EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

JUN 0 2 2017

GL#34-17-603
Speaker Benjamin J.F. Cruz

JUN 0 5 2017
Time: 1053 [ ] AM [ ] PM File No.
Received By:

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 "M-1" (Light Industrial) zone for Lot 5223-6-NEW-6-R1NEW-1, in the Municipality of Barrigada, under Application No. 2013-20

Bueñas Yan Hafa Adai Speaker Cruz:

2017 JUN -5 AM 11:01

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, **Immanuel W.S. Choi represented by Ignacio F. Santos; request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) zone, for the proposed expansion of an existing auto repair shop, on Lot 5223-6-NEW-R1NEW-1, in the Municipality of Barrigada, under Application No. 2013-20.**

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

RAYMOND S. TENORIO
Acting Governor of Guam

0603

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

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

Website:
http://dlm.guam.gov

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 31, 2017

Memorandum

To: The Governor

From: Executive Secretary, Guam Land Use Commission

Subject: **GLUC Zone Change Approval from "A" (Rural) to "M-1" (Light Industrial) zone for Lot 5223-6-NEW-R1NEW-1, Barrigada; Applicant – Immanuel W.S. Choi, Application No. 2013-20**

Submitted for your consideration and action is Zone Change Application No. 2013-20. The Applicant, Immanuel W.S. Choi requests for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) zone for the proposed expansion of an existing auto repair shop.

Application chronology is as follows:

- November 4, 2010 – Application officially accepted
- November 18, 2010 – Reviewed by the Application Review Committee (ARC)
- February 6, 2014 – Public Hearing, Barrigada Community Center
- October 13, 2016 – Guam Land Use Commission (GLUC) Public Hearing (approval of Zone Change)

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.

GCDAS17-2508

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.

Si Yu'os Ma'ase,

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

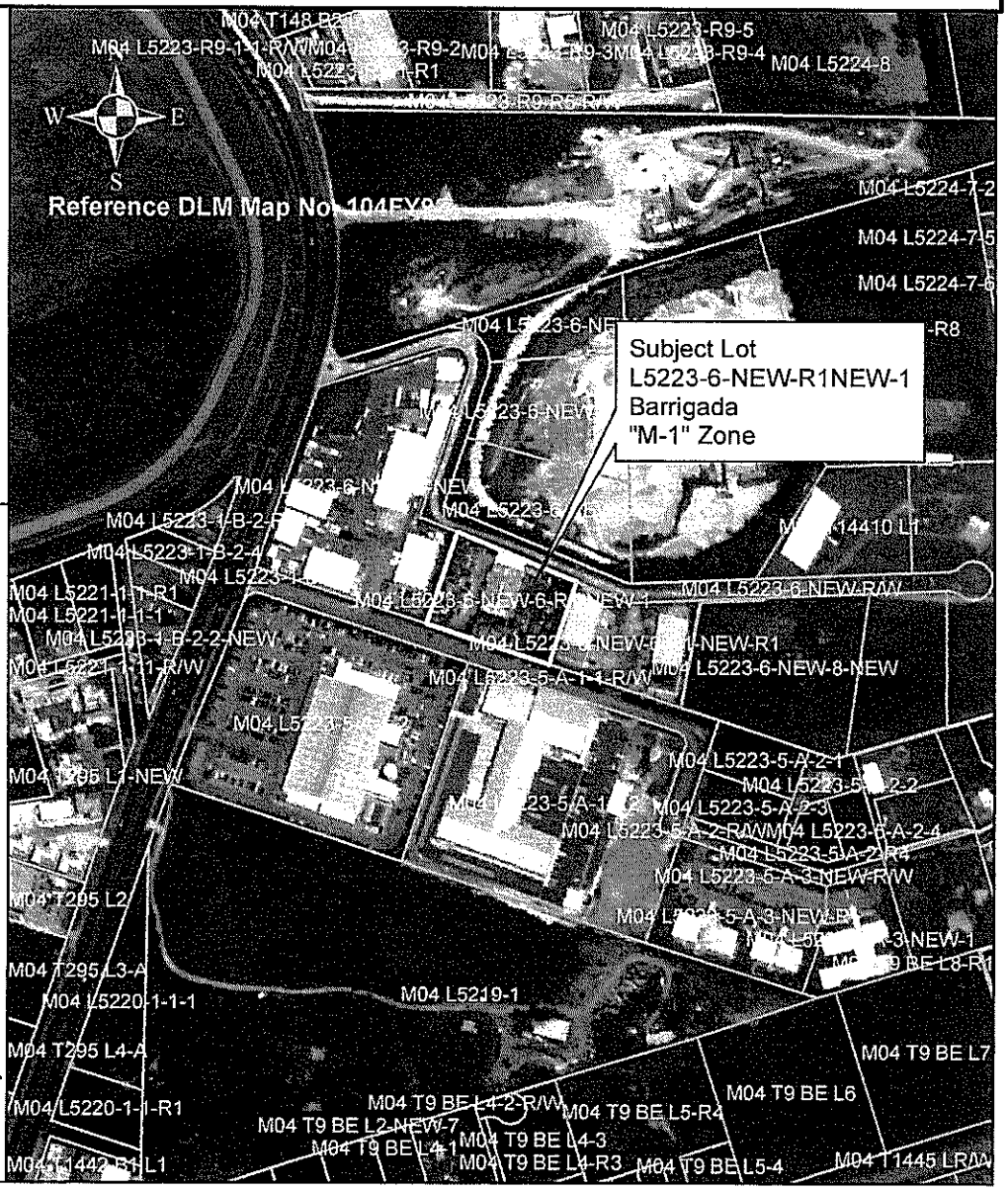
Attachments:

1) Amendment No. A-93, Zoning Map No. F3-67S41
2) Zone Change Application
3) Formal letter to Mayor(s) for Public Hearing (January 21, 2014)
4) Attendance Sheet of Public Hearing (Dated February 6, 2014)
5) Staff Report with Summary of ARC Position Statements
6) GLUC Agenda Notice – Guam Daily Post (Dated October 6th and October 11th, 2016)
7) GLUC Agenda of October 13, 2016 – Disposition
8) GLUC Minutes of October 13, 2016 (Document No. 899485)
9) Notice of Action – Findings of Facts
    - Exhibit A – Affidavit of Publication
        - Attachment A – Official Memorandum to PDN (Dated January 21, 2014)
        - Attachment B – Public Hearing Advertisement (January 27, 2014)
    - Exhibit B – Affidavit of Mailing
        - Attachment A – U.S. Postal Certified Receipts, January 24, 2014
        - Attachment B – Official Notice Public Hearing (dated August 6, 2014)

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2013-20
LOT 5223-6-NEW-R1NEW-1
MUNICIPALITY OF BARRIGADA

ATTACHMENT 1

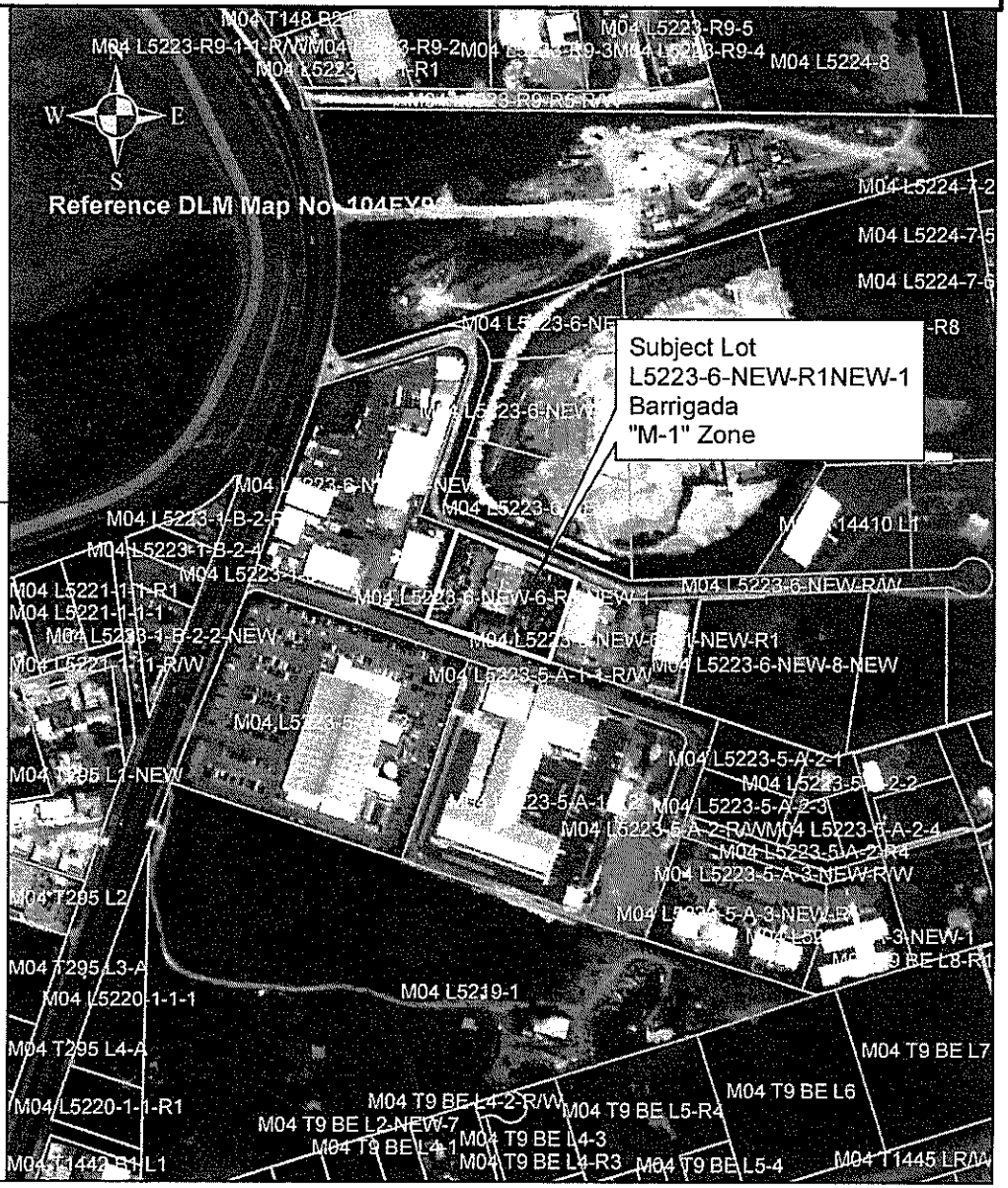
Space for Recordation


Reference DLM Map No. 104EV93
Subject Lot
L5223-6-NEW-R1NEW-1
Barrigada
"M-1" Zone
M04 L5223-R9-5
M04 L5224-8
M04 L5224-7-2
M04 L5224-7-5
M04 L5224-7-6
M04 L5223-6-NEW-8-NEW
M04 L5223-5-A-1-1-R/W
M04 L5223-5-A-2-1
M04 L5223-5-A-2-3
M04 L5223-5-A-2-4
M04 L5223-6-A-3-NEW-R/W
M04 T295 L2
M04 T295 L3-A
M04 L5220-1-1-1
M04 L5219-1
M04 T295 L4-A
M04 T9 BE L7
M04 T9 BE L6
M04 T9 BE L5-R4
M04 T9 BE L4-2-R/W
M04 T9 BE L2-NEW-7
M04 T9 BE L4-1
M04 T9 BE L4-3
M04 T9 BE L4-R3
M04 T9 BE L5-4
M04 T1445 L-R/W
M04 T1442 B1 L1
M04 L5220-1-1-R1
M04 L5221-1-1-R1
M04 L5221-1-1-1
M04 L5221-1-1-R/W
M04 L5223-1-B-2-2-NEW
M04 L5223-1-B-2-4-1
M04 L5223-1-B-2-5
M04 T295 L1-NEW
M04 L5223-6-NEW-R1NEW-1
M04 L5223-6-NEW-R/W
M04 L5223-5-A-2-2
M04 L5223-5-A-2-R/W
M04 L5223-5-A-2-R4
M04 L5223-6-A-3-NEW-1
M04 T9 BE L8-R1
M04 L5223-6-NEW-6-R1NEW-1
M04 L5223-6-NEW-R8
M04 L5223-6-NEW-7
M04 L5223-6-NEW-6-R1NEW-1
M04 L5223-6-NEW-R/W
M04 L5223-6-NEW-6-R1NEW-1
M04 L5223-6-NEW-6-R1NEW-1
M04 L5223-6-NEW-6-R1NEW-1

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2013-20
LOT 5223-6-NEW-R1NEW-1
MUNICIPALITY OF BARRIGADA

ATTACHMENT 1

Space for Recordation



GLUC ZONE CHANGE
APPLICATION NO.: 2013-20
APPLICANT: IMMANUEL W.S. CHOI
REPRESENTED BY: IGNACIO SANTOS

PREPARED ON JANUARY 3, 2017

FROM: "A" (RURAL)

TO: "M-1" (LIGHT INDISTRIAL)

LOT: 5223-6-NEW-R1NEW-1

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: BARRIGADA

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO.: A-93

ZONING MAP NO.: F3-67S41

THE GUAM LAND USE COMMISSION, AT ITS REGULAR HEARING ON OCTOBER 13, 2016 APPROVED IN WHOLE THE ZONE CHANGE FROM "A" TO "M-1" ON LOT 5223-6-NEW-6R1NEW-1 MUNICIPALITY OF BARRIGADA

==========

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

2/27/2017
JOHN Z. ARROYO
CHAIRMAN
GUAM LAND USE COMMISSION
DATE

==========

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

June 2 2017
RAYMOND S. TENORIO
Acting Governor of Guam
DATE

Doc. No. 34GL-17-0603.

DLM Case No.	2013-20
Emmanuel W.S. Choi	
Accepted	April 12, 2013
Case Planner	Celine Aguilar

Zone Change

Lot No. 5223-6-NEW-6-R1NEW-1

Barrigada, Guam

Immanuel W.S. Choi

ATTACHMENT 2

IGNACIO F. SANTOS
Land-Use Planner
P.O. Box 651
Hagåtña, Guam 96932

Suite 201, Guam United Plaza, Hagåtña, Tel: (671) 646-0629 Cell: (671) 777-3862 email: ifsplanner77@gmail.com

February 26, 2013

Mr. Monte Mafnas
Acting, Executive Secretary
Guam Land Use Commission
c/o Planning Division
Department of Land Management
Government of Guam
P.O. Box 2950
Hagatna, Guam 96932

Dear Mr. Mafnas,

On behalf of Immanuel W.S. Choi, enclosed is an application for a Zone Change request to rezone Lot No. 5223-6-NEW-6-R1NEW-1 from an "A" (Rural) zone to a "M-1" (Light Industrial) zone. The subject lot is located within the Municipal District of Barrigada and contains a land area of 4,704 square meters or 50,633 square feet.

The applicant's petition for a Zone Change request through the Guam Land Use Commission will be to expand its existing warehouse which is being used as an automobile repair shop and a vehicle safety inspection.

The proposed request will be in compliance with the provisions outlined in sections 61630 through 61637et seq., Part 3-Changes of Zones, Article 6-Administration and Enforcement, Chapter 61-Zoning Law, Title 21, Guam Code Annotated.

The lot is in close proximity to other existing warehouses in the area. A typical land-use that is consistent with the proposed development of the property.

I request your attention on the enclosures and look forward on presenting this application before the commissioners of the Guam Land Use Commission.

Si Yüus Maase,

IGNACIO F. SANTOS
Principal in Charge

Affidavit of Authorization

THAT I, duly authorized representative of **Lot No. 5223-6-NEW-6-R1NEW-1** located within the Municipal District of Barrigada.

THAT, Ignacio F. Santos is the duly authorized representatives to act on my behalf to file for consideration an application for:

a. Zone Change

THAT, the extent of my authorization to Ignacio F. Santos and he may conduct himself accordingly to arbitrate, negotiate, commit, revocate, represent, mitigate and abate the proposed request for a Zone Change approval through all the reviewing instrumentalities involved along the process.

THAT, the extent of this authorization continues until I hereby revoke it in writing.

Further, the affiant sayeth naught.

Authorized Representative of
Lot No. 5223-6-NEW-6-R1NEW-1, Barrigada

Immanuel W. S. Choi

SUBSCRIBED and SWORN to before me this 25th day of February 2013.

Notary Public

JEFFREY Y.C. ZEE
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: April 11, 2013
142 Seaton Blvd. Hagatna, Guam 96910

Doc. No. 34GL-17-0603.

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: Immanuel W.S. Choi U.S. Citizen: [X] Yes [ ] No

Mailing Address: P.O. Box 27678 GMF, Barrigada, Guam 96921

Telephone No.: Business 637-8780 Home: 777-3862

2. Location, Description and Ownership:

Subdivision Name: N/A

Lot(s): 5223-6-NEW-6-R1NEW-1 Block: N/A Tract: N/A

Lot Area: Acres 1.16 Square Meters 5,271 Square Feet: 50,633

Village: Barrigada Municipality: Barrigada

Registered Owner: Immanuel W.S.Choi

Certificate of Title No.: 412800 Recorded Document No.: 483600

3. Current and Proposed Land Use:

Current Use: Auto Repair Shop Zoned: "A"

Proposed Use: Expansion of Auto Repair Shop Proposed Zone: "M-1"

Master Plan Designation: Rural

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.

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."

Immanuel W.S. Choi February 26, 2013
Authorized Representative of Lot 5223-6-NEW-6-R1NEW-1, Barrigada
(Owner(s) or Lessee(s) and Date)

Ignacio F. Santos February 26, 2013
(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: _____

I. Intent and Purpose

Immanuel W.S. Choi is proposing to expand its existing auto repair shop and vehicle safety inspection facility two accommodate an additional 7,000 square feet of space. The proposed project will be located on Lot 5223-6-NEW-6-R1NEW-1, located within the Municipal District of Barrigada. The property is currently zoned "A" (Rural) and contains a cumulative land area of 5,271 square meters or 50,633 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 Sections 61630 through 61637et seq., Part 3 Changes of Zones of Article 6, Chapter 61 – Zoning Law, Title 21, Guam Code Annotated.

III. Location

Lot 5223-6-NEW-6-R1NEW-1 is located within the Municipal District of Barrigada. It is specifically located between a 40-foot unnamed public access street to the north and a 50 foot Public Access Street to the south known as Juan G. Fejeran Street. The project site is accessible via Juan G. Fejeran Street. Access to the site is approximately 455 feet from the intersection of Route 16 and Juan G. Fejeran Street. Conwood hardware store borders the project boundary to the west.

V. Project Description

The proposed project entails the expansion of its existing facility to accommodate an additional 7,000 square feet of area. Construction of the additional building space will be of a butler style building. Occupancy of this additional structure will be to expand its existing use. The on-site improvements will consist of sixty-five parking stalls with four accessible parking stalls and a catchment system to handle all surface runoffs within the project boundaries. All utility infrastructures such as power, water and sewer to service the project will be located underground and within the property boundaries.

VI. Project Analysis

i. Density

Zoning, land-use, land area, and the availability of a sewer system were the basis for determining the density of a lot. The project site is presently zoned "A" (Rural) and is accessible to a public sewer system. The density of the project site under its current zoning designation equates to 3 single-family dwelling units without sewer. The proposed project plans does not include the construction of any dwelling units.

ii. Height

The height limitation for the proposed project site is determined, based on its zoning and uses within the zone. The project proposes for the construction of one, one story warehousing facilities with a maximum building height of twenty-four feet from ground level to the apex of the building.

The zoning code of Guam promulgates a height limitation of three stories not to exceed a height limit of thirty feet. The proposed project is within this criterion under its requested zone.

iii. Setbacks

The criterion for yard depths and widths within the project is base upon the approval of the zone change request. The setback criterions for a light industrial zone versus the proposed setbacks are as follows.

Yards	Minimum	Proposed
Front - N	0′ – 0″	0′ – 0″
Side - E	8′ – 0″	58′ – 0″
Side - W	8′ – 0″	102′ – 0″
Front - S	20′ – 0″	30′ – 0″

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 an auto repair facility. A total of sixty-five parking spaces with an additional four accessible parking stalls are being proposed.

VII. Infrastructure

Impact to the existing utilities will be nominal and will not require the construction of new facilities. General utility services for power, water, sewer, and telephone are available along Route16

the main thoroughfare accessing the access road. A potable water line located along the access road consists of a six-inch line. An eight-inch sewer line will be used to handle all wastewater from the proposed project.

Water

At present a one-inch waterline is being used to service the demand of the proposed development. This line is then tied into a backflow preventer to the meter which will is then connected to an existing six-inch line which is then tied into an existing waterline along Route 16. See attached engineering calculations.

Sewer

A four-inch wastewater line will be used to service the demand of the proposed development. This line will then be connected to an existing eight-inch line located fronting the property situated along Juan G. Fejeran Street, which is then tied into an existing wastewater line located along Route 16. See attached engineering calculations.

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. The projected electrical load for the development is 81.2 KVA.

Drainage

All storm water generated within the project boundaries will be collected on site via a French drain system. The catchments facilities will then discharge the storm water run-offs into underground pipes.

Solid Waste

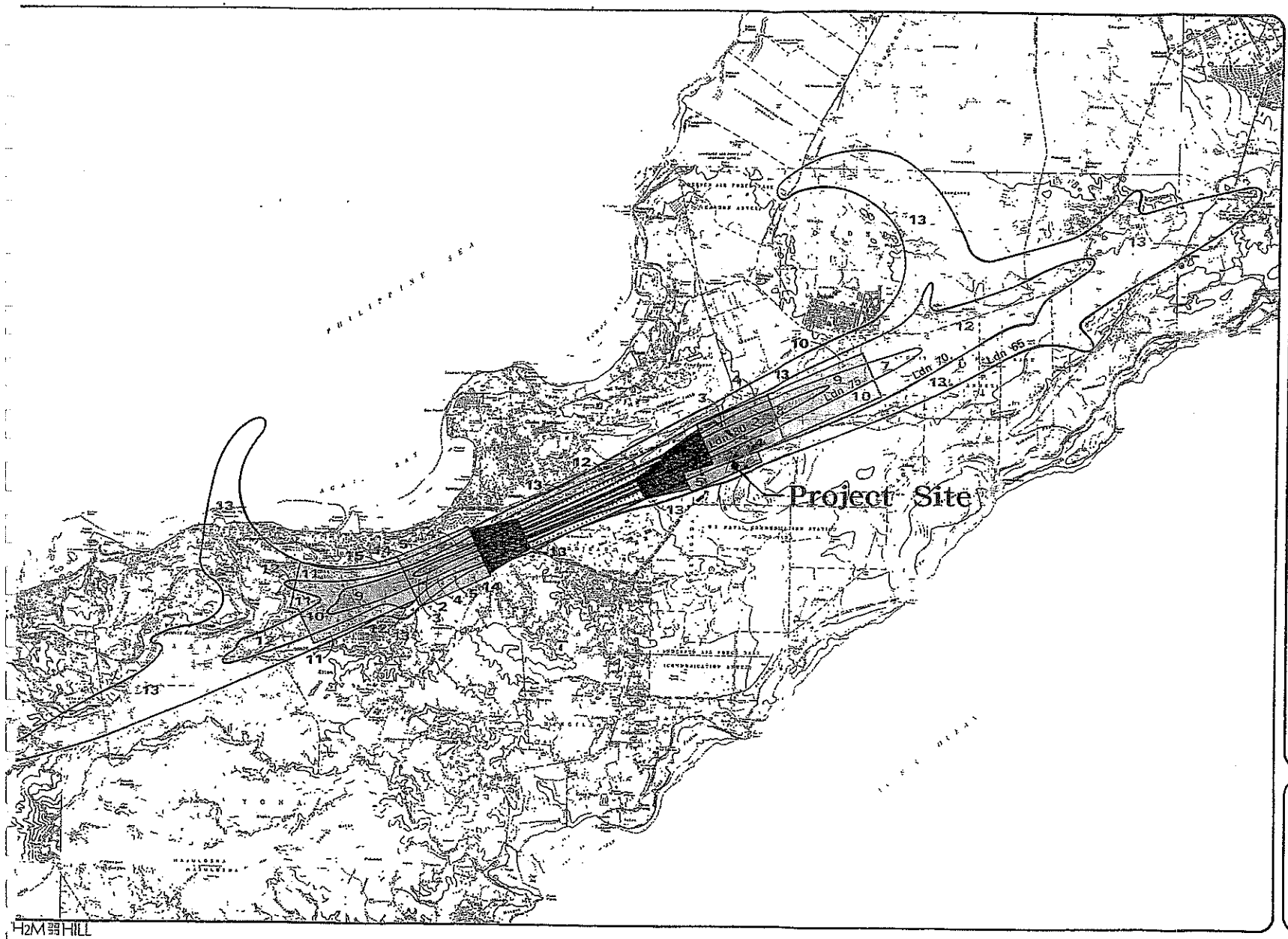
Urban pollution is a concern due to the increase of solid waste. All solid waste generated by the proposed project will be recycled and disposed of by a commercial sanitation system.

