EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

GL#34-17-972
Speaker Benjamin J.F. Cruz

SEP 0 1 2017

SEP 1 4 2017
Time: 3:12 [ ] AM [X] PM File No. 34-899
Received By: Ellen

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

2017 SEP 14 PM 3:23 CS

Re: GLUC Zone Change Approval from "R-2" (Multi Family Dwelling) to "M-1" (Light Industrial) zone, Lot No. 5027-5-R1, Tamuning, Application No. 2016-12

Bueñas Yan Hafa Adai Speaker Cruz:

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

I have **APPROVED** the Applicant, **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, to allow zoning conformance of uses for two (2) existing (as-built) warehouses with loading docks, on Lot 5027-5-R1 (Harmon), in the Municipality of Tamuning, under Application No. 2016-12.**

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

Eddie Baza Calvo
Governor of Guam

0972

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

CF D817-3964

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2016-12
LOT 5027-5-R1
MUNICIPALITY OF TAMUNING

COPY

ATTACHMENT 1

Space for Recordation

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

File for Record is Instrument No. 912332

On the Year 20 17 Month 09 Day 14 Time 9:58

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T YAMASAKI

Doc. No. 34 GL-17-0972.

GLUC ZONE CHANGE
APPLICATION NO.: 2016-12
APPLICANT: SUNNY PLASTICS (GUAM)

PREPARED ON MAY 24, 2017

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

TO: "M-1" (LIGHT INDUSTRIAL)

LOT: 5027-5-R1

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: TAMUNING

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO.: A-62 &

ZONING MAP NO.: F3-67838 &

THE GUAM LAND USE COMMISSION, AT ITS HEARING ON OCTOBER 13, 2016 APPROVED IN WHOLE THE ZONE CHANGE FROM "R-2" TO "M-1" ON LOT 5027-5-R1 MUNICIPALITY OF TAMUNING

