EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

GL#34-17-589

MAY 30 2017

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
The Thirty-Fourth Guam Legislature
163 Chalan Santo Papa
Hagåtña, Guam 96910

Speaker Benjamin J.F. Cruz
JUN 01 2017
Time: 1049 [ ] AM [ ] PM File No.
Received By:

Re: GLUC Zone Change Approval from "A" (Rural) to "R-2" (Multi Family Dwelling) zone for Lot 10100-8-5-R2, in the Municipality of Dededo, Application No. 2010-53

Bueñas Yan Hafa Adai Speaker Cruz:

I am pleased to submit for you and your colleagues the above-referenced zoning documents for the Legislature's consideration. This is pursuant to **Title 21, Guam Code Annotated (Real Property), Chapter 61 (Zoning Law), Part 4, Section 61647.**

I have **APPROVED** the Applicant, **James Ji, requesting for a Zone Change from "A" (Rural) to "R-2" (Multi Family Dwelling) zone for the proposed development of 32-multi family dwelling units, on Lot 10100-8-5-R2, in the municipality of Dededo.**

I am sure you recognize the public benefits of this endeavor, and respectfully ask your expeditious response.

RAYMOND S. TENORIO
Acting Governor of Guam

2017 JUN -1 PM 12:05

0589

Ricardo J. Bordallo Governor's Complex • Adelup, Guam 96910
Tel: (671) 472-8931/6 • Fax: (671) 477-4826 • www.governor.guam.gov

CPD-0597-2456

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2010-53
LOT 10100-8-5-R2
MUNICIPALITY OF DEDEDO

ATTACHMENT 1

Space for Recordation

GLUC ZONE CHANGE
APPLICATION NO.: 2010-53
APPLICANT: JAMES JI

PREPARED ON FEBRUARY 27, 2017

FROM: "A" (AGRICULTURAL/RURAL)

TO: "R-2"(MULTI-FAMILY DWELLING)

LOT: 10100-8-5-R2

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: DEDEDO

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO.: A-93

ZONING MAP NO.: F3-67S41

THE GUAM LAND USE COMMISSION, AT ITS
HEARING ON AUGUST 13, 2015
APPROVED IN WHOLE THE ZONE CHANGE
FROM "A" TO "R-2" ON LOT 10100-8-5-R2
MUNICIPALITY OF DEDEDO

==========

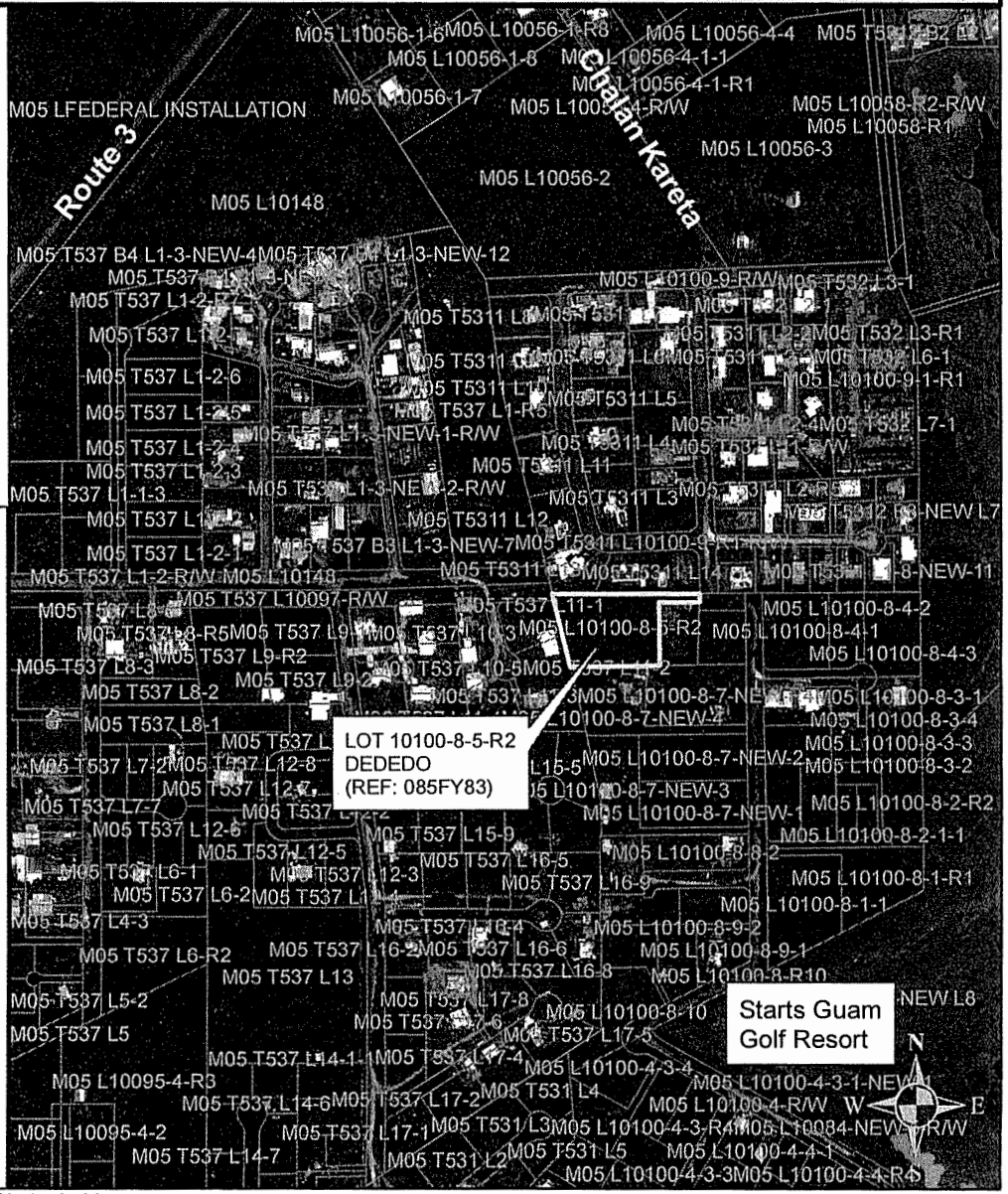
[X] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

JOHN Z. ARROYO — DATE 4/1/17
CHAIRMAN
GUAM LAND USE COMMISSION

==========

[X] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

RAYMOND S. TENORIO — DATE May 30, 17
Acting Governor of Guam



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590 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

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E-mail Address:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

May 25, 2017

Memorandum

To: The Governor

From: Executive Secretary, Guam Land Use Commission

Subject: **GLUC Zone Change Approval from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for Lot 10100-8-5-R2, Dededo. Applicant – James Ji, Application No. 2010-53**

Submitted for your consideration and action is Zone Change Application No. 2010-53. The Applicant, James Ji requests for a Zone Change from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for the proposed development of 32-family dwelling units.

Application chronology is as follows:

- January 27, 2011 – application officially accepted
- March 17, 2011 – reviewed by the Application Review Committee
- August 26, 2014 – Public Hearing, Barrigada Community Center
- August 13, 2015 – Guam Land Use Commission Public Hearing (approval of Zone Change request)

Pursuant to the Guam Code Annotated, Title 21 (Real Property), Chapter 61 (Zoning Law), Section 61634 (Decision by the Commission), which states, *"if the application is approved in whole or in part by the Commission, the same shall be forwarded to the Governor who may approve or disapprove the proposed change in whole or in part";* this application is being sent to you for your action.

This application is being sent to you pursuant to Title 21, GCA, Chapter 61 (Zoning), Section 61634.

Please contact Land Planning Division at 649-5263, extension 375 should you have any questions and/or need further clarification.

Respectfully,

MICHAEL J.B. BORJA
Executive Secretary
Guam Land Use Commission

Attachments:

1) Amendment No. A-93, Zoning Map No. F3-67S41
2) Zone Change Application
3) Formal letter to Mayor(s) for Public Hearing (August 6, 2014)
4) Attendance Sheet of Public Hearing (dated August 26, 2014)
5) Staff Report with Summary of ARC Position Statements
6) GLUC Agenda Notice – PDN (dated August 6 and 11, 2015)
7) GLUC Agenda of August 13, 2015 – Disposition
8) GLUC Minutes of August 13, 2015 (Doc No. 883560)
9) Notice of Action – Findings of Facts
    - Exhibit A – Affidavit of Publication
        - Attachment A – Official Memorandum to PDN (dated August 6, 2014)
    - Exhibit B – Affidavit of Mailing
        - Attachment A – U.S. Postal Certified Receipts (dated August 12, 2014)
        - Attachment B – Official Notice Public Hearing (dated August 6, 2014)

COPY

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAY 30 2017

Honorable Benjamin J.F. Cruz
Speaker
I Mina'trentai Kuåttro Na Liheslaturan Guåhan
The Thirty-Fourth Guam Legislature
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: GLUC Zone Change Approval from "A" (Rural) to "R-2" (Multi Family Dwelling) zone for Lot 10100-8-5-R2, in the Municipality of Dededo, Application No. 2010-53

Bueñas Yan Hafa Adai Speaker Cruz:

I am pleased to submit for you and your colleagues the above-referenced zoning documents for the Legislature's consideration. This is pursuant to **Title 21, Guam Code Annotated (Real Property), Chapter 61 (Zoning Law), Part 4, Section 61647.**

I have **APPROVED** the Applicant, **James Ji, requesting for a Zone Change from "A" (Rural) to "R-2" (Multi Family Dwelling) zone for the proposed development of 32-multi family dwelling units, on Lot 10100-8-5-R2, in the municipality of Dededo.**

I am sure you recognize the public benefits of this endeavor, and respectfully ask your expeditious response.

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OPD-0517-2456

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Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

May 25, 2017

Memorandum

To: The Governor

From: Executive Secretary, Guam Land Use Commission

Subject: **GLUC Zone Change Approval from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for Lot 10100-8-5-R2, Dededo. Applicant – James Ji, Application No. 2010-53**

Submitted for your consideration and action is Zone Change Application No. 2010-53. The Applicant, James Ji requests for a Zone Change from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for the proposed development of 32-family dwelling units.

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SIGN

DATE

This application is being sent to you pursuant to Title 21, GCA, Chapter 61 (Zoning), Section 61634.

Please contact Land Planning Division at 649-5263, extension 375 should you have any questions and/or need further clarification.

Respectfully,

MICHAEL J.B. BORJA
Executive Secretary
Guam Land Use Commission

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GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2010-53
LOT 10100-8-5-R2
MUNICIPALITY OF DEDEDO

ATTACHMENT 1

Space for Recordation

GLUC ZONE CHANGE
APPLICATION NO.: 2010-53
APPLICANT: JAMES JI

PREPARED ON FEBRUARY 27, 2017

FROM: "A" (AGRICULTURAL/RURAL)

TO: "R-2"(MULTI-FAMILY DWELLING)

LOT: 10100-8-5-R2

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: DEDEDO

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO.: A-93

ZONING MAP NO.: F3-67S41

THE GUAM LAND USE COMMISSION, AT ITS HEARING ON AUGUST 13, 2015 APPROVED IN WHOLE THE ZONE CHANGE FROM "A" TO "R-2" ON LOT 10100-8-5-R2 MUNICIPALITY OF DEDEDO

==========

[V] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

4/1/17

JOHN Z. ARROYO
CHAIRMAN
GUAM LAND USE COMMISSION

DATE

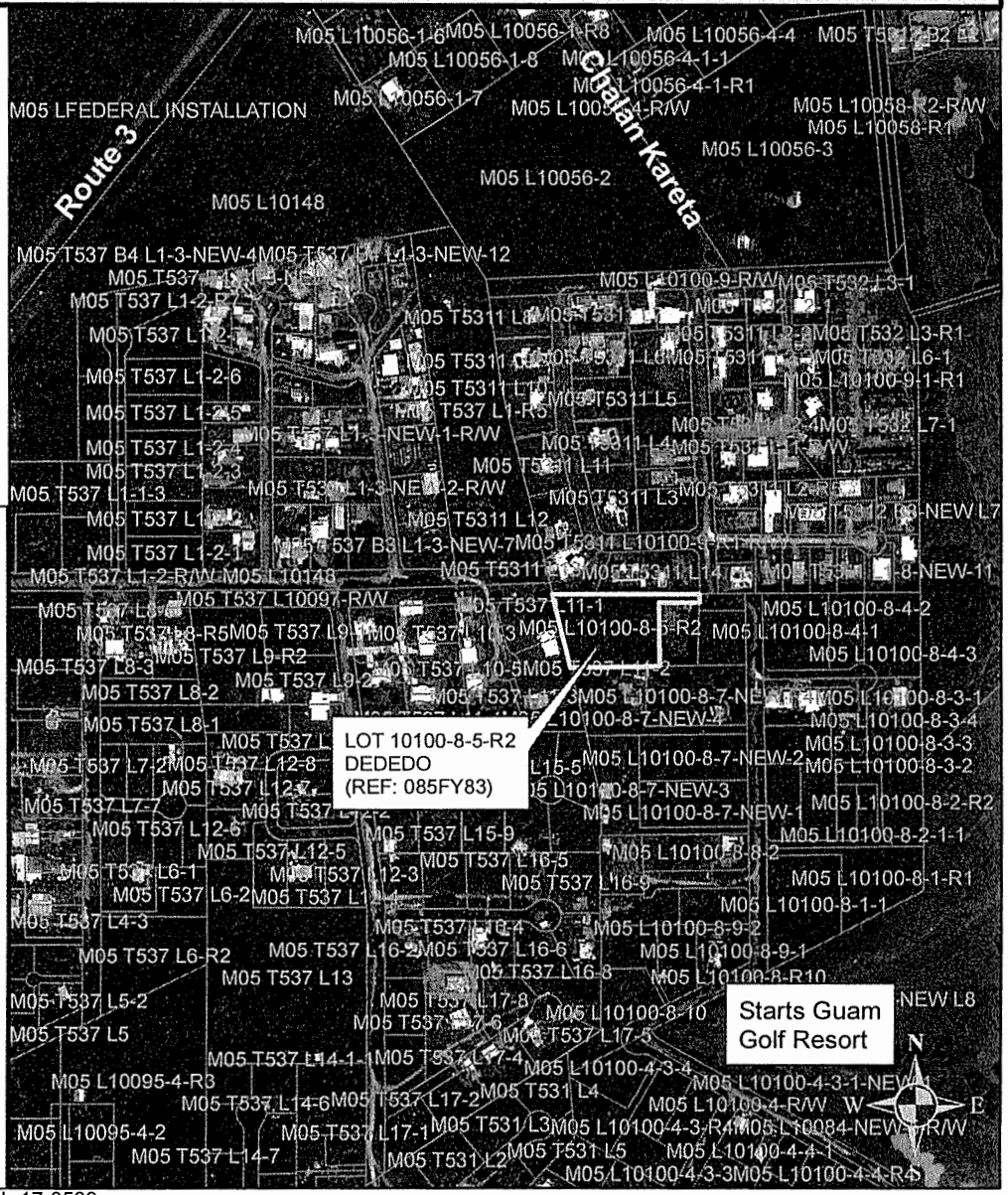
==========

[ ] APPROVED IN WHOLE
[ ] APPROVED IN PART
[ ] DISAPPROVED

May 30, 17

RAYMOND S. TENORIO
Acting Governor of Guam

DATE



DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy

Street Address:
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ITC Building,
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

[2010-53]

Website:
http://dlm.guam.gov

E-mail Address:
dlm@mail.gov.gu

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

August 6, 2014

Honorable Melissa Savares
Mayor of Dededo

Dear Mayor:

The following application has been filed with the Guam Land Use Commission (GLUC) by:

The Applicant, James Ji, request for a Zone Change from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for a proposed 32-unit dwelling on Lot 10100-8-5-R2, in the Municipality of Dededo, under Application 2010-53.

For any **Zone Change** requests that may have adverse impact on the public's interests, the GLUC is mandated by law to conduct a public hearing in the municipality where the subject lot is located. Accordingly, we would like to schedule a public hearing to be held at the **Dededo Senior Citizen Center, Tuesday, August 26, 2014 at 6:00 p.m.**

Please confirm the time, date and place.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner

Attachment:
Application Packet

ATTACHMENT 3

RECEIVED
8/8/14

8/26/14 - Public Hearing for Zone Change - Lot. 10100-8-5.R2

	Name.	Contact #	~~email~~ ADDRESS
1.	Melissa Savares	632-5203	Dededo
2.	Orlando M. David	632-4490	Dededo
3.	David Benta	gambatrac@yahoo.com 686 5002	Dededo
4.	ROBERTO CALILUNG	637-7946	DEDEDO
5.	MAXIMO OCAMPO	633-1263	DEDEDO
6.	Nanci San Agustin	477-9219/9220	Maite
7.	ENRIQUE TAMBORA	487 8200	DEDEDO
8.	Ann Ji	671.688.7731/415-404-5700	Tamuning
9.	Justina Scherer/Erika Scherer	482-7452	Dededo erika.scherer@gmail
10.	Edward Leon-Guerrero	688-5722	DEDEDO
11.	James Ji	688 4525	Tamuning
12.	TESSIE CLARK	632-0859	DEDEDO

ATTACHMENT 4

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE BAZA CALVO
Governor

RAY TENORIO
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http://dlm.guam.gov

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671-649-LAND (5263)

Facsimile:
671-649-5383

August 7, 2015

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Supplemental Staff Report
Application No. 2010-53, Zone Change,
Lot 10100-8-5-R2, Municipality of Dededo

1. PURPOSE:

a. Application Summary: The applicant, Mr. James Ji, in his own behalf requests approval of a Zone Change from "A" (Agricultural) to "R-2" (Multi-Family-Dwelling) Zone, to allow multi-family uses on Lot 10100-8-5-R2 in the municipality of Dededo.

b. Legal Authority: Title 21, Guam Code Annotated, Chapter 61 Article 6, Part 3 (Changes of Zones), Sections 61630 through 61638 (Zoning Law).

2. STAFF ANALYSIS:

On November 14, 2014 the Guam Land Use Commission ordered a continuance of their review of this application. The Commission further ordered the applicant to provide the following:

1. Obtain an Agricultural Impact Statement from the Department of Agriculture pursuant to Title 21GCA, Chapter 61, section 61637.

The statute provides "No additional land may be established as a rural zone and no land presently zoned A may be rezoned without the Commission first having considered an agricultural impact statement which shall be submitted by the Director of the Department of Agriculture". The applicant provides this document **(see Attachment 1).**

2. **Updated Position Statements from the ARC.**
   We reviewed all submitted position statements. Agency position statement needing update was limited to the Department of Parks & Recreation **(See Attachment 2).**

3. **Updating of Billboard.**
   The Guam Chief Planner was instructed to ensure requirement for billboard sign were followed. The applicant had updated the Billboard upon notification of the application's schedule GLUC hearing date **(See Attachment 3).**

4. **Written testimony from Mr. Figueroa (adjacent property owner) in reference to information noted on the billboard sign.**
   The applicant provides a statement in his supplemental report noting various attempts to contact and establish dialog with the property owner.

5. **Detailed justification on the zone change criteria (general welfare, public convenience, public necessity).**
   The applicant provides additional clarification on justifying his request for a change of zone. This information is found in his supplemental report.

6. **Lastly, the applicant was instructed to provide an updated property map of project site.**
   The applicant had confirmed with the Department of Land Management that no updated subdivision map of the property was available.

As stated in our initial staff report, the requested zone change to "R-2" (Multi-Family) will support and accommodate housing for not just anticipated military buildup but as well for a growing island population. There will be a need and demand for housing accommodation for various users to include local, mid-term, and transient individuals and families. In this respect, this request is in line with development opportunities that in turn will be beneficial in providing a public necessity for additional housing for our island community.

RECOMMENDATION: Based on our prior assessment of this request and applicant's due diligence to follow Commission directive, we find the applicant has continued to meet the requirements of the assessment and deliberation process and therefore, recommend **APPROVAL**. We defer all matters regarding meeting infrastructure requirements to the mandates of respective agencies.

Marvin Q. Aguilar
Guam Chief Planner

ATTACHMENTS
Attachment 1 – DOAgri-AIS
Attachment 2 – DPR Updated Position Statement
Attachment 3 – Photo – Updated Billboard Notification Sign

Case Planner: Marvin Q. Aguilar

TACHMENT 3

Department of Agriculture
Dipåttamenton Agrikottura

Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Director's Office	300-7970 / 7969 / 7966
Agricultural Development Services	300-7973 / 7972 / 7967
Plant Nursery	300-7974
Aquatic & Wildlife Resources	735-3955/56; Fax 734-6570
Forestry & Soil Resources	300-7975/6
Plant Inspection Station	475-1426/27; Fax 477-9487
Animal Health	300-7965 Fax 734-6569

Mariquita F. Taitague
Director

Matthew L.G. Sablan
Deputy Director

April 23, 2015

Memorandum

To: Director, Department of Land Management

Attn: Executive Secretary, Guam Land Use Commission and Guam Seashore Protection Commission

From: Director of Agriculture

Subject: **"Agricultural & Environmental Impact Statement" for a "Zone Change request on Lot 10100-8-5-R2 Located in Dededo from an "Agricultural to an R-2". Ref. Case 2010-53 (James Ji)**

Agriculture has reviewed the subject lot for a "Zone Change" request and finds that there are no major impacts to either the agricultural and environmental sections of the island. Are agencies concerns are with the loss of habitat and indigenous trees. To prevent and mitigate the loss of flora of the area we recommend that the developer incorporate a landscaping plan that uses indigenous tree species from this area as they are adapted for the environment. Along with the native species, fruit trees can also be used to further enhance the project. By incorporating these practices the trees will aid in providing windbreaks, shading, erosion control, food sources and improvement on aesthetics for the neighborhood. Please contact our Agricultural Development Services & Forestry divisions here at the agency for further assistance and guidance at 300-7972 & 7976 respectively. Our Forestry division grows and maintains these native tree species should you choose to incorporate them into the project. Contact their office for assistance and consultation at 300-7976.