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 these listed. 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. Existing land-uses surrounding the project site within the periphery of 750-feet consists primarily of Perez Bros. quarry activities, warehousing, Coca Cola storage facilities, equipment storage yard, Catholic Social Services, Revenue and Taxation, and Conwood Hardware. The proposed building expansion change will provide an improvement to the lot and increase the quality of life of 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 surrounding the project site within the periphery of 750-feet consists of quarry activities, warehousing, Coca-Cola storage facilities, equipment storage yard, Catholic Social Services and a funeral home. Permitted land uses on the property under its present zone consist of one-family dwellings, duplexes, farming, fisheries, cockpits and uses customarily accessory to any of those listed. 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. Impacts from the nearby A.B. Wonpat Guam International Airport situate the property within the foot prints of the Air Installation Compatible Use Zone (AICUZ). An area classified as Accident Potential Zone 1, Ldn 65 - 70 (APZ Ldn 65-70) see Figure 1. The AICUZ area represents the environs an air facility both on and off station that are impacted by either safety hazards or noise from aircraft operations. The APZ 1 although described as imposing a lessened of hazard, it is still of strong enough impact to seriously affect residential or populated areas. The Ldn 65-70 is the day-night average sound level used to delineate the noise counter and its noise exposure zone. The AICUZ study describes the impacts within the APZ 1, Ldn 65-70 as loud, but more tolerable in soundproofed structures. Industrial and commercial activities would be accepted along with agricultural uses. Figure 2 briefly describes this study entitled Air Installation Compatible Use Zone and Figure 3 is an excerpt from the AICUZ study prepared by CH2M Hill Corvallis, Oregon describing the noise impacts.



LEGEND

- SETBACK
- CLEAR ZONE
- 1 > Ldn 85
- 2 APZ I, Ldn 80-85
- 3 APZ I, Ldn 75-80
- 4 APZ I, Ldn 70-75
- 5 APZ I, Ldn 65-70
- 6 Ldn 80-85
- 7 Ldn 75-80
- 8 APZ II, Ldn 80-85
- 9 APZ II, Ldn 75-80
- 10 APZ II, Ldn 70-75
- 11 APZ II, Ldn 65-70
- 12 Ldn 70-75
- 13 Ldn 65-70
- 14 APZ I, < Ldn 65
- 15 APZ II,< Ldn 65
- NAS AGANA

N

0 6000

FEET

AICUZ STUDY
NAVAL AIR STATION
AGANA, GUAM

I-2

THE AICUZ

H2M HILL

Doc. No. 34GL-17-0603.

Figure 1

Implementation Plan. The development of a compatible land use plan for the areas surrounding NAS Agana/GIAT calls for a series of actions by the Navy, GAA, and the GOVGUAM Bureau of Planning. These actions should be towards creating public awareness, formulating public policies, and controlling/influencing local land uses. The following sections summarize the various recommended strategies for compatible development of the adjacent areas. The letter keys are in reference to the map on the previous page.

Areas A. These are sections of the Clear Zone that currently extend beyond the station boundaries. The Navy should acquire these areas and include them within the station boundaries. The Clear Zones, after acquisition, should be cleared and maintained as open space.

Areas B. The APZ I and APZ II areas are high hazard areas with high noise exposure. Stringent controls over the future use of this land should be developed. The density of population within these zones should be kept low; only some industrial uses and agricultural uses are fully suited. The high noise exposure prevalent through most of the APZ's preclude those land uses for residential, commercial, and for some industrial uses. At the present time there are residential, commercial, industrial, and agricultural zones within the B1 and B2 areas. Only the agricultural use is fully compatible. Zoning should be changed to eliminate further incompatible development. Also, the agricultural zone itself should be changed to prevent the possibility of churches, schools and other public buildings from being constructed.

Areas C. These are high noise areas outside the APZ's. The only incompatibility in these areas is the residential and some commercial land uses. Area C1 is almost totally compatible now, with very little development and mostly undeveloped open space. Efforts should be made to assure that it remains this way in the future. Area C2, however, is much larger and encompasses some residential areas. Existing zoning is mostly agricultural. Because of the high noise exposure, it is recommended that the zoning remain agricultural with the change in zoning description to eliminate the construction of residences and other structures. Where zoning changes cannot be made, soundproofing should be a requirement of any new construction.

Areas. D. These are the largest areas, and encompass most residential land use. Because of the noise in these areas it is recommended that the zoning and building codes be changed to call for soundproofing in any new residential and commerical construction. With modest soundproofing, these residential areas can be classified as compatible.

Area of Concern. All land uses are compatible within this area, but because aircraft can be seen and heard in all of these areas, they must be considered within the area of concern of the station. No zoning controls or changes are recommended; but any request for intensive public assembly — e.g., sports stadiums, theme parks, large auditoriums, etc. — should be reviewed in light of the then existing flight paths and noise contours surrounding the station.

AICUZ

AIR INSTALLATIONS COMPATIBLE USE ZONES STUDY

U. S. NAVAL AIR STATION
FPO SAN FRANCISCO 96637

18000:CPJ:drb
11000
Ser 721
23 May 1978

Officials and Citizens,
Territory of Guam

The purpose of this letter and pamphlet is to introduce you to the concepts and findings of the Air Installation Compatible Use Zone (AICUZ) Study for the U. S. Naval Air Station, Agana, Guam. NAS Agana is unique because our runways are shared with commercial aircraft. Therefore, the AICUZ Study must account for the activities of NAS Agana as well as the Guam International Air Terminal (GIAT). It is our objective to continue to conduct both military and civilian flight operations with minimum adverse effect. In keeping with our policy of not only complying with the law but of providing leadership in environmental matters, we commissioned an AICUZ Study to define areas of adverse impact from air facility operations and then attempt, through procedural and operational changes, to lessen those impacts by reducing the area affected. A second goal of the study is to develop long range strategies that would provide both military and civilian committees with information on areas that are impacted by aircraft operations so that planning for future developments can take these factors into account.

The study was made by the firm of CH2M HILL, Corvallis Oregon, Engineers-Architects-Consultants, a leading consultant on airports. A private firm was selected to get the most objective study possible.

Let me allay any fear regarding noise and accident potential mentioned in the study. Noise zone designations and contours are developed from data collected on aircraft types, flight paths and power settings and the effect they have on people exposed to airfield operations. I assure you that everything possible, short of reducing operational capability, will be done to lessen the noise. In fact, three operational changes to decrease noise have already been implemented.

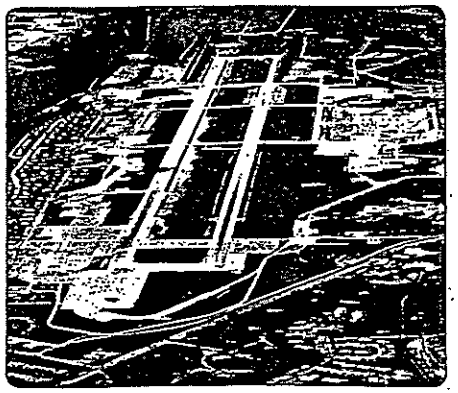
Potential for accidents exist in all areas where aircraft operate. Statistically, those areas immediately beyond the ends of the runways experience more aircraft accidents than any other area, and these areas have been identified as Accident Potential Zones. The Navy and all commercial carriers have effective air safety programs and the probability of a crash is very, very unlikely. However, our interest is to ensure that damage to life and property due to a possible aircraft crash is reduced by promoting a minimal exposure of people within significant accident potential zones.

I take this opportunity to thank you, the officials and citizens of the Territory of Guam for your past cooperation. I am sure that this same cooperation will continue and that Naval Air Station Agana, vital to the national defense, will remain a good neighbor to all of you.

If you wish to see the entire AICUZ Study, it is available in the Main Library in Agana and at various Government of Guam agencies. If you have any questions on the study, you may call my Staff Civil Engineer, Phone 345-1136.

Sincerely,

L.D. ESTES
Captain, United States Navy
Commanding Officer



WHAT IS AN AICUZ?

This pamphlet briefly describes a detailed study entitled Air Installation Compatible Use Zones (AICUZ). The AICUZ study completed at NAS Agana in 1978 is concerned with noise, aircraft accidents, and incompatible development. It is intended to acquaint local officals, planners, developers, and concerned citizens with the study and recommendations so that solutions to a complex problem can be realized. The AICUZ program seeks to achieve compatible land use on nongovernment, undeveloped land areas around Naval Air Stations.

WHY IS THERE A PROBLEM?

Naval Air Stations attract development to the surrounding area in response to the need for services of military personnel, their dependents, and civilian employees. This situation is compounded at NAS Agana because the facility also serves as the commercial airport for the Island of Guam and this attracts additional businesses and services to the airport area. Without some form of compatible land use control this encroachment could spread to the point of impeding or inhibiting the use of the facility by aircraft. The land closest to the station is subject to high noise levels and aircraft accident potential from jet and propeller driven aircraft, helicopters, and the facilities which operate and maintain these aircraft. Aircraft noise often exceeds levels compatible with some land uses, and at NAS Agana/GIAT the areas most seriously impacted are Mongmong, Dededo, and portions of Barrigada and Agana.

DEFENSE AND ROLE IN THE ECONOMY.

NAS Agana, Brewer Field, is on the site of a World War II Japanese airfield built during the Japanese occupation of Guam. The U.S. Navy has continuously operated the Air Station since "Liberation Day" in 1944, and the Guam International Air Terminal was completed in 1967 to serve all major air passenger and cargo carriers stopping at Guam. In addition to service to Guam itself, GIAT acts as the primary hub for all air service to the Central and Western Pacific areas and to the Trust Territories of the Pacific Islands. The Naval Air Station hosts eight Navy tenant organizations and the Coast Guard, and has a total population (Navy, Dependents, and Civilians) of almost 4,000. Several hundred people work at GIAT in addition to the more than 600,000 passengers going through the terminal each year. The payroll alone for all these employees (Navy and Civilian) exceeds 15 million dollars each year, while the contribution of tourism and commercial dollars through GIAT is in the hundreds of millions each year. NAS Agana/GIAT is vital to the United States defense posture in the Central and Western Pacific as well as to the economic well being of the Island of Guam.

COMPATIBLE DEVELOPMENT URGED.

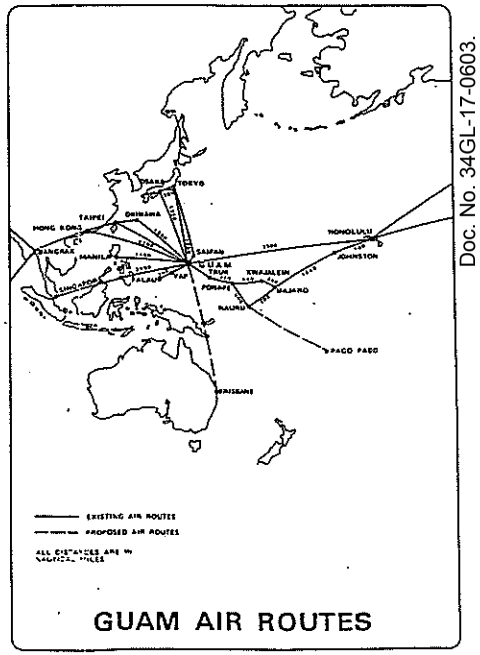
The purpose of the AICUZ is to provide a guide to compatible development through cooperation with local jurisdictions in order to minimize public exposure to aircraft noise and accidents, while at the same time protecting the operational capability of the Air Station and GIAT. By defining multiple compatible use zones the range of acceptable land uses is maximized. The result of the AICUZ and the recommendations for compatible land use are submitted to the local jurisdictions for considerations as a determinant in developing new or amending existing land use controls.

LESSENING OF CONFLICTS.

To eliminate the conflicts arising from encroachment of high density development the GOVGUAM Bureau of Planning, the Legislature, and the Guam Airport Authority working with the Air Station Command must take positive action to ensure that future land use and zoning will be compatible with all activities. A cooperative relationship exists between all parties, and progress is already being made towards resolving some of the encroachment problems.

WHO DID THE STUDY?

The AICUZ for NAS Agana/GIAT was prepared by CH2M HILL, a nationally known firm of engineering and planning consultants with offices in principal cities throughout the U.S. This study was conducted by staff from the firm's home office in Corvallis, Oregon. The firm has designed and master planned many major commercial and military airports, terminals, runways, control towers, and support facilities. The study was performed for NAS Agana/GIAT under supervision of the Pacific Division, Naval Facilities Engineering Command located in Pearl Harbor, Hawaii.



GUAM AIR ROUTES

Figure 2

Doc. No. 34GL-17-0603.

NOISE DESCRIPTOR EQUIVALENTS

Noise Exposure Zone	Composite Noise Rating*	Noise Exposure Forecast*	Day-Night Average Sound Level
3	CNR Zone 3	NEF above 40	L_{dn} above 75
2	CNR Zone 2	NEF 30 thru 40	L_{dn} 65 thru 75
1	CNR Zone 1	NEF below 30	L_{dn} below 65

Ldn contours were produced for Ldn 65, 70, 75, and 80, resulting in the following noise exposure zones:

>Ldn 80

The noise level within this zone is intolerable for human living or working areas.

Ldn 75-80

Very annoying noise. Suitable for industrial if structures are heavily soundproofed.

Ldn 70-75

Also very loud, but more tolerable in soundproofed structures.

Ldn 65-70

Generally acceptable for all uses except residential. Residential might be acceptable if homes are thoroughly soundproofed.

<Ldn 65

Acceptable for all kinds of uses.

Figure 3

Ldn LAND USE COMPATIBILITY

GENERALIZED LAND USE	Ldn RANGE	GENERAL LAND USE RECOMMENDATION
Residential and Educational	less than 65	Satisfactory, with little noise impact and requiring no special noise insulation requirements for new construction.
	65 to 70	New construction or development should be undertaken only after an analysis of noise reduction requirements is made and needed noise insulation features included in the design.
	greater than 70	New construction or development should not be undertaken.
Commercial	less than 70	Satisfactory, with little noise impact and requiring no special noise insulation requirements for new construction.
	70 to 80	New construction or development should be undertaken only after an analysis of noise reduction requirements is made and needed noise insulation features included in the design.
	greater than 80	New construction or development should not be undertaken unless related to airport activities or services. Conventional construction will generally be inadequate and special noise insulation features should be included in construction.
Industrial	less than 75	Satisfactory, with little noise impact and requiring no special noise insulation requirements for new construction.
	75 to 85	New construction or development should be undertaken only after an analysis of noise reduction requirements is made and needed noise insulation features included in the design.
	greater than 85	New construction or development should not be undertaken unless related to airport activities or services. Conventional construction will generally be inadequate and special noise insulation features should be included in construction.
Open	less than 75	Satisfactory, with little noise impact and requiring no special noise insulation requirements for new construction.
	greater than 75	Land uses involving concentrations of people (spectator sports and some recreational facilities) or of animals (livestock farming and animal breeding) should generally be avoided.

Figure 3

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 consists of "M-1" (Light Industrial), "C" (Commercial) and "A" (Rural) zone. Surrounding land-uses within the periphery of 750 feet consists of quarry activities, warehousing, funeral home, equipment storage yard, Catholic Social Services and Coca-Cola storage facilities. 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 is very nominal.

Density, height, setbacks, and parking will be in compliance with the present Zoning law. The proposed project is not expected to impose a hardship on 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 adjacent landowners. The proposed development has and will integrate these concerns in its development plans. . This zone change request will serve the public necessity, public convenience, and general welfare in the following manner.

i. Public Necessity

The location of the property within the restrictive AICUZ designations is more of a desired need of an "M-1" (Light Industrial) zone. The proposed project underscores the need for revitalizing the image of development within the area. The propose building expansion, services this need

by storing some of its vehicles indoor as compared to being stored in the open.

As Guam's economy prospers, many new or proposed developments designed to cater towards the military activities requires a need for auto repair facilities. The rezoning of the subject lot to expand its existing facility serves as an integral aspect of Guam's expanding economic base. The proposed land use of the property serves as an optimum land use for its strategic location and proximity to activities that will benefit from it.

ii. Public Convenience

The proposed zone change affords public convenience through the availability of this facility within the area. Route 16 a major thoroughfare is primarily utilized to commute between the northern and central villages and other business districts of Guam. The location of the existing business locates the proposed development within close proximity.

iii. General Welfare

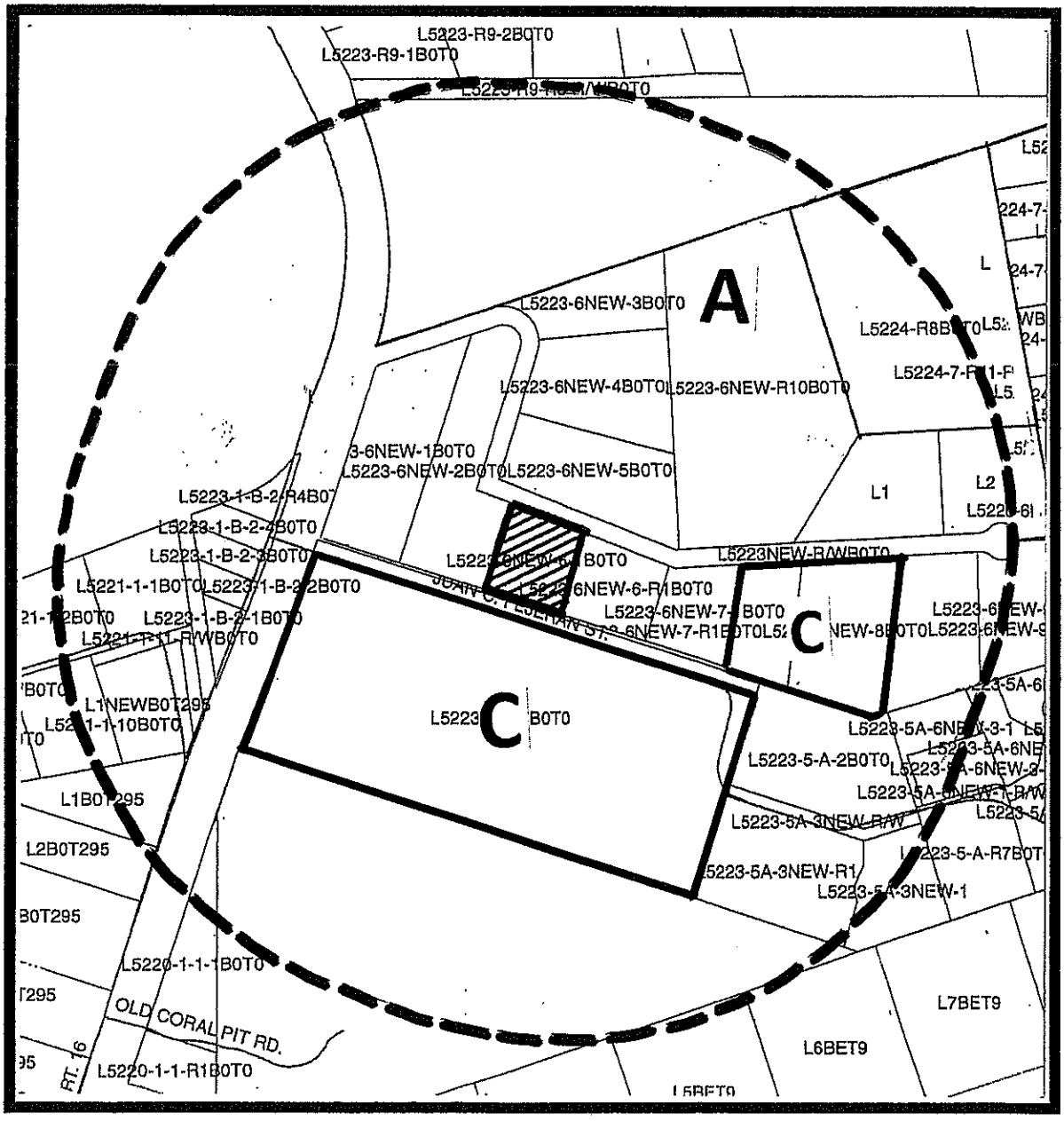
The location of the lot in addition to its underlying soils makes it unfeasible to utilize the property for rural activities such as commercial agricultural or subsistence farming. The rock exposure on the adjacent quarry pits to the west provides a description on the type of soils within the area. Rural activities within the project site are neither a desirable or recommended use for the location. The surrounding land uses restricts the property from its full

Zoning within a 1,000-feet radius of the subject lot boundaries.

Legend

Project Site

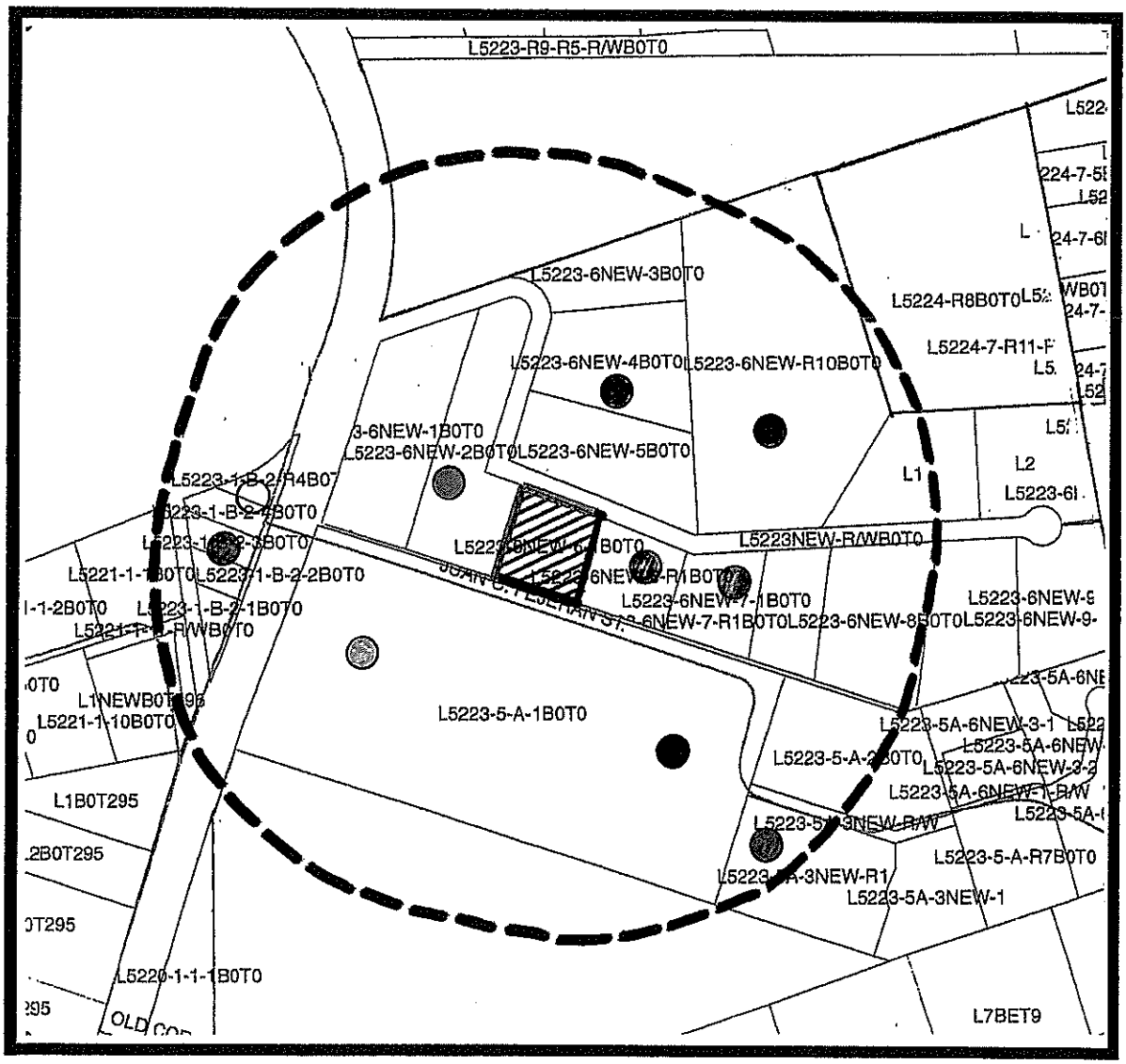
A (Agricultural) **C (Commercial)**



Land-Uses within a 750-feet radius of the subject lot boundaries.