==========

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

JOHN Z. ARROYO
CHAIRMAN
GUAM LAND USE COMMISSION

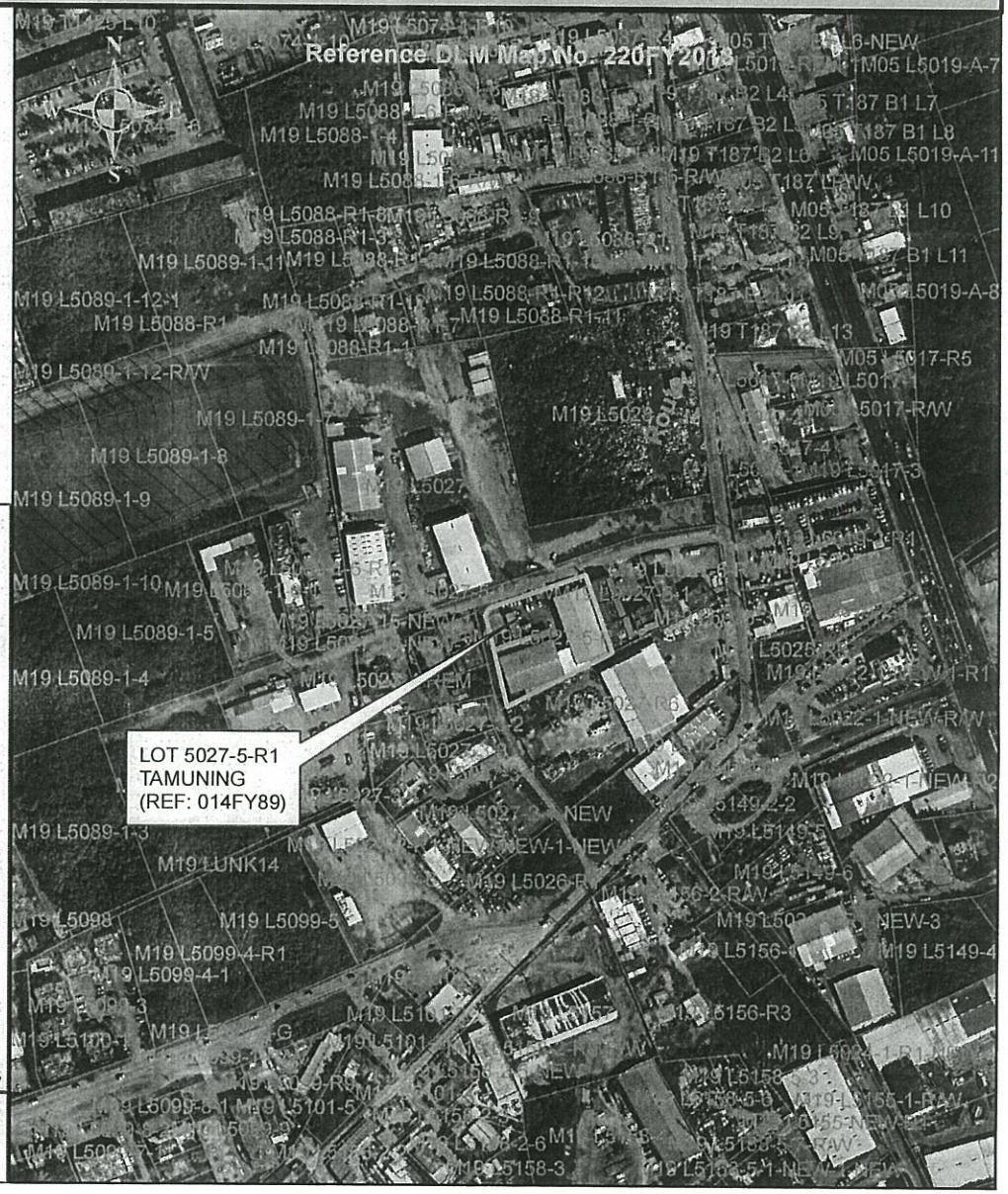
8/10/17
DATE

==========

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

EDDIE BAZA CALVO
GOVERNOR OF GUAM

9/1/17
DATE



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

August 29, 2017

Memorandum

To: The Governor

From: Executive Secretary, Guam Land Use Commission

Subject: **GLUC Zone Change Approval from "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) zone for Lot 5027-5-R1, Tamuning; Applicant, Sunny Plastic Guam, Inc., Application No. 2016-12**

Submitted for your consideration and action is Zone Change Application No. 2016-12. The Applicant, Sunny Plastic Guam, Inc. requests for a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) zone, to allow zoning conformance of uses for two (2) existing (as-built) warehouses with loading docks.

Application chronology is as follows:

- February 3, 2016 – application officially accepted
- February 18, 2016 – reviewed by the Application Review Committee
- September 6, 2016 – Public Hearing, Barrigada Community Center
- October 13, 2016 – Guam Land Use Commission Public Hearing (approval of Zone Change request)

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

@FDN 817-3964

HARRY D. GUTIERREZ
Consultant
119 Gutierrez Way
Agana Heights, Guam 96910
482-5315 / Email: harry.gutierrez@yahoo.c

2016-12
Sunny Plastic (Guam)
Zone Change
Accepted Date: **3-Feb-16**
Case Planner: PenmerG

December 27, 2015

To: Mr. Michael J.B. Borja, Director
Executive Secretary, Guam Land Use Commission
C/o Department of Land Management
ITC Bldg, Suite 700, Tamuning, Guam 96911

P. Gutierrez 1/4/16
RECEIVED
Land Mgmt Dept

Subject: Zone Change Application for Lot 5027-5-R1, Harmon, Tamuning, Guam
For Sunny Plastic, Guam, INC., c/o Harry D. Gutierrez

Dear Mr. Borja

On behalf of my client, and pursuant to Sections 61630 through 61634, Part 3, Article 6, Changes of Zones, Chapter 61 – Zoning Law, Title 21 Guam Code Annotated. I am submitting the enclosed zone change application for your review and consideration before the Guam Land Use Commission, for a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) Zone

The subject lot is located along Kakkak Lane in Harmon, Tamuning area and approximately 300 feet south of Global Recycling Center (M1 zone) and approximately 800 feet west of Route No. 16 (Army Drive). For your information the abutting lot to the rear is M1 zone and other lots within 300-500 feet are M1 and R2 zoned lots, with commercial lots along Route No. 16 to the East. The primary access from the lot is on Kakkak Lane thru West Taitano Street from Route No. 16 (see Vicinity Map). There are residential homes on abutting lots on the southwest border and apartments existing within 200 feet) in R2 zoned properties. The subject lot was granted a Zone Variance by the Territorial Planning Commission (TPC) June 8, 1989 (see Notice of Action dated July 14, 1989) in order to construct 2 warehouses with an office facility on a R2 zone. The Approval was with Conditions and specific for a term of 8-years and expired on July 14, 1997. My clients acquired the property through a Deed with 2-warehouses and office in 1996 and were not aware that there was variance for the use and only recently met with me to address the situation and is requesting to rezone it from R2 to M1 to put into zoning compliance the existing use. Warehouse- A is 8,000 square feet floor space with office space; Warehouse-B, is 11,900 square feet of floor space all storage use (see attached as-built drawing).. They have made improvements on the site to store/sell more products to clients island wide and off island. For information on land uses, there are other M1 lots rezoned by Guam Land Use Commission and Guam Legislature in the last 10-15 years within a 1,000 feet radius of the subject lot.

