
2. 
3. 

AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C)

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

Section 1. **Legislative Statement.** The owner of the subject property is seeking the help of the legislature to rezone their property from single Family Dwelling (R1) to Commercial (C) for the purpose of constructing a two story building for residential and commercial activity. The Commercial activity is proposed for a Mom and Pop store and a Video Outlet. the top floor will be their residential home.

Section 2. **Lot Rezoned.** Lot No. 6, Blk 10, Municipality of Barrigada, Guam consist of an area of 1,086 square meters as shown on Marinas area Drawing No. 10011, and owned by Chong Ho Kim is hereby rezoned from Single Family Dwelling (R1) to Commercial (C).

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. _____

Introduced by:

A.C. Blaz



AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C)

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

Section 1. **Legislative Statement.** The owner of the subject property is seeking the help of the legislature to rezone their property from single Family Dwelling (R1) to Commercial (C) for the purpose of constructing a two story building for residential and commercial activity. The Commercial activity is proposed for a Mom and Pop store and a Video Outlet. the top floor will be their residential home.

Section 2. **Lot Rezoned.** Lot No. 6, Blk 10, Municipality of Barrigada, Guam consist of an area of 1,086 square meters as shown on Marinas area Drawing No. 10011, and owned by Chong Ho Kim is hereby rezoned from Single Family Dwelling (R1) to Commercial (C).

We the undersigned hereby indicate our support for the zoning from R1 to C of Lot No. _____, which consists of _____ square meter, bounded by _____ of _____, which

Lot No.	Lot Owner	No	Signature/Comment
151	Francis Lizama		
1155	Rosa Manolola		
111	Blondina Maroua		
255	Margarita P. Flores		
1085	Francisco Manzano		
128	DEXORCEY J. JIDOP	also	
130	Frankie Tava	✓	
147	Isabelle MANANISA	✓	
	M.C. SACAS	✓	
#159	Adacagva Em. Richard	Y	Richard Roserto Jr
#165	C.M. Santos	Y	
#133	Jeff Nielsen	Y	
#219	JOHN H. GARCIA	✓	

We the undersigned hereby indicate our support for the rezoning of Lot 1036 to CHANG HOKIM SUK HEE KIN of Lot 1036, Municipality of BARRIGADA, which consists of 1036 square meter, owned by CHANG HOKIM SUK HEE KIN

Lot No.	Lot Owner	Yes	No	Signature/Comment
199 Adacor Ave	Sylvia Averola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Sylvia Averola</i>
216 Adacor Ave	Carlo Jara	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Carlo Jara</i>
116 Nalab St	Remondina Nalab	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Remondina Nalab</i>
LOT 8 Block 11	APPLIC H. Herrera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>APPLIC H. Herrera</i>
#140 San Roque		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>APPLIC H. Herrera</i>
#140 San Roque 51	Alphith Pang	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Alphith Pang</i>
Adacor Dr.	David C. Armon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>David C. Armon</i>
Lot 2 Block 15	Francisco Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Francisco Martinez</i>
"	Lucas Aguiar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Lucas Aguiar</i>
"	Francisco Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Francisco Martinez</i>
178 B. Bost.	Catalina I. Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Catalina I. Martinez</i>
178 St.	Yicent Ojeda	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yicent Ojeda</i>
181 St	Ana Pardo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Ana Pardo</i>
182 B. Bost. way	Carlo Ponga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Carlo Ponga</i>
136 Bost St.	Jose P. Matras	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Jose P. Matras</i>
160 Valaque way.	Joseph M. Matras	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Joseph M. Matras</i>
ASDORAD	Maya Madrin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Maya Madrin</i>
247 LERMAIDA	CARMEN C. VIBAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Carmen C. Vibar</i>
"	FRANCISCO S. VIBAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Francisco S. Vibar</i>
"	ANITA C. VIBAR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Anita C. Vibar</i>



U.S. Title Corporation

Suite 8, Panes Bldg. 231 Hesler St., Agana, Guam 96910
P. O. Box 2277, Agana, Guam 96910
Tel: 477-6265 / 472-3247 / 472-6640