Legend

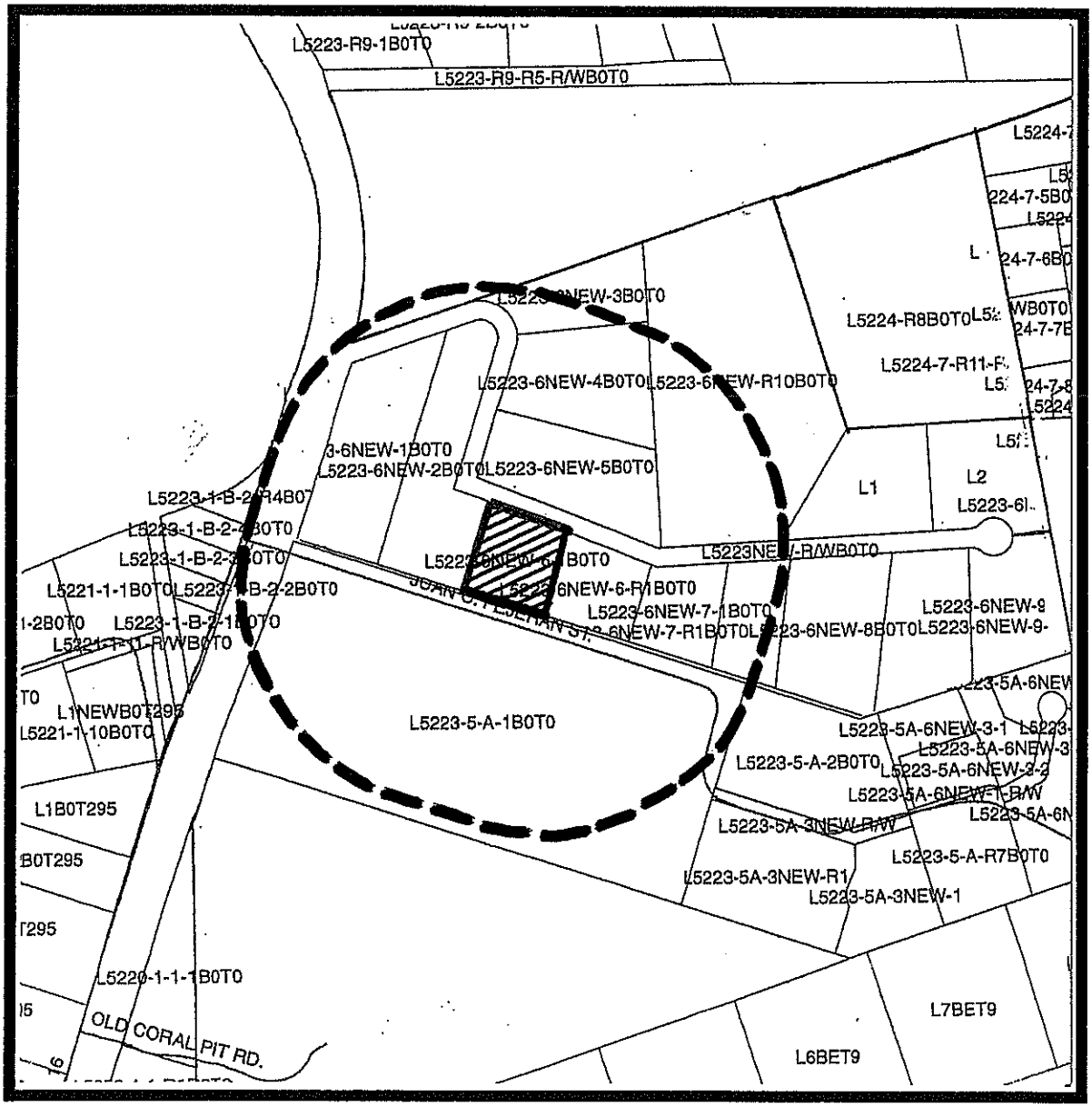
- Project Site
- Single Family
- Warehouse
- Coca Cola Plant
- Our Lady of Peace Funeral Home
- Revenue & Taxation
- Equipment Storage
- Catholic Social Service
- Perez Bros. Quarry
- Conwood Hardware



Lot numbers within a 500-feet radius of the subject lot boundaries.

Legend

Project Site



GUAM ENVIRONMENTAL PROTECTION AGENCY
ENVIRONMENT IMPACT ASSESSMENT

CASE NO.: _____ **PROJECT TITLE:** Proposed Expansion to Existing Building

APPLICATION FOR A FINDING OF NO SIGNIFICANT IMPACT

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

   Immanuel W.S. Choi
   P.O. Box 27678
   GMF, Barrigada, Guam 96921
   (671) 637-8780

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

   Ignacio F. Santos
   Land Use Consultant
   (671) 777-3862

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

   Lot No. 5223-6-NEW-6-R1NEW-1
   Municipality of Barrigada
   The proposed project is located between an unnamed street to the north and Juan G. Fejeran Street to the south. The project site borders the eastern side of Conwood Hardware Store and is approximately 455 feet from the intersection of Route 16 and Juan C. Fejeran Street. See Exhibit "A"

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

   The general nature of the project will be to expand the existing auto repair shop and vehicle safety inspection shop. The propose extension will add additional 7,000 square feet of area to its existing building.

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

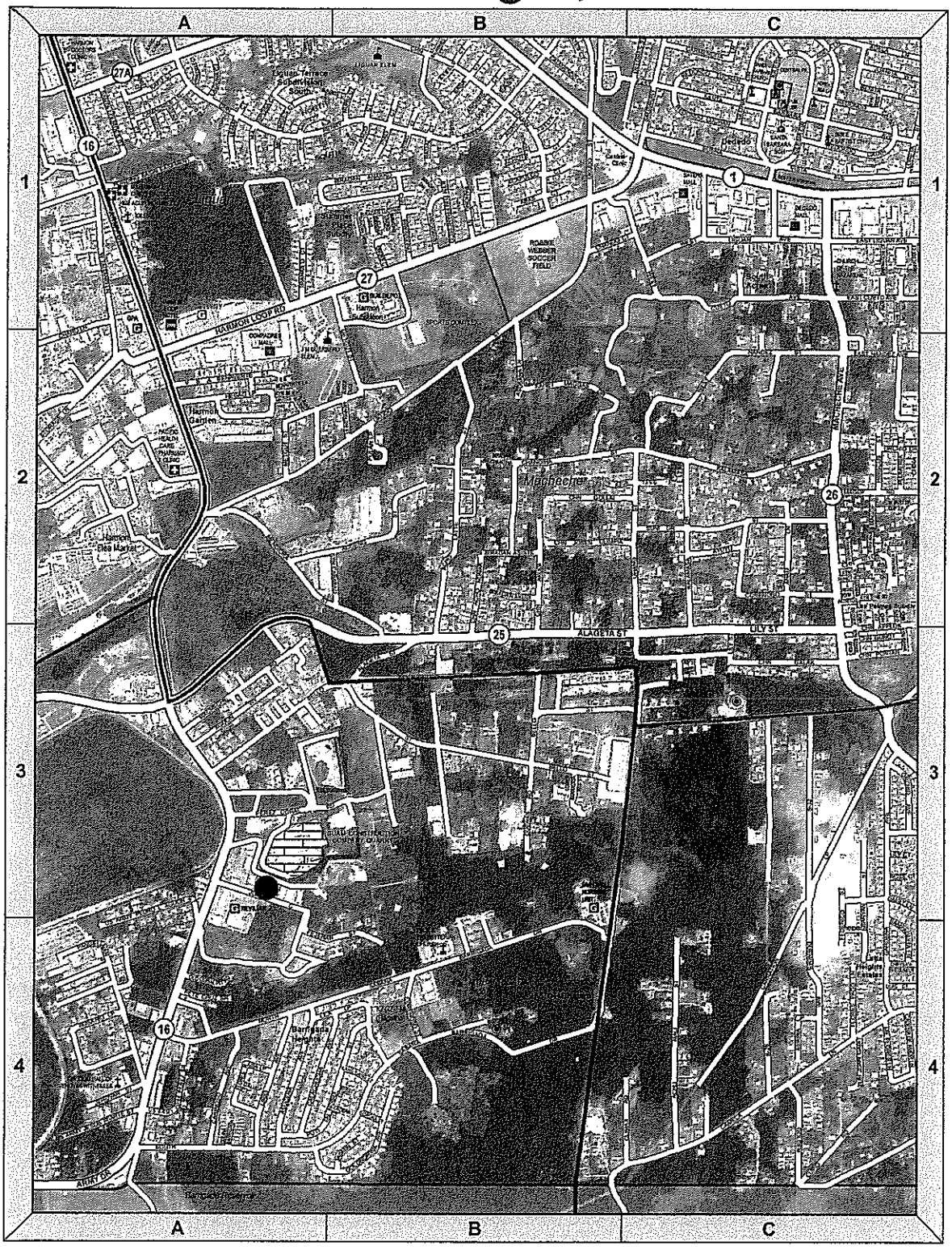
Guam

5R53

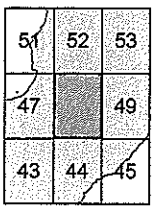
Dededo, Barrigada, Mangilao

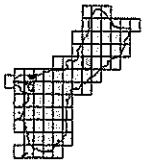
Project Site

48



© 2008 Bureau of Statistics & Plans





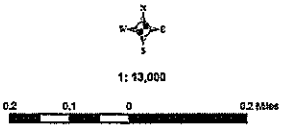


Exhibit "A"

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

* The proposed project is located within the ground water recharge area. All wastewater generated by the proposed project will be disposed of via a an existing wastewater line fronting the project.

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 of existing business within the area consists primarily of warehouses, auto repair shops and quarry activities. Land-uses that is consistent with the proposed project. Therefore, the proposed project will not dislocate any of the existing business within the area.

Dislocation of existing residences?

The proposed project does not anticipate an adverse impact to the existing residences of the area as the proposed project is in a reasonable association to the desired land use pattern for its location. Nearby residences are located on a higher elevation.

Dislocation of existing public areas?

The project will not dislocate any of the existing public areas within the vicinity. There are no public areas or parks within miles from the proposed project site.

Production of air contaminants?

The project does anticipate air contaminants during construction, however; controls will be utilized to mitigate the production of any air contaminants.

Increase in the requirements for drinking water supply?

The proposed development is a relatively small project as compared to a permitted residential land use of the site. Impacts to the existing facilities will be nominal and will not require the construction of new facilities. To supply the proposed project a one-inch diameter waterline will be connected to a six inch waterline located on Juan C. Fejeran Street.

Increase in the requirements for sewage disposal?

The project will not significantly increase the requirements for sewage disposal. Expansions to its facility will be solely for the shop and safety inspection area. The project proposes to connect to an wastewater line fronting the property along Juan C. Fejeran Street.

Increase in the requirements for vehicle traffic?

The proposed project will not significantly increase the requirements for vehicular traffic. Based on existing road improvements, the flow of vehicle traffic from the project should not be disruptive to affect the normal living patterns of the area.

Clearing and grading?

The project site exhibits a relative 2-3 percent grade with overgrown vegetation. Prior to any construction on the site a clearing permit will be required to initiate the proposed expansions to its facility.

On-site, individual wastewater disposal system?

The project will not require the installation of an on-site, individual wastewater disposal system.

Above ground or below ground storage tank?

The project will not require a storage tank below or above ground level.

DECLARATION BY APPLICANT

This proposed project will not result in a significant adverse environmental impact.



Immanuel W.S. Choi
Applicant

February 26, 2013
Date

412800

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER 412800
INSTRUMENT NUMBER
This instrument was filed for record on 14
day of Feb., 19 89, at 10:26 A.M. P.M.
duly recorded in Book at Page
, Recording Fee 10 Voucher No. AE 10713
Deputy Recorder

RECORDATION FOR THE DEPARTMENT OF LAND MANAGEMENT

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

WARRANTY DEED

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

THAT ON THIS 8th day of February, 1989, we,

JOSEPHA A. QUITUGUA and RYOKO FUSEYA

a resident of Guam, hereinafter referred to as "Grantors" for an in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration to us paid by IMMANUEL W.S. CHOI and CHUNG HEE CHOI OF Guam, hereinafter referred to as "Grantee", the receipt, adequacy and sufficiency whereof is hereby acknowledge, do hereby grant, bargain, sell and convey unto the Grantee, their successors and assigns, in fee simple, as tenants in common each owning an undivided 1/2 interest in the following described real property.

Description of Property

Lot No. 5223-6NEW-6-1, Municipality of Barrigada, Territory of Guam, Suburban, as said Lot is marked and designated on Map Drawing No.4684 (247FY86), dated September 6,1986 and recorded on July

27,1987 with the Deaprtment of Land Management, Government of Guam, under Document No. 387831 consisting of 3, 136+ square meters.

TOGETHER with the reversions, remainders, rents, issues and profits thereof and all of the estate, right, equity, therein, and thereto.

TO HAVE AND TO HOLD, the same, together with all buildings, improvements, rights, easements, priviledges and appurtenances thereon and thereto belonging or appertaining or their successors and assigns, forever.

AND WE, for oueself and our heirs, executors and administrators do hereby warrant and covenant with the Grantees, and their successors and assigns, that we are lawfully seized of the above described real 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 I have good right to sell and convey said property as aforesaid; that the Grantees shall have the right of quiet enjoyment of said property; and that we will and our heirs, executors and administrators warrant and defend the same to the Grantees, their successors and assigns, against the lawful claims and demands of all persons.

WATER AND POWER ARE IMMEDIATELY AVAILABLE ON THE PROPERTY OR WITHIN ONE HUNDRED FEET OF THE PROPERTY.

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

GRANTOR:

Josepha A. Quitugua
JOSEPHA A. QUITUGUA

Ryoko Fuseya
RYOKO FUSEYA

TERRITORY OF GUAM)
CITY OF AGANA)

On this 8th day of Feb., 1989, before me, a notary public in and for the Territory of Guam, personally appeared JOSEPHA A. QUITUGUA AND RYOKO FUSEYA, known to me to be the persons whose names are subscribed to the within instrument, and they acknowledge to me that they executed the same.

WITNESS my hand and official seal.

Rene G. Cabuay
RENE G. CABUAY
NOTARY PUBLIC IN AND FOR
THE TERRITORY OF GUAM
MY COMM. EXPIRES: 9-22-90

WATER AND POWER

RE: LOT NO. 5223-6NEW-6-1, BARRIGADA, GUAM.

(I, We) the Grantee(s) of the above mentioned captioned are aware of the fact that water and power may not be available on the property and understand that under no circumstances will the Government of Guam be in any way responsible for paying for any required water and power hookups, waterline extensions or powerline extensions.

IMMANUEL W.S. CHOI

CHUNG HEE CHOI

Territory of Guam)
) ss:
City of Agana)

On this 13 day of Feb., 1989, before me, a Notary Public, in and for the Territory of Guam, personally appeared IMMANUEL W.S. CHOI and CHUNG HEE CHOI, know to me to be the person(s) whose name(s) ~~xx~~ are subscribed to the foregoing statement and who acknowledged to me that they executed the same by their own free and voluntary act and deeds therein set forth.

WITNESS my hand and official seal.

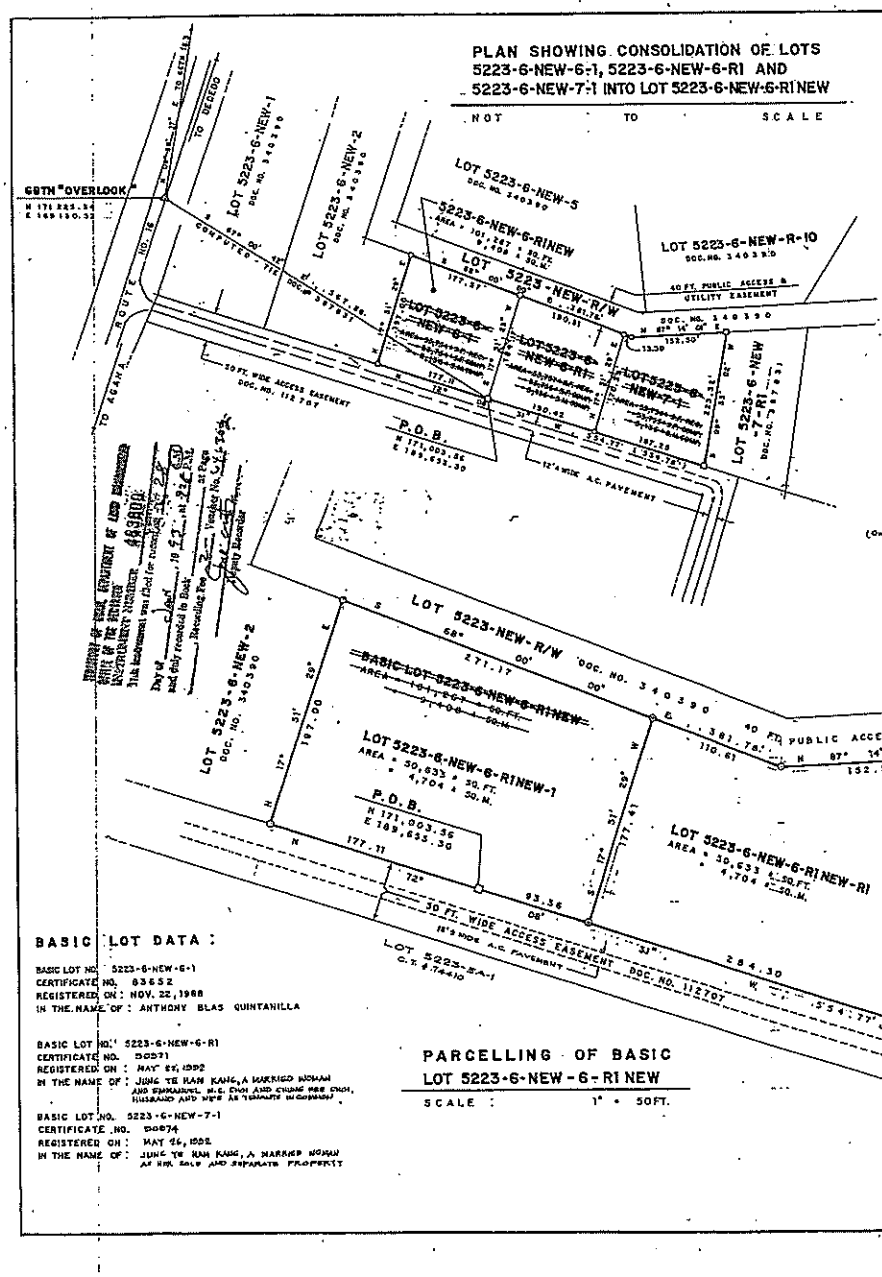
) SEAL (

Antoinette C. Castro

ANTOINETTE C. CASTRO
NOTARY PUBLIC
In and for the Territory of Guam
My Commission Expires: April 6, 1993

PLAN SHOWING CONSOLIDATION OF LOTS 5223-6-NEW-6-1, 5223-6-NEW-6-R1 AND 5223-6-NEW-7-1 INTO LOT 5223-6-NEW-6-R1 NEW

NOT TO SCALE



BASIC LOT DATA :

BASIC LOT NO. 5223-6-NEW-6-1
CERTIFICATE NO. 83652
REGISTERED ON : NOV. 22, 1988
IN THE NAME OF : ANTHONY BLAS QUINTANILLA

BASIC LOT NO. 5223-6-NEW-6-R1
CERTIFICATE NO. 50071
REGISTERED ON : MAY 6th, 1992
IN THE NAME OF : JUNG YE HAN KANG, A MARRIED WOMAN AND EMMANUEL W.S. CHOI AND CHUNG HEE CHOI, HUSBAND AND WIFE AS TENANTS IN COMMON

BASIC LOT NO. 5223-6-NEW-7-1
CERTIFICATE NO. 50074
REGISTERED ON : MAY 26, 1992
IN THE NAME OF : JUNG YE HAN KANG, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

PARCELLING OF BASIC LOT 5223-6-NEW-6-R1 NEW

SCALE : 1" = 50FT.

N

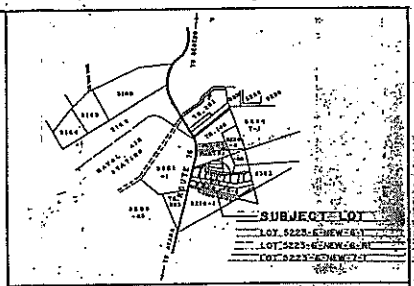
1963 GRID

GRAPHIC SCALE : 1" = 50'

CHECKED BY :
PLANNER, D.L.M. — DATE 12/7/92
CHIEF, D.L.M. — DATE 12-3-92
ENGINEER, D.L.M. — DATE 1/11/93
CARTOGRAPHIC TECH., D.L.M. — DATE 11-12-92

NOTE : RECORDS WERE CHECKED ON DOCUMENTS SUBMITTED ON SUBJECT LOTS ONLY.
LAND ABSTRACTOR, RECORDS DIV. D.L.M. — DATE 12-9-92
SHARON C. RODRIGUEZ

PREPARED FOR, SATISFACTORY TO & APPROVED BY :
JUNG YE HAN KANG — DATE 2/26/92
(OWNER : LOTS 5223-6-NEW-6-R1 & 5223-6-NEW-6-R1)
EMMANUEL W.S. CHOI — DATE 2/26/92
(CO-OWNER : LOT 5223-6-NEW-6-R1)
CHUNG HEE CHOI — DATE 2/26/92
(CO-OWNER : LOT 5223-6-NEW-6-R1)



VICINITY INDEX MAP
NOT TO SCALE

REFERENCES :
1. DWG. NO. 4686 "AGRICULTURAL" RE-SUBDIVISION OF LOT 5223-6-NEW-6, 7 & 9" BY C.A. VILLAFLORES, RLS # 64, L.M. # 247 FY 86, DOC. # 3.82.93
2.

NOTES :
1. SURVEY WAS BASED ON "FOUND CORNERS" AS SHOWN.
2. ALL DISTANCES ARE IN FEET U.O.N.
3. BEARINGS & DISTANCES ARE 1963 GRID AND FIELD CONDITION.
4. SUBJECT LOT(S) HAVE ZONE "A" AGRICULTURAL ZONE, AS PER THE MAP.

SYMBOLS :
- △ — 68TH TRAVERSE STATION
- □ — NO. 6 REBAR FOUND W/CAP MARKED RLS # 64
- ○ — NO. 4 REBAR FOUND SET BY RLS # 50
- ⊙ — NO. 4 REBAR W/PLASTIC CAP MARKED RLS # 50
- Z — CONSOLIDATION SYMBOL

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH THE REQUIREMENTS OF P.D. CHAPTER 8, TITLE 21 GUAM CODE ANNOTATED, AND REGULATIONS THEREUNDER, THIS 2nd DAY OF January, 1993
TERRITORIAL SURVEYOR

APPROVAL PURSUANT TO 21 GCA, CHAPTER 61, SUBDIVISION
TERRITORIAL PLANNING COUNCIL — DATE 12/10/92

CERTIFICATE OF SURVEYOR

I, EFREN B. SANTOS HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON FIELD SURVEY MADE ON 1991-93 IN ACCORDANCE WITH ALL APPLICABLE LAWS.

I ALSO CERTIFY THAT ALL THE MONUMENTS ARE AT THE LOCATIONS AND IN THE RESPECTIVE POSITIONS AS SHOWN IN THIS PLAN.

EFREN B. SANTOS, PLS 50 — DATE 10/11/92

REVISION	DESCRIPTION	BY	APPROVED DATE

CONSOLIDATION OF LOTS 5223-6-NEW-6-1, 5223-6-NEW-6-R1 AND 5223-6-NEW-7-1 INTO LOT 5223-6-NEW-6-R1 NEW THEN PARCELLING OF LOT 5223-6-NEW-6-R1 NEW

MUNICIPALITY OF BARRIGADA
LD. 14 SEC. 42

SURVEY DATA	DATE	BASIC LOT DATA
FIELD: E.B.S.	NOV. 1991	BASIC LOT NO.
DOC. NO.: E.B.S.	NOV. 1991	CERTIFICATE NO.
COMPUTED: E.B.S.	NOV. 1991	REGISTERED ON:
DRAWN: E.B.S.	NOV. 1991	IN THE NAME OF: SEE PLAN
RESEARCH BY: E.B.S.	NOV. 1991	
CHECKED BY: E.B.S.	NOV. 1991	

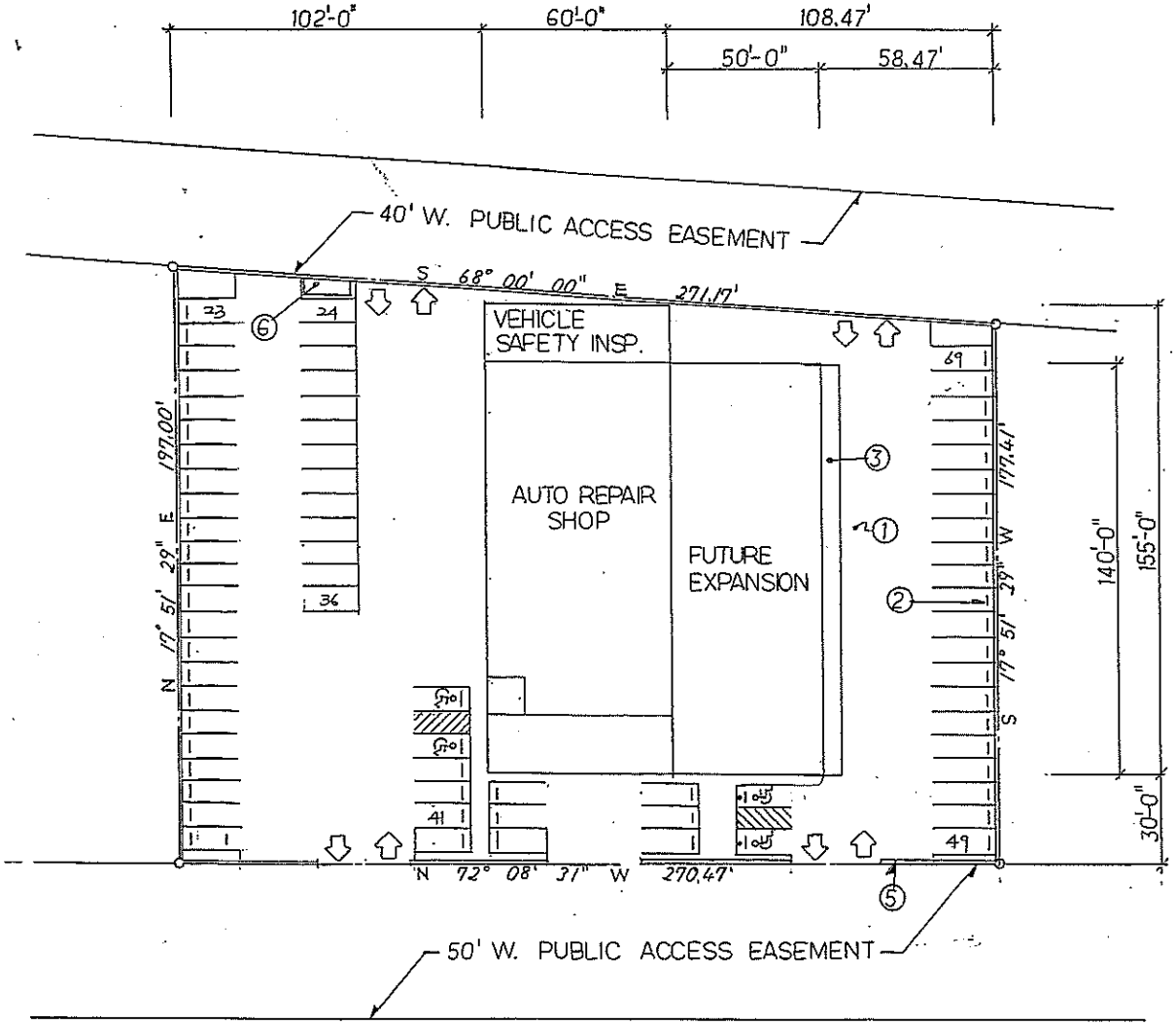
PREPARED FOR, SATISFACTORY TO AND APPROVED BY:
SEE PLAN
OWNER: — DATE

SHEET 1 OF 1	DRAWING NUMBER	LAND MANAGEMENT, GUAM
SCALE : AS SHOWN	ES-9219	NO. 104 FY 92

SANTOS SURVEYING SERVICES
EFREN B. SANTOS, JR., LAND SURVEYOR No. 50
SUITE 245 AGALE SHOPPING CENTER, AGANA, GUAM — TEL. 477-5716 633-1767

8735

Doc. No. 34GL-17-0603.