Lot information to be rezoned as follows:

Lot 5027-5-R1 Area: 4,205 Square Meters or 45,262 Square Feet or 1.13 Acre (See Attachment Official Survey Maps)

ATTACHMENT 2

Cont.

The location is ideally situated to all areas with a large population, very near the airport and commercial districts to obtain goods and commodities.

C. General Welfare: The proposed rezoning and existing uses will protect the general public, the immediate surroundings and properties by being consistent for light industrial activities that is on-going at the present time and for future uses and requirements that is permitted in a light industrial zone. The owners have maintained the warehouse facilities very well since its acquisition, and any upgrades on the site will ensure that all permitting requirements and conditions of the land use commission and all government are adhered to as well as to minimizing impacts to the immediate surroundings and to the general public and specially our environment and the water lens below (part of the Northern Recharge Area). The existing operations/development on the site will continue to provide employment of local residents and contribute positively to improving the island's growing economy.

Again, all performance standards and requirements by the Application Review Committee (ARC), and the Guam Land Use Commission will be complied with as well as submission of an Environmental Impact Assessment (EIA), is attached and any other requirements pursuant to Sections 61630 through 61634, Part 3, Article 6, Changes of Zones, Chapter 61 – Zoning Law, Title 21 Guam Code Annotated shall be complied with.

Enclosed are additional supporting information for the application and a copy of the official survey maps. On behalf of my clients, we hope that your consideration of this request will be favorable. Should you need additional information or clarification, please don't hesitate to call me.

Respectfully,

Harry D. Gutierrez
Consultant; 482-5315

With Attachments as noted

ZONE CHANGE

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."

(REF: LOT 5027-5-R1, HARMON, TAMUNING GUAM)

SUNNY PLASTIC, GUAM, INC

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

FOR: HARRY D. GUTIERREZ, CONSULTANT 12/27/2015

(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 Accepted: _____ 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: _____

AUTHORIZATION

I, **Fong S. Wu, representative of Sunny PlasticGuam Inc.,** owner of Lot No.5027-5-R1, Dededo, Guam, of legal age and with power bestowed as the reprentative of the subject property, through this instruments hereby do grant and authorize the following:

1. That HARRY D. GUTIERREZ is hereby authorized to represent me in obtaining a Conditioal Use to M-1 Zone with the Department of Land Management.

2. That my authorized representative/consultant to conduct himself accordingly to arbitrate, negotiate, commit represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signatures to this affidavit:

Fong S. Wu.
Representative and Date

GUAM, U.S.A.)
)
Tumon)

SUBSCRIBED AND SWORN TO before me this 30th day

OCTOBER 2015 by Fong S. Wu..

6. Are the following critical environmental factors affected by the proposed project? If yes, describe the impact and state why it would not be significant. If not affected, provide reasons why. If more space is required refer to and attach additional sheets.

a. Groundwater recharge area: No. No significant impacts.

b. Watersheds: No. No significant impacts.

c. Wellhead protection zone: None; subject to Guam EPA/GWA Verification

d. Streams, lakes or ponds: None

e. Marine waters: None

f. Reef flats: None

g. Pristine forest: None

h. Critical habitat area: No known critical habitat or nearby exists; subject to clearance from Guam EPA and Dept of Agriculture agencies if required.

i. Wetlands: None

b. Sewage disposal (public system) :

Public sewer is available in the area, all structures are connectted to public sewer. No Significant Impact

c. Vehicle traffic: Not Applicable; adequate parking on site

No significant impacts/existing activity of warehousing, and employee, and partron parking adequate on site.

9. Will clearing and/or grading be required (include the number of acres and a general description of site soil and slope conditions):

No. 2 warehouses existing

10. Will the project utilize an individual waste water disposal system such as septic tank/leaching field system, secondary package treatment system..etc.?)

No. Public Sewer is available and connected.