For questions or concerns regarding Agriculture's position please contact our office at 300-7973. Thank you in this regard.

M. F. Taitague

MARIQUITA F. TAITAGUE

ATTACHMENT 1

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6294/5

Eddie B. Calvo
Governor

Ray Tenorio
Lt. Governor

Raymond F.Y. Blas
Director

William N. Reyes
Deputy Director

In reply refer to:

RECEIVED
RECEIVED 7/22/2015 CG
PLANNING
JUL 24 2015
Department of Land Management
Time 8:30 AM

July 17, 2015

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No.: 2010-53 Zone Change
Lot No.: 10100-8-5-R2, Municipality of Dededo
Applicant: James Ji, Represented by: Narcisa San Agustin

At the request of the Guam Land Use Commission, we are providing another memorandum to replace our letter of March 1, 2011 regarding our concerns on the above project.

If there are no changes in scope, location, etc., to the project then we have no objections to the project. The Zone Change will not affect historic properties as indicated in our letter of March 1, 2011, attached herewith.

If you have any questions please do not hesitate to call us.

Raymond F.Y. Blas

Attachment: DPR March 1, 2011 Memorandum

ATTACHMENT 2

DIPÅTTAMENTON MINANEHAN TÅNO'
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671-649-LAND (5263)

Facsimile:
671-649-5383

November 5, 2014

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2010-53, Zone Change, Lot 10100-8-5-R2, Municipality of Dededo

1. **PURPOSE:**

   a. **Application Summary:** The applicant, Mr. James Ji, in his own behalf requests approval of a Zone Change from "A" (Agricultural) to "R-2" (Multi-Family-Dwelling) Zone, to allow multi-family uses on Lot 10100-8-5-R2 in the municipality of Dededo.

   b. **Legal Authority:** Title 21, Guam Code Annotated, Chapter 61 Article 6, Part 3 (Changes of Zones), Sections 61630 through 61638 (Zoning Law).

2. **FACTS:**

   a. **Location:** The subject site is located in the heart of the *Callon Tramojo* area of Dededo. Its closest access is available via Route 3 through *Chalan Kareta*, approximately 600 meter south of the entrance to Starts Golf Course. (See Map **Attachment 1).**

   b. **Lot Area:** The property contains an area of 5442± square meters or approximately 58,577 square feet (1.34 acres).

   c. **Present Zoning:** A" (Agricultural) Zone.

   d. **Field Description:** The entire property remains vacant and overgrown with secondary vegetation, showing evidence of past subsistent farming activity. Community development scheme for the immediate area, ranged at 1000 feet radius from the subject lot boundaries, comprise mainly of single-family dwelling nestled in one-half to full one acre lots. However, the most obvious

multi-family development occurs approximately 500 feet from the property's edge. DelMar Apartment Condominium located northwest of the subject lot boasts a condominium program consisting of ninety-three (93) units within a 12,392 square meter parcel.

e. **Master Plan:** Residential – Low Density

f. **Community Design Plan:** Conservation

g. **Previous Commission Action:** None

3. APPLICATION CHRONOLOGICAL FACTS:

a. **Date Heard By ARC:** March 17, 2011

b. **Public Hearing:** A public hearing was held on August 26, 2014 at the Dededo Senior Citizens' Center. Results of the hearing are provided in **Attachment 2.**

4. STAFF ANALYSIS:

Land subjected to a change of zone is only restricted to land use regulations under its particular zoning designation. Unlike a change of zone, both a conditional use permit or land use variance can exact further use restrictions to promote consistency with surrounding uses with respect to encouraging the protection of public safety, convenience, and general welfare of the community. Thus, the course of assessing a change of zone would be limited to considering the effects of allowable uses within the new designation and its potential effects on existing infrastructure, community overlay, and from allowing the maximum development potential of the property, *regardless of the intent of the property owner as proposed in this application.*

A critical element of assessment is the subsequent and in this case, significant change in allowable structural units per land area ratio in the event a change of zone is secured. Lot 10100-8-5-R2 contains an area of *5542± square meters.* In its current agricultural designation the property can legally sustain a land use density of up to six (6) detached residential units. If zoned "R-1" or "R-2", the property may allow up to twelve (12) detached units and/or forty-seven (47) multi-family dwelling units, respectively. Thus, since the request is to re-zone to "R2" further discussion should focus on this maximum density allowance.

Development Challenges: There remain challenges to achieving 47 units or for such matter the 32 units as purported in the application (at 32 units, the applicant proposes 68% of the allowable land use density). Challenges may include:

a. Securing applicable development fees for the installation of water, power, and public sewer. As well, the number of units when comes to the actual design and development stage may be restricted due to unforeseen stresses occurring on infrastructure.

b. As the property exists as a panhandled lot, the opportunity to further subdivide the property is limited, if not non-existent unless extreme action is taken to create an easement that would accommodate typical land subdivision. As its easement service stretches a portion of the property to Lot 10100-8-5-1R/W, a single legal egress/ingress is created to support a significantly large parcel of land. This matter is important especially from a development opportunity stand point. With no other easement service opportunity available, the sole easement restricts full property development to encourage individual property ownership such as multiple detached single-family dwelling. Relief may be had if development is focused on a type of Horizontal Property Regime (HPR) program where the property is owned in common by a single party or organization but individual homes or apartment units are owned by separate owners.

c. The property owner may also elect to secure a Summary Zone Change through the Director of the Department of Land Management. In such cases, requests are vetted through the appropriate municipal planning council, the public, and the Application Review Committee. However, this re-zone program is not without its restrictions. Caveats within its authority restrict the conversion of such multi-family development for hotel or condominium use.

Public Necessity, Convenience, and General Welfare: The Commission must find within a zone change request justification to promote and encourage Public Necessity, Public Convenience and General Welfare. Although not explicit in the application itself, the request presents an apparent consistency with the government's intent to address a housing need on the island, particularly as we anticipate both typical and atypical population growth in the near future. Clearly, land resources to support individual home and lot ownership are finite, and the exercise of considering higher density to improve efficient use of land for residential purposes is expressed widely within the government such the Bureau of Statistics & Plans in their proposed Northern & Central Land Use Master Plan.

The requested zone change to "R-2" (Multi-Family) of the lot existing residential type development with full amenities will support and accommodate a growing island population and the anticipated military buildup to support housing requirements in the next few years and beyond. There will be a need and demand for more housing/accommodation for locals and transients residents. This development will be beneficial in providing a public necessity for additional housing for our island community.

We are of the opinion the effects in protecting public necessity, convenience, and general welfare lies in both a short- and long-term development goal of the area. Where at one time the intent to apply a panhandled design to significantly-sized property may have best been suited when agricultural development ensued in the immediate area, such may not necessarily be the case as the area was improved through the placement of public sewer. In this respect, protection of the general public lays in the fact that infrastructure, particularly public sewer exists.

However put in place to address the protection of our water recharge area, subsequent effects include the opportunity to apply greater land use density strains in the area, thus being consistent with respect to making available other alternative residential development opportunities to include multi-family dwelling development.

RECOMMENDATION: Based on our assessment of this request, we find the applicant has met the requirements of the law and therefore, recommend **APPROVAL** and defers all matters regarding meeting infrastructure requirements to the mandates of respective agencies.

Marvin Q. Aguilar
Guam Chief Planner

ATTACHMENTS
Attachment 1 – Site Location Map
Attachment 2 – Public Comment Report
Case Planner: Marvin Q. Aguilar

Attachment 2 – Public Comment Report

A public hearing was held on August 26, 2014 at the Dededo Senior Citizens' Center. The hearing commenced at 6:10 pm and obtained the following critical concerns and comments:

1. **Flooding.** Residences voiced the concern regarding flooding in the immediate area. The case planner stated that any development occurring on the subject lot would be responsible for preventing any contribution to any existing flooding condition in the area. This will be part of the design requirement and approval and is a mandatory requirement by GEPA.

2. **Road Conditions.** Residents expressed the poor condition of the road (Chalan kareta) and the dire need for its improvement. The Mayor of Dededo, Hon. Melissa Savares stated that relief will be provided as the road is slated for new paving and expansion to about 10 feet wide.

3. **Increase in traffic:** Residents voiced the fact that Chalan Kareta is currently be used by residents of the Iron Manor subdivision. The case planner stated that the road was a public easement and the government could not restrict its use. Mayor Savares further states that road improvement to other egress/ingress outlets are in the plans to include future road development into nearby large-scale residential subdivisions.

4. **Overall impact to infrastructure:** Issue raised by Mr. David Benson. The case planner stated that all infrastructure was in place, however, the owner will still have to work with associated government agencies with respect to the level of improve he may have to incur to realize his development scheme.

No other critical issues were raised. The hearing adjourned at 7:00 pm.

DEDEDO MUNICIPAL PLANNING COUNCIL
MUNICIPALITY OF DEDEDO

RESOLUTION NO. 2014-09

10-31-14
RECEIVED

Introduced by:
Melissa B. Savares, Chairperson
Andrew Peter A. Benavente, Co-Chairperson
MEMBERS
Acda, Romy
Artero, Pascual V.
Chan, Jose-Arthur Jr.
Cruz, Elizia
Gines, Bernardo
Mafnas, Frank
Makepeace, Annie
Pangelinan, Edith
San Nicolas, Joseph
San Nicolas, Laura
Tainatongo, Carmen
Wusstig, Ernie

Relative to the Dededo Municipal Planning Council's (DMPC) supports the Zone Change for Lot 10100-8-5-R2 from "A" (Rural) to "R-2" (Multi-Family Dwelling) for a proposed 32-unit dwelling requested by James Ji in the Municipality of Dededo.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL:

WHEREAS, on Wednesday, October 15, 2014, a DMPC meeting was held at the Dededo Senior Citizen Center with ten (10) of fourteen (14) members present; and

WHEREAS, members of the DMPC discussed the request by James Ji to change the zone of Lot 10100-8-5-R2 from "A" (Rural) to "R-2" (Multi-Family Dwelling); and

WHEREAS, after a review of documents submitted with Application 2010-53, supporting documents from necessary regulating agencies are attached; and

WHEREAS, after a lengthy public hearing held at the Dededo Senior Citizen Center on Tuesday, August 26, 2014, there are no objections from nearby homeowners who were present; and

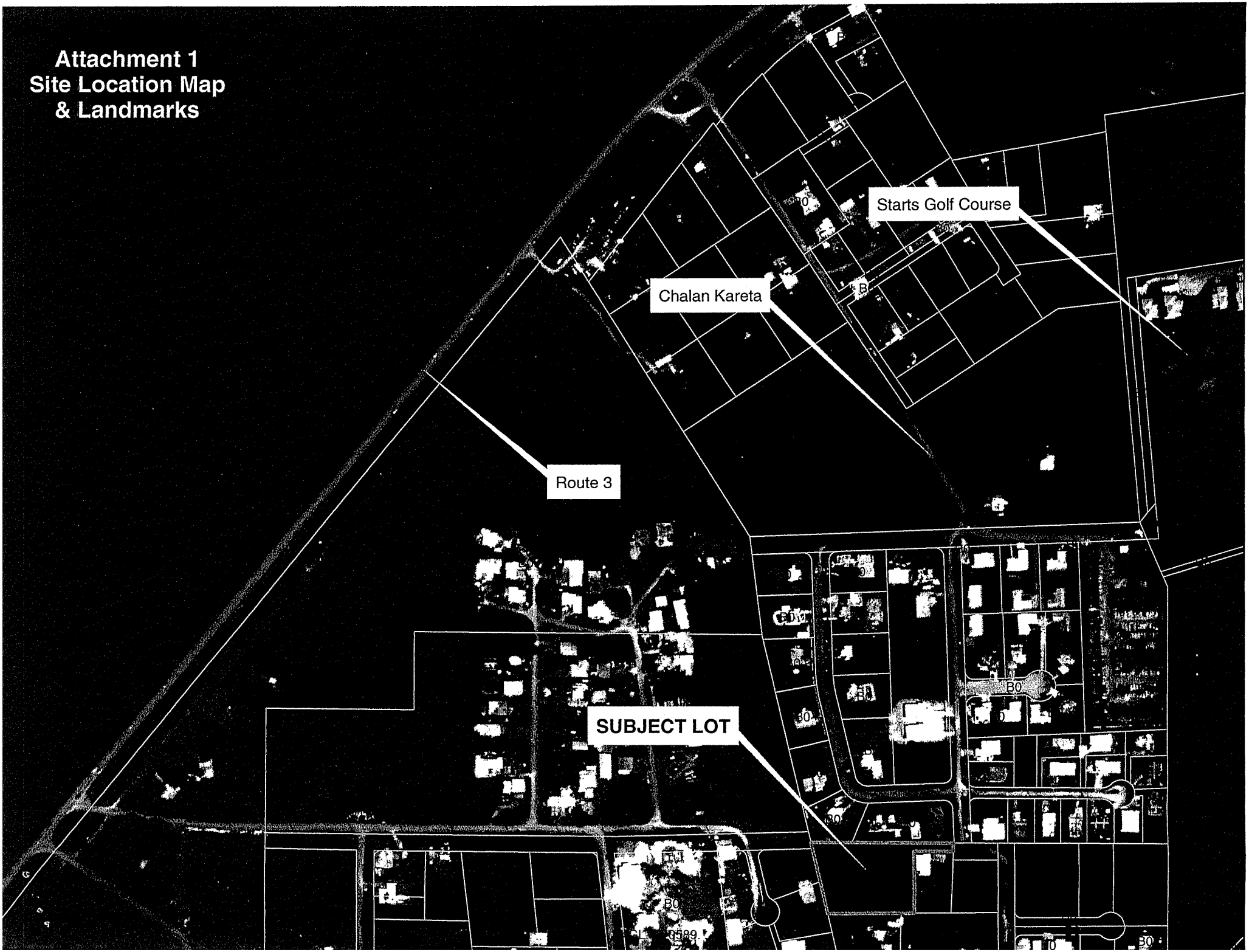
BE IT RESOLVED that after further discussion, members of the DMPC motioned to support to rezone Lot 10100-8-5-R2; and therefore be it

FURTHER RESOLVED, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to Department of Public Works, Department of Land Management and Department of Revenue & Taxation,.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 15th DAY OF October 2014.

MELISSA B. SAVARES
MAYOR & CHAIRMAN

Yvonne S. Acda, Secretary DMPC


Attachment 1
Site Location Map
& Landmarks
Starts Golf Course
Chalan Kareta
Route 3
SUBJECT LOT

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

BUREAU OF STATISTICS & PLANS
SAGAN PLANU SIHA YAN EMFOTMASION
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3 Fax: (671) 477-1812

Lorilee T. Crisostomo
Director

JAN 05 2015

1-8-15
RECEIVED
RECEIVED
JAN 08 2015
Department of Land Management
Time 10:

MEMORANDUM

To: Chairman, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: **APPLICATION NO.** 2010-53; **LOCATION:** LOT NO. 10100-8-5-R2; ROUTE 3, DEDEDO; **APPLICANT:** JAMES JI; **PROPOSED USE:** ZONE CHANGE FROM "A" AGRICULTRAL TO "R-2" MULTI-FAMILY DWELLING TO CONSTRUCT A TWO-STORY 32-UNIT CONDOMINIUMS

Buenas yan Håfa Adai! The applicant, James Ji, is requesting for a zone change from "A" agricultural zone to "R-2" multi-family dwelling zone in order to construct two story 32-unit condominiums on Lot No. 10100-8-5-R2 located in Dededo. The 32-unit two story condominiums will be constructed as two buildings each having 16-units with a total of 70 parking stalls that will include two disabled accessible parking stalls.

The subject property is located along Chalan Kara Street near Chalan Castro in Dededo and has an approximate area of 59,653(±) square feet. The property can be accessed through two easements which are Chalan Karata Street that is a 50-feet wide access easement and through Chalan Castro that is a 40-feet wide access easement. The surrounding land uses consist predominantly of single-family dwellings, townhouses, apartments and the Del Mar Condominium located north of the subject property. All of the basic infrastructure such as water, power, sewer, and telephone are immediately available to the subject property.

The Bureau of Statistics and Plans (BSP) has completed its review of the attached application for zone change and provides the following comments and recommendations:

1. ***Water Source Protection and Stormwater Management.*** The subject area is in the boundary of the Ground Water Protection Zone of our Northern Guam Lens Aquifer, therefore the Bureau is concerned that the proposed

Doc. No. 34GL-17-0589

activities may have a negative impact to water quality. The Northern Guam Lens Aquifer is an essential resource for Guam and is the source for approximately 80% of the island's drinking water. Because of the paramount importance of Guam's water lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater.

The Bureau recommends that the applicant work closely with Guam Environmental Protection Agency (GEPA) for an aquifer protection review pursuant to the *"Federal Safe Drinking Water Act," §1424 and Guam Safe Drinking Water Act," 10 GCA Chapter 53*, and for implementation of best management practices in preventing stormwater runoff from contaminating Guam's sole source aquifer pursuant to the CNMI and Guam Stormwater Management Manual.

Additionally, the Bureau recommends that the applicant coordinate with the Guam Waterworks Authority (GWA) for water resource conservation and water pollution prevention in protection of the Northern Guam Lens Aquifer pursuant to the "*Water Pollution Control Act," 10 GCA Chapter 47; "Water Resources Conservation Act," 22 GCA Chapter 5; 10 GCA Chapter 46, as amended by P.L. 17-87, and the Guam Water Resource Development & Operating Regulations.*

1.1 **Low Impact Development.** The Bureau applauds the applicant for addressing the surface runoff and stormwater into their plans such as constructing a percolation trench within the parking area. The Bureau, however, would like to recommend the applicant take a greener approach by considering implementing island bioretention, permeable parking and walkways, grassed swales or rain gardens into their landscaping design as a means to reduce runoff from their property. A guidebook *"Island Stormwater Practice Design Specifications"* is available at the Bureau of Statistics and Plans, Guam Coastal Management Program office. These approaches will add great benefits such as low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride pursuant to *North and Central Guam Land Use Plan.*

1.2 **Erosion Control.** During construction, the applicant is advised to implement erosion control methods to prevent sediment from leaving the project site. The applicant is also advised to work with GEPA for effective implementation of erosion control methods and stormwater management

practices. The CNMI and Guam Stormwater Management Manual, October 2006 and the Guam Erosion & Sediment Control Field Guide is available at GEPA for detailed construction stormwater treatment criteria and standards and bio-retention (rain garden) specifications.

2. **Entrance/Exit.** The site plan did not address ingress and egress to accommodate service and emergency vehicles within the proposed 32-unit condominium. Therefore, the Bureau recommends that the applicant coordinate with the Department of Public Works (DPW), Rights of Ways Division to address this matter for the safety of the patrons.

3. **Government Clearances.** The applicant stated that the proposed project will not have "an adverse impact to the government's ability to maintain the existing infrastructure". The Bureau recommends that the applicant ensure it obtains the appropriate government agencies/departments review and approval to ensure the existing infrastructure is capable to meet the designs of the proposed project.

4. **Historical and Archaeological.** The applicant stated in its plan that the property site has no known historical or archaeological resources however no supporting documentations were presented and therefore, the Bureau recommends that the applicant coordinate with Department of Parks and Recreation, State Historic Preservation Office to ensure the preservation, protection, excavation, and evaluation of specimens and sites pursuant to *"Historical Objects and Sites", 21 GCA, Chapter 76.*

5. **Setbacks.** If approved for zone change, the Bureau recommends that proper setback requirements are followed to ensure the minimum yard and lot areas are established for multi-family (R-2) zone that is located on top of the Northern Aquifer. The Bureau recommends the applicant coordinate with Department of Land Management (DLM) for compliance pursuant to the *"Zoning Law," 21 GCA, Chapter 61.*

6. **Automobile Parking Space.** The applicant proposes to construct 70 parking stalls within the proposed site; however, the plan did not clearly state the parking dimensions. Therefore, the Bureau recommends the applicant to coordinate with Department of Land Management to ensure it meets the general requirements for this proposed project pursuant to *"Zoning Law," 21 GCA, Chapter 61.*

7. **Agricultural District.** Due to the property proximity in the northern area of the island and its current zoning "A", it's important for the applicant to

maintain, preserve and protect the native plant and animal species and its existing habitats as well as the physical characteristics within the surrounding area pursuant to *North and Central Guam Land Use Plan*. Therefore, the Bureau recommends the applicant coordinate with Department of Agriculture's Division of Aquatic and Wildlife Resources to avoid any adverse effects to the surrounding areas and to preserve agricultural lands.