LEGEND/SYMBOLS/ABBREVIATIONS

EXISTING	NEW	DESCRIPTION	REMARKS
----------	--------	PROPERTY	

NOTES

1. HIGHWAY ENCROACHMENT PERMIT REQUIRED PRIOR TO THE EXECUTION OF WORK WITH IN THE RIGHT OF WAY LIMITS.
2. COMPLY WITH DPW-HIGHWAY STANDARD FOR RESTORATION OF PANEMENT DAMAGED BY CONTRUCTION WORK.
3. CONTRACTOR SHALL CLEAR AND GRUB ALL SURFACE VEGETATION, TREES SURFACE DEBRIS AND BOULDERS, STRIPPING WILL BE 12" MINIMUM. FILL MATERIAL SHALL BE LIMESTONE SAND GRAVEL SOIL FREE OF ROCK FRAGMENTS NOT BIGGER THAN 6" , DEGRIS AND PERISHABLE MATTER AND SHALL BE REASONABLY GRADED FROM COARSE TO FINE NOT MORE THAN 25% PASSING NO. 200 MESH SIEVE. PLACE MATERIALS IN 10" LOOSE MAYERS AND COMPACT TO 95% RELATIVE DENSITY.

SCOPE OF WORK

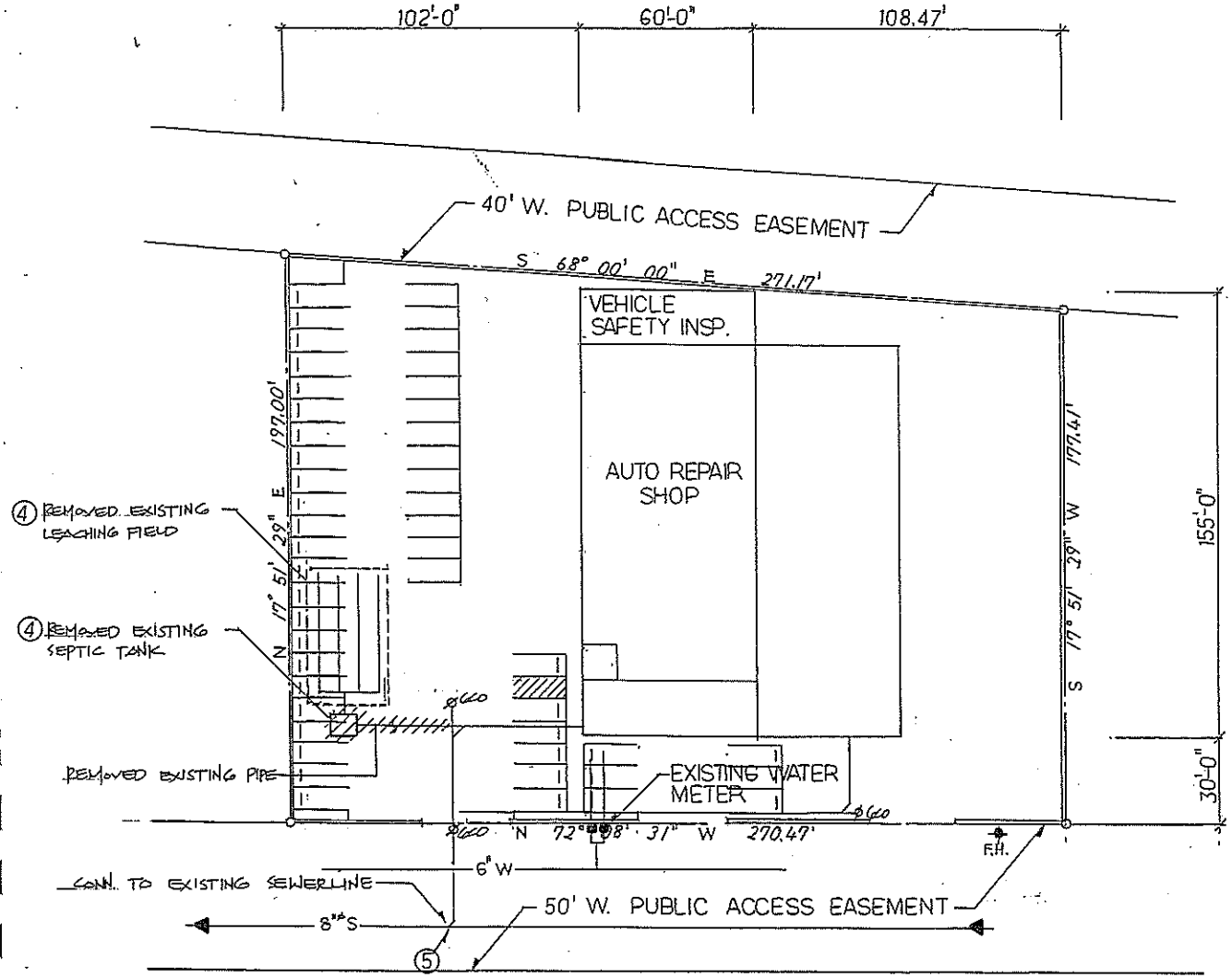
MARK	DESCRIPTION
①	2" THK. ALPHALT PAVING
②	CONC. WHIRL STOP
③	CONC. WALKWAY
④	HANDICAP SIGN BOARD
⑤	CONC. CURB
⑥	TRASH CONTAINER

PARKING CALCULATION

AUTO SHOP : 60' x 135' + 50' x 140' = 15,100 SF/800 SF	=	19 PARKING STALLS
OFFICE 20' x 60' = 1,200 SF / 400 SF	=	3 PARKING STALLS
EMPLOYEE		3 PARKING STALLS
TOTALS		25 PARKING STALLS
TOTAL PARKING REQ.		25 PARKING STALLS
TOTAL PARKING SPACE		69 PARKING STALLS

LOCATION	LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	SITE PLAN
SCALE	1" = 40'-0"
DRAWING NO.	C - 1

Doc. No. 34GL-17-0603.



■ LEGEND/SYMBOLS/ABBREVIATIONS

EXISTING	NEW	DESCRIPTION	REMARKS
----------	----------	PROPERTY	
	--- 1" W --	1" WATER LINE	
	--- 6" S ---	6" SEWER LINE	
		FIRE HYDRANT	

■ NOTES

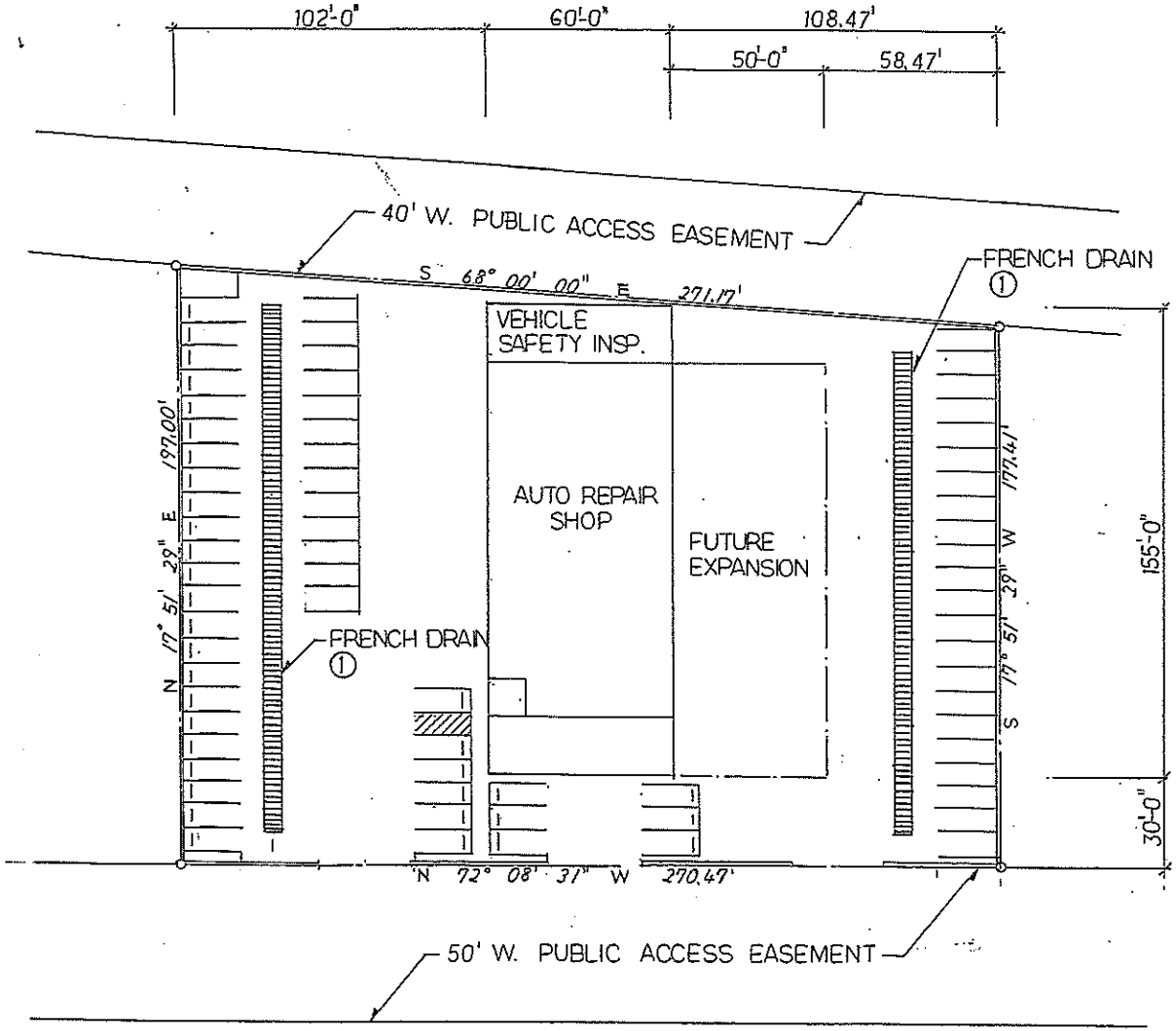
1. LOCATION OF EXISTING UTILITIES ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY LOCATIONS AND DEPTH OF ALL EXISTING UTILITIES PRIOR TO THE START OF WORK AND CARE TO PROTECT EXISTING UTILITY LINES AND OTHER STRUCTURES FROM DAMAGE.
2. TAPPING CONNECTION TO EXISTING WATER LINE SHALL BE COORDINATED AND APPROVED BY GWA PERMIT DIVISION.
3. MATERIALS, EQUIPMENT AND SCHEDULE OF TAPPING TO EXISTING WATER LINE SHALL BE APPROVED BY GWA ENGINEERING DIVISION.

■ SCOPE OF WORK

MARK	DESCRIPTION
①	CONNECTION TO EXISTING WATER LINE
②	PROVIDE FIRE HYDRANT
③	EXISTING WATER METER
④	EXISTING LEACHING FIELD AND SEPTIC TANK SHALL BE REMOVED
⑤	CONNECTION TO EXISTING SEWER LINE

Doc. No. 34GL-17-0603

LOCATION	LOT NO. 5223-6-NEW-6-RINEW-1,, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	UTILITY PLAN – WATER AND SEWERLINE
SCALE	1" = 40'-0"
DRAWING NO.	C - 2



■ LEGEND/SYMBOLS/ABBREVIATIONS

EXISTING	NEW	DESCRIPTION	REMARKS
∘ ----------	∘ -------	PROPERTY	
00 ----------	---00---	CONTOURS	
	-- 0.00	SPOT ELEVATIONS	
	<----w	RUN OFF FLOW	

■ NOTES

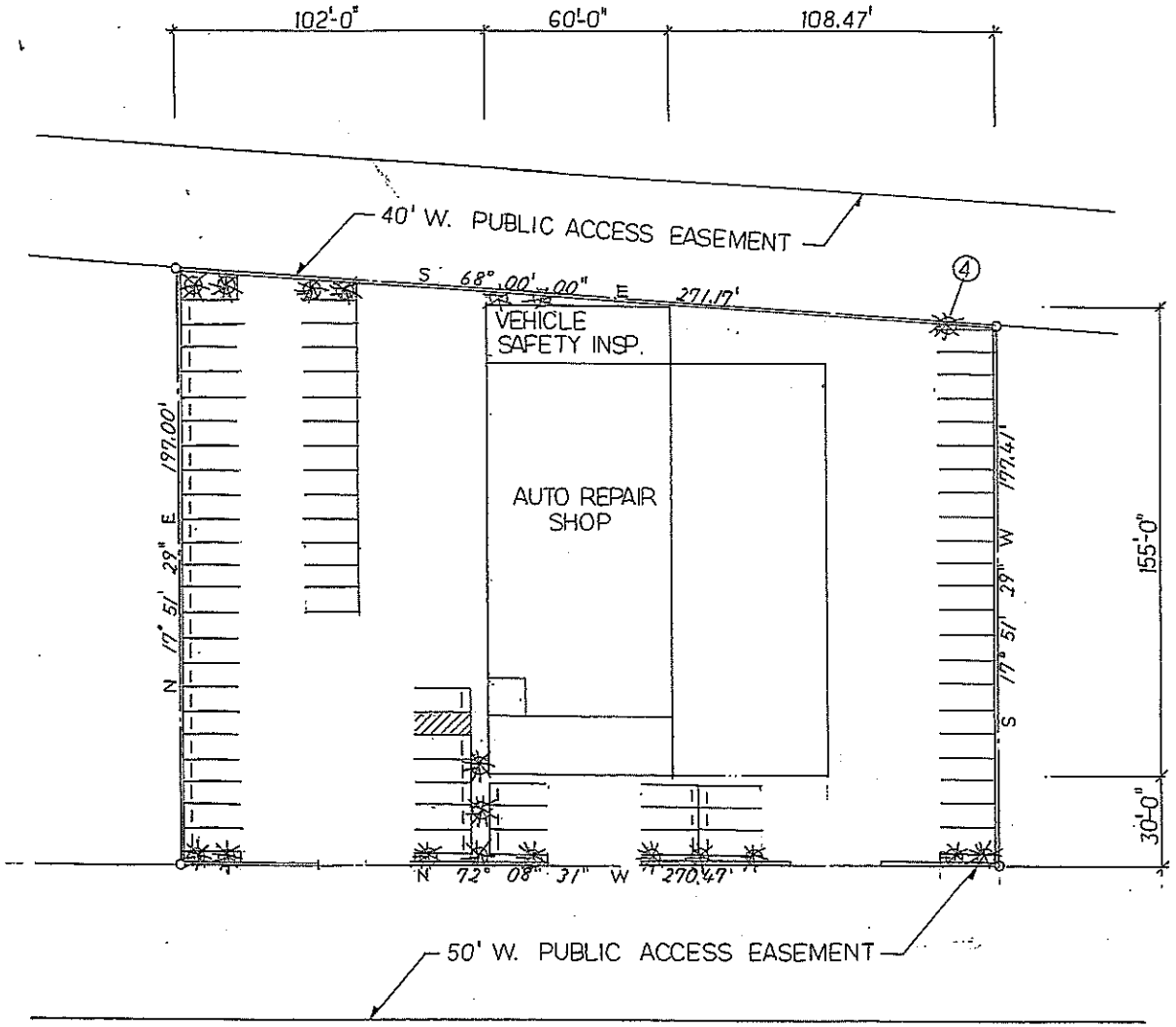
1. CONTRACTOR SHALL CLEAR AND GRUB ALL SURFACE VEGETATION, TREES SURFAC DEBRIS AND BOULDERS, STRIPPING WILL BE 12" MINIMUM. FILL MATERIAL SHALL BE LIMESTONE SAND GRAVEL SOIL FREE OF ROCK FRAGMENTS NOT BIGGER THAN 6" DEGRIS AND PERISHABLE MATTER AND SHALL BE REASONABLY GRADED FROM COARSE TO FINE NOT MORE THAN 25% PASSING NO. 200 MESH SIEVE. PLACE MATERIALS IN 10" LOOSE MAYERS AND COMPACT TO 95% RELATIVE DENSITY.

■ SCOPE OF WORK

MARK	DESCRIPTION
①	NEW FRENCH DRAIN SYSTEM – 2 LOCATION

Doc. No. 34GL-17-0603.

LOCATION	LOT NO. 5223-6-NEW-6-RINEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	DRAINAGE PLAN
SCALE	1" = 40'-0"
DRAWING NO.	C - 3



LEGEND/SYMBOLS/ABBREVIATIONS

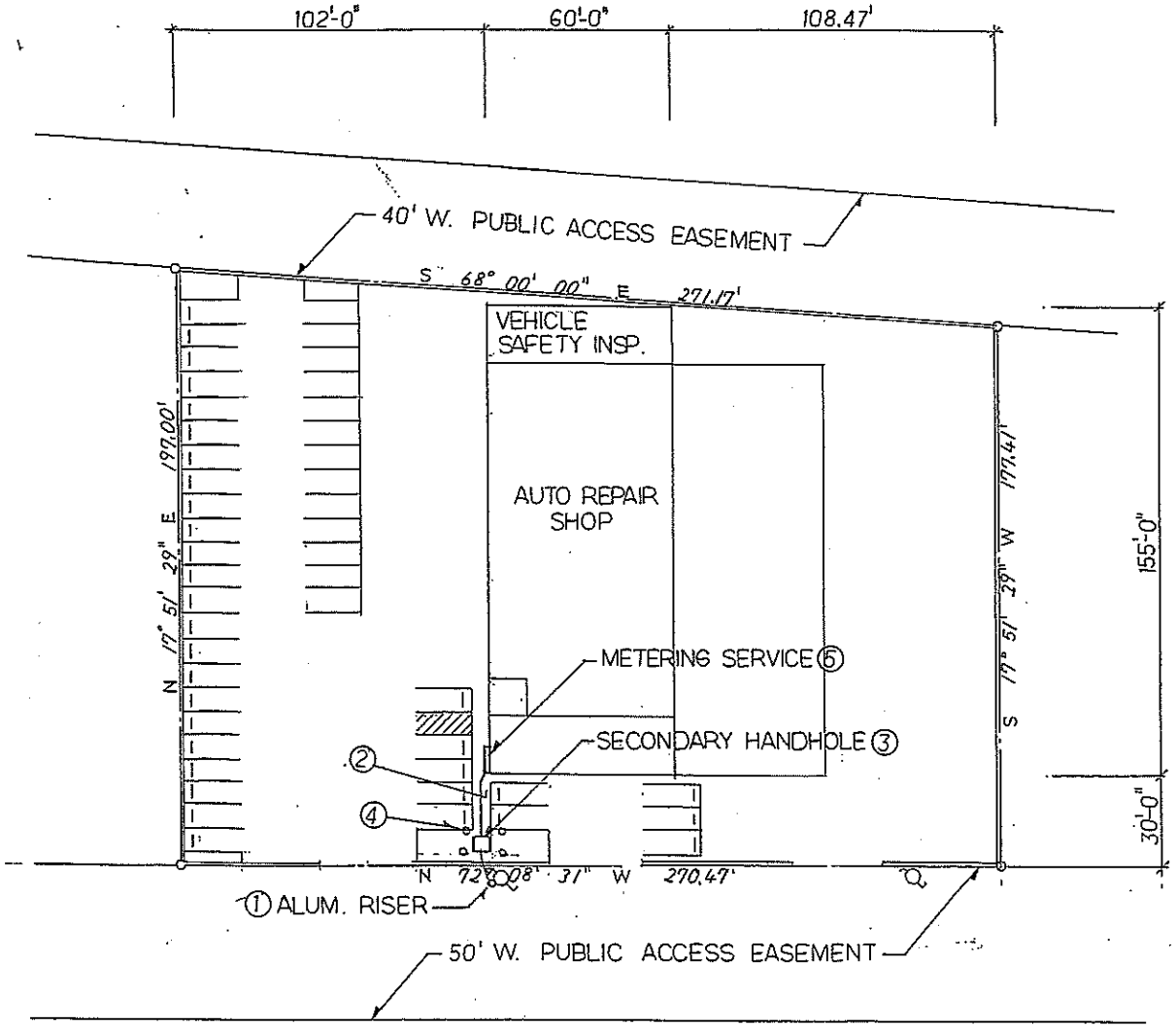
EXISTING	NEW	DESCRIPTION	REMARKS
----------	----------	PROPERTY	

SCOPE OF WORK

MARK	DESCRIPTION
①	CHINESE BETEL – NUT PALM
②	WEDELIA
③	UMBRELLA TREE
④	COCONUT PALM BREE
⑤	PINKIXORA TREE
⑥	GRASS

Doc. No. 34GL-17-0603.