11. Will the project include the use of above or below ground storage tanks for fuel or water?

Yes, (above ground) , fuel for emergency generator on site, cleared by Guam EPA, subject to other clearances should a requirement be needed, will be complied with.

12. Does the project require permitting, land resources, financial aid or other assistance from the federal government (please provide type of permit, issuing agency, application dates, and contact person)?

No. All financing will be funded with private funds of the applicant/owner.

None.

If preliminary construction drawing, site plans, or related documents are available please provide such as attachments. For more information and assistance you may call GEPA Environmental Planning & Review Division at 475-1662/3

DECLARATION BY APPLICANT

Based on this assessment, it is reasonable to expect that this project will not result in significant adverse environmental impacts. I/we hereby declare a "finding of no significant impact".

Applicant: SUNNY PLASTIC, GUAM INC.

FOR: _____ 12/27/2015

Applicant or Representative(signature) Date

HARRY D. GUTIERREZ, CONSULTANT

Providing false or misleading information in this assessment may constitute grounds for permit and EIA suspension or disapproval until such time as the applicant or document preparer makes all appropriate amendments or corrections as required by Guam EPA. Statements made in this form are binding for the purpose of environmental protection and the preparer and/or applicant is responsible for the timely implementation of protection and mitigation measures identified. Failure to fulfill stated avoidance, minimization or mitigation measures may also constitute grounds for Agency enforcement actions to the full extent of all applicable environmental regulations and statutes.

GEPA-EPR001 (12/12/96)

544809

Registration under the Guam Land Title Registration Act requested by the Grantors. After registration, deliver copies to **Pacific American Title Insurance & Escrow Company**, Maite, Guam. The real property affected by this instrument is **registered land**, and the names of the last registered owners being Chang Sok Chang and Chun Cha Chang and the number of the certificate of last registration being No. _____

TERRITORY OF GUAM DEPARTMENT OF LAND MANAGEMENT
OFFICE OF THE RECORDER
INSTRUMENT NUMBER 544809
This instrument was filed for record on the 26 Day of [illegible], 19[illegible], at 8:32 A.M. P.M.
and duly recorded on Book 926.00 at Page 1015
Recording Fee [illegible] Volume No. [illegible]
Deputy Recorder

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

WARRANTY DEED

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

KNOW YE, that **CHANG SOK CHANG and CHUN CHA CHANG (Social Security Nos.** 586-66-6710 **and** 572-21-2517, **respectively)**, husband and wife, whose address is PO Box 9459 Tamuning Gu 96931, hereinafter collectively referred to as "Grantors", for good and lawful consideration paid by **SUNNY PLASTIC (GUAM) INC. (T.I.N.** 98-0019392**)**, a Guam corporation, whose mailing address is P.O. Box 8439, Tamuning, Guam 96931, hereinafter referred to as "Grantee", the receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantee, in fee simple, as

DATA:DOC:1768 \ MJB:cap

property taxes not yet due and payable; and that Grantors have good right to sell and convey said property, as aforesaid; that the Grantee shall have the right of quiet enjoyment of said property; and that Grantors and Grantors' heirs, administrators and assigns will WARRANT and DEFEND the same to the Grantee and Grantee's successors and assigns, against the lawful claims and demands of all persons. Grantors make no representation nor warranty that the Grantee may use the property for any particular purpose or that the Grantee may obtain a change of zone permit.

WATER AND POWER

We, the Grantors and the Grantee, AGREE that water and electric power ARE available on the Property or within one hundred feet (100') thereof. The Grantee is aware that the Government of Guam is not required to pay for water and power connection.

IN WITNESS WHEREOF, the Grantors and the Grantee have caused these presents to be duly executed on the dates noted below.

GRANTORS:

Dated: 4/26-96

CHANG SOK CHANG

Dated: 4/26/96

CHUN CHA CHANG

DATA:DOC:1768 \ MJB:cap

TERRITORY OF GUAM)
) ss:
CITY OF AGANA)

544809

ON THIS 26th day of April, 1996, before me a Notary Public in and for the Territory of Guam, personally appeared **CHANG SOK CHANG**, who executed the foregoing instrument and he acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

NOTARY PUBLIC

MA. ELENA L AQUINO
Notary Public
In and for the Territory of Guam, USA
My Commission expires:12/17/96
134 CHALAN STO. PAPA ST. SUITE 101
AGANA, GUAM 96910

TERRITORY OF GUAM)
) ss:
CITY OF AGANA)