Although the Bureau finds the proposed development to be compatible with the surrounding land uses, it also finds that the proposed zone change request did not adequately justify public necessity, public convenience and general welfare as required to justify action pursuant to "*Real Property," 21 GCA Chapter 61*, §61630. However, should the application be approved, the Bureau recommends that the applicant complies with the aforementioned conditions as well as incorporate best management practices into the plans and implement those practices during and after construction of their project.

LORILEE T. CRISOSTOMO

cc: GEPA
GWA
DPW
DPR
GPA
GFD

GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

November 18, 2014

RECEIVED
NOV 20 2014
Department of Land Management
Time: 4:00 Initial:

MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager (Interim)

Subject: Lots 10100-8-5-R2, Municipality of Dededo, (James Ji); Zone Change Application from "A" (Agriculture) to "R-2" (Multi-Family Dwelling) to construct a 32 unit 2-Story condominium. **Application No. 2010-53**

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
   - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
   - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
   - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
   - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
   - Provide scheduling and magnitude of project power demand requirements for new loads.
   - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.

2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.

3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.

4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments
GPA has no objection to the request subject to the conditions cited above.

JOHN M. BENAVENTE, P.E.

ASG/arp

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: James Ji
Location: Lots 10100-8-5-R2, Dededo

Type of Application: Zone Change
GLUC/GSPC Application No. 2010-53
Brief Project Description:
"A" to "R-2" to construct a 32 unit 2-Story condominium.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
   Yes ☐ No ☒

2. If the answer to #1 above is YES, then:
   I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:

   Yes ☐ No ☒

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE,** itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.

JOHN M. BENAVENTE, P.E.
General Manager (Interim)

11/19/14
Date

Comments:
Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment maybe required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/arp

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822

Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

Peter S. Calvo
Acting Director

In reply refer to:
RC2011-7866

Recvd via fax 3/3/11

RECEIVED
MAR 04 2011
Department of Land Management
Time: 11:40 Intl:

POSTED 03-07-2011

March 1, 2011

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No.: 2010-53, Zone Change
Lot No.: 10100-8-5-R2, Municipality of Dededo
Applicant: James Ji, Represented by: Narcisa San Agustin

We have reviewed the above subject application and have also conducted a site visit on the subject lot and have the following comments.

The purpose of the applicant seeking an approval for a Zone Change will not affect historic properties that are within or around the vicinity of the subject lot. Therefore, we have no objections to the approval of this Zone Change Application.

If you have any questions, please call us at 475-6294/6295.

Pt S. Calvo

Peter S. Calvo
Acting

Uba

Francisco Figueroa
Mari Kosaka-Figueroa
PO Box 4336 Yigo, GU 96929
Tel 633-6022/747-9957

> Received
Nov 13, 2014
(GLUC hearing)

Opposition to rezoning plan

My name is Francisco Figueroa, and I am a homeowner in the vicinity of the proposed Eden's Villa project. My physical address is 334 Chalan Kareta in Dededo, which is adjacent to proposed apt complex. The following is a list of my concerns as it relates to the rezoning and project:

- My first concern is with the scale of the project. This project does not conform to current established patterns of land use in this neighborhood. There is nothing of this size and density in the neighborhood and I feel that it will destroy the integrity of the community.

- The proposed project is not supported by existing infrastructure. The road leading to and from this proposed apt complex is small, narrow and with barely enough room for two cars on opposite direction to fit at the same time. The project will bring a lot of construction activity into the neighborhood and Chalan Kareta road leading to the project can't sustain the heavy traffic of construction along with the usual residential traffic. The road often breaks down creating pot holes that propagate due to the heavy traffic and erosion from rain. The large scale project will result in an increase in size, frequency and complexity of road damage.

- Chalan Kareta road represents a safety issue as well for pedestrians; in particular school age kids going to and from the bus stop. I often see kids running for safety as incoming vehicles approach with no room for both car and pedestrian on the road.

- I am also very concerned about the problems this project will bring into the homes closest to the apt complex. In particular the small road leading to and from the front gate of the project. That road will be closer then 20 feet to our home bedrooms. Bringing noise, pollution and lack of privacy from the heavy traffic in the small but dense area, in addition to other externalities.

- My property value will be affected and my families peace and security will be diminish. The vehicle entrance and exit from my property will have to be altered in such a way that safety will be compromised due to incoming traffic from the road and from the apt complex only entrance.

- Traffic analysis, property valuation, as well as an infrastructure analysis can be conducted in order to validate my concerns. Scale down of the project to at least a quarter will need to be considered.

- Finally I was never officially notified of this project. Only a sign by my main gate notifying of proposed project with the rezoning scheduled meetings. Was neighborhood

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Guampdn.com/~~Classifieds~~
Or call ~~(671)472-1FDN (1736)~~

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Chevy Corvette-LT1, 1994 90k Miles, Red, 6 speed, Asking $10,000 489-0697

Ford Ranger 2011 White 40k Miles, Auto, AC, CD Asking $11,000 489-0697

Hyundai Accent 2009 4 door,automatic, air cond. Asking $5,000 obo 483-5510

Hyundai Elantra, 2010 4 dr., Automatic, Black ext., 04 Cylinders, 2WD, A/C: Front, Power Locks, Power Windows, $9,000 OBO. Francyn Salas/Paul Diaz (671)479-1153/55

Toyota Avalon XL 1999 $3295 AT/AC ALL PWR MI:107K 637-8780 af 5 788-7274

Toyota Camry 2007, AT AC CD PWR, Clean, VG running cond, $6,500 obo 688-6614/971-8422

Toyota Camry LE 2001 $3,395.00 AT/AC/RADIO ALL PWR NEW PAINT 172K MI 637-8780

Toyota Celica, 2004, 86231 mi., Automatic, Good cond., Silver ext. $6,500. OBO, (671)488-5495

Toyota Corolla '07 Silver 83K mi. $6k, very clean,excellent a/c, ***SOLD***SOLD***SOLD***

Toyota Corolla, 2005 ac radio tires new clean inside automatic, $4500 obo. (671)797-1985

Toyota Corolla Wagon 1991 AT AC 4 door, Needs some work $500 as is, 688-6614 or 971-8422

Toyota Prius, 2010 70000 mi., excellent cond., Silver ext., AC, leaving the island, $10500. (671)489-8872

Toyota Tercel 1998 A/C A/T $1750 Tel# 637-8780 af 5:00 788-7274

Motorcycles, Scooters

HD Dyna Superglide Custom, '09,Low miles, upgraded exhaust/intake Excellent condition, $8,000 obo John (671)998-1662

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Agana Hts, Yard sale, 174 Fonte Rd Sat: 6am-1pm. Multifamily-clothes,fridge,water heater, misc. items. Dir: Signs posted from 7th day adventist 486-7846

ANIGUA 158 BRADLEY PL. SATURDAY ONLY 6:30-10 GRY/BLU HSE-BHND FLAMINGOS

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Tamuning, Guam 96931

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Tamuning Sat 8/8 6am-1pm 177 veronica wy Jonestone Tam. leaving the island

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Jack Russell Terrier 8 weeks 4M/2F 1st shot/wmr $350 each Call Denise @ 486-7949

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General

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GUAM SEAWALKER TOURS Looking for Drivers: Must have Chauffeurs License and Traffic Clearance. Divers: Must be PADI or NAUI open water certified. Police clearance required with all applications before acceptance. Apply at Seawalker office next to 76/Circle K Gas Station. No calls please.

Head Auto Mechanic w/3yr min exp. Pol/Court clearance req'd Apply at Ace Auto Port, Yigo.

General

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Real Estate
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Apartments-Rent

Dededo Brand NEW 2-3BR/1BA $850-$1300,Sec Dep+1st Mo a must. Showing 10am-1pm M-S. No Sub Agent 483-0723 P.B.,G.D

Mangilao UOG Drive 2 bedroom & Studio Fridge/Stove, AC 734-1234

Tamuning 1 Bedrm Roommate Free Pwr/Wtr $400 Call 483-5585

Condo Townhome Rent

Agana Hts Cliff Condo 1br Fullfurn,OceanVw,Swim pool, Genrtr. Sec. 472-2239/477-1307

Homes-Rent

Barr. 3br/2ba 653-1300 Tumon,2br near DFS, water cble trsh incld, military + sec8 ok

Barrigada 3bd/1.5ba $1200/mo, 1 car garage, A/C, Stove, Refrigerator, Sec 8 OK 686-9177

Barrigada $700, 2 bdrm, 1 ba, concrete, gar, laundry unfurnished, 734-5807 after 1pm.

Dededo Ironwood 3/4 Bedroom Sec 8 OK. For pics & info visit www.ironwoodguam.com

Mongmong 2bd/1ba Nice Area, Newly Painted 777-4671

Nimitz Hill 3-bd 2-ba Home Quiet Neighborhood, Military & Section 8 Welcome 988-9312

Sinajana 2 bdrm 1 bath. Across Payless Supermarket Sec 8 ok $750mo. 888-1775/898-7627

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Mangilao UOG Dr. 1st floor 1,000sqft Store. 2nd floor 1,000sqft Office/Store 477-8833

Tamuning 1500SF Commercial Space, Fronting Marine Dr. Next to Pizza Hut. 788-5044

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Announcements

Serta"Donald Trump"King Size bed $600, Chocolate plush recliner,love seat $240, Office chair $125, Computer Desk w/hutch $99, Macy's Queen Size Bed Comf. Set(8pcs) $70, Oriental style bureau $225 & More! Leaving Island489-0697

Appliances

Hospital Bed $250, Ref $350, Sofa Set $350, Wheelchair $75 tv $200 obo Misc items 486-5617

NEW 55cup gas rice cooker$500. Ki Aid Food processor $200. Roaster/cooker $175. Stainless steel cookware $300. 55cup coffee maker $100 Call #789-1836

Appliances

Ref/wshrs$200&up,Elc Dryr$180. Fullsize bd$230,AC6.5BTU $135, Upryt-Frzr $300. 888-7039

Cemetery Lots

Guam Memorial Park, Garden of Resurrecion, Burial Lot 44 Site 9 &10 (burial 4 people) Selling @ $11,780 OBO. Funeral service plans & 2 caskets selling @ $8,190 OBO Contact #727-9668 or Email: jdiaz25@cox.net

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PacificDailyNews
GuamPDN.com

Guam Solid Waste Authority Board of Directors Meeting

11:00 a.m. Wednesday, July 12, 2015
Small Conference Rm. Adelup

The Guam Solid Waste Authority Board of Directors will have a board meeting on Wednesday July 12, 2015 at 11am in the Small Conference Room, Ricardo J. Bordallo Governor's Complex, Adelup, Guam. The public is invited to attend this regular meeting.

AGENDA: Call to Order, Roll Call, Approval of Minutes, Reports, Unfinished Business, New Business, Open Discussion, Public Forum, Next Meeting Date, Adjournment

Individuals requiring special accommodations, auxiliary aids or services should contact Guam Solid Waste Authority by calling 646-3111 or e-mailing customerservice.gswa@gmail.com

GUAM LAND USE COMMISSION

Department of Land Management
ITC Building, Third Floor, Tamuning, GU
P.O. Box 2950, Hagåtña, Guam 96932
Telephone: (671) 649-5263, Facsimile: (671) 649-5383

AGENDA

A regular meeting of the Guam Land Use Commission will be held on Thursday, August 13, 2015 at 1:30 pm, at the Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning.

I. Roll Call
II. Approval of GLUC Minutes - June 25, 2015
III. Old or Unfinished Business

Zone Change

A. James Ji; zone change from "A" to "R2" for the proposed construction of a 32-unit, 2-storey condominium structure, Lot #10100-8-5-R2, Dededo.[2010-53][Continuation-GLUC, 11/13/14]

IV. New Business [None]
V. Administrative & Miscellaneous Matters
VI. Adjournment

Funding Source for this ad provided by the Applicant(s) above. Person(s) requiring special accommodations please call 649-5263 Ext. 375.

GUAM POWER AUTHORITY

ATURIDÅT ILEKTRESEDÅT GUAHAN
P.O. BOX 2977
AGANA, GUAM U.S.A. 96932-2977
Telephone Nos. (671) 648-3054/55
or Facsimile (671) 648-3165

Joseph T. Duenas
CCU Chairman

John M. Benavente, P.E.
General Manager

INVITATION FOR BID

This notice is paid for by the GUAM POWER AUTHORITY REVENUE, O&M AND SELF INSURANCE FUNDS.
Public Law 26-12

BID NO.:	MANDATORY PRE-BID/SITE VISIT:	TIME:	DUE DATE:	TIME:	DESCRIPTION:
GPA-067-15			08/20/2015	2:00 P.M.	Pad Mounted Transformers
GPA-075-15	08/18/2015	9:00 A.M.	08/26/2015	10:00 A.M.	New 80 MVA Power Transformer for the Cabras Unit No. 1
GPA-076-15			08/20/2015	2:30 P.M.	Pole Mounted Transformers
GPA-077-15	08/14/2015	9:00 A.M.	08/25/2015	2:00 P.M.	Repair/Refurbishment of a BT5092 Series Crane

Bid packages may be picked up at the GPWA Room 101, Procurement Office, 1st Floor, Gloria B. Nelson Public Services Building, 688 Route 15, Mangilao, Guam 96913. All interested firms should register with GPA's Procurement Division to be able to participate in the bid. Please call our office at 1 (671) 648-3054 / 3055 to register. Registration is required to ensure that all "Amendments and Special Reminders" are communicated to all bidders throughout the bid process. Procurement instructions are posted on the Authority's web site at http://guampowerauthority.com/gpa_authority/procurement/gpa_current_rfps.php#.

ATTACHMENT 6

GUAM LAND USE COMMISSION

Chairman Lawrence S. Rivera
Vice Chairman John Z. Arroyo
Commissioner Conchita D. Bathan
Commissioner Tricee P. Limtiaco
Commissioner Victor F. Cruz
Commissioner Tae S. Oh
Commissioner, Vacant

Michael J.B. Borja, Executive Secretary
Kristan Finney, Assistant Attorney General

AGENDA – Disposition

Regular Meeting

Thursday, August 13, 2015 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

I. Notation of Attendance [X] Quorum **1:50 p.m.** [ ] No Quorum

Present were: Chairman Lawrence Rivera, Commissioners Victor Cruz, Tae Oh, Conchita Bathan and Tricee Limtiaco; Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Chief Planner Marvin Aguilar, Recording Secretary Cristina Gutierrez.

[Excused: Vice Chairman Arroyo]

II. Approval of Minutes

- GLUC Regular Meeting of Thursday, June 25, 2015

Action: Commission Limtiaco's motion to approve the Minutes of June 25th was passed by the Commission unanimously; pending any corrections and/or comments to be submitted to the Recording Secretary by COB 8/13/2015. [Note: No corrections and/or comments received; Minutes approved as submitted to the Commission]

[5 ayes (Chairman Rivera, Commissioners Limtiaco, Bathan, Cruz and Oh), 0 nay]

III. Old or Unfinished Business

Zone Change

A. The Applicant, James Ji; request for zone change from "A" (Rural) to "R2" (Multi Family Dwelling) zone for the proposed construction of a 32-unit, 2-storey condominium structure on Lot 10100-8-5-R2, in the Municipality of Dededo. Application No. 2010-53. **[Continuation: GLUC Hearing 11/13/2014]**
Case Planner: Marvin Aguilar

Action: Motion to approve the applicant's request for a zone change was passed unanimously with a vote of 4 ayes, 1 nay (Commissioner Limtiaco).

IV. New Business [None]

V. Administrative and Miscellaneous Matters

- **Chief Planner was tasked to research the Notice of Action for the Holiday Resort (fka Holiday Inn) and provide a report on his findings to the Commission at its next scheduled meeting.**

VI. Adjournment [Meeting adjourned at 3:05 p.m.]

ATTACHMENT 7

Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No. 883560

On the Year 15 Month 09 Day 23 Time 3:23

Recording Fee DE-OFFICIO Receipt No.

Deputy Recorder Lisa M. Quitano

LISA M. QUITANO

Above Space for Recorder's Use only

ORIGINAL

GUAM LAND USE COMMISSION
REGULAR MEETING MINUTES

Department of Land Management Conference Room
ITC Building, Tamuning

Thursday, August 13, 2015
1:50 p.m. to 3:05 p.m.

ATTACHMENT 8

GUAM LAND USE COMMISSION
Thursday, August 13, 2015

Department of Land Management Conference Room
ITC Building, Tamuning

MEMBERS PRESENT:

Mr. Lawrence Rivera, Chairman

Ms. Beatrice "Tricee" Limtiaco, Commissioner

Ms. Conchita Bathan, Commissioner

Mr. Victor Cruz, Commissioner

Mr. Tae Oh, Commissioner

Mr. Michael Borja, Executive Secretary

Ms. Kristan Finney, Legal Counsel

STAFF PRESENT:

Mr. Marvin Q. Aguilar, Guam Chief Planner

Ms. Cristina Gutierrez, Recording Secretary

Guam Land Use Commission Regular Meeting Minutes
Department of Land Management Conference Room
Thursday, August 13, 2015 • 1:50 p.m. to 3:05 p.m.

I. Notation of Attendance

Chairman Rivera called the regular meeting of the Guam Land Use Commission for Thursday, August 13, 2015 to order at 1:50 p.m., noting a quorum.

At this time I'll go ahead and do a notation of attendance.

Present were: Chairman Lawrence Rivera, Commissioner Victor Cruz, Commissioner Tae Oh, Commissioner Conchita Bathan and Commissioner Tricee Limtiaco, Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Guam Chief Planner Marvin Aguilar and Recording Secretary Cristina Gutierrez.

II. Approval of Minutes

Chairman Rivera next item on our agenda is the approval of Minutes which is the regular meeting of Thursday, June 25, 2015.

Commissioner Limtiaco Mr. Chair, I move to approve the Minutes of the GLUC's regular meeting held on June 25, 2015 with any corrections to be sent to our Recording Secretary by end of business day.

Chairman Rivera motion for approval by Commissioner Limtiaco; second?

Commissioner Bathan I second.

Chairman Rivera second by Commissioner Bathan. Any discussion?

If not we'll go ahead and vote. All in favor of the motion for approval of the minutes say "aye" **[Chairman Rivera, Commissioners Limtiaco, Bathan, Cruz and Oh]**; all oppose say "nay."

[Motion to approve the GLUC Minutes of June 25, 2015 was passed unanimously; 5 ayes, 0 nay.]

Chairman Rivera Item 3 --- Marvin, do we have any old or unfinished business?

Marvin Aguilar (Chief Planner) yes sir.

Chairman Rivera any questions for staff?

Commissioner Limtiaco yes, I have one question. Mr. Aguilar, what is the ... this is a lot that is accessed by a panhandle. What is the minimum width of a panhandle.

Marvin Aguilar minimum allowable is 15-feet.

Commissioner Limtiaco 15-feet ... okay, thanks. And the current panhandle is 25 (feet) at its narrowest correct?

Marvin Aguilar 25 (feet), yes ma'am.

Commissioner Cruz on the panhandle it's 25 (feet) right? So, 11, 11 is 22 for travel land and everything. Is it enough to provide a walkway on the sidewalk because this is 37-sum units right? Is it big enough to provide like a sidewalk/walkway ... would it be big enough to provide the facility .... the 11-feet per lane right? 22 ... is it wide enough to provide ....

Marvin Aguilar it's actually 30 is standard ... minimum. Interestingly, because this panhandle is actually part of the land mass of the property any storm water projection or preventing any storm water coming off the property has to be include on the pan handle itself. So perhaps a sidewalk, curb and gutter type program would be required of him when he develops the ingress/egress and extending it the panhandle.

Chairman Rivera this would be the main entrance.

Marvin Aguilar yes the main entrance ... yes.

Chairman Rivera so the 25-feet Marv would accommodate both cars in and out both ways.

Marvin Aguilar as Commissioner Cruz stated that the 11-feet is the ... actually that's not the minimum that's the ....

Commissioner Cruz 11-feet is the (undecipherable).

Commissioner Oh those issues would be considered during the application process with DPW?

Marvin Aguilar the site development and the eventual building permit requirement, yeah, it will be.

Commissioner Cruz you'll indicate that it will require the sidewalk, curb/gutter and pavement.

Commissioner Cruz YSeng-Song is it over by Astumbo there or….

Marvin Aguilar Astumbo, exactly sir it comes out of Astumbo.

Commissioner Cruz oh yeah and that's actually the one that can take you all the way to Yigo right?

Marvin Aguilar no, no. The opposite will take you to Yigo that won't take you to Yigo yes.

Commissioner Cruz that leads on Marine Drive?

Marvin Aguilar that leads to Route 3. When you get out on Chalan Kareta you're approximately a quarter of a mile away from Potts Junction to the north.

Commissioner Cruz okay, alright. Because you know the interesting thing about this is that as this area gets developed there's this like "S" ….

Commissioner Limtiaco yes, that's right.

Chairman Rivera and eventually the panhandle will connect out to Chalan Kareta for this road … or this way. This is a huge public an easement.

Commissioner Cruz that's a requirement. Back then it was required because the … the panhandle used to be 40, then 50 then 60 ….

Chairman Rivera Marv, one of the … public hearing one of the issues was flooding. Of course you indicated that this will be part of the design requirement or approval as mandated by the (undecipherable). By this development would they …. of course you know you can't always stop all flooding, but would it …. help the neighbors or more or less not have more flooding problems or would it …. by having this development and having EPA and having storm drainage and things like that would that accommodate that requirement or ….