PRELIMINARY TITLE REPORT

No. 54-001-06690

To Mr. Kim **Ch**ang Ho

Date March 15, 1989

AS OF THE DATE ABOVE, THE CONDITION OF THE TITLE OF THE BELOW DESCRIBED REAL PROPERTY IS AS FOLLOWS:

Registered Owner(s): Frank W.S. Lee

Buyer(s):

AREA: 1,086 ± Square Meters

DESCRIPTION:

Lot Number 6, Block Number 10, located in the Municipality of Barrigada, Territory of Guam, Urban, as said lot is marked and designated on Map Drawing Number 1011, recorded on November 21, 1949 in the Department of Land Management, Government of Guam, under Document Number 20639.

CERTIFICATE OF TITLE:

EXCEPTIONS:

1. Current real property taxes which are not yet due and payable.
2. Real Property Taxes for the year 1988 is now due and payable.
3. Any and all delinquent taxes, if any on record.
4. Conveyance Sold for Nonpayment of Real Property Taxes for the year 1973, recorded on February 26, 1982 under Document Number 327140.

end-----

get copy.

Casto S. Pineda, President
Authorized Signature

472-8853
records

DEPARTMENT OF LAND MANAGEMENT
RECORDS DIVISION

CERTIFICATE OF TITLE

OWNER: Kim Chang Ho et al

LOT NO: 6 BLOCK NO. 10

TRACT NO: _____ MUNICIPALITY: Paradise

DUE DATE: 1-22-90

DOCUMENT NO: 421748 TIME: 4:00 pm

LAW OFFICE OF
VINCENT T. PEREZ
P.O. BOX 2182
AGANA, GUAM 96910
TEL: 477-9064

**TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER**

INSTRUMENT NUMBER 421748

This instrument was filed for record on 21

Day of July, 1989, at 253 P.M.

and duly recorded in Book 100 at Page

Recording Fee 100 Voucher No. AR30944

[Signature]
Deputy Recorder

(Space above this line for Recorder's use only)

WARRANTY DEED

TO WHOM THESE PRESENTS MAY COME, GREETINGS:

Parties, consideration and grant.

KNOW YE, I, FRANK W.S. LEE, hereinafter referred to as the "Grantor", for and in consideration of \$10.00 plus other valuable considerations, do hereby GRANT, BARGAIN, SELL and CONVEY unto KIM CHANG HO and KIM SUNG HEE, "Grantees" and to their successors and assigns, in fee simple, forever, the following described property in Barrigada, Territory of Guam (the "Property").

Description of the property

Lot No. 6, Block Number 10,

Village of Barrigada, Guam,

Estate Number 5708, Urban,
containing an area of 1,086
square meters.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, passages, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, property claim and demand whatsoever of the Grantor, at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all the hereditaments and appurtenances thereunto belonging and in anywise appertaining unto the Grantees, their successors and assigns forever.

Grantor and Grantors' heirs, administrators and assigns covenant with the said Grantees and Grantees' successors and assigns that Grantor is lawfully seized in fee simple of the granted premises; that said premises are free from all encumbrances except easements, covenants and restrictions of record and those specifically mentioned herein; that Grantor and any of Grantors' heirs, administrators or assigns forever will warrant and defend the same to the said Grantees and Grantees' successors and

LAW OFFICE OF
VINCENT T. PEREZ
P. O. BOX 2182
AGANA, GUAM 96910
TEL: 477-9064

(ABOVE SPACE FOR RECORDING)

CONTRACT FOR SALE OF PROPERTY

THIS AGREEMENT to sell real property is made this _____ day of September, 1988, by and between Frank W.S. Lee, hereinafter referred to as "SELLER", and Kim Chang Ho and Kim Sung Hee, hereinafter referred to as "PURCHASERS";

Therefore, in consideration of the covenants made as herein set forth, the parties agree as follows:

Seller shall sell and convey in fee simple and Purchasers shall purchase, on the terms and condition, hereinafter set forth, the real properties, together with any and all improvements thereon, if any, and all appurtenances thereto; described as follows:

Lot No. 6, Block No. 10, Village of Barrigada, Guam, Estate No. 5708, Urban, containing an area of 1,086 square meters;

Purchasers acknowledged receipt of \$5,000.00 to be applied towards the purchase price. The balance owing is \$50,000.00 which amount is due 30 days from the date of this contract.