ON THIS 26th day of April, 1996, before me a Notary Public in and for the Territory of Guam, personally appeared **CHUN CHA CHANG**, who executed the foregoing instrument and she acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

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

NOTARY PUBLIC

MA. ELENA L AQUINO
Notary Public
In and for the Territory of Guam, USA
My Commission expires:12/17/96
134 CHALAN STO. PAPA ST. SUITE 101
AGANA, GUAM 96910

DATA:DOC:1768 \ MJB:cap

TERRITORIAL PLANNING COMMISSION
DEPARTMENT OF LAND MANAGEMENT
GOVERNMENT OF GUAM
AGANA, GUAM 96910

ORIGINAL

NOTICE OF ACTION

July 14, 1989
(DATE)

TO: Chang Sok Chang c/o Roland Villaverde

The Territorial Planning Commission, at its meeting on June 8, 1989

____/ Approved
__XX__/ Approved with Conditions
____/ Denied
____/ Tabled

your request on Lot No. 5027-5, Harmon for a

____/ Change of Zone (Including PUD)***
__XX__/ Zone Variance
____/ Conditional Use
____/ PUD Amendment
____/ Preliminary PUD Prior to Public Hearing
____/ Determination of Policy Definition
____/ Subdivision
____/ Tentative Approval
____/ Final Approval
____/ Resubdivision
____/ Subdivision Definition
____/ Miscellaneous

Please submit this form with necessary plans to the appropriate agency. If request was tabled, approved with conditions, or involved a clarification, please see the conditions below for further details.

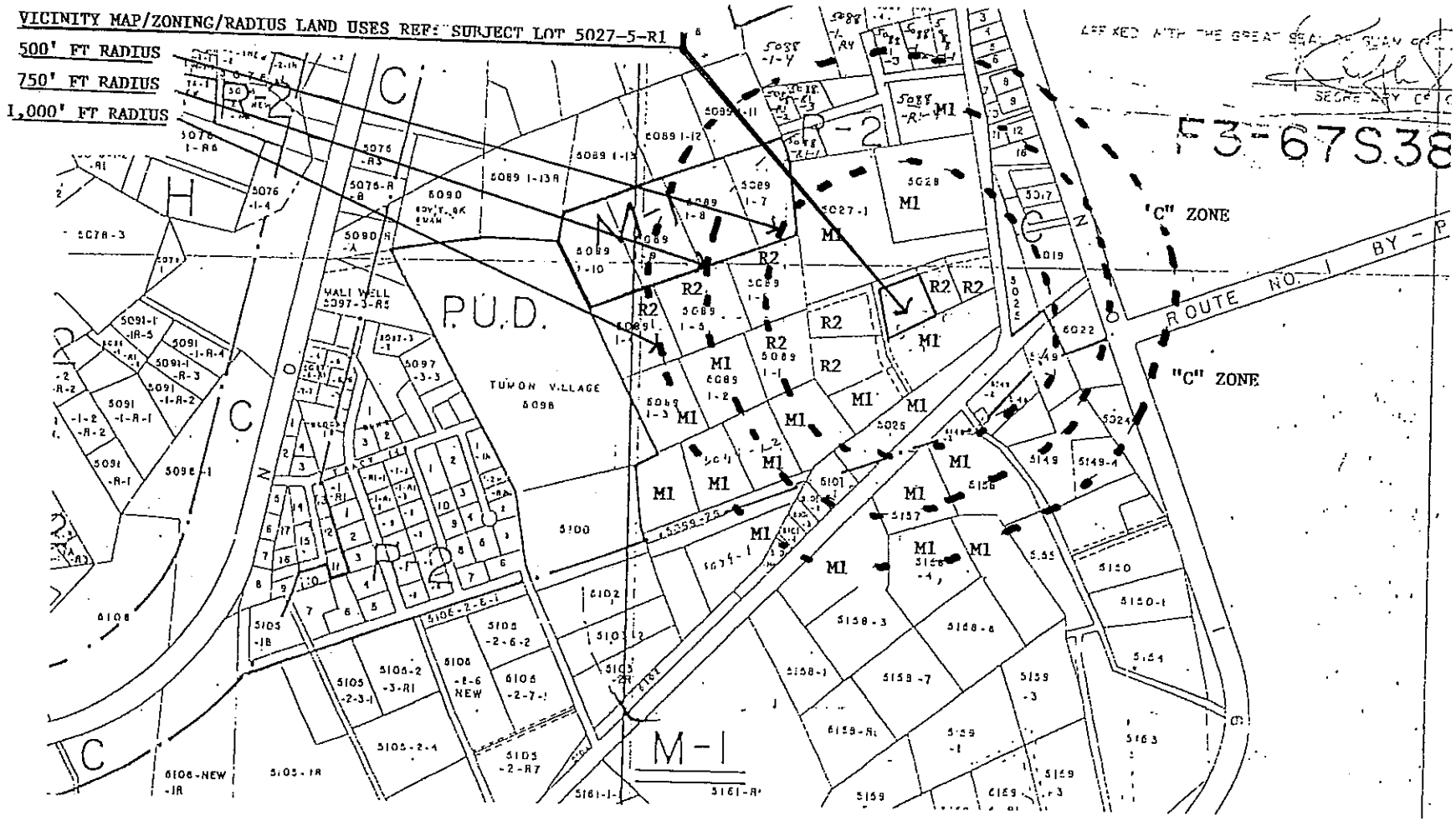
NOTATION: Zone Variance to construct 2 warehouses and an office facility in an "R-2" (Multiple-family dwelling) Zone.