LOCATION	LOT NO. 5223-6-NEW-6-RINEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	LANDSCAPING PLAN
SCALE	1" = 40'-0"
DRAWING NO.	C - 4



■ GPA NOTES

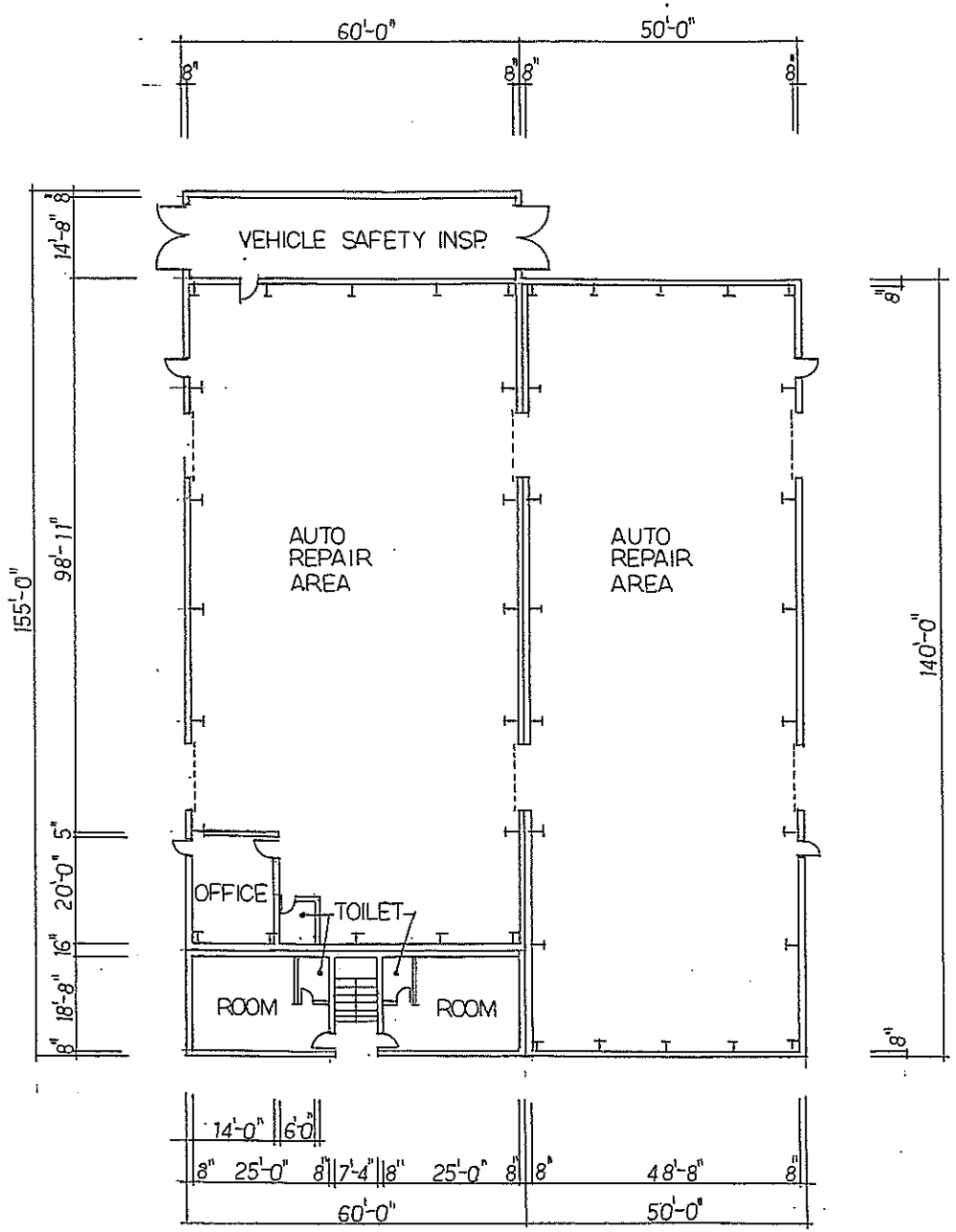
1. APPLICATION OF POWER MUST BE SUBMITTED 8 MONTHS IN ADVANCE BEFORE ACTUAL SERVICE CONNECTION TO ALLOW FOR DELIVERY OF GPA MATERIALS AND EQUIPMENT.
2. OWNER MUST GRANT EASEMENT FOR THE ROUTING AND LOCATION OF UNDERGROUND POWER LINES AND EQUIPMENT.
3. OWNER/CONTRACTOR MUST COORDINATE WITH GPA FOR THE INSPECTION OF TRENCH, CONDUIT LAYOUT, HANDHOLE, PAD & ETC. 48 HOURS ADVANCE NOTICE IS REQUITED.
4. ALL CONDUITS MUST BE CLEANED AND MANDRELLED IN THE PRESENCE OF GPA INSPECTOR.
5. ALL CONDUIT MUST BE PROVIDED WITH NYLON ROPE PULL WIRE OF 200 LBS. MINIMUM PULL STRENGTH.
6. ALL UNDERGROUND DUCTS, BENDS AND ELBOWS SHALL BE CONCRETE ENCASED THROUGHOUT THE WHOLE ROUTE.
7. ALL ABOVE GROUND GPA CONDUITS SHALL BE RIGID ALUMINUM CONDUIT. ALL BELOW GRADE GPA CONDUIT SHALL BE CONCRETE ENCASED PVC SCHEDULE 40.
8. GPA HANDHOLE, TRANSFORMER AND METER SHALL BE ACCESSIBLE 24 HOURS A DAY FOR MAINTENANCE AND METER READING.
9. ALL ELECTRICAL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST NATIONAL ELECTRICAL CODE (NEC) AND NATIONAL ELECTRICAL SAFETY CODE (NESC).
10. CONTRACTOR/OWNER SHALL IDENTIFY THE REGISTERED LAND SURVEYOR (RLS) PROPERTY MARKERS/POINTS TO THE GPA INSPECTOR AT THE JOB SITE.
11. PROVIDE 3 FEET MIN. CLEARANCE ALL AROUND HANDHOLES, TRANSFORMERS, AND METERING EQUIPMENT FROM FENCE, WALLS, AND STRUCTURES.
12. CONTRACTOR/OWNER SHALL OBTAIN A REGISTERED LAND SURVEYOR TO PROVIDE NEW POLE STAKEOUT AND DOWN-GUY LOCATIONS. COORDINATE WITH GPA ENGINEERING FOR SPECIFIC REQUIREMENTS.
13. CONTRACTOR/OWNER SHALL OBTAIN A REGISTERED LAND SURVEYOR TO PREPARE EASEMENT EXHIBITS FOR GPA POLES, HANDHOLES, TRNSFORMERS, OVERHEAD/UNDERGROUND POWER LINES AND OTHER ASSOCIATED POWER FACILITIES. COORDINATE WITH GPA ENGINEERING FOR SPECIFIC REQUIREMENTS.
14. ALL SURVEY STAKEOUTS, MAPS, AND EASEMENT DOCUMENTS SHALL BE FIELD VERIFIED BY GPA.

■ SCOPE OF WORK

MARK	DESCRIPTION
①	1-4" C. ALUM. RISER
②	4" C. WITH CONCRETE. ENC.
③	SECONDARY HANDHOLE
④	GUARD POST
⑤	METERING SERVICE

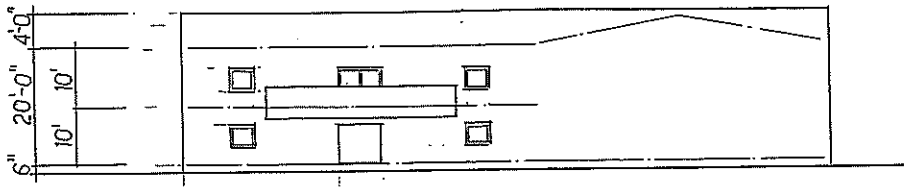
LOCATION	LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	ELECTRICAL SITE PLAN
SCALE	1" = 40'-0"
DRAWING NO.	E - 1

Doc. No. 2461-17-0603.



LOCATION	LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	FLOOR PLAN
SCALE	3/62" = 1'-0"
DRAWING NO.	A - 1

Doc. No. 34GL-17-0603.



LOCATION	LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM
PROJECT NAME	PROPOSED AUTO REPAIR SHOP BUILDING
SHEET CONTENTS	FRONT ELEVATION
SCALE	3/62" = 1'-0"
DRAWING NO.	A - 2

Doc. No. 34GL-17-0603.

February 7, 2013

STORM DRAINAGE CALCULATIONS

PROJECT : PROPOSED AUTO REPAIR SHOP BUILDING

OWNER : IMMANUEL CHOI

LOCATION: LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM

REFERENCE :

1. GUAM STORM DRAINAGE MANUAL
2. FLOODING AND DRAINAGE MANUAL, CORPS OF ENGINEERS

ATTACHMENTS

1. FIGURE 5-8, 5-20, 5-32 OF THE GUAM STORM DRAINAGE MANUAL
2. FIGURE 6.1 DEPTH-DURATION GRAPH OF THE GUAM STORM MANUAL,

STORM DRAINAGE CALCULATIONS
USE FRENCH DRAIN

PROPOSED NEW DRAINAGE SYSTEM
Rational Equation Calculations
Ref : Guam Storm Drainage Manual, 1980

JOB # Proposed Auto Repair Shop Building

Percolation Rate 0.67 in/min.
Or 0.0558 ft./min.

5% Exccedance - 20 Yr. Storm

Duration	Depth (Inch)	Intensity (In/Hr.)
30 min.	2.50	5.00
1 hr..	3.20	3.20
2 hr..	4.30	2.15
3 hr..	5.00	1.67
6 hr..	6.70	1.11

Area ID	Size Acres	Runoff Coeff. C	Duration	Intensity (in/hr.)	Flow Rage Q=C*I*A cfs	Inflow Volume cf
French Drain	1.176	0.95	30 min.	5.00	5.586	10,054.80
			1 hr.	3.20	3.575	12,870.14
			2 hr.	2.15	2.402	17,294.25
			3 hr.	1.67	1.865	20,149.81
			6 hr.	1.11	1.24	26,785.98

PERCOLATION & STORAGE CALCULATIONS

Area ID	Perc. Area SF	Perc. Rate Ft./Min.	Duration	Inflow Volume cf	outflow Volume cf	Required Storage cf
On Site	2,160	0.0558	30 min.	10,054.80	3,615.84	6,438.96
			1 hr.	12,870.14	7,231.68	5,638.46
			2 hr.	17,294.25	14,463.36	2,830.89
			3 hr.	20,149.81	21,695.04	- 1,545.23
			6 hr.	26,785.98	43,390.08	-16,604.10

MAXIMUM REQUIRED STORAGE ---------- 6,438.96 CF

STORAGE CAPACITY OF FRENCH DRAIN:

A) WITH DRAIN ROCKS 50% VOID RATIO = 360' L. x 3' W. x 4' D. x 0.50 = 2,160 CF
B) WITHOUT DRAIN ROCK = 360' L. x 3' W. x 4' D. = 4,320 CF

TOTALS 6,480 CF > 6,438.96 SF

CONCLUSION: TRIAL FRENCH DRAIN CAPACITY IS SUFFICIENT.

February 7, 2013

POTABLE WATER
AND
WASTE WATER

CALCULATIONS

PROJECT : PROPOSED AUTO REPAIR SHOP BUILDING

OWNER : IMMANUEL CHOI

LOCATION: LOT NO. 5223-6-NEW-6-R1NEW-1, BARRIGADA, GUAM

SUBJECT : WASTE WATER PIPE
REFERENCE : GWA STANDARD OF SEWER SYSTEM
INTERNATIONAL BUILDING CODE 2009

ACTUAL CALCULATED FIXTURE UNITS

TABULATED EQUIVALENT FIXTURE UNITS

FIXTURE	NO. OF FIXTURES	NO. OF UNITS	NO. OF FIXTURE VALUE	TOTAL NO. OF FIXTURE UNITS
WATER CLOSET	1	4	3	12
LAVATORY	1	4	3	12
KITCHEN SINK	1	3	2	6
BATHTUB	1	2	1	2
WASHING MACHINE	1	3	2	6
GRAND TOTAL OF NUMBER OF FIXTURE UNITS				38 FU

MAXIMUM LOADING OF 6"DIAMETER HORIZONTAL SEWAGE PIPE IS 720 FIXTURE UNIT

ACTUAL CALCULATED MAXIMUM NUMBER OF UNITS IS = 38 FU

CONVERT FIXTURE UNIT TO GAL PER DAY BASED ON INTERNATIONAL PLUMBING CODE

500 FU = 124 GPM
CONVERT 50 FU TO GAL PER MIN.
500 FU / 38 FU = 124 GPM / X
X = 9.424 GAL. / MIN.
AVERAGE USE AT 60 MIN. INTERVAL
DEMAND "Q" = 9.424 GAL/MIN. x 24 HR. / DAY x 60 MIN. / HR. = 13,570.56 GPD

COMPUTE ACTUAL CAPACITY OF 6" PIPE WITH MIN. OF SLOPE OF 0.02

$$Q = \frac{(A)\,(1.486)\,R^{2/3}\,(S)^{1/2}}{n}$$

A=0.1963 C=1.486 (R)2/3=0.30686 (S)=0.0447 n=0.012

Q = 0.3334 CFS = 28,805 CFD (CU. FT. PER DAY)

CONVERT DFS TO GPD

Q = 28,805 CFD x 7.48 = 215,461 GPD

Q DEMAND =13,570.56 GPD < Q ACTUAL = 215,461 GPD

THREFORE 6" DIA. SEWER PIPE IS SUFFICIENT FOR THIS DEVELOPMENT

SUBJECT : POTABLE WATER PIPE
REFERENCE : GWA STANDARD OF SEWER SYSTEM
INTERNATIONAL BUILDING CODE 2009

ACTUAL CALCULATED FIXTURE UNITS

TABULATED EQUIVALENT FIXTURE UNITS

FIXTURE	NO. OF FIXTURES	NO. OF UNITS	NO. OF FIXTURE VALUE	TOTAL NO. OF FIXTURE UNITS
WATER CLOSET	1	4	3	12
LAVATORY	1	4	3	12
KITCHEN SINK	1	3	2	6
BATHTUB	1	2	1	2
WASHING MACHINE	1	3	2	6
GRAND TOTAL OF NUMBER OF FIXTURE UNITS				38 FU

CAPACITY OF 2" PIPE IS 8 FU
WHICH IS EQUAL TO 21 GPM

ACTUAL CALCULATED MAXIMUM NUMBER OF UNITS IS = 38 FU

CONVERT FIXTURE UNIT TO GAL PER DAY

500 FU = 124 GPM
CONVERT 50 FU TO GAL PER MIN.
500 FU / 38 FU = 124 GPM / X
X = 9.424 GAL. / MIN.
AVERAGE USE AT 60 MIN. INTERVAL
DEMAND "Q" = 9.424 GAL/MIN. x 24 HR. / DAY x 60 MIN. / HR. = 13,570.56 GPD

THE REQUIRED FLOW FOR 9.424 GPM < ACTUAL CAPACITY OF 2"PIPE = 21 GPM

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

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MONTE MAFNAS
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

[2013-20]

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

January 21, 2014

Honorable June Blas
Mayor of Barrigada

Dear Mayor:

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

The Applicant, Immanuel WS Choi, represented by Ignacio F. Santos, request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, in the Municipality of Barrigada, under Application No. 2013-20.

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 **Barrigada Community Center, Thursday, February 6, 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

Received 1/22/14
M. Bautista

ATTACHMENT 3

DEPARTMENT OF LAND MANAGEMENT - LAND PLANNING DIVISION
GUAM LAND USE COMMISSION (GLUC)/GUAM SEASHORE PROTECTION COMMISSION (GSPC)
PUBLIC HEARING ATTENDANCE SHEET

PLACE: Barrigada Mayor's Office

DATE: February 6, 2014 **TIME:** 6:00 PM

APPLICATION TYPE: Zone Change **APPLICATION NO:** 2013-20

DESCRIPTION: Zone change request from "A" to "M-1" for expasion of an existing auto repair shop

APPLICANT/REP: Ignacio Santos

LOT NO(s): 5223-6NEW-6-RINEW-1

PRINT NAME	MAILING ADDRESS/LOT #	TELEPHONE
1. Jessie Bautista		487-0076
2. James P. Castro		734.3737
3. Francisco G. Benavente		482-6667
4. Ignacio Santos		777-3862
5. June U. Blas		734-3131/3859
6. Felix C Benavente		
7. Young Suk Kim		734-5223
8.		
9.		
10.		
11.		
12.		

ATTACHMENT 4

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

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

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

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

October 5, 2016

MEMORANDUM

To: Chairman, Guam Land Use Commission

From: Guam Chief Planner

Subject: Staff Report – Zone Change Application No. 2013-20, Lot 5223-6-NEW-6-R1NEW-1, Barrigada

1. PURPOSE:

a. Application Summary: The applicant, Immanuel W.S. Choi, represented by Mr. Igancio Santos is requesting approval for a Zone Change of Lot 5223-6-NEW-6-R1NEW-1, Municipality of Barrigada, from "A" (Rural) to "M-1" (Light Industrial) Zone for expansion of an existing auto repair shop.

b. Legal Authority: Sections 61630 to 61638 of Chapter 61 (Zoning Law), Title 21, GCA (Real Property)

2. FACTS:

a. Location: The subject lot is located between a 40-foot unnamed public access street to the north and a 50-foot public access street to the south known as Juan G. Fejeran Street.

b. Lot Area: 5,271 Square Meters or 50,633 Square Feet.

c. Present Zoning: "A" (Rural) Zone

d. Field Description: Occupying the property is a 9,300 square foot building which is being used to house an auto repair shop and a safety inspection center. Overgrown vegetation and trees occupy the eastern side of the building with scattered damaged vehicles throughout the property.

e. Masterplan: Undesignated

f. Community Design Plan: Conservation/Open-Space

g. Previous Commission Action: Prior to the consolidation and re-subdivision of Lots 5223-6NEW-1, 5223-6NEW-R1, and 5223-6NEW-7-1,

into Lots 5223-6-NEW-6-R1NEW-1 and 5223-6-NEW-6-R1NEW-R1, the Territorial Planning Commission on December 28, 1989, approved with conditions a Zone Variance to allow an auto body shop in an A zone on Lot 5223-6NEW-1.

3. APPLICATION CHRONOLOGICAL FACTS:

a. **Date Application Accepted:** November 4, 2010

b. **Date Heard by ARC:** November 18, 2010

c. **Public Hearing Results:** On February 6, 2016, a Public Hearing was conducted at the Barrigada Community Center. Present were DLM Planning Division staff, the applicant's representative, the Barrigada Mayor and Vice Mayor, two members of the Municipal Planning Council, and one concerned citizen.

Mr. Ike Santos presented the application to those in attendance as an expansion to the existing auto body shop currently on the property. After a few questions regarding drainage and access to the property, there were no other concerns and the hearing concluded shortly after.

Submitted for the record is a letter from the Office of the Mayor and Vice Mayor with suggested recommendations should the zone change be approved.

(See Attachment 1 - Barrigada Mayor and Vice Mayor's Comments)
(See Attachment 2 - Public Hearing Results)

4. STAFF ANALYSIS: As proposed by this application, the request is to change the existing designated "A" (Agricultural/Rural) zone of the subject lot to "M-1" (Light Industrial) in order to allow expansion of the existing auto repair shop. The proposed development is to meet the minimum requirements for setbacks, height, parking, on site storm water retention, and landscaping. Additionally, the expanded auto body shop will allow for the storage of vehicles indoors as compared to be stored in the open.

As to Public Necessity, Convenience and General Welfare, justification is provided for in the application as the proposed (expansion) development is designed to cater towards the military activities requiring a need for auto repair services. It affords convenience through the availability of this type of service within the area of a major thoroughfare, Route 16. Additionally, the surrounding higher intensity land uses restrict the property from its full potential as zoned.

The development trend shows growth from rural residential to commercial/light industrial uses within the area, and future commercial/light industrial growth is foreseeable as this property lies less than 500 feet inland from Route 16. This and the existence of adequate infrastructure will accommodate and serve the growth of this area.

Another land use element considered in our analysis is the impact of the AICUZ (Air Installation Compatible Use Zone) generated by aircraft activities utilizing the Guam International Air Terminal. Based on the existing AICUZ, the subject property falls within an area designated as Accident Potential Zone 1 (APZ I) and Ldn (noise level) of 65-70 decibels. Any type of activity within the surrounding area will be affected by noise levels not conducive to residential use within this area but can be addressed through appropriate soundproofing. The AICUZ requirements do not favor residential development within the area as opposed to commercial/industrial, agricultural, golf courses or open space. As such, it is the position of Planning Staff that the area is best suited for industrial type uses followed by commercial activities/uses.

Since the lot is presently zoned "A", the required "Agricultural Impact Statement" indicated no major impacts to any agricultural activity and to any environmental issues regarding endangered species and habitat. We have reviewed the submitted ARC positions and find that there are "No Objections with conditions" for the zone change. We find within the context of the application, justification that the public necessity, convenience and general welfare, adequately supports a positive action on the zone change request.

5. **RECOMMENDATION:** Based on the above, Planning Staff recommends **Approval** with the following condition:

That the applicant adheres to the ARC conditions as stipulated on their Position Statements.

Marvin Q. Aguilar

Attachments: 1. Location Map
2. Public Hearing Results
3. Barrigada Mayor and Vice Mayor's comments

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

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Hagåtña, GU 96932

Website:
http://dlm.guam.gov

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

October 5, 2016

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairman, Application Review Committee (ARC)

SUBJECT: Summary of Position Statements by ARC Members

RE: Zone Change Application – 2013-20

Listed below are the **APPLICATION REVIEW COMMITTEE POSITION STATEMENTS** as submitted:

PERMANENT VOTING MEMBERS

1. **DEPARTMENT OF LAND MANAGEMENT:** Recommend **APPROVAL WITH CONDITIONS** as follows:

   That the Applicants adhere to all ARC recommendations as provided in their respective position statements.

2. **GUAM ENVIRONMENTAL PROTECTION AGENCY:**
   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

3. **DEPARTMENT OF AGRICULTURE:**
   Agriculture has reviewed the subject lot and request for a "Zone Change" from an "Agricultural" to an "M1" zone and finds that there are no major impacts to any agricultural activity and to any environmental issues regarding endangered species and habitat. However, our agency does recommend and require that proper mitigation measures are in place to prevent spillage of any industrial chemicals associated with any development activities. This is to protect our "Northern Aquifer" the major source of Guam's drinking water. To also aide in protecting our environment Agriculture encourages the land owner and developer to incorporate a landscaping plan that includes indigenous and/or fruit tree species planted on the site. These trees will help filter chemical pollutants and have the added benefits of windbreak protection, shading and an aesthetic component to enhance the area.

4. **GUAM WATER WORKS AUTHORITY:**
   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

Continuation of Memorandum

5. GUAM POWER AUTHORITY:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply withy 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 structure.
   - 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 electrical utility easements in accordance with NESC and GPA requirements.
   - Developer/Owner shall provide necessary electrical 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.

6. DEPARTMENT OF PARKS AND RECREATION:

We reviewed the subject application and have determined that the proposed zone change will not affect historic properties within the subject lot. Therefore, we have no objection to the approval of this zone change application.

7. DEPARTMENT OF PUBLIC WORKS:

The Department of Public Works (DPW) has inspected the location area on April 25, 2013 and has no objection to the applicant's requests, with the following conditions:

a) Provide a preliminary site development plan showing the existing building and the proposed new building (butler type);
b) The pre-engineered metal building (butler type) must be energy efficient; and,
c) Because of this type of establishment deals with the repair of vehicles, it must be coordinated with the Environmental Protection Agency for waste management collection processing, storage and disposal permits.

8. BUREAU OF STATISTICS AND PLANS:

Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns:

1. The Bureau believes the proposed activity is consistent with existing activities in this particular area. According to the AICUZ (air Installation Compatible Use Zone) study and maps, this area is classified as APZ 1 (Accident Potential Zone), Ldn 65-70 (day-night average sound level). The AICUZ area represents the environs of an air facility, both on and off station, that are impacted by either safety hazards of noise from aircraft operations. APZ 1, Ldn 65-70 is described as imposing a lessened degree of hazard, but is still of strong enough impact to seriously affect residential or populated areas. The area is loud, but more tolerable in soundproofed structures. Industrial and commercial activities would be acceptable, along with agricultural uses.
2. Given that the adjacent lot and lots nearby are a warehouse/equipment storage type activities and the activity due west is a light industrial/commercial land use (Conwood Hardware), the Bureau views the proposed zone change for auto repair and safety inspection activity expansion as a compatible activity.
3. Because the subject lot is located over the Northern Lens, we are concerned with oil petroleum and lubricants that may be stored or used on site. Also, we are concerned with the potential of these fluid accidentally making their way to the ground and seeping below. Steps must be taken to ensure that the Pollution Protection Plan is submitted to Guam Environmental Protection Agency (GEPA) for approval.
4. Should the zone change be approved, the Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and residential dwellings. This will improve the area in order to be aesthetically pleasing but also help reduce storm water runoff.
5. Because the site is presently an agricultural designated lot, we suggest that the applicant coordinate with the Department of Agriculture for an Agricultural Impact Statement.

Because this request is for an expansion of an existing activity and that the project area is presently overgrown vegetation and has damaged vehicles scattered throughout, and the compatibility of the activity to the surrounding area, the Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare, and therefore recommends approval. In addition, the Bureau hopes our concerns and recommendations are taken into consideration as the commission reviews this application and makes its final decision.

EX-OFFICIO MEMBERS

1. DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES:

   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

2. GUAM FIRE DEPARTMENT:

   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

3. GUAM ECONOMIC DEVELOPMENT AUTHORITY:

   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

4. GUAM PUBLIC SCHOOL SYSTEM:

   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

5. DEPARTMENT OF CHAMORRO AFFAIRS:

   No Position Statement has been received as of the date of this Memorandum of October 5, 2016.

Marvin Q. Aguilar
Chairman, ARC

GUAM POWER AUTHORITY

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

April 30, 2013

RECEIVED
MAY 03 2013
Department of Land Management
Time: 10:47 Intl:

POSTE

MEMORANDUM

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

From: General Manager

Subject: Lot 5223-6-NEW-6-R1NEW-1, Municipality of Barrigada, (Immanuel W.S. Choi); Zone Change Application from "A" (Agriculture) to "M-1" (Light Industrial) to expand its existing warehouse. **Application No. 2013-20**

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.

JOAQUIN C. FLORES, P.E.

ASG/arp

5.6.13

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: Immanuel W.S. Choi
Location: Lot 5223-6-NEW-6-R1NEW-1, Barrigada
Type of Application: Zone Change
GLUC/GSPC Application No. 2013-20
Brief Project Description:
"A" to "M-1" to expand its existing warehouse

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.

JOAQUIN C. FLORES, P.E.
General Manager

5-2-13
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

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

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

Lorilee T. Crisostomo
Director

RECEIVED
MAY 15 2013
Department of Land Management
Time: 7:20 Intl:

MAY 14 2013
RECEIVED
Planning
5/15/2013
POSTED

MEMORANDUM

To: Chairman, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement on **Application No. 2013-20**; Lot 5223-6-NEW-6-R1NEW-1, Barrigada; Immanuel W.S. Choi; Zone Change – A to M-1; Proposed Use: Expansion of existing auto repair shop.

The applicant is requesting to rezone the subject lot from "A" (agriculture) to "M-1" (light industrial) in order to expand his existing auto repair facility to accommodate an additional 7,000 square feet of building space for the present activity. According to the applicant's representative, construction of the additional space will be of butler style material. The on-site improvements will consist of 65 parking stalls with 4 accessible parking stalls and a catchment system to handle all surface water runoff within the project boundary. The property is 5,271 square meters or 1.42 acres in land area and is adjacent to the existing auto repair shop to the west. Access to the property is via Route 16 onto Juan G. Fejeran Street on the foot of Barrigada Heights and north of the Department of Revenue and Taxation. The surrounding land uses within a 750 feet radius consists of a warehouse, construction material sales yard, the Coca Cola storage facilities, Catholic Social Services, a Government of Guam facility, a quarry and single family dwellings.

Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns.