Marvin Aguilar if I understand the questions correctly; currently the property is vacant, it's raw in its … with respect to surface water runoff. It provides no protection. If there's any flooding in the area … currently right now this 5,000 plus square meter property is contributing to the flooding because it's not contained. With development, of course, the property will be forced to maintain all surface water runoff on the property. So, there's a variety of methods to do that. There's french drains, tie them into the sewer lines which is available, enclosing the property with fencing so on and so forth. Yes, the development will assist. The flooding is really a … if it comes all the way from what is known as the Munoz area (where the old firing range used to be at) it just comes around to that area. And it's not … I think it's Ironwood development that's about half-a-mile south of this property or east of this property. They're containing a lot of the storm water runoff right now because they took up a lot of the area.

Marvin Aguilar well, this is a zone change application sir; so, it's difficult unless it's a limited commercial opportunity. The measures to protect the (undecipherable) and the public can be handled during the building permit stage.

Chairman Rivera okay, any questions for staff? Okay, I guess at this time we're ready to call up the applicant.

Okay, at this time we'll go ahead and call up the applicant, Mr. James Ji --- please introduce yourself for the record please.

Narci San Agustin (for James Ji)

Chairman Rivera go ahead and do your presentation or ....

Narci San Agustin thank you so much for the opportunity and to work with Marvin and Ms. Cris. Again, following up to the November 13, 2014 meeting; Marvin had given the (inaudible due to excess noise). We're hoping at this point that the Board will consider the approval for the zone change. Marvin covered pretty much everything at this point, and so I thank you for that opportunity.

We did mention before and also in our initial just for the concern that we are putting in a catch basin. I know there was a concern about the runoff and we did mention that initially in our packet regarding the infrastructure that we are putting in catch basin to try to contain the area. And then again as Marvin had stated, during permitting process and going and according to the various agencies that we will work accordingly with their requirements to have it implemented and staged inside the (undecipherable).

Chairman Rivera yeah because one of the concern on the public hearing of course was the flooding which we discussed and the road condition. Of course the Mayor indicated that there's future plans to improve that. And the increase of traffic ... I mean that we have no control and of course the overall impact of infrastructure. And we know that area has sewer and water and it's really ... and when you go through the permitting process between GWA and they'll tell you. I'm glad that you know what ... the neighbors ... and I know the Mayor also had some concern. And I know also that they even have a solution and supporting your project.

Narci San Agustin well thank you. We are concerned about the neighbors and we do want to be good neighbors as well. We did have an interest coming off Chalan Castro, and we're hoping that maybe that will be another alternative; just working with the property owners at this point, we have nothing positive to bring forth here. But maybe during that time when we start building we may have that option. Thank you again ---

Marvin Aguilar sir for clarification; Chalan Castro if I'm not mistaken is off the continuation of Chalan Kareta which starts off right after that big turn.

throughout. Those duplexes may or may not be tied into sewer only because they may have been grandfathered in. It's an old community, and most of the duplex or half of the duplex currently where built in the mid-80's and so they didn't have a leaching field and septic tank requirement hook-up or rather public sewer hook-up requirement and they operate with septic tank and leaching field on the property.

Commissioner Cruz you're going to be building 25 units?

Narci San Agustin 32 ---

Commissioner Cruz 32-units ... we can't add any conditions in your request. You're going to be putting in that 32 units you have one kid in the unit you're going to have 32 kids going to school. So, can I ask you if you can at least help the community by building a bus stop somewhere near that to help the kids. If you've got kids instead of them walking a distance just put a bus stop....

Narci San Agustin a bus stop within close distance around the development. I think that could be a consideration. **[Ms. San Agustin confers with Mr. Ji on the request for a bus stop to which Mr. Ji replied that there were three bus stops within 500-feet of the development]**

Commissioner Cruz what I'm trying to say is that it doesn't matter if it's 500 ... just within your rights-of-way.

Narci San Agustin [addressing Mr. Ji] I think what he's saying is that there's going to ... if you have 32 units and you have one child per every unit that's 32 children. He's just asking if the complex itself would provide maybe a shelter for children waiting for busing instead of having that one maybe closest to the government point bus stop.

[Brief discussion continues on the bus shelter. Mr. Ji agrees on the additional bus shelter]

Chairman Rivera we've been this before (Sic) and it all came down to the First Lady's program. The First Lady is always for reaching out for the kids, the bus stop, the homeless and things like that. Vic is aware of that program that's why he asked of this.

Narci San Agustin that's fine because we love children too.

Commissioner Cruz because if you were going to put (undecipherable) DPW one ... and ah...close to your might be right next your ....

Narci San Agustin that's an advantage for the children as well because it's closer to home.

Chairman Rivera [addressing Chief Planner Aguilar] I know that in our last meeting we went ahead and allowed public comments. I know we did close public comments, but I see public out

Chairman Rivera during the permitting process GPA and everybody else would say ... it's like building your home. Either you do a temporary power hook-up. Sometimes if it's family they would ask if they could plug in that equipment or take water. That's usually the case it's more cultural here on Guam, but you as landowner it's up to you you don't have to do that if you don't want. He can get a temporary power from GPA, he can you know ... it's just between you the landowner it's really up to you. I remember when they built my house because my dad owns the property they were taking power from them. I'm saving money for trying to apply for temporary power hookup that's a different case that's up to.

Francisco Figueroa well I just didn't have any information on that that's I want to raise up (Sic). That's all the comments I have. Please consider this panhandle entrance distances ... correct but if you just .... for me building 32 units one car per each unit at least there's going to be a lot of heavy traffic in that area.

Chairman Rivera you know during the building permit process when the applicant goes in front of Public Works they're going to sit down and look at all this panhandle entrance and exit they'll look at other options. And if Public Works through Land Management says ... of course right now there's no other entrance but Chalan Kareta, but there is which is that Castro ...

Marvin Aguilar that's if they're able to work things out.

Chairman Rivera work things out...this might happen we don't really know what would happen during that permit. Public Works might say the right-of-way is fine cause there's 20-feet but we want you to clear this whole area out before you do this. Things like that. Right now I know ... last photo we saw looks like it's overgrown and there's little tunnel that you go in and it just seems like it's really narrow but actually ... and I'm pretty sure that once the developer starts he clean that place, clear that area.

Francisco Figueroa and I want to reiterate before I go that road is dead end. It's now blocked and that's according to the Mayor. They did it on purpose (undecipherable).

Chairman Rivera Marv, can you check onto that (Sic). I think one of the reason why is the Ironwood people was using Chalan Kareta as a shortcut and I think that's the reason why they....

Marvin Aguilar this is the first I've heard of it. My report is based on the fact that everybody else from YSengSong on up is using that road.

Commissioner Limtiaco Mr. Figueroa, I'm sorry, where is Chalan Kareta blocked?

Francisco Figueroa it used to be ... I don't know exactly the names of the roads. But at the end of the road past the golf course is on your left, there's a home on your right, it's a dirt road that use to travel all the way through that dirt road until you reach Ironwood Estates. But, right where it comes dirt road it's blocked off. I was flooded in during Typhoon Dolphin it was flooded

Chairman Rivera thank you. Any other comments out there? Narci --- I'm glad you met your neighbor. You hear his concern and .... I feel for him. His house is right next to your panhandle. You know he's the only ... well, you have two but actually he is the main neighbor involve in your panhandle. Of course like any development it's going to be traffic, noise things like that. I can't tell you really what you need to do. Consider if you were on the other side of the equation and Mr. Figueroa owns that property and you had a property there.

Narci San Agustin we definitely do have to look at the cost and see how high this wall, if any, needs to be constructed ... if it's freestanding. There's a lot of things that have to be considered as far as the cost, but we will consider trying to making him comfortable.

Chairman Rivera sure, sure. Of course we're not going to ask a 12-foot wall or anything ....

Marvin Aguilar minimum is six-feet.

Commissioner Cruz maximum is six another four-feet will do.

Narci San Agustin we'll be communicating with him and we have his contacts and definitely....and again we only (undecipherable) options and we prefer more on the Chalan Castro we just have issues with the two owners. If that is resolved then there will be no need to have to do the wall for Mr. Figueroa.

Chairman Rivera sure, sure okay. You remember .... and I just wanna re-emphasize that we had a problem with some development of your development before. Remember we called you in and ... because of flooding litigation, litigation we tried to resolve it and we did. You did your best. You did what you can. Of course your neighbors continue to say flooding, flooding. They come here they show us photos. Try to minimize that. You're only dealing with just one person now.

Narci San Agustin I understand. We'll take that into consideration. We have learned a lot through the years with you guys; I want to thank you.

Chairman Rivera I appreciate that thank you. Anyway, someone just reminded me I need to close public comment. So, I just want to do that. Any other questions for the applicant? **[Public Comments – closed]**

Commissioner Cruz just work with your neighbors that's all.

Chairman Rivera and the bus stop. Any other questions? If not, Commissioners, you want to move forward?

Commissioner Limtiaco Mr. Chair, if you will. I move to approve Application No. 2010-53 a request for a zone change from "A" to "R2" in the municipality of Dededo.

Commission Cruz so it's underground all the way out (Ms. San Agustin responds "yes."). Because you know once you put the pole it's going to (undecipherable) and everything. That's why I brought up the issue on fencing and brought the issue about working with your neighbor and everything. Your neighbor will be your best police. I'm concerned about the 25-feet...remember we had that issue on ... in Tamuning next to Shirley (Sic). That road was very narrow and sad to say we had to kill the project because of that so....it's up in the air.

Chairman Rivera okay, any other discussion? (None) If not, we'll go ahead and vote for the motion for approval by Commission Limtiaco and second by Commissioner Oh.

All in favor of motion for approval say "aye" [Chairman Rivera, Commissioners Oh, Cruz and Bathan], all oppose of the project say "no." [Commissioner Limtiaco]

Commissioner Limtiaco nay [per reason stated by Commissioner Limtiaco in her previous comments].

Chairman Rivera for the record, four aye, one no; so, it's approve it's four of us (Sic)

[Motion for approval was passed with a vote of 4 ayes, 1 nay.]

Narci San Agustin thank you. We'll work closely with everyone. Thank you again so much.

IV. New Business [None]

Chairman Rivera any new business? If no new business none ...

V. Administrative and Miscellaneous Matters

Chairman Rivera any administrative or miscellaneous matter? Okay go ahead.

Marvin Aguilar none from Planning.

Commissioner Cruz yes, I want to bring up the issue with Holiday Inn Resort. Okay uh...my understanding was that when that project was first approved they were supposed to deal with Parks and Rec and they had some sort of measures that the parking (undecipherable) issue that is there. They had an agreement between back then it's Park Hotel with Parks and Rec to maintain Matapang Beach and everything. Then now since the new owner came in somehow he just does not want to work with the agreement that was in place. And so it's been brought to the attention to me and going through the front office that uh there is issues down at Matapang Beach.

Commissioner Bathan we can enforce ... we can enforce it right whatever was ....

Commissioner Cruz for me I would like to see the NOA. I am in favor letting the Chief Planner go out and do research on that and he would basically answer all the questions that I have concerning that.

Chairman Rivera Marv, please check the NOA, review it, let us know. And if you feel that we need to call in the .... we can. If not, if we can review it informally ---

- **Lengthy discussion on comments made by Mr. Borja on a group of senior cabinet members who have been tasked to look for violators who are setting up illegal businesses at Tumon beaches, homeless and/or squatters; Commission discussion other unrelated GLUC matters.**

- **Lengthy discussion included Commissioner Limtiaco's query from the Chief Planner with regards to the Guam Seashore Protection Plan. Chief Planner responded that the Seashore Plan was still the interim plan by virtue of the Seashore Act of 1974.**

- **Light discussion on Department of Land Management's new building.**

Chairman Rivera any other questions or comments? Any other miscellaneous, if not we'll go to ..... [None noted]

VI. Adjournment

Commissioner Limtiaco Mr. Chair, I move to adjourn.

Commissioner Bathan second.

Chairman Rivera all in favor of the motion to adjourn say "aye" **[Chair Rivera, Commissioners Limtiaco, Bathan, Cruz and Oh]**, all oppose say "no."

[Motion to adjourn passes unanimously; 5 ayes, 0 nay]

Doc. No. 34GL-17-0589

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change*."**

GUAM LAND USE COMMI

Department of Land Managem
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

February 28, 2017
Date

To: **James Ji**
PO Box 6403
Tamuning, GU 96931

Application No. 2010-53

The Guam Land Use Commission, at its meeting on **August 13, 2015**.

XX / Approved ___/ Disapproved ____/ Approved with Conditions

___/ Tabled

Your request for **a zone change from "A" (Rural-Agricultural) to "R2" (Multi- Family Dwelling) to allow multi-family uses on Lot 10100-8-5-R2 in the municipality of Dededo.**

Application No. 2010-53

ZONING

XX / **Zone Change*****

___/ Conditional Use

___/ Zone Variance

[ ] Height
[ ] Density
[ ] Setback
[ ] Use
[ ] Other (Specify)

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

___/ Tentative

___/ Final

___/ Extension of Time

___/ PL 28-126, SECTION 1(a)

___/ Other

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

___/ Wetland Permit

___/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

___/ Preliminary

___/ Final

___/

MISCELLANEOUS

___/ Determination of Policy and/or Definitions

___/ Other (Specify)

APPLICATION DESCRIPTION: The Applicant, James Ji, property owner of Lot 10100-8-5-R2, requested a change of zone of the subject property from "A" (Rural-Agricultural) to "R2" (Multi Family Residential Dwelling) for multi-family residential development and use.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED** the request for a zone change as described in this Notice of Action with no restrictions or conditions.

Marvin Q. Aguilar	**Date**	**John Arroyo**	**Date**
Guam Chief Planner		**Chairman, Guam Land Use Commission**	

Case Planner: Marvin Aguilar

Cc: Building Permits Section, DPW (Attn: Mr. Joseph Guevara)
Real Property Tax Division, Department of Revenue and Taxation

==========

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CERTIFICATION OF UNDERSTANDING

I/We_____ / _____
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

_____ _____ _____ _____
Signature of Applicant Date Signature of Representative Date

==========

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

_____ _____ _____ _____
Applicant **Date** **Representative** **Date**

Reference No.: **Application 2010-53**

To: Director, Department of Land Management
Director, Department of Public Works

Upon review of the decision of the GLUC to approve the zone change and in accordance with Title 21 GCA §61634, I hereby indicate my decision below on the proposed change, and any changes approved shall be endorsed and delineated upon the zoning map, and shall constitute an amendment to such map pursuant to Title 21 GCA §61630. **PERMITS SHALL NOT BE ISSUED UNTIL THE AM\ENDMENT TO THE MAP HAS BEEN MADE.**

[✓] **APPROVED**

[ ] **DISAPPROVED**

May 30, 17

RAYMOND S. TENORIO
Acting Governor of Guam

Date

DECISION GRANTING ZONE CHANGE
(with findings)

Guam Land Use Commission

WHEREAS, the following decision of the Guam Land Use Commission is made in accordance with 21 GCA §61630, now therefore;

WHEREAS, prior to consideration of the application by the Guam Land Use Commission, a hearing on the Zone Change was held on the **26th** day of **August**, **2014**, in the Municipal District of **Dededo** where the property to be rezoned was located pursuant to Title 21 GCA §61633.

WHEREAS, notice of the time and place of the hearing was published in a newspaper of general circulation on the **16th** day of **August**, **2014** as evidenced by an affidavit of publication attached as **Exhibit A**.

WHEREAS, notice was mailed to the Mayor of the Municipal district concerned and to those landowners owning land within 500 feet of the property where the property to be rezoned is located as evidenced by the affidavit of mailing attached as **Exhibit B**.

BE IT RESOLVED, that on the **13th** day of **August**, **2015**, a hearing of the Guam Land Use Commission (GLUC) was held in accordance with notices duly issued to consider the application of **James Ji** for a Zone Change of Lot **10100-8-5-R2**, Municipality of **Dededo**.

A quorum of the Commission was present. In attendance were:

1. **Mr. Lawrence S. Rivera, Chairperson**
2. **Ms. Beatrice "Tricee" Limtiaco, Commissioner**
3. **Ms. Conchita D. Bathan, Commissioner**
4. **Mr. Victor F. Cruz, Commissioner**
5. **Mr. Tae Oh, Commissioner**

Appearing before the Commission was the applicant, **Mr. James Ji.**

Also appearing and testifying on the above project was:

None.

After considering all the statements and testimony presented by interested parties the GLUC finds that the application for zone change is granted on the following grounds: (Note: All three (3) sections should be answered.)

(a) **Public Necessity**: **The following facts support a finding that public necessity justifies the zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

(b) **Public Convenience**: **The following facts support a finding that public convenience justifies the zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

(c) **General Welfare**: **The following fact support a finding that the General Welfare of the public is best served by the granting of a zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

The members, after due consideration voted to approve the application. The vote of the members was as follows:

4 Ayes **1** Nays **0** Abstentions

This decision was adopted this **13th** day of **August**, **2015**, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

9/1/15

John Z. Arroyo **Date**
Chairman,
Guam Land Use Commission

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change*."**

GUAM LAND USE COMMISSION

Original 2

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

February 28, 2017
Date

To: **James Ji**
PO Box 6403
Tamuning, GU 96931

Application No. 2010-53

The Guam Land Use Commission, at its meeting on **August 13, 2015**.

XX / Approved ___/ Disapproved ____/ Approved with Conditions

___/ Tabled

Your request for **a zone change from "A" (Rural-Agricultural) to "R2" (Multi- Family Dwelling) to allow multi-family uses on Lot 10100-8-5-R2 in the municipality of Dededo.**

NOTICE OF ACTION **Application No. 2010-53**
James Ji
Lot 10100-8-5-R2, in the Municipality of Dededo
GLUC Hearing of: August 13, 2015

ZONING

XX / **Zone Change*****

___/ Conditional Use

___/ Zone Variance

[ ] Height
[ ] Density
[ ] Setback
[ ] Use
[ ] Other (Specify)

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

___/ Tentative

___/ Final

___/ Extension of Time

___/ PL 28-126, SECTION 1(a)

___/ Other

NOTE ON ZONE CHANGE

*****Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]**

SEASHORE

___/ Wetland Permit

____/ Seashore Clearance

HORIZONTAL PROPERTY REGIME

___/ Preliminary

___/ Final

___/

MISCELLANEOUS

___/ Determination of Policy and/or Definitions

____/ Other (Specify)

APPLICATION DESCRIPTION: The Applicant, James Ji, property owner of Lot 10100-8-5-R2, requested a change of zone of the subject property from "A" (Rural-Agricultural) to "R2" (Multi Family Residential Dwelling) for multi-family residential development and use.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED** the request for a zone change as described in this Notice of Action with no restrictions or conditions.

Marvin Q. Aguilar	**Date**	**John Arroyo**	**Date**
Guam Chief Planner		**Chairman, Guam Land Use Commission**	

Case Planner: Marvin Aguilar

Cc: Building Permits Section, DPW (Attn: Mr. Joseph Guevara)
Real Property Tax Division, Department of Revenue and Taxation

==========

==========

CERTIFICATION OF UNDERSTANDING

I/We_____ / _____
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

The Commission may grant two (2) one-year extensions of the above approval period at the time of initial approval.

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

_____ _____ _____ _____
Signature of Applicant Date Signature of Representative Date

==========

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

_____ _____ _____ _____
Applicant **Date** **Representative** **Date**

Reference No.: **Application 2010-53**

To: Director, Department of Land Management
Director, Department of Public Works

Upon review of the decision of the GLUC to approve the zone change and in accordance with Title 21 GCA §61634, I hereby indicate my decision below on the proposed change, and any changes approved shall be endorsed and delineated upon the zoning map, and shall constitute an amendment to such map pursuant to Title 21 GCA §61630. **PERMITS SHALL NOT BE ISSUED UNTIL THE AM\ENDMENT TO THE MAP HAS BEEN MADE.**

[4] **APPROVED**

[ ] **DISAPPROVED**

May 30, 17

RAYMOND S. TENORIO Date
Acting Governor of Guam

DECISION GRANTING ZONE CHANGE
(with findings)

Guam Land Use Commission

WHEREAS, the following decision of the Guam Land Use Commission is made in accordance with 21 GCA §61630, now therefore;

WHEREAS, prior to consideration of the application by the Guam Land Use Commission, a hearing on the Zone Change was held on the **26th** day of **August**, **2014**, in the Municipal District of **Dededo** where the property to be rezoned was located pursuant to Title 21 GCA §61633.

WHEREAS, notice of the time and place of the hearing was published in a newspaper of general circulation on the **16th** day of **August**, **2014** as evidenced by an affidavit of publication attached as **Exhibit A**.

WHEREAS, notice was mailed to the Mayor of the Municipal district concerned and to those landowners owning land within 500 feet of the property where the property to be rezoned is located as evidenced by the affidavit of mailing attached as **Exhibit B**.

BE IT RESOLVED, that on the **13th** day of **August**, **2015**, a hearing of the Guam Land Use Commission (GLUC) was held in accordance with notices duly issued to consider the application of **James Ji** for a Zone Change of Lot **10100-8-5-R2**, Municipality of **Dededo**.