CONDITIONS: The Commission approved the application, based on the following conditions:
1) project area be fenced;
2) hours of operation be restricted from 7 a.m. to 7 p.m.;
3) Use Variance be approved for 8 years.

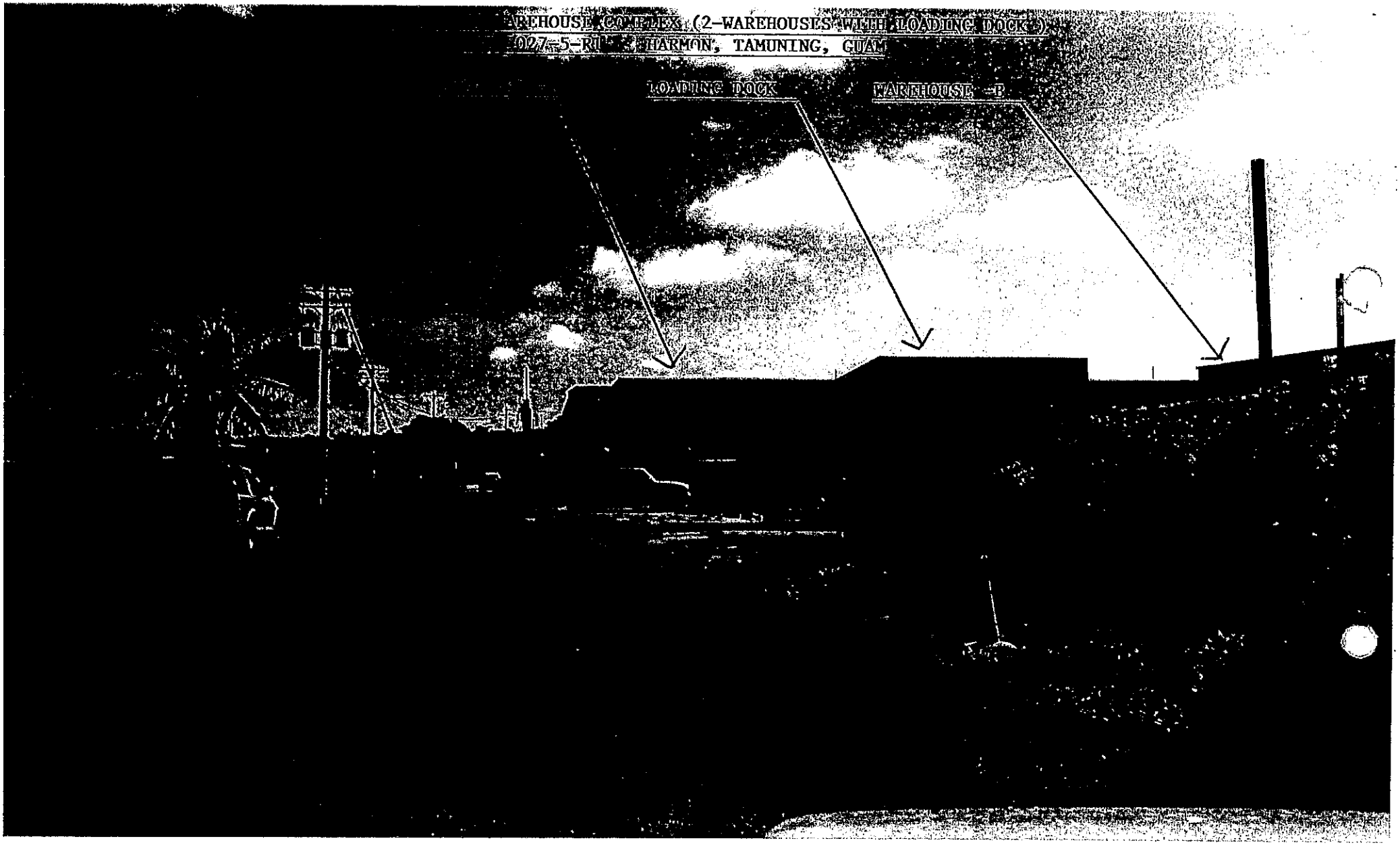
FELIX C. BENAVENTE, Territorial Planner