1. The Bureau believes the proposed activity is consistent with existing activities in this particular area. According to the AICUZ (Air Installation Compatible Use Zone) study and maps, the area is classified as APZ 1 (Accident Potential Zone), Ldn 65-70 (day-night average sound level). The AICUZ area represents the environs of an air facility, both on and off station, that are impacted by either safety hazards of noise from aircraft operations. APZ 1, Ldn 65-70 is described as imposing a lessened degree of hazard, but is still of strong enough impact to seriously affect residential or populated areas. The area is loud, but more tolerable in soundproofed structures. Industrial and commercial activities would be acceptable, along with agricultural uses.

2. Given that the adjacent lot and lots nearby are a warehouse/equipment storage type activities and the activity due west is a light industrial/commercial land use (Conwood Hardware), the Bureau views the proposed zone change for auto repair and safety inspection activity expansion as a compatible activity.

6.17.13

3. Because the subject property is located above the Northern Lens, we are concerned with oil, petroleum and lubricants that may be stored or used on site. Also, we are concerned with the potential of these fluids accidentally making their way to the ground and seeping below. Steps must be taken to ensure that the Pollution Protection Plan is submitted to Guam Environmental Protection Agency (GEPA) for approval.

4. Should the zone change be approved, the Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and residential dwellings. This will improve the area in order to be aesthetically pleasing but also help reduce storm water runoff.

5. Because the site is presently an agricultural designated lot, we suggest that the applicant coordinate with the Department of Agriculture for an Agricultural Impact Statement.

Because this request is for an expansion of an existing activity and that the project area is presently overgrown vegetation and has damaged vehicles scattered throughout, and the compatibility of the activity to the surrounding area, the Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare, and therefore recommends approval. In addition, the Bureau hopes our concerns and recommendation are taken into consideration as the commission reviews this application and makes its final decision.

LORILEE T. CRISOSTOMO

Cc: GEPA
DoAG
DPW
DPR
GWA

The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor

RECEIVED
DLM planning Div.
Stephanie Duenas
9:32 A.M. 5/23/13

public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
Carl V. Dominguez
Director
Jon Jay Rojas
Deputy Director

RECEIVED
MAY 23 2013
Department of Land Management
Time: 2:17 Intl:

POSTED

May 17, 2013

MEMORANDUM

TO: Chairperson, Guam Land Use Commission (GLUC)

VIA: Executive Secretary, Department of Land Management (DLM)

FROM: Acting Director

SUBJECT: Position Statement on Application No. 2013-20
Lot No. 5223-6-R1NEW-1, Municipality of Barrigada
Zone Change Requests from Agricultural ("A") Light Industrial Zone ("M-1")

Buenas yan hafa adai!

The applicant, Immanuel W.S. Choi, is petitioning the GLUC for a zone change requests from ("A") to ("M-1"). The proposal is to expand the existing facility to accommodate an additional 7,000 square feet of space. The on-site improvement will consists of auto repair shop, vehicle inspection facility and a 65 parking stalls with 4 accessible stalls. The land area consists of 5,271 square meters or 50,633 square feet. Access to the site is approximately 455 feet from the intersection of Route 16 and Juan G. Fejeran Street.

The Department of Public Works (DPW) has inspected the location area on April 25, 2013 and has no objection to the applicant's requests, with the following conditions:

a) provide a preliminary site development plan showing the existing building and the proposed new building (butler type);

b) the pre- engineered metal building (butler type) must be energy efficient; and,

c) because of this type of establishment deals with the repair of vehicles, it must be coordinated with Environmental Protection Agency for waste management collection processing, storage and disposal permits.

Should you have any questions, please contact Mr. John F. Calanayan, Acting Chief Engineer or Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646- 3189/ 3225. JFC

Dangkulu na Si Yu'os Ma'ase!

JON JAY ROJAS

Mrwilson: 05/16/13
cc: CIP – Acting Coe
Chrono

542 North Marine Corps Drive, Tamuning, Guam 96913 • Tel (671) 646-3131 / 3232 • Fax (671) 649-6178

Department of Agriculture
Dipåttamenton Agrikottura

RECEIVED
JUL 11 2016
Department of Land Management
Time 7:38 Intl

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

Matthew L.G. Sablan
Director

Jessie B. Palican
Deputy Director

AM 7/12

7.11.16
POSTED

July 8, 2016
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 from an "Agricultural Zone" to an "M1" on Lot 5223-6-NEW-6-R1NEW-1 on Chalan Juan Fejeran in the Municipality of Barrigada (Immanuel W.S. Choi).**

Agriculture has reviewed the subject lot and request for a "Zone Change" from an "Agricultural" to an "M1" zone and finds that there are no major impacts to any agricultural activity and to any environmental issues regarding endangered species and habitat. However our agency does recommend and require that proper mitigation measures are in place to prevent spillage of any industrial chemicals associated with any development activities. This is to protect our **"Northern Aquifer"** the major source of Guam's drinking water. To also aide in protecting our environment Agriculture encourages the land owner and developer to incorporate a landscaping plan that includes indigenous and/or fruit tree species planted on the site. These trees will help filter chemical pollutants and have the added benefits of windbreak protection, shading and an aesthetic component to enhance the area.

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. Please be aware that the increased loss of Guam's native habitat contributes to a diminished capacity to sustain and support a healthy island community.

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 B. Calvo
Governor

Ray Tenorio
Lt. Governor

Raymond F.Y. Blas
Director

In reply refer to:
RC2013-0654

July 23, 2013

RECEIVED
JUL 24 2013
Department of Land Management
Time: 4:18 Initials:
POSTED

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No.: 2013-20, Zone Change
Lot No. 5223-6-NEW-6-R1NEW-1, Municipality of Barrigada
Applicant: Immanuel W.S. Choi, Rep. by: Ignacio F. Santos
Case Planner: Celine Aguilar

We reviewed the subject application and have determined that the proposed Zone Change will not affect historic properties within the subject lot. Therefore, we have no objection to the approval of this Zone Change Application.

If you have any questions, please call us at 475-6339.

Raymond F.Y. Blas
Vba

7-25-13

THE GUAM PRESERVATION TRUST

Guahan

GUAM INANGOKKON PRESERVATION I NIHADAHI GUAHAN TRUST

REGULAR BOARD OF DIRECTORS MEETING

THURSDAY
October 13, 2016
3:00 P.M.

GPT CONFERENCE ROOM
Historic Lujan House
167 Padre Palomo St., Hagatna

Public is invited

For Info Contact: 472-9439

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

ROYAL L CORPORATION
dba: Jacky's (The)

has applied for a Class: 4 General On Sale Alcoholic Beverage License. said premises being marked as Lot: 2007-6 & 2007-9 East Hagatna.

PUBLICATION NOTICE

In accordance with the provisions of Guam Code Annotated, Title XI, Chapter III, Section 3315, notice is hereby given that:

CENTER FOR MICRONESIAN EMPOWERMENT
dba: Center for Micronesian Empowerment

has applied for a Class: 12 Alcohol Server/Seller Training Program. said premises being marked as Lot: 5022-5NE-1 & 5022-5NEW-R1 674 Harmon Loop Rd., Dededo.

GUAM

ECONOMIC DEVELOPMENT AUTHORITY
Ataridad Inadilanton Ekunumihan Guahan

Eddie Baza Calvo, Governor
GEDA
Ray Tenorio, Lieutenant Governor

IFB 17-001

INVITATION FOR BIDS FOR THE DESIGN AND CONSTRUCTION OF LIGHTING IMPROVEMENTS AT YPAO BEACH PARK

The Guam Economic Development Authority (GEDA), on behalf of the Government of Guam, is soliciting sealed bids for the Design and Construction of Lighting Improvements at Ypao Beach Park (Project). Construction of the Project is part of the Capital Improvement Program established by Public Law 30-228, which utilizes proceeds from the Hotel Occupancy Revenue (HOT) Bonds. The Project includes repair and installation of lights in the park located in Tamuning, Guam.

IFB 17-001 is available for public inspection and download from the GEDA website at www.investguam.com. A CD copy of the IFB may also be picked up at the GEDA office located on the 5th floor of the ITC Building 590 South Marine Corps Drive, Tamuning, Guam 96913, Monday through Friday, excluding holidays, between 8:00 a.m. and 5:00 p.m. Offerors MUST complete, and submit to GEDA, the ACKNOWLEDGEMENT OF RECEIPT FORM of this IFB in order to receive addenda, responses or other related notices.

The deadline for receipt of bids by GEDA is *2:00 p.m., Friday, November 4, 2016*, Chamorro Standard Time. Bids submitted in response to this solicitation must comply with the instructions and procedures provided in the IFB. All bid items and any questions must be submitted to the attention of Mrs. Gloria Molo, Administrative Services Officer at (671) 647-4332 or via email at gmolo@investguam.com.

/s/ JAY ROJAS
Administrator

Pursuant to Public Law 26-12, funding for this ad was paid by GEDA's General Fund

GUAM

ECONOMIC DEVELOPMENT AUTHORITY
Ataridad Inadilanton Ekunumihan Guahan

Eddie Baza Calvo, Governor
GEDA
Ray Tenorio, Lieutenant Governor

RFP 17-001

REQUEST FOR PROPOSALS FOR THE PROPOSED INTERIM FINANCING FOR THE CONSTRUCTION PERIOD TO THE GOVERNMENT OF GUAM FOR THE GUAM MEMORIAL HOSPITAL AUTHORITY LABOR AND DELIVERY WARD

The Guam Economic Development Authority (GEDA) is issuing this Request for Proposals (RFP) for the Proposed Interim Financing for the Construction Period to the Government of Guam for the Guam Memorial Hospital Authority Labor and Delivery Ward (GMHA Maternal and Child Healthcare (MCH) Renovation Project) with Total Not to Exceed Nine Million Two Hundred Thousand Dollars ($9,200,000.00).

RFP 17-001 may be obtained at the GEDA office located on the 5th floor of the ITC Building 590 South Marine Corps Drive, Tamuning, Guam 96913, Monday through Friday, excluding holidays, between 8:00 a.m. and 5:00 p.m. A copy of the RFP may also be found on GEDA's website www. investguam.com.

The deadline for the receipt of proposals by GEDA is 4:00 p.m., Wednesday, October 26, 2016, Chamorro Standard Time. Proposals submitted in response to this solicitation must comply with the instructions and procedures provided to the attention of Ms. Gloria Molo, Administrative Services Officer at (671) 647-4332 or via email at gmolo@investguam.com.

/s/ JAY ROJAS
Administrator

Pursuant to Public Law 26-12, funding for this ad was paid by GEDA's General Fund

GUAM EDUCATION BOARD

500 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone: (671)300-1627 • Fax: (671) 472-5001
Website: www.gdoe.net/geb

LOURDES M. SAN NICOLAS, Chief Counsel
ROSIE R. TAITAGUE, Vice Chairperson

PUBLIC NOTICE

Guam Education Board
SPECIAL MEETING
Thursday, October 13, 2016
10:00 a.m.
Superintendent's Conference Room, Building A, Tiyan

AGENDA

I. Meeting Call to Order
II. Roll Call of Members
III. Unfinished Business
1) Head Start Reduction duration Expansion Grant
IV. New Business
1) Appointment of Interim Superintendent
V. Executive Session
VI. Adjournment

Individuals requiring special accommodations or information may contact Leilani Cruz, Administrative Officer at 300-1627 or by email: lmbcruz@gdoe.net.

This advertisement was paid by GDOE local funds.

GUAM LAND USE COMMISSION

Department of Land Management
ITC Building, Third Floor, Tamuning, GU
P.O. Box 2950, Hagatna, Guam 96932
Tel: (671) 649-5263 • Fax: (671) 649-5383

EDDIE BAZA CALVO, Governor
RAY TENORIO, Lieutenant Governor
MICHAEL J.B. BORJA, Director
DAVID V. CAMACHO, Deputy Director

AGENDA

The regular meeting of the Guam Land Use Commission will be held on Thursday, October 13, 2016 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 – September 8, 2016
III. Old Business

Horizontal Property Regime

A. Alupang Beach Tower, requests issuance of its Supplementary Final Public Report for Alupang Beach Tower Condominiums, Lot #2015-1-REM-NEW-2 & 131-REV-Unit 1, Tamuning. [1992-39C]

IV. New Business

Zone Change

B. Immanuel W.S. Choi; from "A" to "M1" zone for expansion of an existing auto repair shop, Lot 5223-6-NEW-6-R1-NEW-1, Barrigada. [2013-20]
C. Sunny Plastic Guam, Inc.; from "R2" to "M1" zone, for existing warehouse to be in compliance, Lot 5027-5-R1, Tamuning. [2016-12]

V. Administrative & Miscellaneous Matters
VI. Adjournment

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

ATTACHMENT 6

GUAM EDUCATION BOARD
500 Mariner Avenue
Barrigada, Guam 96913-1608
Telephone: (671)300-1627 • Fax: (671) 472-5001
Website: www.gdoe.net/geb

LOURDES B. SAN NICOLAS
Chairperson

ROSE S. TAITANO
Vice Chairperson

PUBLIC NOTICE
Guam Education Board
SPECIAL MEETING
Thursday, October 13, 2016
10:00 a.m.
Superintendent's Conference Room, Building A, Tiyan

AGENDA

I. Meeting Call to Order
II. Roll Call of Members
III. Unfinished Business
1) Head Start Reduction duration Expansion Grant
IV. New Business
1) Appointment of Interim Superintendent
V. Executive Session
VI. Adjournment

Individuals requiring special accommodations or information may contact Leilani Cruz, Administrative Officer at 300-1627 or by email: lmbcruz@gdoe.net.
This advertisement was paid by GDOE local funds.

NOTICE OF PUBLIC MEETING

The Public Defender Service Corporation Board of Trustees will conduct its regular scheduled board meeting on **Tuesday, October 18, 2016 at 12:30 p.m.** at the Conference Room of the Public Defender Service Corporation, located at the MVP Sinajana Commercial Building, Unit B, 779 Route 4, Sinajana, Guam 96910.

Copies of the agenda will be available prior to the meeting at the Public Defender Service Corporation.

Individuals requiring special accommodations are asked to contact Ms. Cathy Gogue at 475-3100.

/s/ CHIEF JUSTICE ROBERT J. TORRES, JR.
Chairman
This public notice is paid for with government funds.

GUAM LAND USE COMMISSION
Department of Land Management
ITC Building, Third Floor, Tamuning, GU
P.O. Box 2950, Hagatna, Guam 96932
Tel: (671) 649-5263 • Fax: (671) 649-5383

EDDIE BAZA CALVO
Governor

JOSH TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

AGENDA

The regular meeting of the Guam Land Use Commission will be held on Thursday, October 13, 2016 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 – September 8, 2016
III. Old Business
Horizontal Property Regime
A. Alupang Beach Tower; requests issuance of its Supplementary Final Public Report for Alupang Beach Tower Condominiums, Lot #2015-1-REM-NEW-2 & 131-REV-Unit 1, Tamuning. [1992-39C]
IV. New Business
Zone Change
B. Immanuel W.S. Choi; from "A" to "M1" zone for expansion of an existing auto repair shop, Lot 5223-6-NEW-6-R1-NEW-1, Barrigada. [2013-20]
C. Sunny Plastic Guam, Inc.; from "R2" to "M1" zone, for existing warehouse to be in compliance, Lot 5027-5-R1, Tamuning. [2016-12]
V. Administrative & Miscellaneous Matters
VI. Adjournment

Funding Source for this ad provided by the Applicant(s) above.
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Trump assails Bill Clinton, vows to jail Hillary Clinton if he wins White House

(Reuters) – A defiant Donald Trump on Sunday attacked former President Bill Clinton for his treatment of women and vowed, if he won the White House, to put Hillary Clinton in jail for operating a private email server while U.S. secretary of state.

In a contentious town-hall debate, Trump, the Republican presidential candidate, said he would appoint a special prosecutor to look into his Democratic rival's email use because she had endangered national security during her tenure as President Barack Obama's chief diplomat from 2009-2013.

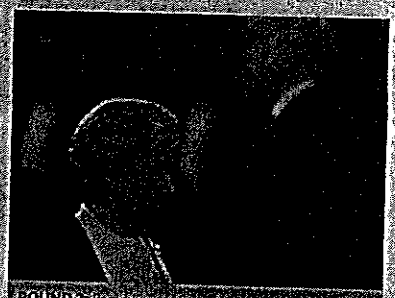
The 90-minute debate got off to a chilly start when the two candidates for the Nov. 8 election greeted each other without the traditional handshake. It quickly turned into an acrimonious discussion of a 2005 video that emerged on Friday in which Trump was heard using vulgar language and talking about groping women without consent.

Trump said he was embarrassed by the video but dismissed it as "locker room talk." President Bill Clinton had done worse to women, he said.

"Mine are words and his are action," said Trump, who appeared before the debate with women who have accused Bill Clinton of sexual misconduct. In the debate, Trump also accused Hillary Clinton of going on the attack against women who had alleged sexual misconduct by her husband, president from 1993-2001.

Hillary Clinton responded that Trump's comments showed he was unfit for the White House.

"He has said the video doesn't represent who he is but I think it's clear to anyone who heard it that it represents exactly who he is," Clinton said.



ROUND 2: Republican U.S. presidential nominee Donald Trump and Democratic U.S. presidential nominee Hillary Clinton pause at the conclusion of the presidential town hall debate at Washington University in St. Louis, Missouri, on Sunday. (AFP)

'Clinton ought to be ashamed' over emails

Trump also went on the attack against Clinton over her private email server, saying: "You ought to be ashamed of yourself."

Clinton said, "You know, it's just awfully good that someone with the temperament of Donald Trump is not

DEBATE continued on page 15

Clinton says she wasn't expecting Trump's 'avalanche of falsehoods'

By John Wagner
The Washington Post

ST. LOUIS – An upbeat Hillary Clinton said that she was "surprised by the absolute avalanche of falsehoods" coming from Donald Trump during their second debate Sunday but otherwise "pretty much saw what I expected to see."

The Democratic presidential nominee spoke briefly to reporters traveling on her plane as it prepared to depart late Sunday en route to Westchester County, New York. She appeared relaxed as she made her way to the back of the plane – where the press sits – as it started to taxi.

"The most important thing is we need to take off so we can actually have some drinks served," Clinton said. "My entire team is waiting for this airplane to take off."

"Nothing surprises me about him," Clinton said when was asked about her Republican opponent's debate performance. But she added: "I was surprised by the absolute avalanche of falsehoods."

Clinton cited a fact-checker service that she said had rated 70 percent of Trump's previous claims as false.

"I think he exceeded that percentage" she said of Sunday night's performance.

Clinton was asked if she could sense Trump standing close behind as she answered some of the questions during a town-hall format, where both could roam the stage.

"Yes, I could," she said. "It was a very small space, and I tried to give him space."

Doc. No. 34GL-17-0603.

GUAM LAND USE COMMISSION

Chairman John Z. Arroyo
Vice Chairman Victor F. Cruz
Commissioner Conchita D. Bathan

Commissioner Tae S. Oh

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

AGENDA - Disposition

Regular Meeting

Thursday, October 13, 2016 at 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning
[As advertised in the Guam Daily Post on October 6th AND October 11th, 2016]

I. Notation of Attendance [X] Quorum **1:38 pm** [ ] No Quorum

Present were: Chairman John Arroyo, Vice Chairman Victor Cruz, Commissioners Conchita Bathan and Tae Oh, Executive Secretary Michael Borja, Legal Counsel Kristin Finney, Chief Planner Marvin Aguilar, Planning Staff Celine Cruz, Penmer Gulac and Recording Secretary Cristina Gutierrez.

II. Approval of Minutes

- GLUC Regular Meeting of Thursday, September 8, 2016

Action – Motion to approve the Minutes of September 8, 2016 was passed unanimously; subject to correction of any typographical errors to be submitted to the Recording Secretary by COB 10/13/2016 (None noted).

III. New Business

Zone Change

A. The Applicant, Immanuel W.S. Choi represented by Ignacio F. Santos; request for a zone change from "A" (Rural) to "M-1" (Light Industrial) zone for the expansion of an existing auto repair shop, on Lot 5223-6-NEW-6-R1-NEW-,1 in the Municipality of Barrigada, under Application No. 2013-20.
Case Planner: Celine Aguilar
Action – Motion to approve the zone change request was passed unanimously subject to recommendations of the ARC agencies as noted on their official position statements; 4 ayes, 0 nay.

B. The Applicant, Sunny Plastic Guam, Inc. represented by Harry D. Gutierrez; request for a zone change from "R-2" (Multi Family Dwelling) to "M-1" (Light Industrial) zone, for compliance of existing warehouses, on Lot 5027-5-R1, in the Municipality of Tamuning, under Application No. 2016-12.
Case Planner: Penmer Gulac
Action – Motion to approve change request was passed unanimously subject to recommendations of the ARC agencies as noted on their official position statements; 4 ayes, 0 nay.

ATTACHMENT 7

IV. Old or Unfinished Business

Horizontal Property Regime

C. The Applicant, Alupang Beach Tower; requests issuance of its Supplementary Final Public Report for Alupang Beach Tower Condominiums, on Lot #2015-1-REM-NEW-2 and Lot 131-REV-Unit 1, in the Municipality of Tamuning, in a "C" (Commercial) zone, HPR No. 92, under Application No. 1992-39C. **[Continuation from GLUC hearing of April 14, 2016.]**
Case Planner: Celine Cruz
Action – It was the order of the Chairman to table this application pending applicant's compliance to Section 41508 which was not addressed by the applicant's representative at today's hearing.

In addition, Chairman Arroyo requested from Legal Counsel to look at what has been presented to the Commission today and in the past and give legal opinion/guidance up to the realm of GLUC's authority.

V. Administrative and Miscellaneous Matters

- **Assembly of Planners discussed**
- **Update on Pago Bay Resort case**
- **Koror Planning Commission visit**
- **Discussion on upcoming GLUC hearing dates for November and December**

VI. Adjournment [4:00 p.m.]

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

File for Record is Instrument No. 899485

On the Year 16 Month 11 Day 04 Time 1:39

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ORIGINAL

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Department of Land Management Conference Room
ITC Building, Tamuning

Thursday, October 13, 2016
1:38 p.m. to 4:00 p.m.

ATTACHMENT 8

GUAM LAND USE COMMISSION
Regular Meeting
Thursday, October 13, 2016
Department of Land Management Conference Room
3rd Floor ITC Building, Tamuning

MEMBERS PRESENT:

Mr. John Arroyo, Chairman

Mr. Victor Cruz, Vice Chairman

Ms. Conchita Bathan, Commissioner

Mr. Tae Oh, Commissioner

Mr. Michael Borja, Executive Secretary

Ms. Kristan Finney, Legal Counsel

PLANNING STAFF PRESENT:

Mr. Marvin Aguilar, Guam Chief Planner

Mr. Penmer Gulac, Case Planner

Ms. Celine Cruz, Case Planner

Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSIONER REGULAR MEETING MINUTES

Department of Land Management Conference Room, ITC Bldg., Tamuning
Thursday, October 13, 2016 • 1:38 p.m. to 4:00 p.m.

I. Attendance

Chairman Arroyo called the regular meeting of the Guam Land Use Commission for Thursday, October 13, 2016 to order at 1:38 p.m., noting a quorum.

Present were: Chairman John Arroyo, Vice Chairman Victor Cruz, Commissioner Conchita Bathan, Commissioner Tae Oh, Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Chief Planner Marvin Aguilar, Planning Staff Celine Cruz, Penmer Gulac and Recording Secretary Cristina Gutierrez.

Chairman Arroyo before we get to the Minutes, you have before you the Agenda. Are we satisfied with the order of business today or would anybody care to make any changes to the order of the agenda?

Vice Chairman Cruz I would like to make a change Mr. Chairman. If we could take New Business and move that toward the front and put the Old/Unfinished at the end.

Chairman Arroyo okay, so the change is to move Items B and C up to the front of the agenda and move Item A to back of the agenda. Is there any problem with that? [Commissioners responded that they did not have a problem with the change] Okay, so we will make that change to the agenda.

II. Approval of Minutes

Chairman Arroyo on the Minutes, Cris emailed this to us I think last week sometime. I'll entertain a motion on the Minutes whenever you are ready.

Commissioner Bathan Mr. Chair, I will make a motion to approve the GLUC's regular meeting Minutes of Thursday, September 8, 2016 subject to minor edits that will be submitted to Cris at the end of the day today.

Chairman Arroyo there is a motion by Commissioner Bathan, a second?

Vice Chairman Cruz I second.

Chairman Arroyo seconded by the Vice Chair; any discussion on the Minutes? [None noted] All in favor of approving the Minutes for the September 8th meeting please say "aye" [Chairman Arroyo, Vice Chair Cruz, Commissioners Bathan and Oh], all opposed say "nay."

Chairman Arroyo Minutes are approved.

[Action – motion to approve the September 8th, 2016 was passed unanimously; 4 ayes, 0 nay.]

III. New Business

Zone Change

B. The Applicant, Immanuel W.S. Choi represented by Ignacio F. Santos; request for a zone change from "A" (Rural) to "M1" (Light Industrial) zone for the expansion of an existing auto repair shop, on Lot 5223-6-NEW-6-R1-NEW-1, in the Municipality of Barrigada, under Application 2013-20. Case Planner: Celine Cruz

Celine Cruz summarizes staff report to include facts/purpose, public hearing results, staff analysis/discussion, conclusion, and recommendation. [For full content/context, please refer to Attachment A.]

[Attachment B – Staff Report dated October 5, 2016]

Chairman Arroyo any question of the staff?

Commissioner Bathan actually I have a minor question. Celine, on the report you mentioned that the public hearing at the Barrigada Community Center was done on February 6, 2016?