Purchasers may enter into possession forthwith.

Seller shall, on full compliance by Purchasers of the promises herein, execute and deliver to Purchasers a warranty deed to the property.

Seller warrants that the title is marketable and free and clear of all liens and encumbrances and easements.

In the event that Seller cannot deliver good title, Seller is to return the \$5,000.00.

If Buyers are not able to proceed with the closing by September 30, 1988, then Seller shall return the \$5,000.00 and this contract shall automatically terminate.

This agreement shall inure to the benefit of and bind the heirs, personal representatives and assigns of the respective parties.

EXECUTED this _____ day of _____, 1988.

The following names below have been tabled to the next meeting for various reasons. Such as, No infrastructure report, No public hearing, No property map, No petition of approval on surrounding area etc. There names are as follows.

1. M.D. Crisostomo Inc.
2. Michael Guzman
3. Louise Perez
4. Victoriano M. Tano

The following names have been unanimously Disapproved by the Municipal Planning Council for rezone, due to the fact of inadequate water supply and sewerline, to include neighborhood concerns. There are as follows.

1. Chong Min-Jung
2. BME & Son's Inc.

Renaming of Street:


Mr. Vicente Leon Guerrero submitted to the vice chairman and municipal planning council members, a petition to rename Capili street to "Jolene Leon Guerrero street" and rename Lujan street to Capili street. It was unanimously approved by the council members to rename the streets. Dedication of street names will be on September 10, 1994.

Announcement:


Mr. Joe Borja announced that his girlfiend is pregnant.

Adjournment:

Meeting was adjourned at 8:30p.m.



JESSIE B. PALICAN
Vice Chairman



JUNE U. BLAS
Secretary

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

Bill No. 1232

Introduced by:

A.C. Blaz

AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C)

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

1. **Section 1. Legislative Statement.** The owner of the subject property is
2. seeking the help of the legislature to rezone their property from single Family Dwelling
3. (R1) to commercial (C) for the purpose of constructing a 2-story building for residential
4. and commercial activity. The Commercial activity is proposed for a Mom and Pop store
5. and a Video Outlet. The top floor will be their residential home.
6. **Section 2. Lot Rezoned.** Lot No. 6, Blk 10, Municipality of Barrigada, Guam
7. consist of an area of 1, 086 square meters as shown on Marinas area Drawing No. 10011,
8. and owned by Change Ho Kim is hereby rezoned from Single Family dwelling (R1) to
9. Commercial (C).



BUREAU OF PLANNING
Setbision Mamplaneha
GOVERNMENT OF GUAM
AGANA, GUAM 96910

RECEIVED
3/17/92
[Signature]

MAR 16 1992

POSITION STATEMENT

Applicant: Chang Ho Kim (91-127)
DRC Date: 1/16/92
Request: Zone Variance - use & setbacks
Lot Number: 6, Blk. 10
Village: Barrigada
Proposed Use: commercial/residential building (retail store and video shop on 1st floor and residential dwelling unit on 2nd floor)

Position: The Bureau does not support the use variance request as the applicant does not meet the requirements for the granting of a variance, i.e., the applicant has not demonstrated practical difficulties, or that any hardships exist on the land unique to his lot, nor has he presented any facts in which the hardship can be inferred.

In addition to this the Bureau presents further justifications for its position of opposition, which are as follows:

- 1) The applicant's statement that "...remnants of former neighborhood stores destroyed by typhoons.", is not substantiated by facts. These stores (two along San Vicente Drive and two along Route 10) were operating after typhoon Pamela and well into the mid-80s.
- 2) Currently a Barber shop with a small scale retail operation, a Bakery shop, and two mini-mart type stores exist along Route 10 (7-11 Store and the Esso Mini-mart). In addition, a number of video outlets, a supermarket and other commercial type establishments to include a school supply store (Rainbow's End) exist along Route 8 which serve the residents of Barrigada. As a result, the Bureau feels that the applicant has not demonstrated a need for the proposed activities within the subject lot.