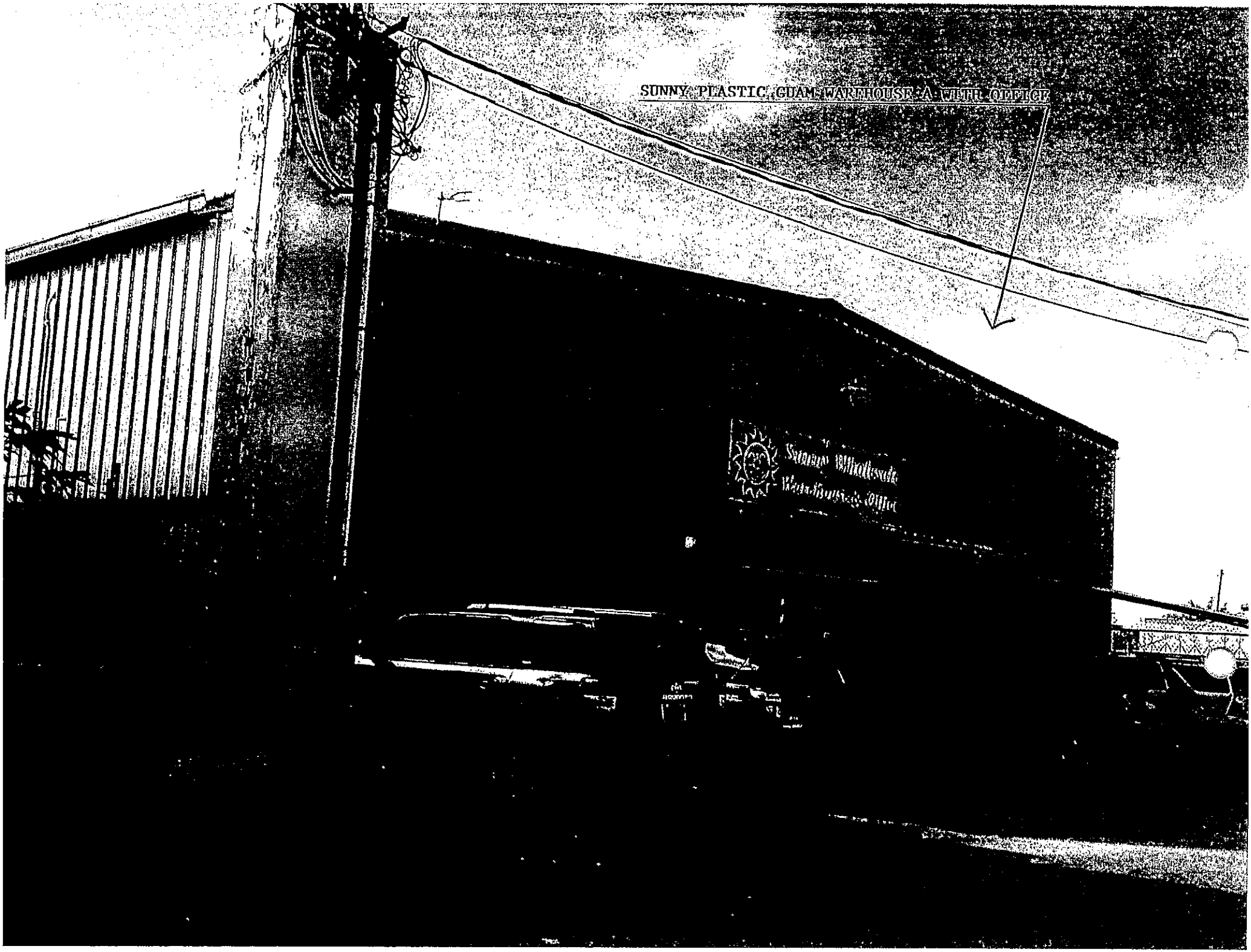
cc: Building Permits Section, DPW - Attention: Jesus Ninete
**NOTE: Approval by the TPC of a Zone Change does not constitute final approval but rather a recommendation to the Governor for his approval. Notification will be sent upon action taken by the Governor.