A quorum of the Commission was present. In attendance were:

1. **Mr. Lawrence S. Rivera, Chairperson**
2. **Ms. Beatrice "Tricee" Limtiaco, Commissioner**
3. **Ms. Conchita D. Bathan, Commissioner**
4. **Mr. Victor F. Cruz, Commissioner**
5. **Mr. Tae Oh, Commissioner**

Appearing before the Commission was the applicant, **Mr. James Ji.**

Also appearing and testifying on the above project was:

None.

After considering all the statements and testimony presented by interested parties the GLUC finds that the application for zone change is granted on the following grounds: (Note: All three (3) sections should be answered.)

(a) **Public Necessity**: **The following facts support a finding that public necessity justifies the zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

(b) **Public Convenience**: **The following facts support a finding that public convenience justifies the zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

(c) **General Welfare**: **The following fact support a finding that the General Welfare of the public is best served by the granting of a zone change**:

That the application as presented by the applicant, the Application Review Committee's Position Statements submitted and the results of the Community Public Hearing satisfy the above section.

The members, after due consideration voted to approve the application. The vote of the members was as follows:

4 Ayes 1 Nays 0 Abstentions

This decision was adopted this **13th** day of **August**, **2015**, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

8/7/15

John Z. Arroyo **Date**
Chairman,
Guam Land Use Commission

AFFIDAVIT OF PUBLICATION

I, the undersigned do hereby depose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled matter.

2. I have personal knowledge of all the facts herein.

3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.

5. On **August 6, 2014**, I submitted the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Pacific Daily News, Hagåtña, Guam, a request to publish the 2x2 legal notice to appear on August 16, 2014, for Application No. **2010-53 (James Ji)** to be heard on August 26, 2014, at the Dededo Senior Citizen Center

6. This Affidavit is executed as proof of the compliance with 21 G.C.A §61633 (Hearing Date-Notice).

IN WITNESS, WHEREOF, I hereby affix my signature this _____ day of _____, 2017.

PATRICIA A. MUNA
Administrative Assistant

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 24th day of May, 2017, 2017.

Notary

TERESITA A.C. TOVES
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 13, 2019
P.O. Box 2950 Hagatna, Guam 96932

Exhibit A

Street Address:
0 S. Marine Corps Drive
ITC Building,
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
http://dlm.guam.gov

E-mail Address:
dlm@mail.gov.gu

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy

COPY

August 6, 2014

Pacific Daily News Advertising
P. O. Box DN
Agana, Guam 96910

Dear Sir/Madame:

Please publish this legal notice on a **2 X 2 inch** column, to appear on **August 16th, 2014.**

Attached are check(s)/monies amounting to **$ 146.00** to cover the enclosed advertisement fee scheduled.

Thank you for your anticipated cooperation in this matter.

Si Yu'os Ma'ase,

Marvin Q. Aguilar
Guam Chief Planner

8/07

Attachments:
Public Hearing Notice 2" x 2" = $146.00
(Government rate per inch column - $36.50)
Check(s)

ATTACHMENT A

AFFIDAVIT OF MAILING

I, the undersigned do hereby depose and state that:

1. I am an employee of the Department of Land Management, Government of Guam, and I am not an interested party in the above-entitled matter.

2. I have personal knowledge of all the facts herein.

3. I am competent to testify to the matters stated herein and would so testify in any hearing concerning this matter.

4. On **August 12, 2014, I,** Ernest V. Santos deposited in the United States Postal Service, in Tamuning, Guam, via certified return receipt mail (attached as **Attachment A**), one hundred fourteen (114) sealed envelopes, with postage fully prepaid, each containing a true copy of the Notice of Public Hearing for **James Ji *(2010-53)*** (attached as **Attachment B**) addressed to the following property owners:

1	3T LTD	T532 L4-1	500 Mariner Ave.	Barrigada GU 96913
2	Adiao, Zita L.	L10100-9-1-R1 #14	1577 Salmon Run SW	Albany OR 97321
3	Aguigui, Jose G.	L10100-8-4-2,-3	P.O. Box 986	Hagatna GU 96932
4	Andres, Alex F.	T532 L8-1	123 Hernan Cortes Ave.	Hagatna GU 96932
5	Aquino, Edric F.R.	L10100-9-1-R1 #41	P.O. Box BH	Hagatna GU 96932
6	Arriola, Frances T.	L10100-9-1-R1 #2	P.O. Box 26563 GMF	Barrigada GU 96921
7	Bachman, Reiko	L10100-9-1-R1 #68	P.O. Box 25980 GMF	Barrigada GU 96921
8	Baguio, Jamie C.	T5311 L1-8NEW-14	109 Banyan Circle	Dededo GU 96929
9	Benton, JR David Lee	T5311 L1-8NEW-5	P.O. Box 8044	Tamuning GU 96931
10	Bhojwani, Mohan	T537 B2 L1-3NEW-1	P.O. Box 2397	Hagatna GU 96932
11	Bhojwani, Mohan	T537 B2 L1-3NEW-11	P.O. Box 315332	Tamuning GU 96931
12	Bhojwani, Mohan c/o Donald Camacho	T537 B3 L1-3NEW-3	PMB 662 111 Chalan Balako	Dededo GU 96929
13	Bhojwani, Mohan c/o Elena Acosta	T537 B2 L1-3NEW-8	P.O. Box 2551	Hagatna GU 96932
14	Bhojwani, Mohan c/o Nestor & Catalina Pineda	T537 B3 L1-3NEW-4	P.O. Box 326275	Hagatna GU 96932
15	Bhowani, Mohan	T537 B2 L1-3NEW-9	5010 Bending Trail	Killeen TX 76542
16	Bhowani, Mohan c/o Arora Roces	T537 B2 L1-3NEW-10	P.O. Box 1207	Hagatna, GU 96932
17	Bilog, Marlene M.	L10100-9-1-R1 #43	P.O. Box 4784	Hagatna GU 96932
18	Blas, Frank G.	L10100-9-1-R1 #81	P.O. Box 26684	Barrigada GU 96921
19	Borja, Judith Wonpat	L10100-8-7NEW-2,-1	P.O. Box 8874	Tamuning GU 96931
20	Calilung, Roberto L. 1/3 INT	T537 L11-R4	PMB 694 136D Cayen Chando	Dededo GU 96929
21	Calvo, Ovidio R A JR	T5311 L12	P.O. Box 4217	Hagatna GU 96932
22	Camacho, Carmen Castro	T537 L1-R5	153 John Perez ST.	Yigo, GU 96929

Exhibit B

23	Campos, Leonard P.	T5311 L3	P.O. Box 8397	Tamuning GU 96931
24	Carandang, Maria Barretto	L10100-9-1-R1#92	P.O. Box 8362	Tamuning GU 96931
25	Castro, Gregorio S.	T537 L15-1,-2,-3,-4,-5,-6,-7,-8,-9,-R10	P.O. Box 2193	Hagatna GU 96932
26	Cayanan, Abel R.	L10100-9-1-R1 #42	P.O. Box 8205	Tamuning GU 96931
27	Chaco, Anthony Vincent	L10100-8-7NEW-R4	P.O. Box 6128	Tamuning GU 96931
28	Chaco, Glenda A.	L10100-8-7NEW-4	P.O. Box 5	Hagatna GU 96932
29	Crenshaw, Douglas Ray	T5311 L11	P.O. Box 6738	Tamuning GU 96931
30	Cuenca, Cezario	L10100-9-1-R1 #77	P.O. Box 12964	Tamuning GU 96931
31	David, Orlando M.	L10100-8-3-1	P.O. Box 6746	Tamuning GU 96931
32	Dejesus, Lenila A.	L10100-9-1-R1 #46	P.O. Box 12363	Tamuning GU 96931
33	Delfey, Mark Wooton	L10100-9-1-R1#56	P.O. Box 8095	Dededo GU 96929
34	Dimla JR Redentor C.	T5311 L1-8NEW-7	17361 Heights LN	Riverside CA 92503
35	Edward & Evelyn LG Trust	L10100-9-1-R1 #86	P.O. Box 21015	Barrigada, GU 96921
36	Espino, Emmanuel J.	L10100-9-1-R1 #57	120 Ilangilang LN	Dededo GU 96929
37	Fastidio, Ricardo L.	L10100-9-1-R1 #27	P.O. BOX 11596	Tamuning GU 96931
38	Figueroa, Francisco Jr	L10100-8-5-2	P.O. Box 7931	Tamuning GU 96931
39	Francisco, George A.	L10100-8-2-1	P.O. Box 8888	Tamuning GU 96931
40	Gatdula, Richard	L10100-9-1-R1 #23	P.O. Box 2890	Hagatna GU 96932
41	Giducos, Paterno	L10100-9-1-R1 #72	P.O. Box 6847	Tamuning GU 96931
42	Gillian, David B. & Nina G.	T5311 L1-8NEW-3	P.O. Box 6746	Tamuning GU 96931
43	Hauge, Michael S.	L10100-9-1-R1#69	P.O. Box 2173	Hagatna GU 96932
44	Herrera, Canata A.	L10100-9-1-R1 #30	P.O. Box 1338	Hagatna GU 96932
45	Ikehara, Dewight I. & Etal	L10100-8-3-2	P.O. Box 4598	AAFB Yigo, GU 96929
46	James Ji Foundation	T5311 L1-8NEW-16	P.O. Box 11082	Yigo, Guam 96929
47	Ji James DJ	T5311 L1-8NEW-6	P.O. Box 6403	Tamuning GU 96931
48	Kim Yeong Sae	T537 L10-4,-5,-6,-R6	382 Manzanita CT	Dededo GU 96929
49	Laxamana, Octavia R.	T5311 L10	P.O. Box 6677	Tamuning GU 96931
50	Leon Guerrero, Edward A.	L10100-9-1-R1 #26	P.O. Box 21015	Barrigada, GU 96921
51	Leon Guerrero, Stephen F.	T537 L11-3	P.O. Box 21746	GMF Barrigada GU 96921
52	Lizama, Melva	L10100-8-4-1	P.O. Box 3636	Hagatna GU 96932
53	Lozano, Terrence G.	T5311 L1-8NEW-11	P.O. Box 8424	Tamuning GU 96931
54	Lum-Erickson Libby D K	T5311 L1-8NEW-15	3075 Ala Poha PL APT 2008	Honolulu, HI 96818-1690
55	Macaraeg, Modesto L Etal	L10100-8-8-2	155-B Gloria Circle	Dededo GU 96929
56	Magbitang, Ronnie Miranda	L10100-9-1-R1 #7	P.O. Box 315472	Tamuning GU 96931
57	Malig, Pedro	L10100-9-1-R1 #1	PMB #51 535 Chalan Pale R.H.	Yigo, GU 96929
58	Manalac, Rudolfo	L10100-9-1-R1 #19	PMB 308 111 Chalan Balako	Dededo GU 96929
59	Mangrobang, Carlos A.	L10100-9-1-R1#93	P.O. Box 4417 AAFB BR	Yigo, GU 96929
60	Melissa B. Savares	Mayor of Dededo	P.O. Box 786	Hagatna GU 96932
61	Mendiola, Edward L.	L10100-9-1-R1#61	228 Katsadan Paluma ST	Yigo, GU 96929
62	Miler, Jeffrey S.	T532 L5-1	P.O. Box 4394	Yigo, GU 96929
63	Nacpil, Lorde	L10100-9-1-R1 #74	P.O. Box 12483	Tamuning GU 96931
64	Natnat Pedro S.	L10100-8-5-1	408 Santa Monica ST	Dededo GU 96929
65	Nolte, Mary B.	L10100-9-1-R1 #58	225 Chalan J. Kindo ST.	Santa Rita, GU 96915
66	Oakes, Armando	L10100-9-1-R1 #13	P.O. Box 1338	Hagatna, GU 96932
67	Ocampo, JR Maximo H. 1/3 INT	T537 L11-R4	PMB 636 136 D Kayen Chando	Dededo GU 96929

68	Ocampo, Marites C.	L10100-9-1-R1 #10	P.O. Box 11319	Tamuning GU 96931
69	P & C Coorporation	T537 L11-2	P.O. Box 12554	Tamuning GU 96931
70	Pangelinan, Francisco J.	T537 B3 L1-3NEW-5,-6,-7	P.O. Box 20081	GMF Barrigada Gu 96921
71	Pascual, Mario	L10100-9-1-R1 #71	196 Carlos LN	Mangilao, GU 96913
72	Pastones, Francisco F. JR.	L10100-9-1-R1 #85	P.O. Box 2882	Hagatna GU 96932
73	Quenga, Raymond L. & Alana B. Abraham	T5311 L1-8NEW-4	P.O. Box 6906	Tamuning GU 96931
74	Reyes, Corazon A.	L10100-9-1-R1 #82	P.O. Box 7260	Tamuning GU 96931
75	Rodriguez, Julius L.	T5311 L1-8NEW-12	P.O. Box 4638	Hagatna GU 96932
76	Rolinski, Ricardo M.	L10100-8-3-3	P.O. Box 1199	Hagatna GU 96932
77	Salonga, Alberto S.	T532 L7-R1	P.O. Box 8560	Tamuning GU 96931
78	Samson, Isidro M.	L10100-9-1-R1 #59	P.O. Box 11319	Tamuning GU 96931
79	Samson, Santiago	L10100-9-1-R1 #60	P.O. Box 8044	Tamuning GU 96931
80	Santos, Richard John	T532 L4-R1	144 Dikiki Court	Dededo GU 96929
81	Scaife, Marie c/o Luz Dollahan	L10100-9-1-R1#84	P.O. Box 20703	Barrigada, GU 96921
82	Scherer, David G.	T5311 L2-2,2-3,2-4	P.O. Box 25569 GMF	Barrigada, GU 96921
83	Schrage, Phillip M.	T532 L5-R1	P.O. Box 20068	Barrigada, GU 96921
84	Shen, Chi Hwa	T5311 L2-5-1,2-5-R1	P.O. Box 2246	Hagatna GU 96932
85	Six D Enterprises	L10100-9-1-R1 #4,#5,#6	P.O. Box 6840	Tamuning GU 96931
86	Six D Enterprises	L10100-9-1-R1 #8	P.O. Box AD	Hagatna GU 96932
87	Six D Enterprises	L10100-9-1-R1#90,#91	P.O. Box 10693	Tamuning GU 96931
88	Soraino, Claro T.	T5311 L2-4	225 San Nicolas LN	Talofofo, Gu 96915
89	Spalding, Erik Rivera	T537 L10-3,	P.O. Box 8500	Tamuning GU 96931
90	Sullivan, Lawarence L.	T5311 L1-8NEW-2	Waialae Ave#5-408	Honolulu, HI 96716-5330
91	Sun Chyan Shyan Chain c/o Christine Taylor	T5311 L14	P.O. Box 26587	Barrigada, GU 96921
92	Suplido, Regino S.	L10100-9-1-R1 #70	P.O. Box 11319	Tamuning GU 96931
93	Taitano, Mary E. 1/3 INT	T537 L11-4	356 Sunswept ST	San Diego, CA 92114
94	Tamares, Neil S.A.	L10100-9-1-R1#89	142 Seaton Blvd.	Hagatna GU 96932
95	Tanaka, Sandra	L10100-9-1-R1 #24	179 Akea ST	Hilo, HI 96720-5503
96	Tanimoto, Viki L.	L10100-9-1-R1 #3	60 Dona Lane	Dededo GU 96929
97	Taylor, Steven Edward	T5311 L4	P.O. Box 4182	Yigo, GU 96929*
98	Templo, Jade H.	L10100-9-1-R1 #52	120 Cristina Lane	Dededo GU 96929
99	Terbio, Albert	L10100-9-1-R1 #54	P.O. Box 11319	Tamuning GU 96931
100	Terpstra, Grant	L10100-9-1-R1#88	9723 Mallard Drives SE	Lacey, WA 98513
101	Tianco, Renato	L10100-9-1-R1 #9	61 East Melrose ST	Valley Stream NY 11580-4610
102	Tinoso, Chris Estrada	L10100-9-1-R1 #39	P.O. Box 6747	Tamuning GU 96931
103	Toledo, Demetrio B.	L10100-9-1-R1 #76	PMB 282 111 Chalan Balako	Dededo GU 96929
104	Tom Alan P S	L10100-9-1-R1 #29	1826 Tacoma Ave	Berkeley, CA 94707-1912
105	Torres, Thomas A.	T5311 L2-R5	128 Nanas CT	Mangilao, GU 96913
106	Toy, Keith L.	T532 L7-1	P.O. Box 7026	Tamuning GU 96931
107	Ulloa, Alvin J.	L10100-8-7NEW-3	P.O. Box 20246	GMF Barrigada Gu 96921
108	Valencia, Jennifer R.	L10100-9-1-R1 #22	P.O. Box 11356	Tamuning GU 96931

109	Vales, Conrado G.	T5311 L5	25087 Pioneer Way N.W.	Poulsbo Wa. 98370
110	Villaverde, Ruel	L10100-9-1-R1 #11	P.O. Box 8205	Tamuning GU 96931
111	Washignton, Rodney W.	L10100-9-1-R1 #32	P.O. Box 7163	Agat, GU 96928
112	Williams, Michael B.	T5311 L1-8NEW-1	P.O. Box 4561	Yigo, GU 96929
113	Wong, Anthony	L10100-9-1-R1 #78	2030 34th Avenue	Oakland, CA 94601
114	Yanga, Marie A.	L10100-9-1-R1 #12	P.O. Box 27153	Barrigada, GU 96921

5. The above referenced names and addresses are those of the landowners owning land within five hundred (500) feet of the property for which rezoning is requested, including notice to the Commissioner of the Municipal District concerned

6. This Affidavit is executed as proof of the compliance with 21 G.C.A §61633.

IN WITNESS WHEREOF, I hereby affix my signature this 25th day of May, 2017.

Ernest V. Santos
Land Agent Supervisor

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 25th day of May, 2017.

TERESITA A.C. TOVES NOTARY PUBLIC IN AND FOR GUAM, U.S.A.

Notary

TERESITA A.C. TOVES
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JULY 13, 2019
P.O. Box 2950 Hagatna, Guam 96932