UNPINGCO

Real Estate Broker

November 25, 1992.

MR. JESUS CRUZ, CHAIRMAN
TERRITORIAL LAND USE COMMISSION
Department of Land Management
PO Box 2050
Agana, GU 96910.

Subject: APPLICATION NO. 91-127, Lot 6, Block 10, Barrigada

Dear Mr. Chairman:

As requested by the Acting Territorial Planner in his October 1, 1992, letter, I am officially retracting an early statement reflected in the original application. In the application, I stated that a "mom-and-pop" store had previously operated on the subject lot & was destroyed by Typhoon Pamela. The information was relayed to me by surrounding neighbors when I had inquired about the lot. After checking records in land management and reconfirming with my sources, I have determined that the above lot was mistaken for another lot nearby. Therefore, I stand corrected.

For the Commission's information, the application was formerly entertained by both the DRC Committee and the TLUC. The only opposing agency to our application is the Bureau of Planning. The Planning staff's recommendation reflected in the June 25, 1992 Staff Report is to recommend approval with three conditions; however, that was reversed in their Supplementary Report dated August 13, 1992, because of three concerns. One is the inaccurate information that a "mom-and-pop" store previously existed. I now stand corrected via this letter.

Relative to the second concern by the TLUC Planning Staff regarding egress/ingress into subject lot from Rt. 10, please note that I have discussed this issue with Planners Joe Santos, Case Worker Bill Perez and Felix Dungca, & DPW Traffic Engineer, Doug Knudson, PE, for the third time. They are now satisfied with the site plan submitted. In that plan, I agreed to post a DPW approved "NO PARKING" signs along the road fronting Rt. 10, & signs indicating "RIGHT TURN ONLY" exiting Rt. 10.

9/11/92
Tabela
Rt 10.
"C"



UNPINGCO

Real Estate Broker

Regarding the third concern: "Speculative Notice of Application," please be reassured that The Kims have lived in Guam for the past 15 years. They have three (3) children. Two are attending Harvest School in Toto & the oldest is a high school sophomore in Alameda, California. Mrs. Kim owns a tailor shop in Andersen AFB. She wants another type business off-base. Thus, they acquired this Lot for the purpose of diversifying their business in Guam. They told me to inform you that they have every intention of developing their small property in Barrigada. The Kims are presently renting a condominium in Tamuning.

In view of the above, please be assured that The Kims consider themselves responsible citizens of the community who, like everybody else, are striving to make a livelihood on Guam. The Kims are willing to abide and comply with whatever requirements or conditions placed on them.

We humbly solicit your support and approval of this application.

May the greatest blessings of Christmas be yours at this most joyous season.

Sincerely,


BERT R. UNPINGCO

cc: Mr. & Mrs. Chang Ho Kim.



MAYOR
RAYMOND S. LAGUANA
OFFICE: 734-3859



Office of the Mayor
Municipality of Barrigada
Government of Guam
Barrigada, Guam 96918



VICE MAYOR
JESSIE B. PALICAN
OFFICE: 734-3737

February 8, 1995

Memorandum

To: Senator Anthony Blaz
From: Mayor Raymond S. Laguana
Subject: Reintroduce Bill 1232

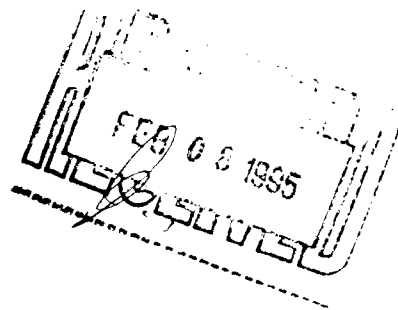
As per conversation via telephone, I kindly request for your assistance on reintroducing Bill 1232.

The owner of the property is Ms. Chong Ho Kim, request to rezone Lot no. 6 Block 10 to construct a two (2) story building for residential/commercial activity, from R2 to C.

Should you need further information, kindly contact my office at 734-3737/3859.

As usual your assistance is appreciated.