Celine Cruz I'm sorry, no that's not correct. It is probably 2013.

Commissioner Bathan actually the Notice to Rezone shows February 6, 2014. So, is it '14, '13, or '16?

Celine Cruz it is 2014; this was accepted April 20, 2013 and it took about a year to get the public hearing going.

Commissioner Bathan yes that comes to my next question. The application was accepted in November 2010 and it is already almost ....

[Mr. Ike Santos comments that it was accepted in 2013]

Commissioner Bathan and so the ARC would be November 18, 2013, not 2010 on the report?

Celine Cruz yes, 2013; yes I'm sorry.

[Discussion ensues on the chronological dates for this application.]

Celine Cruz the application was accepted on November 4, 2013, heard by the ARC on November 18, 2013 and on February 6, 2014, a public hearing was held.

Chairman Arroyo any other questions? [None noted from the Commissioners] The zone variance that was approved in 1989, were there any conditions to that? Do you know?

Celine Cruz yes, it was that the property be completely fenced which it is. The hours of operation be limited from 8:00 a.m. to 5:00 p.m., Monday thru Saturday. They had to revise a parking plan to show employee/customer and repair vehicles. They had to submit a landscaping plan. Comply with SDRC permitting agency requirements. There was a five-year time allowance; and install some type of soundproofing.

Chairman Arroyo a five-year time allowance to install a soundproofing ....

Celine Cruz no, it was a five-year time allowance I believe.

Chairman Arroyo and have they come back for a renewal?

Celine Cruz no.

Marvin Aguilar it is expired and there were no other actions taken since that time and the expiration date.

Chairman Arroyo can you go back to the picture, the sky-view picture. Are those cars there or are those cars being repaired or are they just being stored there? [Referring to the photos on the monitor]

Celine Cruz it does not look like that now. This is an old picture; it is very clear...the lot.

Marvin Aguilar this is facing towards Rev and Tax, and so you see four rows and they are down to one row. So, there has been a significant change and improvements by cleanup. [Continues to explain photos on the monitor to include site location, office, etc.]

Chairman Arroyo any other questions? [None] Okay, so we will invite the applicant and his representative to step forward and do your presentation.

Ike Santos (representing the Applicant Immanuel Choi] I know that is an old picture because the picture that I took is much more recent. Instead of three or four rows, there's only just one row of cars there. But, if you look at that picture you could see all the buildings there are basically all warehouse type buildings. There is no residential other than this situated in ....

[Shows the Commission a more recent photo of the subject lot and its surrounding buildings to include Conwood, Revenue and Tax, a new warehouse that was recently built, two warehouses approved by the Commission]

Ike Santos all of this area actually falls within the APZ-1 or Accidental Potential Zone 1 within the AICUZ (Air Installation Compatible Use Zone). These areas here were also rezoned through this Commission (these two lots rezoned to M-1). So, basically all the lots up this way have all been rezoned to M-1 and they also fall within the APZ-2 area. So, this is the APZ-1 and this is the APZ-2 and this lot was also rezoned to M-1.

Vice Chairman Cruz so, where's the parking in question.

Ike Santos (points out the location of the parking area) and I think there are other applications coming in to rezone this lower area too. Also recommended that this area also be rezoned to M1 as well. This is where the power pole actually drops down because of planes that fly over in this air and the pole I think drops down to, I think, 20 to 30 feet and goes all the way down towards the overpass.

Commissioner Oh you know that warehouse on the top, that new warehouse. What is the main use of it, which company?

Ike Santos actually this is used to store retail; they are wholesalers. I believe it belongs to Kim...they used to operate behind the Kmart area and they were only leasing it. So, since they owned this property they wanted to move their business to this location.

Commissioner Oh is it still in operation.

Ike Santos all of these are in operation.

Commissioner Oh there's two additional warehouses right next to it.

Ike Santos this is a contractor.

Commissioner Oh compared to the previous Board action providing some type of ... it was a zone variance right. Has there been any change, I mean are they trying to ... did they acquire more lot and are they trying consolidate?

Ike Santos no, it is still the same lot.

Commissioner Oh so, same lot and it was approved for a zone variance and now they're asking for an actual zone change.

Ike Santos yes, and if you look at the picture of the building the way it looks it needs a lot of repair. I think this is the purpose of doing the rezone so he can get a leverage on going to the bank and getting the money to upgrade the facility.

Chairman Arroyo are they storing cars as a junkyard there at one point in time? Was it being used to store junk cars?

Ike Santos I am not sure about that but, I used to help a friend out and some people would bring their cars in and never come back to pick it up and ends up sitting in the yard. So, I am not sure how ....

Vice Chairman Cruz does it show there the cars or no.

Ike Santos no, it is cleaned up. This was shot yesterday.

Commissioner Bathan those cars were being by the shop or ---

Ike Santos you can only see a very few cars here (referring to his photo).

[Discussion continues on the photos]

Chairman Arroyo the reason why I'm asking is because there is concern raised by the Bureau of Statistics and Plans regarding the storage of hazardous materials and fluid over the water lens and what are they doing to mitigate accidental spills or anything that can contaminate the water lens. What are they doing now ----

Ike Santos this is actually paved (again referring to the photo). Most of the area I know is mostly paved; mostly of it actually has been removed already.

Commissioner Bathan I know it is removed, but it does not prevent from parking the same number of cars down the line when your business is operating. So, that is why the Chairman was asking what are they doing to respond to the Bureau of Statistics and Plans.

Ike Santos I know their business is in repair or I guess body repair is what they requested for. So, it's not mechanical. And I think if there was an issue with a car that was leaking usually the first thing they do after an accident is always clean it up before it's moved.

Chairman Arroyo I'm just concerned with that many cars if it should ever get back to that there's fuel in, there's gas, coolants and things like that. Hopefully, it won't look like that and hopefully they do have, I mean, they wouldn't necessarily have to have plans to address these types of hazardous spills and things like that. They do have procedures and equipment in place to respond.

Ike Santos uh huh.

Chairman Arroyo any other questions? Oh, why didn't they come back five years after the ....

Ike Santos I have no idea.

Chairman Arroyo and so I guess they need to come back now because are they ... it was discovered that the variance had expired and so they need to get this done so they can get the financing. Is that what you are saying?

Ike Santos yeah.

Chairman Arroyo any questions?

Commissioner Bathan we didn't get any Guam EPA position statement?

Chairman Arroyo no, we didn't get that. Did we hear from Guam EPA at all?

Marvin Aguilar I don't think we have anything from them at this time.

Celine Cruz and I also want to say that it is sometimes difficult to get position statements out. Like Department of Agriculture and EPA an application cannot move forward without an Agricultural Impact Statement with an agricultural which is the reason why it's here now before you in 2016. We only just got the Agricultural Impact Statement in July of this year, and that was after several attempts to get some type of response from the Department of Agriculture.

Commissioner Bathan but considering the nature of the business, I think that it is important that we get something from those agencies because we don't know what conditions they will....

Vice Chairman Cruz they never showed up at the ARC then?

Marvin Aguilar yes, they did. Whatever approval you give this applicant to move forward to...at a minimum receive a building permit to, to enhance or renovate the place or for that matter to operate as a car repair facility, their application will go before Guam EPA for their regulatory requirements.

Chairman Arroyo but this is an existing operation. Would it ever go back to that?

Marvin Aguilar oh definitely it will go back. And every year they have to submit, I think, a qualifying certificate of some sort to show that they are in compliance with their operational ... a 401 or 404....clean water protection requirement. So, they have to prevent spillage and whatnot.

Michael Borja have they been cited by EPA recently during this whole period time?

Marvin Aguilar I don't know, but they do random checks with the different operations. And whether that may have changed I don't know.

Chairman Arroyo I'll open the floor for public comments at this time if there is anybody who would like to say anything regarding this application please step forward.

Public Comments [seeing none, Chairman Arroyo closed public comment period]

Chairman Arroyo Chit, do you feel strongly that we need to hold off on this until we hear from EPA?

Commissioner Bathan well, considering the fact they seem not to have any violation that is known on environmental concerns, I think I am okay to move forward with the application. Anyway, whatever conditions will be addressed during the permitting process.

Chairman Arroyo anybody else.

Commissioner Oh I have a question for the staff. Other than, within the building Law, are there any requirements for such type of use like especially for auto repair facilities. Are there certain restrictions or any type of requirements that are needed for that type of use?

Marvin Aguilar yes, there are specific requirements for industrial uses particularly for car repair, body repair. So, EPA is very, very big on oil spill containment, storage and disposal; things like that. But they are at that agency level, those regulations always, you would think, kick in each time every year per say. There is a certification period where they go out there and they make sure that they are still compliance. They do it the gas stations and what not and so .....

Commissioner Oh I'd like to ask the applicant ---

Ike Santos I was going to say something. It is a body repair shop not a mechanical repair shop. They don't touch the engine or deal with oils or anything like that. They deal with the body outside, I mean the shell of the car, and they paint. Even if they were still proceed process they still have to go through the permitting process to repair or fix anything. And I know that EPA is very strict when it comes down to uses like this in terms of how you control spillage or things like that.

Vice Chairman Cruz they do a lot of repairs from damaged cars that are from accidents and things like that right?

Ike Santos body repair ... yes.

Vice Chairman Cruz and if the automobile comes in and it's not a total loss and it requires some mechanical repair what do they do.

Ike Santos I have no idea about that.

Commissioner Oh but when a vehicle gets into an accident normally they are going to have mechanical issues, and if vehicles are parked in that manner, sure, but sure there will be body work involved but also there will be some mechanical work involved right?

Ike Santos but they are body repair not mechanical repair.

Commissioner Oh no, but considering the amount of vehicles parked on the site in that manner I'm sure some of them had mechanical issues.

Ike Santos not like that up there though.

Commissioner Oh there's still evidence the amount of vehicles that are parked there.

Ike Santos let me say something. A car comes in for .... usually ... people use especially shops they like to take parts to replace a part on their car like a vendor, a door or to that nature. That's probably why you see some cars there because they use the cars to repair some of the parts that become damaged.

Vice Chairman Cruz so they store it like a yard almost like a junkyard. If they do that that's almost the same as the, the one down in Harmon.

Ike Santos Harmon is much bigger than this.

Vice Chairman Cruz I know, but you're trying to tell me that if a car comes in and there's a problem with the engine they're just going to work on the body, and then give the car back to the customer the car and say that's it man that's all I can fix here.

Ike Santos well, if you are going to a body repair shop I don't think you would expect to get your car engine ... especially if they are not in the field of engine repair.

Commissioner Oh no matter how, I guess, careful the actual owner is when it comes to vehicles like this, I'm sure, I'm pretty sure there will be some type of spillage occurring. But, my question was what does the current landowner have in place, what kind of plan do they have in place in terms of mitigating any types of spillage. Do they have any drains, umm....

Ike Santos I think if you were to move a car and if there was a need to clean...that's where you would address the situation. If the whole car is leaking, it's not advisable to tow the car all the way to the shop.

Commissioner Oh but it does happen. It does happen.

Ike Santos I would think that there's a .... there's a .... and I see some shops they have this absorbent pads. When there is a leak they would actually throw it under and collect everything that is absorbed ... until they can get something in to catch in a difference container to collect the spillage. But, I know there are absorbent pads that are used by shops.

Chairman Arroyo well, I think what Commissioner Tae is asking is that is this property owner have that practice in place. Does he have these procedures in place so that, I mean, it looked like that once before. There is a possibility it could look like that again and I'm sure, you know, he didn't drain those cars of all the gas, the oils, the coolant, remove the batteries and anything else that could be hazardous. So, if that's the case he should have some procedures in place to mitigate.

Ike Santos I'm pretty sure they have procedures in place and I know EPA would require them to do that as well.

Kristan Finney I was wondering, because the ARC meeting was some time ago, and I was just wondering if you considered anything that might have changed in the ten years since then.

Marvin Aguilar the application is still a request to rezone to M-1. Other than the administrative requirements such as the submission of an AIS or the Agricultural Impact Statement, it has not changed in that respect. And that being said, when we assess this application it is really looking at at the subject lot in comparison to its surrounding areas and whether there is compatibility achieved by this or any other type of industrial related use that maybe applied to this property if it is rezoned to M1.

Chairman Arroyo I don't see any, well at least...I don't object to the rezoning. It kind of just puts it in line with the surrounding vicinity. It is just the issue of the hazardous waste.

Marvin Aguilar if I may Mr. Chairman. There is an insert in the Zoning Law under M-1 where junkyards .... if there is an issue today or maybe in the future of it turning into a junkyard, there is a mechanism in there to restrict junkyard use and basically you need to get a Conditional Use Permit.

Commissioner Bathan under M1.

Marvin Aguilar yes. Likewise under M1, if he should do any type of activity above and beyond on what he is proposing at this point where it can be, you know it could cause some obnoxious smell or noise that could be a trigger as well. Unfortunately, we are not the, although we are the zoning compliance people we are not the zoning compliance enforcers. That relationship has to be established and be firm before we can actually start going out and making sure everybody is doing what they are proposing.

Chairman Arroyo but would that be something that EPA would have to do.

Marvin Aquilar and therefore getting around that that's going through EPA to enforce those requirements.

Commissioner Oh what I'm trying to get at is basically if you take a look at the picture over there where all the vehicles are parked. That is not an impervious surface. That's a grass area and that means that if there's any type of leakage I'm pretty sure that if there is any type of damaged vehicle even if it's parked for certain amount of time there is going to be spillage there is going to be (inaudible, excess noise). I'm not going to assume that it happened. I'm not going to assume that has occurred. At the sametime since we are in discussion of a zone change and through this zone change, I'm trying to figure out what work will be completed so that there's grass areas ... I know for a fact that certain auto body shops are required to concrete all the surfaces where all the vehicles are going to be parked so that any type of spillage and in case if there is any type of runoff that they have to be contained within the property. Assuming those are the requirements, is the current landowner willing to abide by those conditions and make improvements I'm trying to figure out to what extent are they trying to make improvements on this property.

Ike Santos if that's what it takes for them to do the work, I mean to move forward, then they have to comply with. It's part of the conditions of the development.

Vice Chairman Cruz in that picture you have is the area surrounding the building are they paved or still the same.

Ike Santos if it needs to I can have the area paved .... (Vice Chair Cruz interjects).

Vice Chairman Cruz I didn't ask if you need to. In the current condition, I said with the current that and that looks different the existing condition is there paving around. (sic)

Ike Santos I know there is paving in front of the building but I never go around to the back to look at the .....

Commissioner Bathan and based on the application if I am reading it correctly, they can have as many as sixty-five cars because there is sixty-five parking stalls; and so, I am assuming it covers all the other ... rest of the cars that they will be repairing.

Commissioner Oh do you have any idea as to what the current landowner is what kind of improvement he is ... he has plans? I know it was discussed here that he has plans to renovate and do some type of expansion. So, can you give us a little more detail on that.

Ike Santos he is looking to expand towards the rear. If you could see that there is a big area in the back. So a lot of those cars would have to be cleaned out .... there is really no rear on this

property, but what I am talking about to the sides; closer to that warehouse, and that is where the expansion will occur.

Commissioner Oh what's the use?

Ike Santos it's still the same.

Commissioner Oh same? I know he has a repair facility and also same facility. Is the use going to be safety inspection or is it going to be ....

Ike Santos safety and body repair. To make that improvement you need to clean everything you see there. I'm not sure that's what we see there now, but I know that would have to be all cleared out to make the improvements.

Chairman Arroyo any other questions? [None noted]

I think we have a couple of options here. If we are concerned about accidental spillage and looking like that, we can continue with a zone variance. But, if we are confident that the owner is going to ... if he does already have in place some procedures to mitigate any hazardous waste spillage that could affect the underline aquifer then we could move forward their request to rezone. So, I will follow...if there is any discussion now put down on the table.

Vice Chairman Cruz well, I mean ---

Michael Borja excuse me Mr. Cruz. The annual business license renewal doesn't require an EPA review, but if there was going to be a building permit required for any kind of expansion, if they do the expansion, then of course the EPA review would fall into place and whatever conditions at that time would then have to be applied. But, that's only if they do expand and go through the building permit process.

Commissioner Oh I'm trying to figure out the extent of expansion and extent of construction within the property because if it is minimal then there won't be any type of EPA review or any type of regulation review. If it is a major improvement, major .... (Mr. Santos interjects)

Ike Santos it's 50-feet x 140-feet; it's 50-feet out and 140-feet wide.....

Commissioner Oh I'm pretty sure that in case, in that case will most likely be reviewed by all the agencies which I am confident at that point that...if there are any non-compliance then they will come into full compliance. So, I'm trying to figure out the extent of the construction itself and how soon they plan to move on. Do you have any idea?

Ike Santos they've been waiting for four (4) years.

Vice Chairman Cruz to me I have no problem with change of zone. It's just that, you know ....

Chairman Arroyo it's a shame that we hadn't heard from EPA on this.

Vice Chairman Cruz I think we should just move on.

Chairman Arroyo if that's your pleasure, I'm ready to entertain a motion.

Commissioner Bathan I would like to make a motion to approve the request for a zone change from agricultural zone to M-1 light industrial zone for expansion of an existing auto repair shop on Lot 5223-6-NEW-6-R1-NEW-1, in the municipality of Barrigada under Application No. 2013-20.

Chairman Arroyo there's a motion on the floor by Commissioner Bathan, is there a second.

Commissioner Oh I'll second.

Chairman Arroyo second by Commissioner Tae. Is there any discussion on the motion?

Commissioner Bathan it's a zoning that is compatible to the existing surroundings and also because it's within the AICUZ zone, I think this is proper to rezone the property.

Chairman Arroyo any other discussion? [None]

So on the motion, all in favor say "aye" **[Chairman Arroyo, Vice Chair Cruz, Commissioners Bathan and Oh]**, all opposed say "nay." Motion carries.

[Motion to approve the Zone Change request was passed unanimously; 4 ayes, 0 nay]

Chairman Arroyo let's move onto the next item on the agenda –

Zone Change

C. The Applicant, Sunny Plastic Guam, Inc. represented by Harry D. Gutierrez; request for a zone change from "R-2" (Multi Family Dwelling) to "M-1" (Light Industrial) zone, for compliance of existing warehouses, on Lot 5027-5-R1, in the Municipality of Tamuning, under Application No. 2016-12. Case Planner: Penmer Gulac

Penmer Gulac summarizes staff report to include facts, purpose, location, surrounding zoning, staff analysis/discussion, public hearing results, conclusion and recommendation. [For full content/context, please see Attachment B.]

[Attachment B – Staff Report dated October 6, 2016]

The regular meeting of the Guam Land Use Commission for Thursday, October 13, 2016 was adjourned at 4:00 p.m.

Approved by:

John Z. Arroyo, Chairman
Guam Land Use Commission

Transcribed by:

M. Cristina Gutierrez, *Pro Tem*
DLM, Planning Division

Date approved: OCT 27, 2016

(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

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

NOTICE OF ACTION

January 3, 2017
Date

To: **Immanuel W.S. Choi**
Represented by Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921

Application No. 2013-20

The Guam Land Use Commission, at its meeting on **October 13, 2016,**

XX Approved ____/ Disapproved ___/ Approved with Conditions

____/ Tabled

Your request on **Lot 5223-6-NEW-R1NEW-1, Municipality of bARRIGADA for a:**

ATTACHMENT 9

NOTICE OF ACTION
Immanuel W.S. Choi
Represented by FC Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921
Page 2 of 4

Application No. 2013-20

ZONING

XX / **Zone Change*****

___/ Conditional Use

___/ Zone Variance
[ ] Height
[ ] Use
[ ] Setback

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

____/ Tentative

____/ Final

____/ Extension of Time

____/ PL 28-126, SECTION 1(A)

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

___/ Supplementary (Specify)

MISCELLANEOUS

___/ Determination of Policy and/or Definitions

___/ Other (Specify)

NOTICE OF ACTION **Application No. 2013-20**
Immanuel W.S. Choi
Represented by FC Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921

APPLICATION DESCRIPTION: The applicant, Immanuel W.S. Choi, represented by Ignacio Santos is requesting approval for a Zone Change of Lot 5223-6-NEW-R1NEW-1, in the Municipality of Barrigada, from "A" (Rural) to "M-1" (Light Industrial) Zone for a proposed expansion of an existing auto repair shop.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED WITH CONDITIONS as follows:**

That the zone change is subject to conditions set forth by ARC members as noted in their official position statements.

Marvin Q. Aguilar **Guam Chief Planner**	1-13-2017 **Date**	**John Z. Arroyo** **Chairman** **Guam Land Use Commission**	2/23/2017 **Date**

Case Planner: Celine Cruz

Cc: Building Permits Section, DPW
Real Property Tax Division, Department of Revenue and Taxation

Application No. 2013-20

==========

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 2013-20**

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 AMENDMENT TO THE MAP HAS BEEN MADE.**

[✓] **APPROVED**

[ ] **DISAPPROVED**

RAYMOND S. TENORIO
Acting Governor of Guam

June 7, 2017
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, public hearings on the Zone Change were held on the **6th** day of **February, 2014**, in the Municipal District of **Barrigada** where the property to be rezoned is located pursuant to Title 21 GCA §61633.

WHEREAS, notice of the time and place of the hearings were published in a newspaper of general circulation on the **27th** day of **January, 2014** as evidenced by an affidavit of publications 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"**.

WHEREAS, in accordance with notices duly issued to consider the application of **Immanuel W.S. Choi** for a Zone Change, hearing of the Guam Land Use Commission (GLUC) was held on the **13th** day of **October, 2016** as evidenced by publications attached as **Exhibit "C"**.

BE IT RESOLVED, that on the **13th** day of **October**, **2016**, the Guam Land Use Commission, **Approved** the Zone Change from **"A" to "M-1"** for **Lot No. 5223-6-NEW-R1NEW-1**, Municipality of Barrigada.

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

1. **Mr. John Arroyo, Chairman**
2. **Mr. Victor Cruz, Vice Chairman**
3. **Ms. Conchita D. Bathan, Commissioner**
4. **Mr. Tae S. Oh, Commissioner**

Appearing for the applicant was: **Mr. Ignacio Santos ;**

Also appearing and testifying on the above project were:

None in favor; **None** against:

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 0 Nays 0 Abstentions

This decision was adopted this 13th day of October, 2016, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

2/23/2017

John Z. Arroyo
Chairman,
Guam Land Use Commission

Date

Attachments: **Exhibit "A" (Affidavit of Publications)**
Exhibit "B" (Affidavit of Mailings)
Exhibit "C" (Evidence of Publications)

(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

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

NOTICE OF ACTION

January 3, 2017
Date

To: **Immanuel W.S. Choi**
Represented by Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921

Application No. 2013-20

The Guam Land Use Commission, at its meeting on **October 13, 2016,**

XX Approved ____/ Disapproved ____/ Approved with Conditions

____/ Tabled

Your request on **Lot 5223-6-NEW-R1NEW-1, Municipality of bARRIGADA for a:**

ATTACHMENT 9

NOTICE OF ACTION
Immanuel W.S. Choi
Represented by FC Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921
Page 2 of 4

Application No. 2013-20

ZONING

XX / **Zone Change*****

___/ Conditional Use

___/ Zone Variance
[ ] Height
[ ] Use
[ ] Setback

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

____/ Tentative

___/ Final

___/ Extension of Time

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

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

___/ Supplementary (Specify)

MISCELLANEOUS

___/ Determination of Policy and/or Definitions

___/ Other (Specify)

NOTICE OF ACTION
Immanuel W.S. Choi
Represented by FC Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921

Application No. 2013-20

APPLICATION DESCRIPTION: The applicant, Immanuel W.S. Choi, represented by Ignacio Santos is requesting approval for a Zone Change of Lot 5223-6-NEW-R1NEW-1, in the Municipality of Barrigada, from "A" (Rural) to "M-1" (Light Industrial) Zone for a proposed expansion of an existing auto repair shop.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED WITH CONDITIONS as follows:**

That the zone change is subject to conditions set forth by ARC members as noted in their official position statements.

Marvin Q. Aguilar
Guam Chief Planner

1-13-17
Date

John Z. Arroyo
Chairman
Guam Land Use Commission

2/23/2017
Date

Case Planner: Celine Cruz

Cc: Building Permits Section, DPW
Real Property Tax Division, Department of Revenue and Taxation

NOTICE OF ACTION
Immanuel W.S. Choi
Represented by FC Ignacio Santos
P.O. Box 27678
GMF Barrigada, Guam 96921

Application No. 2013-20

==========

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 2013-20**

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 AMENDMENT TO THE MAP HAS BEEN MADE.**

[X] **APPROVED**

[ ] **DISAPPROVED**

RAYMOND S. TENORIO
Acting Governor of Guam

June 2, 2017
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, public hearings on the Zone Change were held on the **6th** day of **February, 2014**, in the Municipal District of **Barrigada** where the property to be rezoned is located pursuant to Title 21 GCA §61633.

WHEREAS, notice of the time and place of the hearings were published in a newspaper of general circulation on the **27th** day of **January, 2014** as evidenced by an affidavit of publications 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"**.

WHEREAS, in accordance with notices duly issued to consider the application of **Immanuel W.S. Choi** for a Zone Change, hearing of the Guam Land Use Commission (GLUC) was held on the **13th** day of **October, 2016** as evidenced by publications attached as **Exhibit "C"**.