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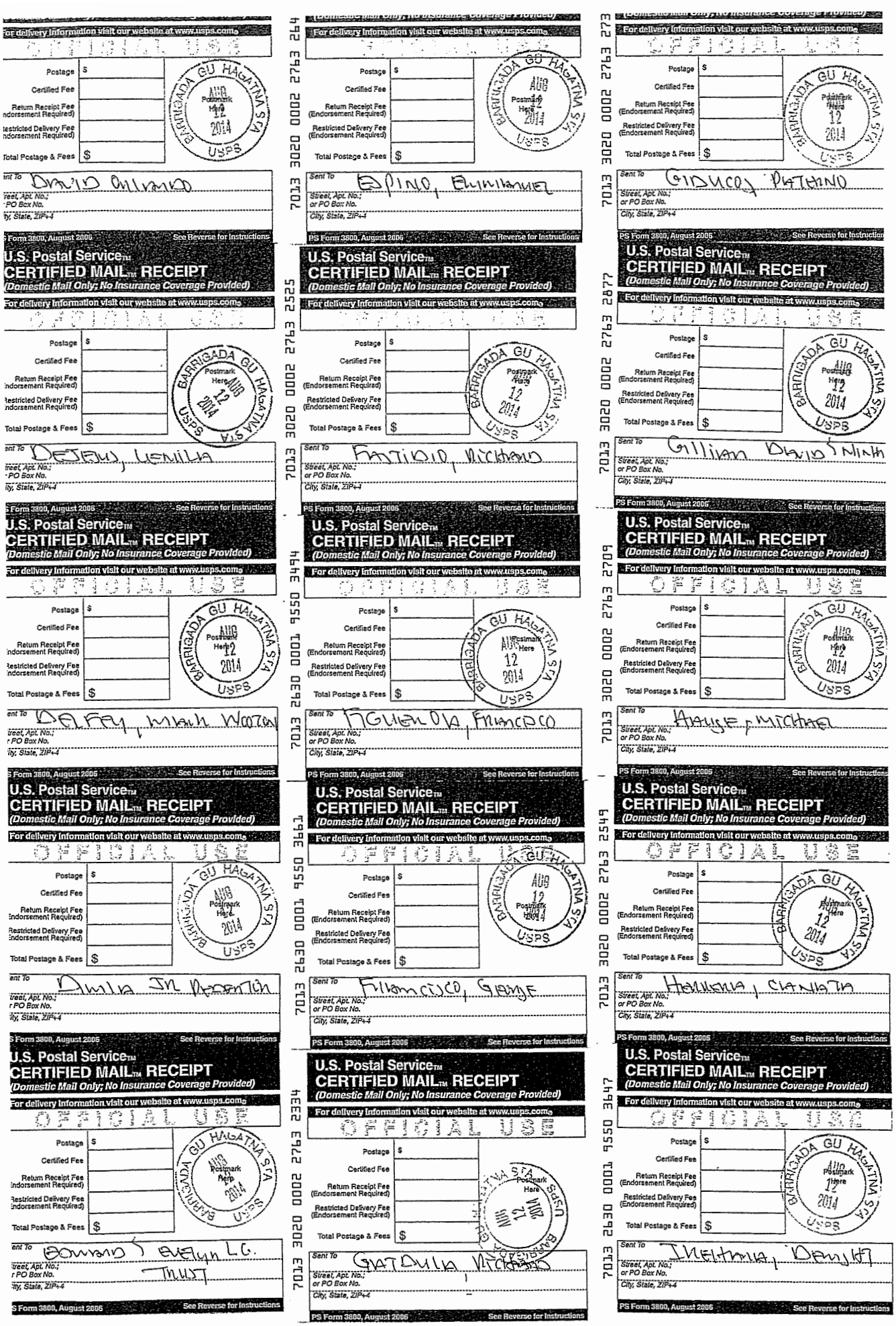
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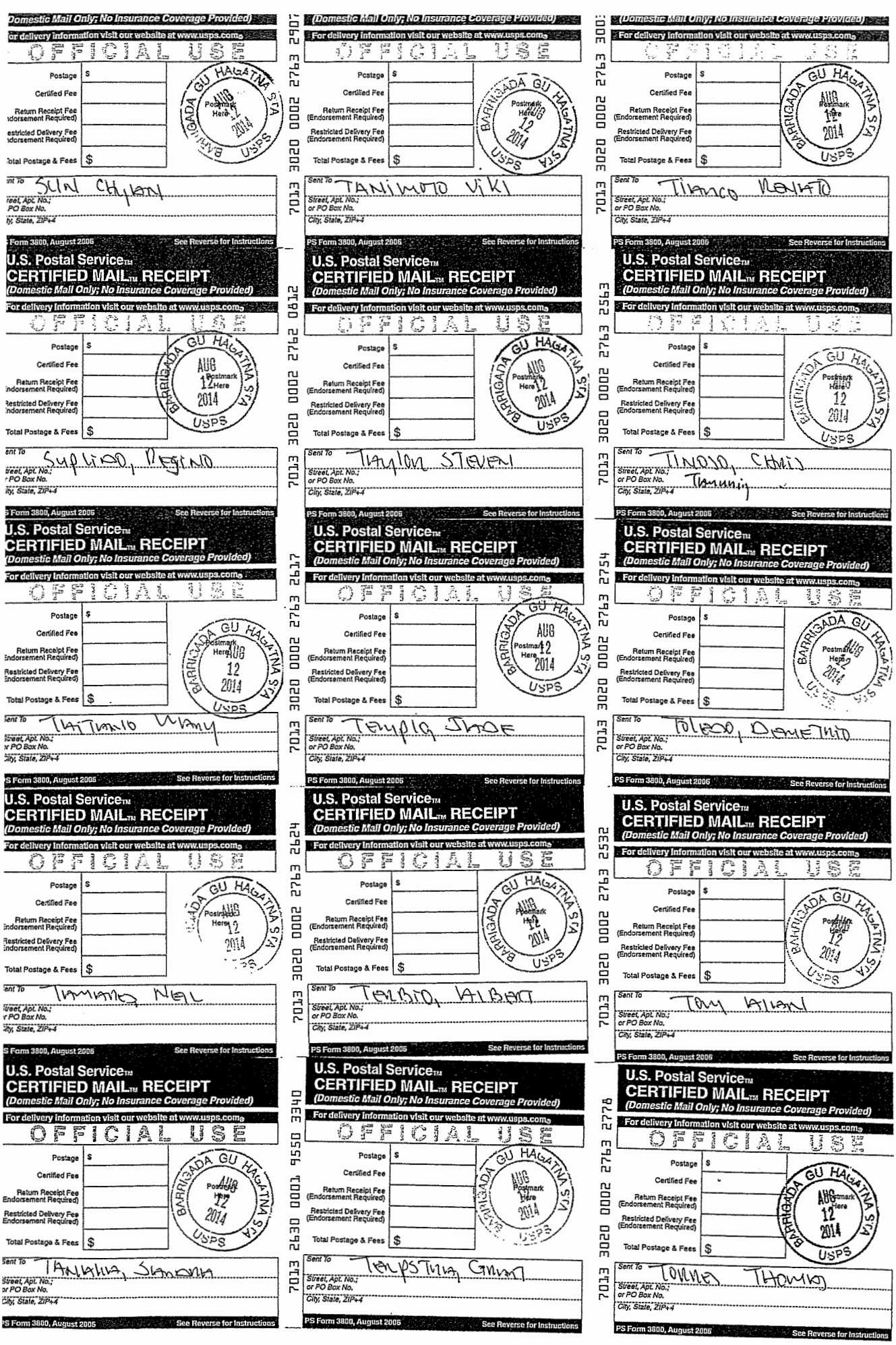
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DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(Government of Guam)

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy

Street Address:
590 S. Marine Corps Drive
ITC Building,
Tamuning, GU 96913

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

[2010-53]

Website:
http://dlm.guam.gov

E-mail Address:
dlm@mail.gov.gu

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

August 6, 2014

Dear Sir/Madam:

An application has been filed with the Guam Land Use Commission (GLUC) by:

The Applicant, James Ji, request for a Zone Change from "A" (Rural) to "R-2" (Multi-Family Dwelling) zone for a proposed 32-unit dwelling on Lot 10100-8-5-R2, in the Municipality of Dededo, under Application 2010-53.

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

PLACE:	**Dededo Senior Citizen Center**
DATE:	**August 26, 2014, Tuesday**
TIME:	**6:00 p.m.**

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the review process and to express your opinion on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before, **August 25, 2014, Monday.** Written comments should be addressed to:

Chairman, GLUC or Executive Secretary, GLUC
c/o Department of Land Management
Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932



ATTACHMENT B

2010-53
James Ji
Zone Change
Date Accepted: 27-Jan-11
Case Planner: MarvinA

DOC NO 34GL-11-0589

ZONE CHANGE

Lot No. 10100-8-5-R2
Route 3
NCS, Guam

JAMES JI

ATTACHMENT 2

JAMES JI

January 6, 2011

To: Mrs. Anisha Terlaje
EXECUTIVE SECRETARY
Guam Land Use Commission
c/o Planning Division
Department of Land Management
Government of Guam
PO Box 2950
Hagatna, Guam 96932

Dear Ms. Terlaje:

Enclosed herewith as the application for a Zone Change to rezone Lot No. 10100-8-5-R2 from an "A" (rural) zone to an "R-2" (multi-family residential). The subject lot is located within the municipality of Dededo, Guam and contains a total land area of 5,542 square meters or 59,653 square feet.

My petition is for a Zone change request through the Guam Land Use Commission is for the purpose of constructing a 32 unit 2 story condominiums with an area of 1,120 square feet per each unit.

I had acquired the property via warranty deed on August 2, 1010. The property is currently vacant and is about 155' from public sewer and (8") and about 190' from water (6") access. The surrounding areas in the vicinity consist of houses, townhouses, apartments and the Del Carmen Condominium.

North of the property is the Starts Golf course and Anderson Air Force Base. South of the property is the Naval Communications Center; McDonalds; Gas Service Station and Retail stores. East of the property is the Micronesian Mall.

The topography of the property is flat with a slight slop of about 5%. The soil is a mixture of dirt and gravel rocks.

There are two (2) legal access to the property: One would consist of a 50' long by 25' wide right of way exiting a 50' wide public highway from Chalan Karata and the other would be a 40' wide entrance from Chalan Castro.

The development of this project would increase the value on rural land and would further allow a visible to round off dead ends or no through roads.

Sincerely,

James Ji

PO BOX 6403 TAMUNING, GUAM 96931
PHONE: 671-477-9219/9220 • FAX: 671-477-2030
EMAIL: JENT@GUAMCELL.NET

I. Intent and Purpose

James Ji proposes to construct a two-story 32-unit condominium. The proposed project will be located on Lot no. 10100-8-5-R2, located within the Municipal District of Dededo. The property is currently zoned "A" (Rural) and contains a cumulative land area of 5,542 square meters or 59,653 square feet.

II Authority

A zone change request through the Guam Land Use Commission is petition to approve the proposed development. The request is in compliance to the provisions as outlined in Section 61630 through 61637et seq., Part 3 changes of Zones of Article 6, chapter 61 – Zoning Law, Title 21, Guam Code Annotated.

III Location

Lot No. 10100-8-5-R2 is located with the Municipal District of Dededo. It is specifically located at Chalan Kara Street from the rear and chalan Castro from the property frontage. The ingress and egress to the project site is a 50' wide public highway from Chalan Karata and a 40' feet wide access from Chalan Castro.

IV Site Description

Lot no. 10100-8-5-R2 is currently vacant with no permanent or tempory structures within its boundaries. The project site contain a cumulative land area of 5,542 squire meters or 59,653 square feet and is currently zoned "A" (Rural). The property is accessible via Chalan Karata Street with a 50' wide public access and Utility Easement (See property map) and 40' wide public access from Chalan Castro.

Connectivity to right of ways

Subject lot abuts Lot 10100-8-r-1R/W; which in turn, connect to Lot 101009-R1-R/W to the north; and in which Lot 10100-8-5-1R/W also connects to Lot 10100-8-R10-R/W.

The property will be cleared of all floral, topographically; the property is relatively flat with a slight slop of 5% with no ponds or streams occurring within its boundaries. The property will be fenced on its rear; right; left and front side yards with a chain link fence on tope of concrete.

The underlying soils consists of Guam's cobbly clay loam, 3 to 7 percent slopes. Shallow and well-drained soil on limestone plateaus make this call of soil poorly suited to subsistence farming, being the main limitations is the very shallow soil depths and doughtiness. Runoff is slow and the hazard of water erosion is slight. The need for a community sewage system would be required to prevent contamination of ground water. There is no known archeological or historical resources where located with the project boundaries.

V Project Description

The proposed project entails the construction of a 32-unit 2-story condominium. The on-site improvement will consist of 70 parking stalls with two accessible parking stall; a catchments system to handle all surface runoffs within the project boundaries and a 5 foot high cyclone fencing along the 4 sides yards of the property. All utility infrastructures such as power, water and sewer to service the project will be located Chalan Karate Street and within the property boundaries.

VI Project analysis

I Density

Zoning, land-use, land area, and the availability of sewer system were the basis of determining the density of a lot. The project site is presently zone "A" (Rural) and is accessible to a public sewer system. The density of the project site under it current zoning designation equates to 9,600 square feet lot per area. With the zone change from "A" (Rural) to "R2" (Residential), the density of the project would equate to 1,250 square feet lot per area. Dwelling units with sewer. The proposed project plans does include the construction of a 32-unit two-story condominium.

Ii Height

The height limitation for the proposed project is determined, based on its zoning and uses within the zone. The project proposes for the construction of 32-unit 2-story condominium with a maximum building height of 17 feet incuse from ground level to the apex of the building.

II. Setbacks

The minimum requirement for the setback of the structure would be in compliance of the required 15 feet since this is a front line lot.

IV parking

Parking requirements of the project will be in conformance to Part 4 of Article 5, zoning law. The criterion for parking under the proposed project was based on its proposed use as a condominium. A total of 70 Parking spaces including 2 disable accessible parking stalls are being proposed.

VII Infrastructures

General utility service for power, water, sewer and telephone are available on the access road in both the front and the rear of the property.

Water

A 6" waterline will be used to service the demand of the proposed development. This line will then be tied into a backflow preventer to the meter which will then be connected to the existing waterline. See attached engineering calculations.

Sewer

A 8" diameter waste water line will be used to discharge the water from the proposed development onto an existing 8" sewer line located along the access rod from the rear of the property.

Power

The estimated electrical load calculations for the proposed development were based on preliminary load assumptions and conventional utilization equipment commonly used for this type of development and occupancies.

Drainage

All storm water generated within the project boundaries will be collected on site via catchments facilities. The catchments facility will then discharge the storm water

VIII Land Use

The subject lot is presently zoned "A" (Rural). The land-use of the property under its present zone is restricted to one-family dwellings, duplexes, farming fisheries, cockpits and uses customarily accessory to any of there licensed. These types of permitted land uses may not be the best desired setting to the health, safety and general welfare in the development of the property and its surrounding areas under its present zone.

Within 750'

Existing land-uses surrounding the project site within the periphery of 750-feet consists primarily of single-family dwellings; townhouses and duplexes.

Within 500'

Existing land-uses surrounding the project site within the periphery of 750-feet consists primarily of single-family dwellings; townhouses and duplexes.

The proposed land-use change will provide an improvement to the lot and increase the quality of life in the area. Impacts associated with the proposed development will exhibit an orderly form of development. The impact on the environment of the area by the proposed project will greatly enhance its aesthetic value. The proposed land-use of the property will be in association to the neighboring land-uses in the area.

IX. Compatibility of Project

The subject lot is presently zoned "A" (Rural). Existing land uses surround the project with the periphery of 750-feet consist of houses, apartment and condominiums; single family dwelling duplexes.

Permitted land uses on the property under its current zone consist of one-family dwelling, farming, fisheries, cockpits and uses customarily accessory to any of those listed.

X. ZONE CHANGE REQUEST

The site does not contain any known historical or archaeological resources. The surrounding zoning within the periphery of 1,000 feet consist of R-1 and A (Rural) Zone. Surrounding land-uses within the periphery of 750 consist of singe family dwellings and duplexes. The proposed project is in a reasonable association to the desired land use pattern for this area.

It is not anticipated that the proposed project will have an adverse impact to the government's ability to maintain the existing infrastructure of the area as the demand if very nominal.

Density, height, setbacks, and parking will be in compliance with the present Zoning Law. The proposed project is not expected to impost a hardship and the available resources within the area. The developmental trends on Guam have had to adhere to additional requirements, above those imposed by law, to satisfy government agencies. These components are essential to ensure an orderly development of a project and the general protection of the adjacent

landowners. The proposed development has an will integrate theses concerns in its development plans.

The proposed development will not be unreasonable detrimental, as the zone change is not anticipated to adversely alter the surrounding area drastically, artificially increase property values or decrease the government's ability

ZONE CHANGE

TO: Executive Secretary, Guam Land Use Commission
c/o Land Planning Division, Department of Land Management
Government of Guåhan, P.O. Box 2950, Hagatna, Guåhan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a *Zone Change*.

1. Information on Applicant:

Name of Applicant: JAMES J. U.S. Citizen: [X] Yes [ ] No

Mailing Address: PO BOX 6403 TAMUNING, GUAM 96931

Telephone No.: Business 477-9219 | 9220 Home: 688-4585

2. Location, Description and Ownership:

Subdivision Name: EDEN'S VILLA

Lot(s): 10100-8-5-R2 Block: _____ Tract: _____

Lot Area: Acres 1.5 Square Meters 5542 Square Feet: 59652

Village: NCS Municipality: DEDEDO

Registered Owner: JAMES J.

Certificate of Title No.: N/A Recorded Document No.: N/A

3. Current and Proposed Land Use:

Current Use: VACANT Zoned: A

Proposed Use: 32 UNIT CONDOMINIUM Proposed Zone: R2

Master Plan Designation: _____

4. **Attached a one page** typed, brief and concise justification (letter format explaining the compatibility of the proposed project with adjacent and neighborhood developments as they exist; your intentions and purpose of the Zone Change request justifying public necessity, public convenience and general welfare in accordance with ***Guåhan Code Annotated 21 GCA, Chapter 61, Section 61630.***

5. **Support Information.** The following supporting information shall be attached to this application:

a. 8 1/2" X 14" map, drawn to scale, showing existing zoning within 1000 feet radius from the subject lot's boundaries.

ATTACHMENT: Section 61630 (Requirements For Changes) and Section 61638 (Review by Municipal Planning Council is attached for your information and guidance in preparation of your Zone Change Application. For additional requirements, visit the Zoning Section, Land Planning Division.

ZONE CHANGE

5. Supporting Information (Continuation):

b. All parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contain:

(1) Lot number for every parcel(s);
(2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
(3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
(4) The nearest location of all public utilities to the subject lot;
(5) All natural or topographic peculiarities.

c. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.

d. The most recent survey map, certified and recorded at the Department of Land Management, showing the subject property.

e. A detailed As-Built Plan of the lot shall include the following:

(1) Total number and types of building;
(2) Parcel size in square meters/feet;
(3) Layouts of utilities and drainage;
(4) Proposed lot coverage of building(s) and accessories in square meters/feet;
(5) Approximate gross and net densities allowed on parcel;
(6) Feasibility study;
(7) Topography;
(8) Existing earth faults and sinkholes;
(9) Water courses and lens;
(10) Reservation, conservation and historic places;
(11) Total percentage of open spaces exclusive of parking stalls and other man-man features;
(12) Percentage of building footprint (PD only); and
(13) Compatibility to surrounding uses (PD only).

f. If leased, lease agreement (the assignment of lease and the covenant).

g. An initial comprehensive ***Environmental Impact Assessment (EIA)*** in accordance with Executive Order 90-10.

h. Additional information as required by the Guåhan Chief Planner

Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the Application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)

6. Filing Fee: Fifty Dollars ($50.00) filing fee for the first five pages, and $.25 for any additional page, under Public Law 29-02, Chapter V, Part III *(Fees and Charges Assessed by the Department of Land Management).*

7. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

"I hereby certify that all information contained in this application and its supplements is true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."

_____

(Owner(s) or Lessee(s) and Date)

_____

(Representative, if any, and Date)

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

FOR OFFICIAL USE ONLY

Date Filed: _____ Accepted By: _____

Date of Notice in Newspaper(s): _____ Date of Notice to Adjacent Property Owners: _____

Date of Public Hearing: _____

Filing Fee(s) Paid *($)*: Yes [ ] No [ ] Check [ ] Cash [ ] Other [ ] _____

Receipt No.: _____ Application Number: _____

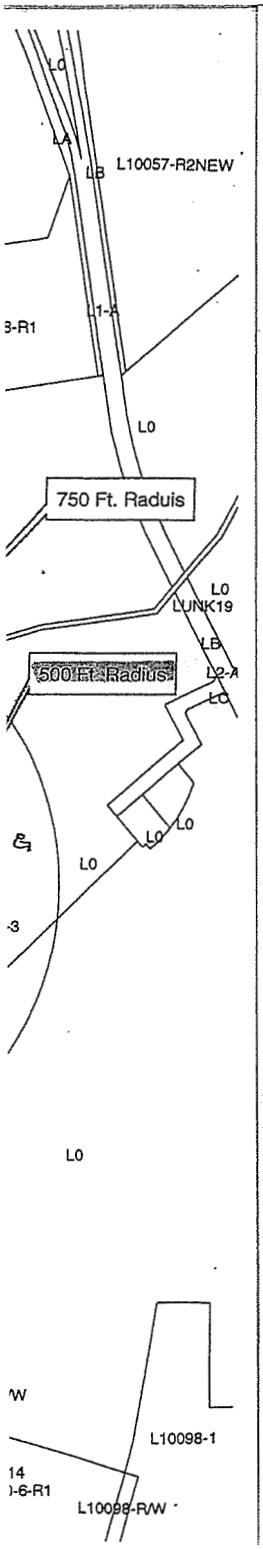
Date of GLUC Action: _____ Conditions: Yes [ ] (See Below) No [ ]

Conditions of Approval: _____

_____

GLUC Resolution No.: _____ Date of Notice of Action: _____

[redacted]



500' Radius

Land Uses

Within a 500 feet radius of the subject project lot boundaries

LEDGEND:

Subject Lot:

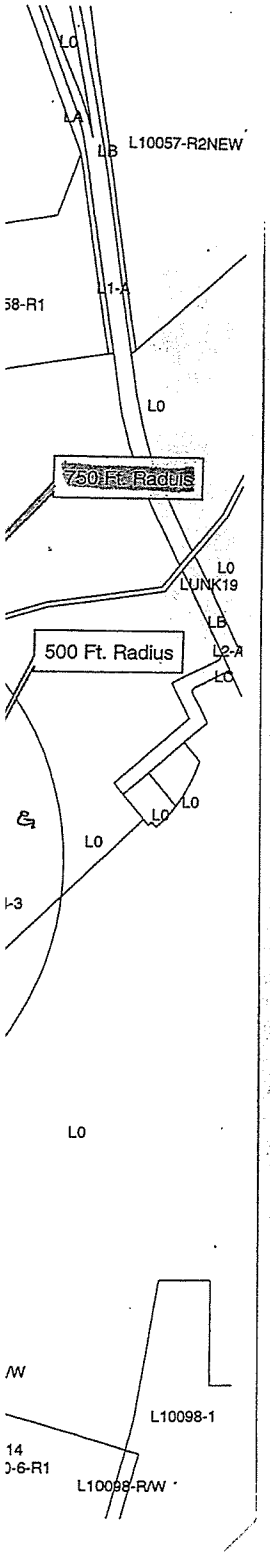
Single Family Dwelling

Duplexes and Condominiums

TS EDEN'S VILLA
), GUAM
-8-5-R2

[redacted]

Doc. No. 34GL-17-0589.