RAYMOND S. LAGUANA





MAYOR
RAYMOND S. LAGUANA
OFFICE: 473-3859



Office of the Mayor
Municipality of Barrigada
Government of Guam
Barrigada, Guam 96913



VICEMAYOR
JESSIE B. PALICAN
OFFICE: 473-3757

FACSIMILE INFORMATION COVER PAGE

DEPT/AGENCY : Sen. Anthony Blaz

NAME: _____

FAX: 472-3562

TOTAL OF PAGES INCLUDING THIS PAGE: 2

NOTICE: If you do not receive legible copies of all the pages,
please call BARRIGADA MAYOR'S OFFICE as soon as possible
at (671)734-3737/3859.

REFERENCE

Reintroduced Bill 1232

COMMENTS

Quw

SENT BY

2/8/95

DATE

11:35 a.m.

TIME

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) REGULAR SESSION

Bill No. _____

Introduced by:

A.C. Blaz

AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C)

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

Section 1. Legislative Statement. The owner of the subject property is seeking the help of the legislature to rezone their property from single Family Dwelling (R1) to commercial (C) for the purpose of constructing a 2-story building for residential and commercial activity. The Commercial activity is proposed for a Mom and Pop store and a Video Outlet. The top floor will be their residential home.

Section 2. Lot Rezoned. Lot No. 6, Blk 10, Municipality of Barrigada, Guam consist of an area of 1,086 square meters as shown on Marinas area Drawing No. 10011, and owned by Change Ho Kim is hereby rezoned from Single Family dwelling (R1) to Commercial (C).



fisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

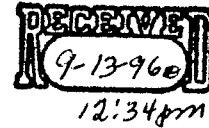
Ge'hilo' I Kumunidat Guma' yan
Asunton Kottura na Kumite



September 12, 1996

Mr. J.A. Martinez
Director of Land Management
P.O. Box 2950
Agana, Guam 96932

COPY



REF: Your August 20, 1996 letter concerning Bill Nos. 5, 445, 586, 727 and 714.

Dear Mr. Martinez:

I am responding to your simplistic, general condemnation of this Legislature's and my Committee's involvement in rezoning and variance requests. In your letter, you wrote, and I quote: "I recall you stated that the Legislature and yourself has no business rezoning or granting variances for other people and that it should be done through the TLUC process and yet you are trying to pass a law doing just that. Department of Land Management positions still stands that the Legislature has no business doing this."

I have gone on record in the past, and I still hold the position, that the Legislature will entertain and help the common people who are trying to survive on what little land they have. On top of that, this and any other Legislature, past or future, has purview over zoning codes and it may take action as it deems appropriate, regardless of the bureaucracy assigned to administer those duties and responsibilities.

Your generalization would characterize me as catering to *all* requesters for zone changes, from "mega-resorts" to the "little people". You misinterpret my position. I don't want the big people with big money to use the Legislature as a process to rezone their big parcels of land for speculative reasons, all in the interest of making large profits. I have taken a strong stance to require that any and all rezoning requests must follow the guidelines (legal requirements) set forth in my Committee prior to Legislative action/approval; i.e., letter of approval by the respective municipal planning council, petitions from surrounding lot owners, proof of ownership and availability of adequate infrastructure. Of course, this would apply to rezoning requests from people for 'R1', 'R2' or 'C' whose intent is simply to establish a small business or to address the housing needs of the landowner to make optimal use of the land for the benefit of the members of the family on a small parcel of property.

Fanohge Chamoru • Commonwealth Pa'go!

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

Page 2

Senator Angel L.G. Santos

letter to Mr. J.A. Martinez

12-Sep-96

Your attention to this matter is appreciated. Should you need further clarification, please call me.