BE IT RESOLVED, that on the **13th** day of **October**, **2016**, the Guam Land Use Commission, **Approved** the Zone Change from **"A" to "M-1"** for **Lot No. 5223-6-NEW-R1NEW-1**, Municipality of Barrigada.

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

1. **Mr. John Arroyo, Chairman**
2. **Mr. Victor Cruz, Vice Chairman**
3. **Ms. Conchita D. Bathan, Commissioner**
4. **Mr. Tae S. Oh, Commissioner**

Appearing for the applicant was: **Mr. Ignacio Santos ;**

Also appearing and testifying on the above project were:

None in favor; **None** against:

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 **0** Nays **0** Abstentions

This decision was adopted this **13th** day of **October**, **2016**, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

John Z. Arroyo
Chairman,
Guam Land Use Commission

2/13/2017
Date

Attachments: **Exhibit "A" (Affidavit of Publications)**
Exhibit "B" (Affidavit of Mailings)
Exhibit "C" (Evidence of Publications)

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.

4. On **January 21, 2014**, I submitted the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Pacific Daily News, Hagatna, Guam; a request to publish the 2 x 2 legal notice to appear on January 27, 2014 for Application No. **2013-20 (Immanuel W.S. Choi)** to be heard on February 6, 2014, at the Barrigada Community Center. Proof of advertisement is attached as **Attachment B.**

5. This Affidavit is executed as proof of the compliance with 21 G.C.A. Section 61633 (Hearing Date – Notice).

In WITNESS, WHEREOF, I hereby affix my signature this 24 day of May, 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.

TERESITA A.C. TOVES NOTARY PUBLIC FOR GUAM, USA

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

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

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MONTE MAFNAS
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

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

January 21, 2014

COPY

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 **January 27th, 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

RECEIVED
JAN 22 2014

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

EXHIBIT A – Attachment A

Department of Land Management
P.O. Box 2950, Hagåtña, Guåhan 96932
Tel: 649-5263 Ext. 341: Fax: 649-5383

PUBLIC HEARING NOTICE

Date: Feburary 6, 2014
Time: 6:00 pm
Place: Barrigada Community Center

For: Immanuel WS Choi, Zone Change from "A" to "M-1" for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, Barrigada. [2013-20]

Funding Source provided by the Applicant.

Woods shoots 79 to miss cut at Torrey Pines

SAN DIEGO (AP) — Tiger Woods made his 2014 debut in a most dubious fashion — his first trip to Torrey Pines without sticking around until Sunday.

Woods went seven straight holes making bogey or worse and wound up with a 7-over 79 in the Farmers Insurance Open to match his worst score on American soil. For the first time in his career, he missed a 54-hole cut that is in effect when more than 78 players make it to the weekend.

Woods had to rally just to break 80.

After another poor chip on the par-3 eighth hole (his 17th of the third round), he chipped in to save par. On the par-3 ninth hole, he flubbed another chip to about 8 feet and made that for par and a 79.

Asked to stop for a comment at least with CBS Sports, Woods said, "No, I'm done." He signed a dozen autographs, climbed into a van and was driven away.

Perhaps the most remarkable figure of this week: He didn't make a single birdie on a par 5 over three rounds. In fact, he played them in 4-over par.

Still, what made the round so shocking is where it happened.

Woods was the defending champion and an eight-time winner at Torrey Pines as a pro, which includes his last major in the 2008 U.S. Open. He won a Junior World Championship on this public course along the ocean as a teenager. Woods had only finished out of the top 10 one time at Torrey on the PGA Tour, and that was in 2011 when his game was going through a major overhaul.

"It was definitely different seeing him make so many bogeys," said Jhonattan Vegas, who played alongside Woods on a gorgeous day of very little wind. "He's human. You don't expect to see that, but it's the game. It happens to everyone. And it happened to him today."

The highest score of his career was an 81 in the third round of the British Open at Muirfield, when he played most of his round in 40 mph wind and rain. Woods also had a 79 in the Memorial last year, at the Quail Hollow Championship in 2010 and in the first round of the 1996 Australian Open.

As stunning as it was to see, there was little cause for alarm.

This makes the second straight year that Woods was eliminated early in his season-opening tournament. He missed the cut in Abu Dhabi a year ago after being assessed a two-shot penalty for taking relief from a sandy area. Woods went on to win five times last year and was voted PGA Tour player of the year for the 11th time.

He spoke earlier in the week about not being only a fraction off, which was plausible given the conditions at Torrey, especially on the South Course. For as dry as it has been this week, the rough is thicker and more lush than usual, especially right off the edge of the fairway. On the opening hole, Woods narrowly missed the fairway and could only advance the ball some 80 yards.

But he went south quickly on the fabled South Course.

Woods was in fairway, 254 yards from the flag on the par-5 18th in the middle of his round. A birdie would have put him within five shots of the leaders, who had just started the third round on the front.

His shot came up short and into the water, and his fourth shot flew the green into a plugged lie in the bunker. Woods blasted out and took two putts for bogey. On the first hole, he missed the green and chipped to 30 feet and three-putted for another double bogey, missing his bogey putt from just over 2 feet. It was the first time since the second round of the 2011 PGA Championship that he made consecutive double bogeys.

And then it was just one blunder after another — a three-putt on the par-3 third, a tee shot into the bunker on the fourth. From a front bunker on the par-5 sixth, he flew the green, chipped weakly to 6 feet and missed that par putt.

So when he ended that ugly streak with a birdie on the seventh, he removed his cap and waved to the crowd.


Ellen Wilkinson
Principal Broker
(671)688-0118

ELLEN'S REALTY
PH: 671-647-0888
www.ellensrealtyguam.com


Rodney Washington
Realtor
797-1552

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Mangilao 1bd/1ba Condo Pool $700/m	**Dededo** 7bd/3ba Home Fenced $2,200/m	**Sinajana Home** 6bd/3.5ba City & Ocean View $4,500/m
Yigo 4bd/2ba Home w/yard $1,550/m	**Tumon Vista** 3bd/2ba Condo Pool, Mailbox $1,980/m	**Yigo** 3bd/2ba Condo Close to Payless $900/m
Mangilao 3bd/2ba Condo Close to GCC $999/m	**Yona** 4bd/2ba Home Fenced, 10 mins to Big Navy $1,500/m	**Dededo** 4bd/2ba House Close to Soccer Field $2,200/m
Santa Rita 3bd/2ba Home 5 minutes to Big Navy. $2,200/m	**Ypao Gardens** 2bd/1ba Condo Fully Furnished $2,200/m	**Yigo** 4bd/3ba House, Nice Yard, 5 minutes to AAFB $4,400/m

Your Career Move Is Here

Electronic Service Officer

Coast360 FCU is seeking an individual with great time management skills, is detailed oriented and has a strong desire to help members.

This individual is responsible for processing all electronic banking transactions including: payroll, electronic fund transfers, automated clearing house, automated teller machines, share draft processing, wire transfers, card products and related services. Must be a self-starter, and excellent team player and must be able to handle multiple tasks with a high degree of accuracy. The successful candidate is responsible to maintain a high level of professionalism and be able to execute the credit union mission through service excellence.

We seek a candidate with a background of two or more years with related

BUSINESS SERVICES DIRECTORY

HOME IMPROVEMENT | HOME IMPROVEMENT

SUNDANCE CONSTRUCTION
COMMERCIAL - RESIDENTIAL - BUSINESSES
SINCE 1990

ROOF REPAIR
• Waterblasting • Paint
• Roof Repair

Department of Land Management
P.O. Box 2950, Hagåtña, Guåhan 96932
Tel: 649-5263 Ext. 341 • Fax: 649-5383

PUBLIC HEARING NOTICE

Date: February 6, 2014
Time: 6:00 pm
Place: Barrigada Community Center

For: Immanuel WS Choi, Zone Change from "A" to "M-1" for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, Barrigada. [2013-20]

Funding Source provided by the Applicant.

Doc. No. 34GL-17-0603.

EXHIBIT A – ATTACHMENT B

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.

4. On **January 21, 2014**, I submitted the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Pacific Daily News, Hagatna, Guam; a request to publish the 2 x 2 legal notice to appear on January 27, 2014 for Application No. **2013-20 (Immanuel W.S. Choi)** to be heard on February 6, 2014, at the Barrigada Community Center. Proof of advertisement is attached as **Attachment B.**

5. This Affidavit is executed as proof of the compliance with 21 G.C.A. Section 61633 (Hearing Date – Notice).

In WITNESS, WHEREOF, I hereby affix my signature this 24 day of May, 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.

NOTARY PUBLIC T.A.C. TOVES FOR GUAM USA

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

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

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MONTE MAFNAS
Director

David V. Camacho
Deputy

Street Address:
90 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

January 21, 2014

COPY

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 **January 27th, 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

RECEIVED
JAN 22 2014

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

EXHIBIT A – Attachment A

Department of Land Management
P.O. Box 2950, Hagåtña, Guåhan 96932
Tel: 649-5263 Ext. 341: Fax: 649-5383

PUBLIC HEARING NOTICE

Date: Feburary 6, 2014
Time: 6:00 pm
Place: Barrigada Community Center

For: Immanuel WS Choi, Zone Change from "A" to "M-1" for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, Barrigada. [2013-20]

Funding Source provided by the Applicant.

Woods shoots 79 to miss cut at Torrey Pines

SAN DIEGO (AP) — Tiger Woods made his 2014 debut in a most dubious fashion — his first trip to Torrey Pines without sticking around until Sunday.

Woods went seven straight holes making bogey or worse and wound up with a 7-over 79 in the Farmers Insurance Open to match his worst score on American soil. For the first time in his career, he missed a 54-hole cut that is in effect when more than 78 players make it to the weekend.

Woods had to rally just to break 80.

After another poor chip on the par-3 eighth hole (his 17th of the third round), he chipped in to save par. On the par-5 ninth hole, he flubbed another chip to about 8 feet and made that for par and a 79.

Asked to stop for a comment at least with CBS Sports, Woods said, "No, I'm done." He signed a dozen autographs, climbed into a van and was driven away.

Perhaps the most remarkable figure of this week: He didn't make a single birdie on a par 5 over three rounds. In fact, he played them in 4-over par.

Still, what made the round so shocking is where it happened.

Woods was the defending champion and an eight-time winner at Torrey Pines as a pro, which includes his last major in the 2008 U.S. Open. He won a Junior World Championship on this public course along the ocean as a teenager. Woods had only finished out of the top 10 one time at Torrey on the PGA Tour, and that was in 2011 when his game was going through a major overhaul.

"It was definitely different seeing him make so many bogeys," said Jhonattan Vegas, who played alongside Woods on a gorgeous day of very little wind. "He's human. You don't expect to see that, but it's the game. It happens to everyone. And it happened to him today."

The highest score of his career was an 81 in the third round of the British Open at Muirfield, when he played most of his round in 40 mph wind and rain. Woods also had a 79 in the Memorial last year, at the Quail Hollow Championship in 2010 and in the first round of the 1996 Australian Open.

As stunning as it was to see, there was little cause for alarm.

This makes the second straight year that Woods was eliminated early in his season-opening tournament. He missed the cut in Abu Dhabi a year ago after being assessed a two-shot penalty for taking relief from a sandy area. Woods went on to win five times last year and was voted PGA Tour player of the year for the 11th time.

He spoke earlier in the week about not being only a fraction off, which was plausible given the conditions at Torrey, especially on the South Course. For as dry as it has been this week, the rough is thicker and more lush than usual, especially right off the edge of the fairway. On the opening hole, Woods narrowly missed the fairway and could only advance the ball some 80 yards.

But he went south quickly on the fabled South Course.

Woods was in fairway, 254 yards from the flag on the par-5 18th in the middle of his round. A birdie would have put him within five shots of the leaders, who had just started the third round on the front.

His shot came up short and into the water, and his fourth shot flew the green into a plugged lie in the bunker. Woods blasted out and took two putts for bogey. On the first hole, he missed the green and chipped to 30 feet and three-putted for another double bogey, missing his bogey putt from just over 2 feet. It was the first time since the second round of the 2011 PGA Championship that he made consecutive double bogeys.

And then it was just one blunder after another — a three-putt on the par-3 third, a tee shot into the bunker on the fourth. From a front bunker on the par-5 sixth, he flew the green, chipped weakly to 6 feet and missed that par putt.

So when he ended that ugly streak with a birdie on the seventh, he removed his cap and waved to the crowd.

Pacific Daily News, Monday, January 27, 2014 guampdn.com

EXHIBIT A – ATTACHMENT B


ELLEN'S REALTY
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www.ellensrealtyguam.com

Ellen Wilkinson
Principal Broker
(671)888-0118
Rodney Washington
Realtor
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Mangilao 3bd/2ba Condo Close to GCC $999/m	**Yona** 4bd/2ba Home Fenced, 10 mins to Big Navy $1,500/m	**Dededo** 4bd/2ba House Close to Soccer Field $2,200/m
Santa Rita 3bd/2ba Home 5 minutes to Big Navy. $2,200/m	**Ypao Gardens** 2bd/1ba Condo Fully Furnished $2,200/m	**Yigo** 4bd/3ba House, Nice Yard, 5 minutes to AAFB $4,400/m

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Department of Land Management
P.O. Box 2950, Hagåtña, Guåhan 96932
Tel: 649-5263 Ext. 341 • Fax: 649-5383

PUBLIC HEARING NOTICE

Date: February 6, 2014
Time: 6:00 pm
Place: Barrigada Community Center

For: Immanuel WS Choi, Zone Change from "A" to "M-1" for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, Barrigada. [2013-20]

Funding Source provided by the Applicant.

Doc. No. 34GL-17-0603.

AFFIDAVIT OF MAILING

I, the undersigned do hereby dispose 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 manner.

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

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

4. On **January 24, 2014,** I Ernest V. Santos, deposited in the United States Postal Service in Tamuning, Guam, via certified return receipt mail (attached as **Attachment A**), eighteen (18) sealed envelopes, with postage fully paid, each containing a copy of the Notice of Public Hearing for **Immanuel W.S. Choi** ***(2013-20)*** (attached at **Attachment B**), addressed to the following property owners:

Perez Bros., Inc.	L5223-6NEW-3; -4; -5 & -R10	P.O. Box F, Hagatna, GU 96932
Kiaaina Esther Puakela	L5223-6NEW-10	1545 18th Street NW Apt 820, Washington, DC 20036
Quintanilla Bernadita B.	L5223NEW-R/W	2130 Plaza Del Amo Unit 133, Torrance, CA 90501
Quintanilla Melissa J.	L5223-6NEW-1NEW	2130 Plaza Del Amo Unit 133, Torrance, CA 90501
Chon Byung T. & Jung M.	L5223-6NEW-1NEW	P.O. Box 21448, GMF-Barrigada, GU 96921
Kim Eung Kyu & Ho Yi	L5223-6NEW-7-R1 & L5223-6NEW-8NEW	P.O. Box 25356, GMF-Barrigada, GU 96921
Kim Young Suk & Jung Hee	L5223-5A-2-1	P.O. Box 23762, GMF-Barrigada, GU 96921
Quinito Cesar M.	L5223-5A-2-2	P.O. Box 5449, Hagatna, GU 96932
Reyes Victorio JR. & Conchita C.	L5223-5A-2-3	P.O. Box 315665, Tamuning, GU 96931
Borja Juan LG. & Judith K.	L5223-5A-2-R/W	P.O. Box 7542. Tamuning, GU 96931
Catholic Social Services	L5223-5A-3NEW-R1	196B Cuesta San Ramon, Hagatna, GU 96910
Sisters of Mercy of North Carolina on Guam	L5223-5A-3NEW-1, -R1 & -R/W	431 East Wilkinson Blvd., Belmont, NC 28012
Foremost Foods Inc.	L5223-5A-1-R2	161 U.S. Army, 1C Fejeran St., Barrigada, GU 96913
Joten Development Inc.	L5223-5A-1-2 & -5A-1-1R/W	P. O. Box 137, Saipan, MP 96950
Our Lady of Peace Memorial Plan, Inc.,	L5223-1B-2-2NEW; -1B-2-3; -1B-2-4	P.O. Box 598, Hagatna, GU 96932
Laxamana Octavio R. & Conchita T.	L5223-1B-2-R4	P.O. Box 6677, Tamuning, GU 96931
A. B. Won Pat Guam International Airport Authority	Lot Naval Air Station Agana-R10 (Airport Parcel 1)	P. O. Box 8770, Tamuning, GU 96931
June Ulloa Blas	Mayor of Barrigada	P.O. Box 786, Hagatna, GU 96932

Exhibit B

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 those to the Commissioner of the Municipal District concerned.

6. This Affidavit is executed as proof of the compliance with 21 GCA, Section 61633.

IN WITNESS, WHEREOF, I hereby affix my signature 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.

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 B

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

WASHINGTON DC 20036

Postage	$ 46 $0.46
Certified Fee	$3.10 $3.10
Return Receipt Fee (Endorsement Required)	$0.00
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ 3.56 $3.56

0103 BARRIGADA GU. TAMUNING STA JAN 24 2014 Postmark Here USPS 01/24/2014

Sent To KIAAINA ESTHER PHAKEIA
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

PS Form 3800, January 2001 See Reverse for Instructions

7002 0460 0002 3532 4532

U.S. Postal Service
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HAGATNA GU 96932

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Certified Fee	$3.10 $3.10
Return Receipt Fee (Endorsement Required)	$0.00
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Total Postage & Fees	$ 3.56 $3.56

0103 BARRIGADA GU. TAMUNING STA 03 JAN 24 2014 Postmark Here USPS 01/24/2014

Sent To PEREZ BROS INC.
Street, Apt. No.; or PO Box No.
City, State, ZIP+4 2013-20

PS Form 3800, January 2001 See Reverse for Instructions

7002 0460 0002 3532 4501

U.S. Postal Service
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TORRANCE CA 90501

Postage	$ 46 $0.46
Certified Fee	$3.10 $3.10
Return Receipt Fee (Endorsement Required)	$0.00
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ 3.56 $3.56

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Sent To QUINTANILLA MELISSA J.
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

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TORRANCE CA 90501

Postage	$ 46 $0.46
Certified Fee	$3.10 $3.10
Return Receipt Fee (Endorsement Required)	$0.00
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Total Postage & Fees	$ 3.56 $3.56

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Total Postage & Fees	$ 3.56 $3.56

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Sent To CHON BYUNG-T & JUNG M.
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EXHIBIT B – ATTACHMENT A

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City, State, ZIP+4:

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City, State, ZIP+4:

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Total Postage & Fees	$ $3.56

0103
07

GUAM GU. TAMUNING STA
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01/24/2014 USPS

Sent To: Borja Juan L.G. & Juanita
Street, Apt. No.; or PO Box No.:
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	$0.00
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $3.56

0103
08

GUAM GU. TAMUNING STA
Postmark Here
JAN 24 2014
01/24/2014 USPS

Sent To: Reyes Victorio Jr. & Concha
Street, Apt. No.; or PO Box No.:
City, State, ZIP+4:

PS Form 3800, August 2006 — See Reverse for Instructions

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

EDDIE B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MONTE MAFNAS
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

[2013-20]

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

January 21, 2014

Dear Sir/Madam:

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

The Applicant, Immanuel WS Choi, represented by Ignacio F. Santos, request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, in the Municipality of Barrigada, under Application No. 2013-20.

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:	**Barrigada Community Center**
DATE:	**February 6, 2014, Thursday**
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, **February 5, 2014, Wednesday.** 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

EXHIBIT B – ATTACHMENT B

Accordingly, a GLUC Hearing for this application will be advertised in the Pacific Daily News open ad, Government meeting, and the website.

Should the public hearing be canceled due to unforeseen circumstances beyond our control, please consult with the village mayor's office.

You may review the development application at our office or your Mayor's Office.

Thank you for your interest.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner

AFFIDAVIT OF MAILING

I, the undersigned do hereby dispose 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 manner.

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

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

4. On **January 24, 2014,** I Ernest V. Santos, deposited in the United States Postal Service in Tamuning, Guam, via certified return receipt mail (attached as **Attachment A**), eighteen (18) sealed envelopes, with postage fully paid, each containing a copy of the Notice of Public Hearing for **Immanuel W.S. Choi** ***(2013-20)*** (attached at **Attachment B**), addressed to the following property owners:

Perez Bros., Inc.	L5223-6NEW-3; -4; -5 & -R10	P.O. Box F, Hagatna, GU 96932
Kiaaina Esther Puakela	L5223-6NEW-10	1545 18th Street NW Apt 820, Washington, DC 20036
Quintanilla Bernadita B.	L5223NEW-R/W	2130 Plaza Del Amo Unit 133, Torrance, CA 90501
Quintanilla Melissa J.	L5223-6NEW-1NEW	2130 Plaza Del Amo Unit 133, Torrance, CA 90501
Chon Byung T. & Jung M.	L5223-6NEW-1NEW	P.O. Box 21448, GMF-Barrigada, GU 96921
Kim Eung Kyu & Ho Yi	L5223-6NEW-7-R1 & L5223-6NEW-8NEW	P.O. Box 25356, GMF-Barrigada, GU 96921
Kim Young Suk & Jung Hee	L5223-5A-2-1	P.O. Box 23762, GMF-Barrigada, GU 96921
Quinito Cesar M.	L5223-5A-2-2	P.O. Box 5449, Hagatna, GU 96932
Reyes Victorio JR. & Conchita C.	L5223-5A-2-3	P.O. Box 315665, Tamuning, GU 96931
Borja Juan LG. & Judith K.	L5223-5A-2-R/W	P.O. Box 7542. Tamuning, GU 96931
Catholic Social Services	L5223-5A-3NEW-R1	196B Cuesta San Ramon, Hagatna, GU 96910
Sisters of Mercy of North Carolina on Guam	L5223-5A-3NEW-1, -R1 & -R/W	431 East Wilkinson Blvd., Belmont, NC 28012
Foremost Foods Inc.	L5223-5A-1-R2	161 U.S. Army, 1C Fejeran St., Barrigada, GU 96913
Joten Development Inc.	L5223-5A-1-2 & -5A-1-1R/W	P. O. Box 137, Saipan, MP 96950
Our Lady of Peace Memorial Plan, Inc.,	L5223-1B-2-2NEW; -1B-2-3; -1B-2-4	P.O. Box 598, Hagatna, GU 96932
Laxamana Octavio R. & Conchita T.	L5223-1B-2-R4	P.O. Box 6677, Tamuning, GU 96931
A. B. Won Pat Guam International Airport Authority	Lot Naval Air Station Agana-R10 (Airport Parcel 1)	P. O. Box 8770, Tamuning, GU 96931
June Ulloa Blas	Mayor of Barrigada	P.O. Box 786, Hagatna, GU 96932

Exhibit B

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 those to the Commissioner of the Municipal District concerned.

6. This Affidavit is executed as proof of the compliance with 21 GCA, Section 61633.

IN WITNESS, WHEREOF, I hereby affix my signature 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.

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 B

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WASHINGTON DC 20036

OFFICIAL USE

Postage	$ .46
Certified Fee	$3.10
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0103 BARRIGADA GU. TAMUNING STA JAN 24 2014 Postmark Here 01/24/2014 USPS

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Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4

PS Form 3800, January 2001 See Reverse for Instructions

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Sent To PEREZ BROS INC.

Street, Apt. No.; or PO Box No.

City, State, ZIP+ 4 2013-20

PS Form 3800, January 2001 See Reverse for Instructions

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Sent To QUINTANILLA MELISSA J.

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City, State, ZIP+ 4

PS Form 3800, January 2001 See Reverse for Instructions

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City, State, ZIP+ 4

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Sent To CHON BYUNG-IL & JUNG M.

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Sent To QUINITO CAMACHO

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City, State, ZIP+ 4

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EXHIBIT B – ATTACHMENT A

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01/24/2014

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City, State, ZIP+4:

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Restricted Delivery Fee (Endorsement Required)	$0.00
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01/24/2014

Sent To: Maximina Octavio R.

Street, Apt. No.; or PO Box No.: Concepcion I.

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Restricted Delivery Fee (Endorsement Required)	$0.00
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Total Postage & Fees	$ $3.56

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01/24/2014

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BELMONT NC 28012

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Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $3.56

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01/24/2014

Sent To: Sisters of Mercy of North

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City, State, ZIP+4:

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Restricted Delivery Fee (Endorsement Required)	$0.00
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01/24/2014

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Total Postage & Fees	$ $3.56

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Total Postage & Fees	$ $3.56

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City, State, ZIP+4

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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

MONTE MAFNAS
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

[2013-20]

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

January 21, 2014

Dear Sir/Madam:

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

The Applicant, Immanuel WS Choi, represented by Ignacio F. Santos, request for a Zone Change from "A" (Rural) to "M-1" (Light Industrial) for expansion of an existing auto repair shop on Lot 5223-6NEW-6-R1NEW-1, in the Municipality of Barrigada, under Application No. 2013-20.

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:	**Barrigada Community Center**
DATE:	**February 6, 2014, Thursday**
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, **February 5, 2014, Wednesday.** 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

OFFICE OF THE
CENTRAL FILE

EXHIBIT B – ATTACHMENT B

Accordingly, a GLUC Hearing for this application will be advertised in the Pacific Daily News open ad, Government meeting, and the website.

Should the public hearing be canceled due to unforeseen circumstances beyond our control, please consult with the village mayor's office.

You may review the development application at our office or your Mayor's Office.

Thank you for your interest.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner

OFFICE OF THE GOVERNOR
CENTRAL FILES
RECEIVED BY
TIME 2:28 DATE 5.31.17