750' Radius

Land Uses

Within a 750 feet radius of the subject project lot boundaries

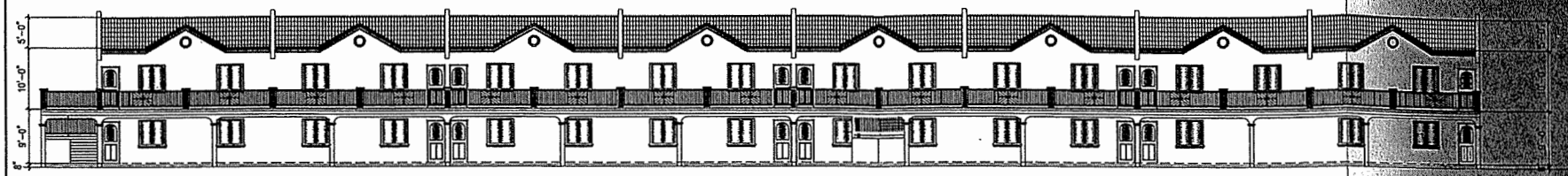
LEDGEND:

Subject Lot:

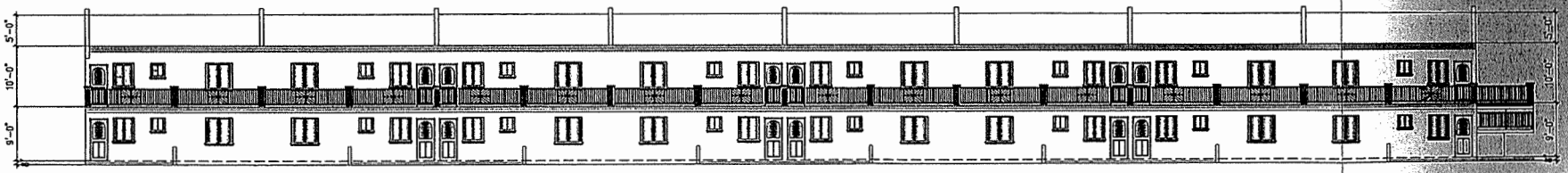
Single Family Dwelling

Duplexes and Condominiums

'S EDEN'S VILLA
, GUAM
8-5-R2

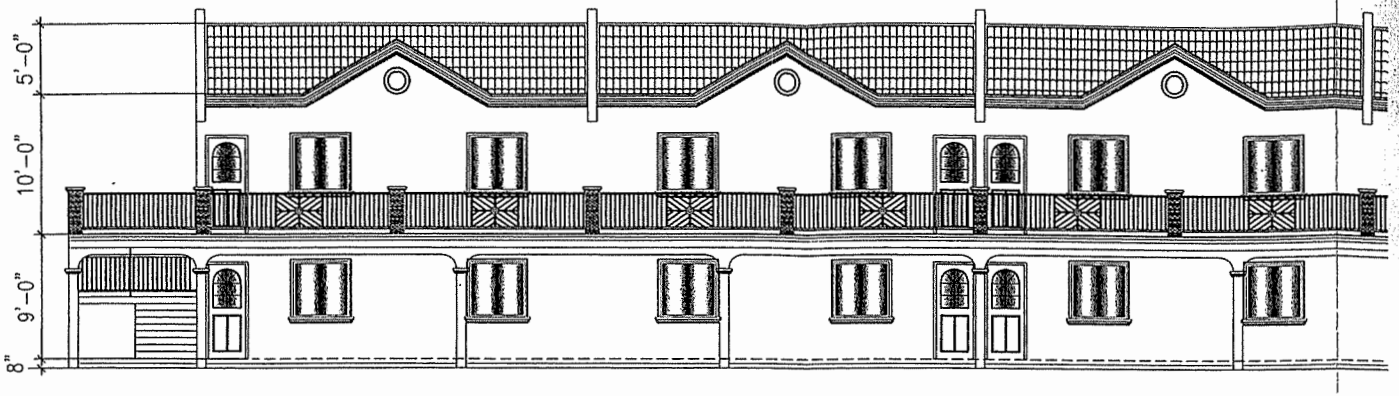


1 FRONT ELEVATION
SCALE: 1/8"=1'-0"

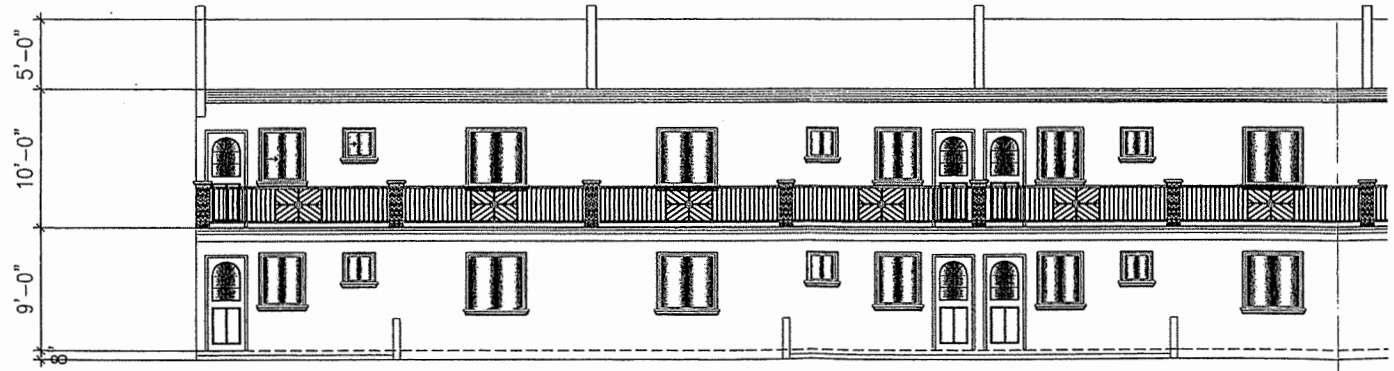


2 REAR ELEVATION
SCALE: 1/8"=1'-0"

PROPOSED 32 UNITS EDEN'S VILLA
DEDEDO, GUAM
LOT #10100-8-5-R2

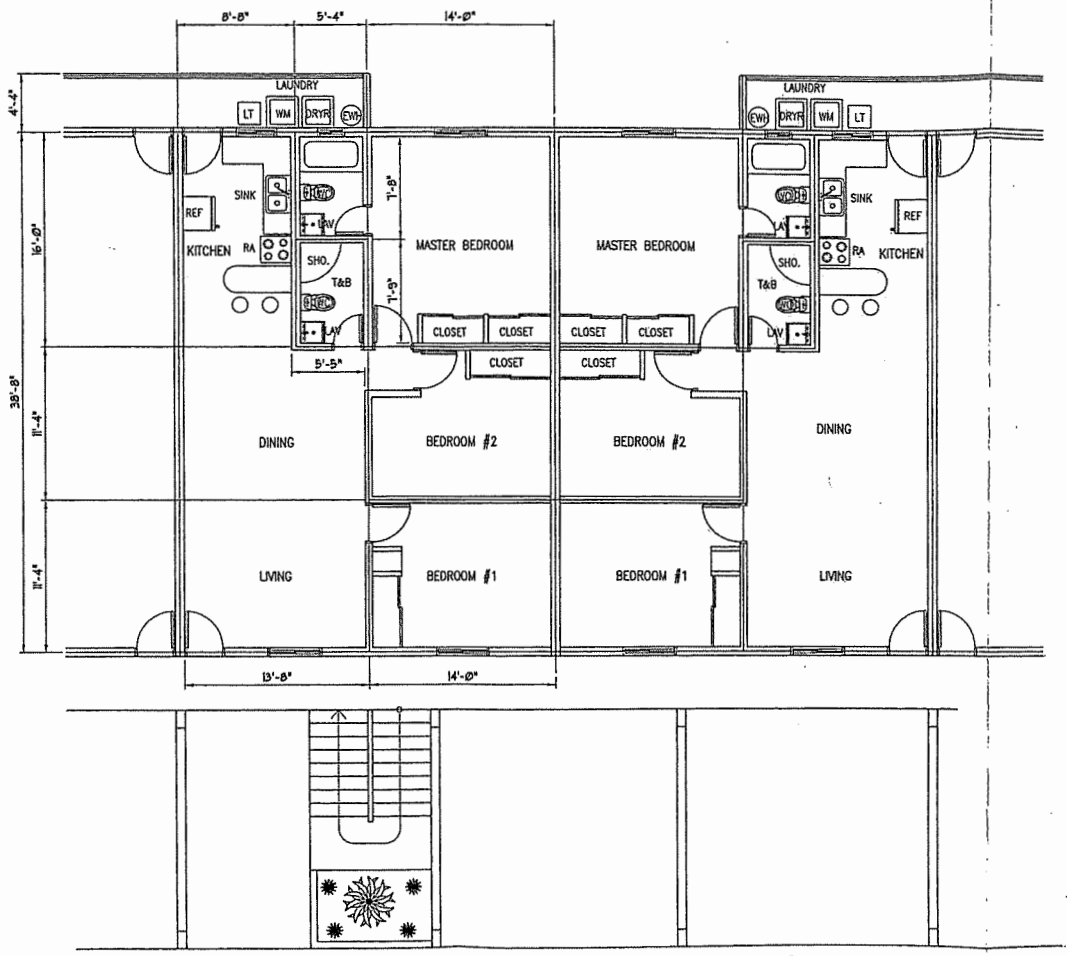


1 ENLARGED FRONT ELEVATION
SCALE: 1/4"=1'-0"



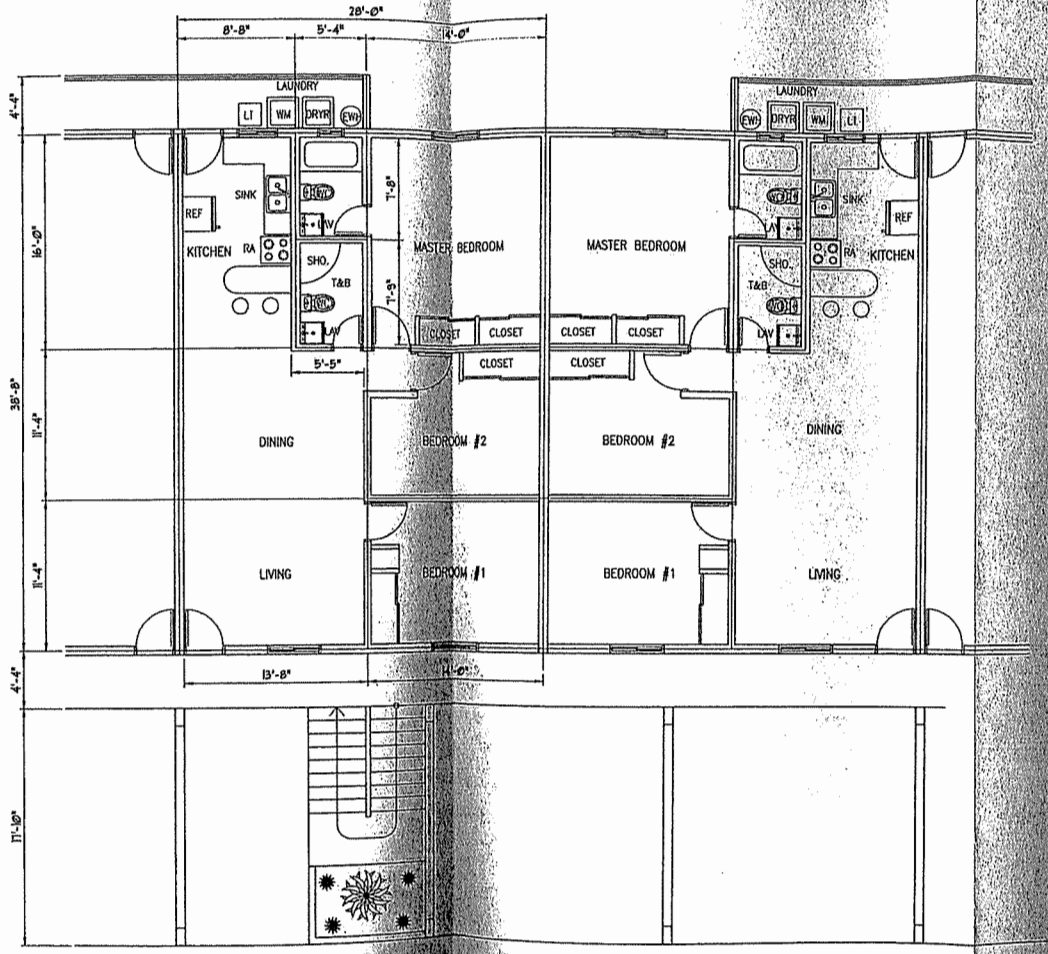
2 ENLARGED REAR ELEVATION
SCALE: 1/4"=1'-0"

PROPOSED 32 UNITS EDEN'S VILLA
DEDEDO, GUAM
LOT #10100-8-5-R2



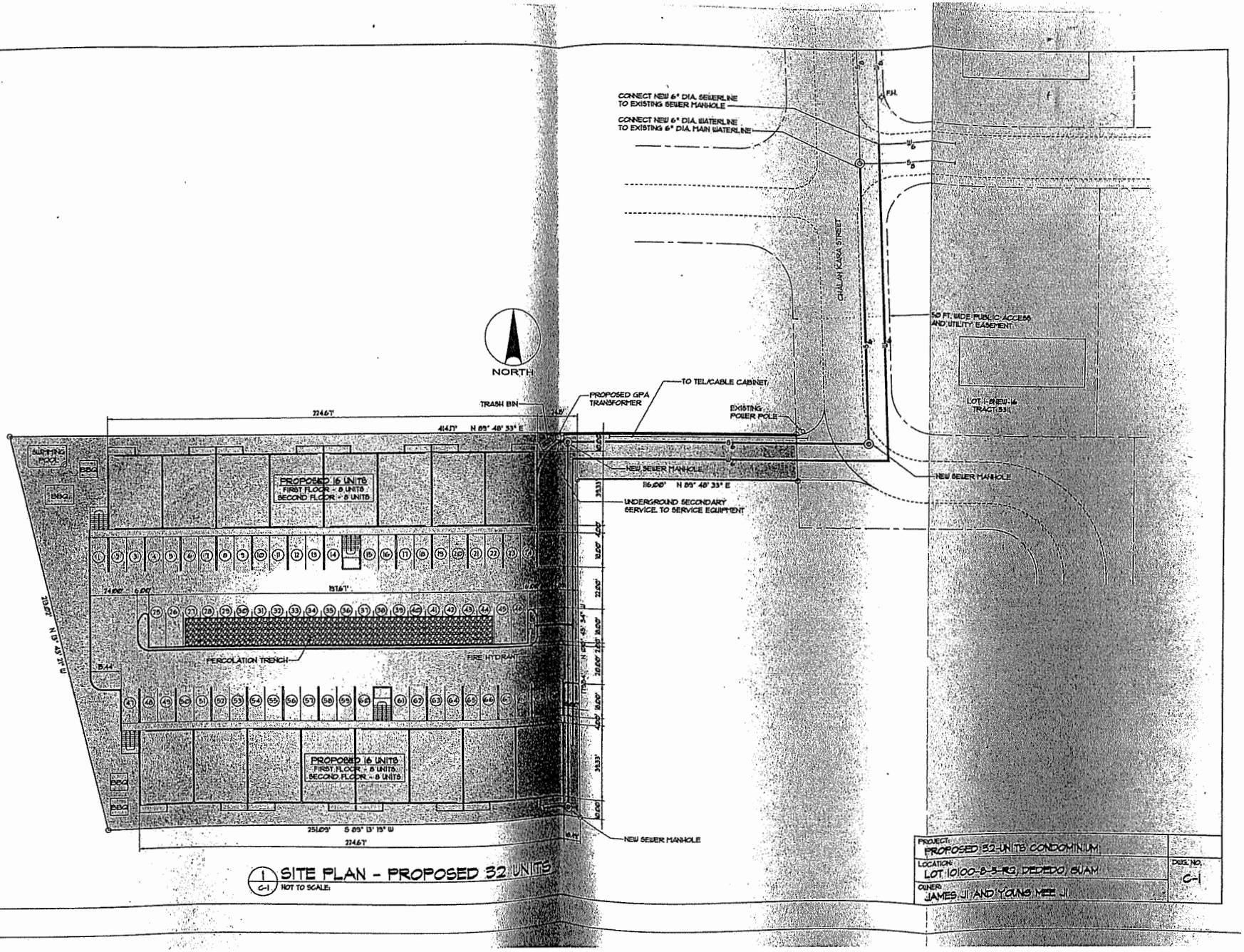
1 / A-1 FLOOR PLAN
NOT TO SCALE

PROJECT: PROPOSED 32-UNITS CONDOMINIUM	
LOCATION: LOT 10100-8-5-R2, DEDEDO, GUAM.	DWG. NO. A-1
OWNER: JAMES JI AND YOUNG MEE JI.	SHEET 2 OF 2



1/A-2 TYPICAL FLOOR PLAN

PROJECT: PROPOSED 52-UNIT B CONDOMINIUM	
LOCATION: LOT 10100-5-3-R2 DEDEDO, GUAM	DWG. NO. A-2
OWNER: JAMES, JI AND YOUNG MEE H.	



1 C-1 SITE PLAN - PROPOSED 32 UNITS
NOT TO SCALE

(No Smaller than 4 FT X 8 FT Sign Board)

NOTICE TO REZONE*

*1. Shall Occupy Two (2') Feet X Eight (8') Feet of the Sign Area

*2. Letters are to be Twelve (12") Inches High, Colored Red on a White Background

3. Sign Shall be Erected and Displayed in a Visible and Prominent Place on the Subject Site No Less than **Five (5) Days** after Application is filed with the Commission and Shall be Removed when the Commission Renders a Final Decision or Applicant Officially Withdraws the Application.

PUBLIC NOTICE

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE

APPLICATION DESCRIPTION: EDEN'S VILLA

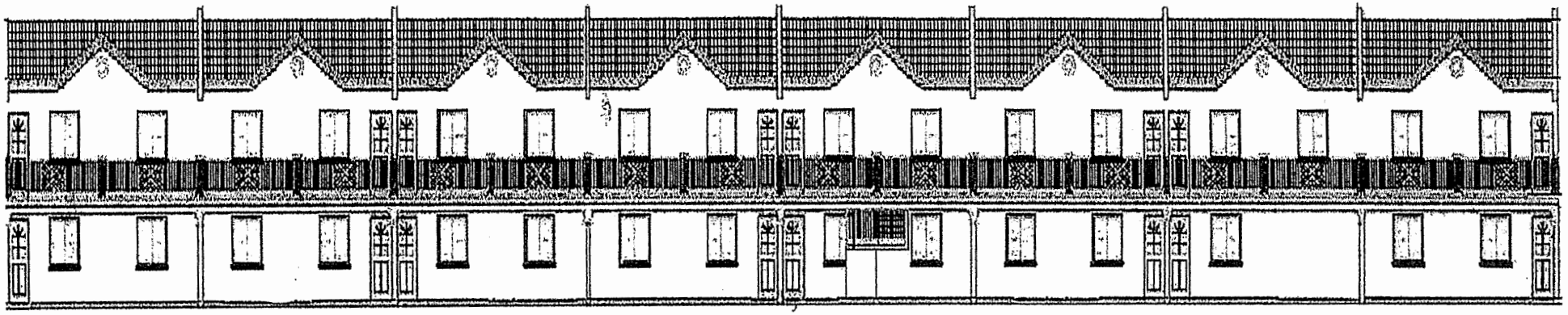
OWNER: JAMES JI

DEVELOPER: JF BUILDERS

LOT, BLOCK, TRACT, MUNICIPALITY: 10100-8-5-R2

PROPOSED CHANGE OF ZONE: R-2

	DATE:	TIME:	PLACE:
PUBLIC HEARING:	_____	_____	_____
GLUC MEETING:	_____	_____	_____



PROJECT NAME: EDEN'S VILLA
PROJECT TYPE: 32 UNIT condominium (2 story)
LOT NO. 10100-8-5-R2
CONTRACTOR: JF BUILDERS
TELEPHONE: 671-477-9219 / 671-477-9220
FAX: 671-477-2030
EMAIL: jent@guamcell.net

GUAM ENVIRONMENTAL PROECTION AGENCY
ENVIRONMENT IMPACT ASSESSMENT

Case No._____ PROJECT TITLE: Eden's Villa 32 unit condominium

APPLICATION FOR A FINDING OF NO SIGNIFICANT IMPACT

1. **Name, address and business telephone of applicant:**

   James Ji
   PO Box 6403
   Tamuning, Guam 96931
   (671)477-9219 / 9220
   (688-4585)

2. **Name and title of representative is applicant is a business or governmental agency:**

   Narci San Agustin
   Secretary
   (671)477-9219 / 9220
   (671)688-0571

3. **Location of proposed project: (Include trct, lot, municipality and a location map)**

   Lot No. 10100-8-5-R2
   Municipality of Dededo
   The proposed project is located off Chalan Castro from the Front side of the yard and Chalan Karata from the rear side of the yard

4. **General nature of project: (i.e. single family residence, gas station, parking lot, etc.)**

   Construction of a 32unit two-story condominium

5. **Are any of the following critical environmental factors affected by the proposed project? If yes, describe the impact, otherwise enter "none"**

ENVIORNMENTAL FACTOR	IMPACT
Archaeological Feature	"None"
Critical habitat Area	"None"
Groundwater recharge Area	"None"
Marine Waters	"None"
Pristine Forest	"None"
Reef Flats	"None"
Streams, Lakes or Ponds	"None"
Watersheds	"None"
Wellhead Protection Zone	"None"
Wetlands	"None"

6. **Will the project result in any of the following environmental impacts:**

Production of toxic or hazardous waste?

The project will not involve the production of any toxic or hazardous waste.

Dislocation of existing business?

A general land use activity indicates of existing business within the area.

Above ground or below ground storage tank?

The project will not require a storage tank above or below ground level unless otherwise required by a governmental agency.