Senseramente,



ANGEL L.G. SANTOS



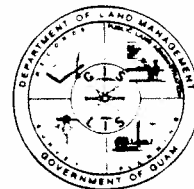
DEPARTMENT OF LAND MANAGEMENT
(DIPATTAMENTON TANO')

Government of Guam

P.O. Box 2950

Agana, Guam 96910

Tel: (671) 475-LAND • Fax: (671) 477-0883



CARL T. C. GUTIERREZ
Governor

J. A. MARTINEZ
Director

MADELEINE Z. BORDALLO
Lieutenant Governor

August 20, 1996

JAMES P. CRUZ
Deputy Director

Memorandum

To: Senator Angel Santos

From: Director, Department of Land Management

Subject: **RESPONSE TO INVITATION FOR THE UPCOMING HEARING
RELATIVE TO BILL(s) 5, 445, 586, 727 and 714**

Buenas Yan Saluda Senator,

We respectfully regret to inform your office of our inability to attend this very informative meeting regarding land issues that will impact our Department however, it is our earnest effort to provide your office information relative to the issues of Bill 5 in which we have waited for over 3 years to make its way through the Legislature.

Bill 5 was a formulation of parcels of property that were included in an administrative transfer from Land Management to the Chamorro Land Trust Commission in the early days of the 22nd Guam Legislature. The essence of the Bill is to return lands that should not have been transferred but because of the insistence of the former Administration to promulgate the Land Trust Inventory as required by the Superior Court of Guam, the department was hard pressed to initiate an inventory list which was not thoroughly screened to assure unencumbered lots; preprogramed Land exchanges by law; and unusable or undeveloped lands. At any rate, the factors of Bill 5 will be to correct the oversight and reestablish the listing of parcels to the Chamorro Land Trust Commission, which we have no objections to voice. We are totally supportive of Bill 5 since it originally was the request of Land Management to then Senator Eddie Reyes, 3 years ago and again when you came into office and just now you acted on it.

On Bill 714, we will not comment on this.



Commonwealth Now!

Page 2

Memo dated 8/20/96

Re: Bill 5,445,586,727 and 714

Bill 445 and 586, I recall you stated that the Legislature and yourself has no business rezoning or granting variances for other people and that it should be done through the TLUC process and yet you are trying to pass a law doing just that. Department of Land Management positions still stands that the Legislature has no business doing this.

Bill 727, no comment.

Thank you for the opportunity to comment on these issues.

Si Yuus Maase

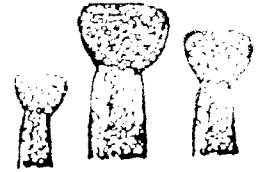
A handwritten signature in black ink, appearing to read 'J. A. Martinez', with a long horizontal flourish extending to the right.

J. A. MARTINEZ



Ofisinan I TaoTao Tano'
Sinadot Anghet L.G. Santos

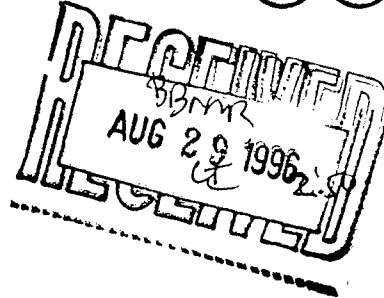
Ge'hilo' I Kumunidat Guma' yan
Asunton Kottura na Kumite



COPY

August 29, 1995

Mr. Joe E. Rivera
Acting Director
Bureau of Budget & Management Research
P.O. Box 2950
Agana, Guam 96932



Dear Mr. Rivera:

Our Committee is in the process of reporting out the following bills:

Bill 5 - An act to adopt the Department of Land Management's reconciliatory report on lands transferred to the Chamorro Land Trust Commission.

Bill 445 - An act relative to the approval of variances and the re-subdivision map for Lot Nos. 10061-16-1, Tract 143; 10061-16-2 and 10061-16-R2 within Tract 143 in the municipality of Dededo.

Bill 586 - An act to rezone Lot No. 6, Block 10, an area consisting of 1,086 square meters, in the municipality of Barrigada.

Bill 727 - An act to exchange a portion of government land in Dededo for land in Barrigada owned by Pat D. and Emma E.C. Collado.

Pursuant to §9101, Title 2 of the Guam Code Annotated, a fiscal note is required for all bills that have an effect upon the revenues or the expenditures of the government of Guam. Theoretically, all bills fall under this requirement, thus prompting this request. Copies of the bills are enclosed.

The Senator extends his humblest thanks for your prompt action.