DECLARATION BY APPLICANT

This project will not result in a significant adverse environmental impact

JAMES JI

Applicant

Dtae

Department of Agriculture
Dipåttamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913

Director's Office 734-3942/43; Fax 734-6569
Agricultural Dev. Services 734-3946/47; Fax 734-8096
Animal Health 734-3940
Aquatic & Wildlife Resources 735-3955/56; Fax 734-6570
Forestry & Soil Resources 735-3949/50; Fax 734-0111
Plant Nursery 734-3949
Plant Protection & Quarantine 472-1651; 475-1426
Fax 477-9487

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lt. Governor

Joseph D. Torres
Director

Joaquin N. Naputi
Deputy Director

August 26, 2010

Memorandum

To: Chairman, Guam Land Use Commission
Attn: Executive Secretary, Department of Land Management

From: Director of Agriculture

Subject: ~~Summary~~ **Zone Change Application on Lot No. 10100-8-5-R2**
Re: James Li "Eden's Villa"

The Department of Agriculture has reviewed the above captioned subject matter request for rezoning of the property from "A" Agricultural to "R2" for proposed condominium consisting of thirty units. The property was initially zoned for agricultural development, however, the owner's intended use for the property does not include such activities nor are there any interests to revitalize the existing land for agricultural purposes.

The Department of Agriculture, however, suggests planting of trees around building structures and in parking lots to provide shade and add to the aesthetics of the development. Mrs. Belmina Soliva from Forestry and Soil Resources can be contacted at 735-3949 to recommend the types of trees for this endeavor.

Should there be any questions in reference to this memorandum, please do not hesitate to contact Mr. John C. Borja, Chief of the Agricultural Development Services Division at 734-3946.

JOSEPH D. TORRES

GUAM WATERWORKS AUTHORITY
578 North Marine Corp Drive
Tumon, Guam 96931
Phone: 647- 7847 Fax: 649-0369

Permits, Inspection and Enforcement Section
Verification of Utilities

DATE: August 13, 2010

TO: James Ji
POC: Narci San Agustin

REF: **Lot 101000-8-5-R2,**
Municipality of Dededo

We hereby acknowledge receipt of your request for Certification of Government Water & Sewer Line Availability for the referenced lot.

The following comments are listed:

[X] Water Service Connection is available in this area.

[ ] Water service connection is not available in this area.

[X] Sewer Service Connection is available in this area. The Property is within 200 feet from the main sewer line.

[ ] Sewer service connection is not available in this area.

Remarks:
The 6" diameter water main is located approximately 190 feet from the property boundary.
The government sewer line is located approximately 155 feet away from the property line.

Further details regarding water and sewer connection shall be discussed with GWA Engineering.

Sincerely,

Thomas Cruz, P.E.
Engineering Supervisor
New Area Development/Planning Section

LETTER OF ACKNOWLEDGMENT OF DEVELOPMENT PROJECT

EDEN'S VILLA

Date: 1/8/11

This is to advise that I/we FLORENCE LEON GUERRERO

Owners of lot no. L 11-3 hereby agrees to Mr. James Ji's development of a 32 unit condominium project titled EDEN'S VILLA on our neighboring lot no. 10100-8-5-R2. That I/we have no problems regarding this project.

FLORENCE LEON GUERRERO	
Print Name	Print Name
Signature	Signature
633-9474	
Contact Number	Contact Number
214 Chalan Castro NCS	
Address	Address

LETTER OF ACKNOWLEDGMENT OF DEVELOPMENT PROJECT

EDEN'S VILLA

Date: 8 JAN 11

This is to advise that I/we FAITH T. CHARCHALAF

Owners of lot no. L11-2 hereby agrees to Mr. James Ji's development of a 32 unit condominium project titled EDEN'S VILLA on our neighboring lot no. 10100-8-5-R2. That I/we have no problems regarding this project.

FAITH T. CHARCHALAF Print Name	Print Name
Signature	Signature
633-1414 Contact Number	Contact Number
212 CACTUS COURT DEDEDO, GU 96921 Address	Address

LETTER OF ACKNOWLEDGMENT OF DEVELOPMENT PROJECT

EDEN'S VILLA

Date: 8 Jan 11

This is to advise that I/we David Benton

Owners of lot no. 1-8 New 5 hereby agrees to Mr. James Ji's development of a 32 unit condominium project titled EDEN'S VILLA on our neighboring lot no. 10100-8-5-R2. That I/we have no problems regarding this project. at this time 8 Jan 11.

David Benton	
Print Name	Print Name
Signature	Signature
5885002	
Contact Number	Contact Number
127 Cholan Kerala	
Address	Address

LETTER OF ACKNOWLEDGMENT OF DEVELOPMENT PROJECT

EDEN'S VILLA

Date: 01/08/11

This is to advise that I/we Roberto Calilung

Owners of lot no. 213 C hereby agrees to Mr. James Ji's development of a 32 unit condominium project titled EDEN'S VILLA on our neighboring lot no. 10100-8-5-R2. That I/we have no problems regarding this project.

Roberto Calilung
Print Name

Signature

6377946
Contact Number

Address

Roberto Calilung
Print Name

Signature

6377946
Contact Number

Address

Lang.

LETTER OF ACKNOWLEDGMENT OF DEVELOPMENT PROJECT

EDEN'S VILLA

Date: 1/8/10

This is to advise that I/we Gina Mendiola

Owners of lot no. _____ hereby agrees to Mr. James Ji's development of a 32 unit condominium project titled EDEN'S VILLA on our neighboring lot no. 10100-8-5-R2. That I/we have no problems regarding this project.

Gina Mendiola Print Name	_____ Print Name
_____ Signature	_____ Signature
637-7668 Contact Number	_____ Contact Number
#13 Pacific Golden Villa Address	_____ Address

Northern Guam Sole Source Aquifer

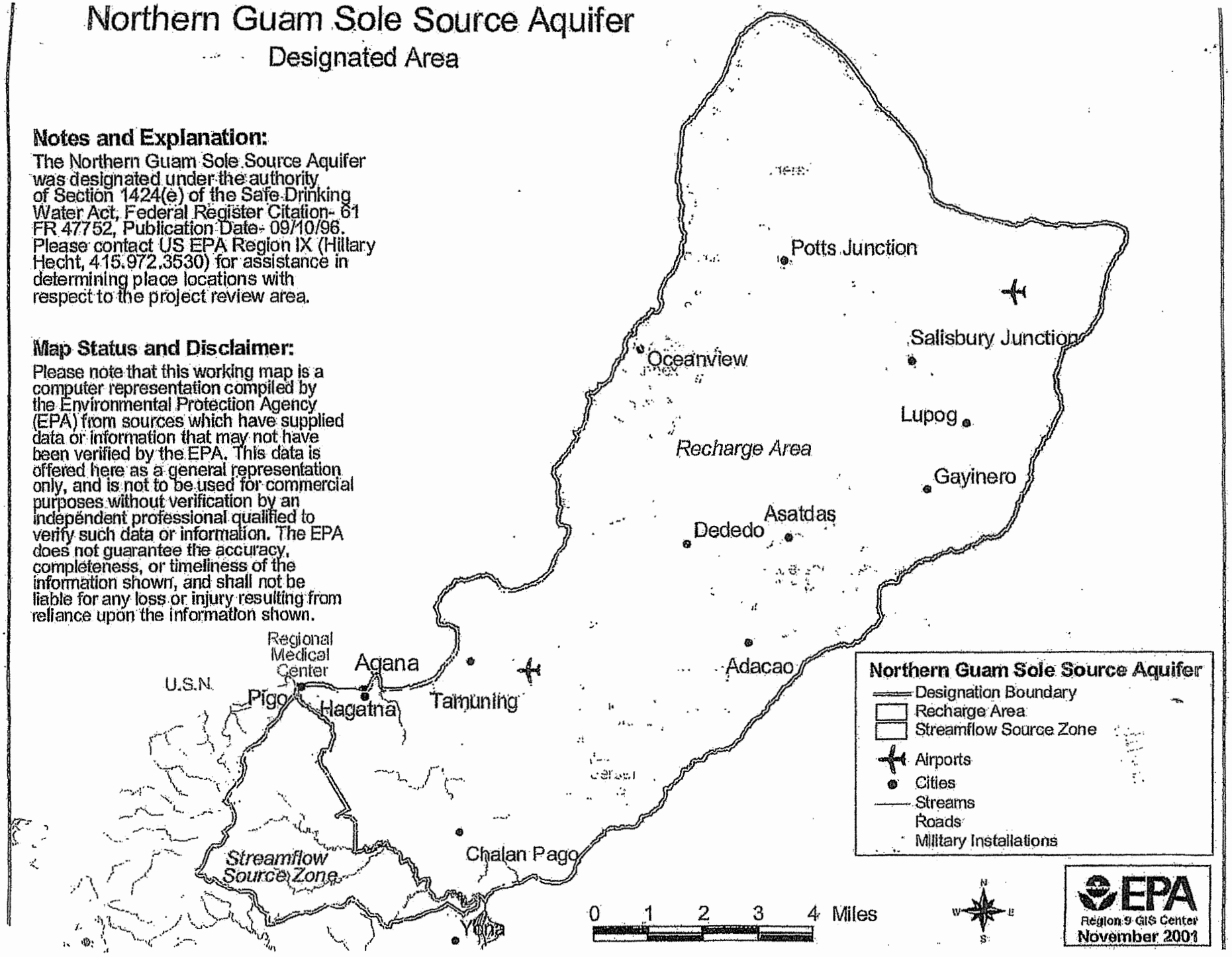
Designated Area

Notes and Explanation:

The Northern Guam Sole Source Aquifer was designated under the authority of Section 1424(e) of the Safe Drinking Water Act, Federal Register Citation- 61 FR 47752, Publication Date- 09/10/96. Please contact US EPA Region IX (Hillary Hecht, 415.972.3530) for assistance in determining place locations with respect to the project review area.

Map Status and Disclaimer:

Please note that this working map is a computer representation compiled by the Environmental Protection Agency (EPA) from sources which have supplied data or information that may not have been verified by the EPA. This data is offered here as a general representation only, and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information. The EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.



...ING AND LOT AREA TABLE

Minimum Lot Size(sq. ft.) By Zone Over Northern Aquifer

	"A"	"R-1"	"R-2"	"C"	"M-1"	M-2"
Sewered	9,600	5,000	5,000	2,000	5,000	40,000
Parental	9,600	5,000	5,000	2,000	5,000	40,000
Unsewered	19,200	19,200	19,200	19,200	40,000	40,000
Parental	9.600	9,600	9,600	9,600	40,000	40,000

Lot area per dwelling unit

Sewered	9,600	5,000	1,250	400	1,250	*
Parental	9,600	5,000	1,250	400	1,250	
Unsewered	19,200	19,200	19,200	19,200	19,200	*
Parental	9,600	9,600	9,600	9,600	1,250	

Minimum Residential Lot Size(sq. ft.) Outside Northern Aquifer

	"A"	"R-1"	"R-2"	"C"	"M-1"	"M-2"
Sewered	10,000	5,000	5,000	2,000	1,250	40,000
Parental	7,200	5,000	5,000	2,000	1,250	40,000
Unsewered	10,000	10,000	10,000	10,000	40,000	40,000
Parental	9,600	9,600	9,600	9,600	9,600	9,600

Lot Area per unit

Sewered	9,600	5,000	1,250	400	5,000	*
Parental	7,200	5,000	1,250	400	5,000	
Unsewered	10.000	10,000	10,000	10,000	10,000	*
Parental	9,600	9,600	9,600	9,600	9,600	

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...partment of Land Management Office of the Recor

...ile for Recor... 809486

...n the Year 10 8 2 Time 2:1(

...ecording ... 225 ...ument No. ...

Lisa B. Mangaoang

TGE

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

THAT ON THIS 2ND day of **August, 2010, HUBERT M. TAISACAN,** whose address is, P.O. BOX 779, HAGATNA, GUAM 96932, hereinafter referred to as "GRANTOR", for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration to them paid by **JAMES JI, a Married Man,** whose address is P.O BX 6403 Tam GUAM 96931, hereinafter referred to as "GRANTEES", the receipt, adequacy and sufficiency whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEE, **as his Sole and Separate Property,** the following described property:

LOT NUMBER 10100-8-5-R2, (Subdivision of Lot Number 10100-8-5), **MUNICIPALITY OF DEDEDO,** TERRITORY OF GUAM, ESTATE NUMBER 59771, SUBURBAN, as said Lot is marked and designated on DRAWING NUMBER RRV83-02, as L.M. Check Number 085 FY 83, as described in that Agricultural Subdivision Map, dated FEBRUARY 02, 1983 and recorded FEBRUARY 04, 1983, at the Records Division, Department of Land Management, Government of Guam, under Document Number **334880.**

Registered Land, with the LAST REGISTERED OWNER being **HUBERT M. TAISACAN,** the OWNER OF RECORD being **HUBERT M. TAISACAN** and the CERTIFICATE OF TITLE REGISTRATION NUMBER being, **72523.**

AREA: **5,542 +/- SQUARE METERS**
59,653 +/- SQUARE FEET

Doc. No. 34GL-17-0589.

TOGETHER with reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interest of the GRANTOR, both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all buildings, improvements, rights, easements, privileges and appurtenances thereon and thereto belonging or appertaining or held and enjoyed therewith, unto GRANTEE, in fee simple, GRANTEE'S successors and assigns forever.

AND GRANTOR, for GRANTOR and GRANTORS' heirs, executors and administrators do hereby WARRANT and COVENANT with the GRANTEE, and GRANTEE'S successors and assigns, that they are lawfully seized of the above described property in fee simple; that the same is free and clear of all encumbrances excepting current real property taxes not yet due and payable.

THAT the GRANTEES shall have the right of quiet enjoyment of said property, and that Grantor will and Grantor's heirs, executors and administrator warrant and defend the same to the GRANTEES, their successors and assigns against the lawful claims and demands of all persons.

AND GRANTEE, for GRANTEE and GRANTEE'S successors and assigns does hereby acknowledge and confirm that water and power are immediately available on the property or within 100 feet of the property described above.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

GRANTOR:

HUBERT M. TAISACAN

GRANTEE:

JAMES JI

GUAM U.S.A.)
) ss
CITY OF HAGATNA)

ON THIS 2nd day of **August, 2010,** before me, a Notary Public in and for GUAM U.S.A., personally appeared **JAMES JI,** and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Erline C. Fenwick

NOTARY PUBLIC
My commission expires:

Erline C. Fenwick
Notary Public
In and for Guam U.S.A.
My commission expires: July 13, 2011
Hernan Cortez St., Title Guaranty Bldg
Suite 320, Hagatna Gu 96932

GUAM U.S.A.)
) ss
CITY OF HAGATNA)

ON THIS 2nd day of **August, 2010,** before me, a Notary Public in and for GUAM U.S.A., personally appeared **HUBERT M. TAISACAN,** and he acknowledged to me that he executed the foregoing WARRANTY DEED, as his free and voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Erline C. Fenwick

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In and for Guam U.S.A.
My commission expires: July 13, 2011
Hernan Cortez St., Title Guaranty Bldg
Suite 320, Hagatna Gu 96932

AFFIDAVIT

TGE

TO: DIRECTOR OF LAND MANAGEMENT

I/(WE), the undersigned having been first duly sworn hereby depose and say as follows:

I/(WE), have duly acquired the following described real property:

LOT NUMBER 10100-8-5-R2, (Subdivision of Lot Number 10100-8-5), **MUNICIPALITY OF DEDEDO,** TERRITORY OF GUAM, ESTATE NUMBER 59771, SUBURBAN, as said Lot is marked and designated on DRAWING NUMBER RRV83-02, as L.M. Check Number 085 FY 83, as described in that Agricultural Subdivision Map, dated FEBRUARY 02, 1983 and recorded FEBRUARY 04, 1983, at the Records Division, Department of Land Management, Government of Guam, under Document Number **334880.**

Registered Land, with the LAST REGISTERED OWNER being **HUBERT M. TAISACAN,** the OWNER OF RECORD being **HUBERT M. TAISACAN** and the CERTIFICATE OF TITLE REGISTRATION NUMBER being, **72523.**

AREA: 5,542 +/- SQUARE METERS
59,653 +/- SQUARE FEET

The terms of a deed executed on the 2ND day of **August, 2010,** bearing Document Number 809486, said deed being incorporated here by reference.

That the true consideration or value given for said realty is **$80,000.00.**

That the said value is based on payment of U.S. currency **$80,000.00** cash.

That to my knowledge (initial where applicable):

(a) _____ _____
GRANTEE GRANTOR

A real estate commission or other real estate fees in connection with the subject conveyance: **n/a.**

(b) _____ _____
GRANTEE **GRANTOR**

No real estate commission or other real estate fee was/is paid to any party in connection with the subject conveyance.

That this Affidavit is executed to satisfy the requirements of **S20102** of the Government Code and for official use by the Government of Guam.

It is further understood that this document is submitted only for such official use by the Government and is not to be made available for inspection by the general public.

IN WITNESS WHEREOF, I / (WE), hereby affix our signature(s) this 2ND day of **August, 2010.**

GRANTOR: **GRANTEE:**

HUBERT M. TAISACAN **JAMES JI** 8/2/10

SUBSCRIBED AND SWORN BEFORE ME on this 2nd day of August, 2010, by JAMES JI.

NOTARY PUBLIC
My commission expires:

Erline C. Fenwick
Notary Public
In and for Guam U.S.A.
My commission expires: July 13, 2011
Hernan Cortez St., Title Guaranty Bldg
Suite 320, Hagatna Gu 96932

SUBSCRIBED AND SWORN BEFORE ME on this 2nd day of August, 2010, by HUBERT M. TAISACAN.

NOTARY PUBLIC
My commission expires:

Erline C. Fenwick
Notary Public
In and for Guam U.S.A.
My commission expires: July 13, 2011
Hernan Cortez St., Title Guaranty Bldg
Suite 320, Hagatna Gu 96932

Field Receipt No.
Recording Fee:
Document Tax:
TOTAL:

Territory of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for Record 809487

TGE

AFFIDAVIT

In the Year 10 18 Day 2 Time 2:19

Recording Fee 25 Receipt No.

Deputy Recorder Young Hee G Mangaya.

I, **JAMES JI,** depose and say as follows:

1. That I am a Married Man, married to Young Hee G Mangaya.

2. That I have acquired the following described property:

LOT NUMBER 10100-8-5-R2, (Subdivision of Lot Number 10100-8-5), **MUNICIPALITY OF DEDEDO,** TERRITORY OF GUAM, ESTATE NUMBER 59771, SUBURBAN, as said Lot is marked and designated on DRAWING NUMBER RRV83-02, as L.M. Check Number 085 FY 83, as described in that Agricultural Subdivision Map, dated FEBRUARY 02, 1983 and recorded FEBRUARY 04, 1983, at the Records Division, Department of Land Management, Government of Guam, under Document Number **334880.**

Registered Land, with the LAST REGISTERED OWNER being **HUBERT M. TAISACAN,** the OWNER OF RECORD being **HUBERT M. TAISACAN** and the CERTIFICATE OF TITLE REGISTRATION NUMBER being, **72523.**

AREA: **5,542 +/- SQUARE METERS**
59,653 +/- SQUARE FEET

3. That the above described property is to be **as my Sole and Separate Property.**

4. This affidavit is made for the purpose of complying with the requirement of Title **21** Guam Code Annotated § **29158**

JAMES JI

Subscribed and sworn before me this 02nd day of **August, 2010 by JAMES JI.**

NOTARY PUBLIC
My commission expires:

Erline C. Fenwick
Notary Public
In and for Guam U.S.A.
My commission expires: July 13, 2011
Hernan Cortez St., Title Guaranty Bldg
Suite 320, Hagatna Gu 96932

FOR RECORDATION)
)
AT DEPARTMENT)
)
OF LAND MANAGEMENT)
)
GOVERNMENT OF GUAM)

(space above for recorders' use only)

SPECIFIED POWER OF ATTORNEY

Be it know to all men that I, **JAMES JI** whose social security number is 586-07-6580 of legal age and a resident of Dededo, Guam, do hereby, name, constitute and appoint **Narcisa San Agustin** of Maite, Guam as attorney-in-fact for me and in my name, place and stead to do and perform the following to wit:

TO ACT ON MY BEHALF REGARDING REPRESENTATION AT THE TLCU FOR ZONE CHANGE ON LOT NO. 10100-8-5-R2 TO REPRESENT ME AS IF I WAS THERE IN PERSON.

I hereby give and grant unto my said attorney-in-fact, required or necessary or proper to be done in regards, contracts only all about the premises as if the decisions were made by myself, as fully to or substitution and revocation, and hereby ratifying and confirming all that my said attorney-in-fact or her substitute shall lawfully do or cease to be done under and by virtue of these presents:

IN WITNESS WHEREOF, I have hereunto set my hand this _____day of January 2011.

JAMES DJ JI

Territory of Guam)
) ss
CITY OF)

On the 20 day of January 2011, before me, the undersigned Notary, personally appeared JAMES DJ JI, the person whose name is signed on the preceding or attached documents and acknowledged to me that he signed it for its stated purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date first above written.

NOTARY PUBLIC

JOSE GUEVARA CASTRO JR.
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: November 08, 2014
131 Magalahi St. Chalan Pago, GU 96910