Si Yu'os Ma'ase,

ALVIN J. DUENAS
Policy Analyst

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



WITNESS SIGN-IN SHEET
Public Hearing

Bill No. 586 - An act to rezone Lot No. 6, Block 10, an area consisting of 1,086 square meters, in the municipality of Barrigada.

Thursday, August 22, 1996

10:00 AM

Legislative Hearing Room, 155 Hesler Street, Agana.

NAME (please print) ORGANIZATION ORAL/WITTEN FOR/AGAINST

CHANG HO KIM _____ ORAL FOR

SUNG HEE KIM _____ ORAL FOR

YOUNG SIN KIM _____ ORAL FOR

^{Am} ~~ADELIA R. MAGAT~~ _____ ~~ORAL~~ _____

~~MILDRED D. ARTERO~~ _____ _____ ~~FOR~~

~~TONY T. ARTERO~~ _____ ~~ORAL~~ ~~FOR~~

EMMA E. C. COLLADO _____ _____ FOR

Commonwealth Now!

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

Bill No. 586 Date Received: 08/29/96
 Amendatory Bill: N/A Date Reviewed: 09/16/96

Department/Agency Affected: Land Management
 Department/Agency Head: Joseph Anthony Martinez
 Total FY Appropriation to Date: \$3,960,466

Bill Title (preamble): AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO COMMERCIAL (C)

Change in Law: N/A

Bill's Impact on Present Program Funding:

Increase X Decrease _____ Reallocation _____ No Change _____

Bill is for:
 Operations: _____ Capital Improvement: _____ Other: Property Rezoning

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)

Program Category	General Fund	OTHER	TOTAL
Natural Resources, Recreation and Arts			1/

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND						
OTHER						
TOTAL						1/

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? No funds appropriated

IF NO, ADDITIONAL AMOUNT REQUIRED: 1/

AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES (Per Bill)

FUND	1st	2nd	3rd	4th	5th	Total
GENERAL FUND						
OTHER						
TOTAL						1/

ANALYST: Angela Flores

DATE: 9/16/96

DIRECTOR: Joseph E. Rivera, Acting

DATE: SEP 16 1996

FOOTNOTE:

1/ Although an appropriation measure is not provided, enactment of Bill No. 586 will place additional demands on the various utility agencies resources. Nevertheless, additional development will enhance government revenues in all categories. Finally, it is not known whether the reviewing/permitting agencies have scrutinized such rezoning.


TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Introduced

APR 15 1996

Bill No. 586 (L.S.)

Introduced by:

A.C. Blaz 

AN ACT TO REZONE LOT NO. 6, BLK. 10, MUNICIPALITY OF
BARRIGADA FROM SINGLE FAMILY DWELLING (R1) TO
COMMERCIAL (C)

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

Section 1. **Legislative Statement.** The owner of the subject property is seeking the help of the legislature to rezone their property from single Family Dwelling (R1) to Commercial (C) for the purpose of constructing a two story building for residential and commercial activity. The Commercial activity is proposed for a Mom and Pop store and a Video Outlet. the top floor will be their residential home.

Section 2. **Lot Rezoned.** Lot No. 6, Blk 10, Municipality of Barrigada, Guam consist of an area of 1,086 square meters as shown on Marinas area Drawing No. 10011, and owned by Chong Ho Kim is hereby rezoned from Single Family Dwelling (R1) to Commercial (C).

We the undersigned hereby indicate our support for the rezoning from R1 to C of Lot No. _____, Municipality of _____, which consists of _____ square meter, owned by _____.

Lot No. Lot Owner No Signature/Comment

151	Francis Lizama		
	Rosa Mandiola		
1185	Bandina Maroua		9/16/95
1191	Margarita P. Flores		734-1489
255	Francisco Maroney		Jeffrey Maroney
1085-	DEXORCEY, Jiddo	also	John G. Jones
128	Frank Tass	✓	
130	Meghine MANIDUSAN	✓	
147	M.C. SACAS	✓	

#157	Adacagva Em. Richard	✓	Richard Rosevio Jr
#165	C.M. Santos	✓	
#183	Jeff Nielsen	✓	
#219	John H. Garcia	✓	