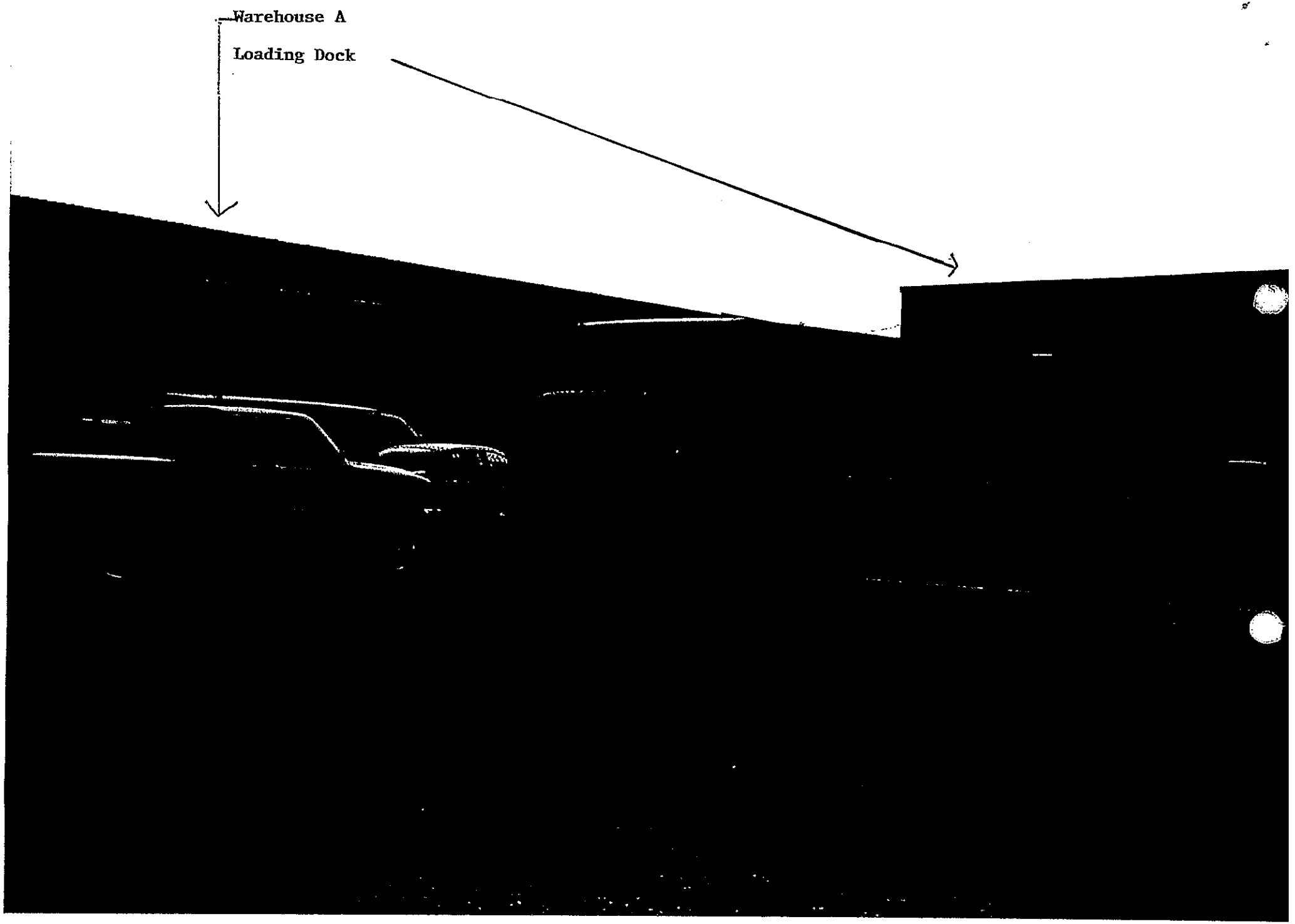
Mark Manansala 7/17/89



Doc. No. 34 GL-17-0972.

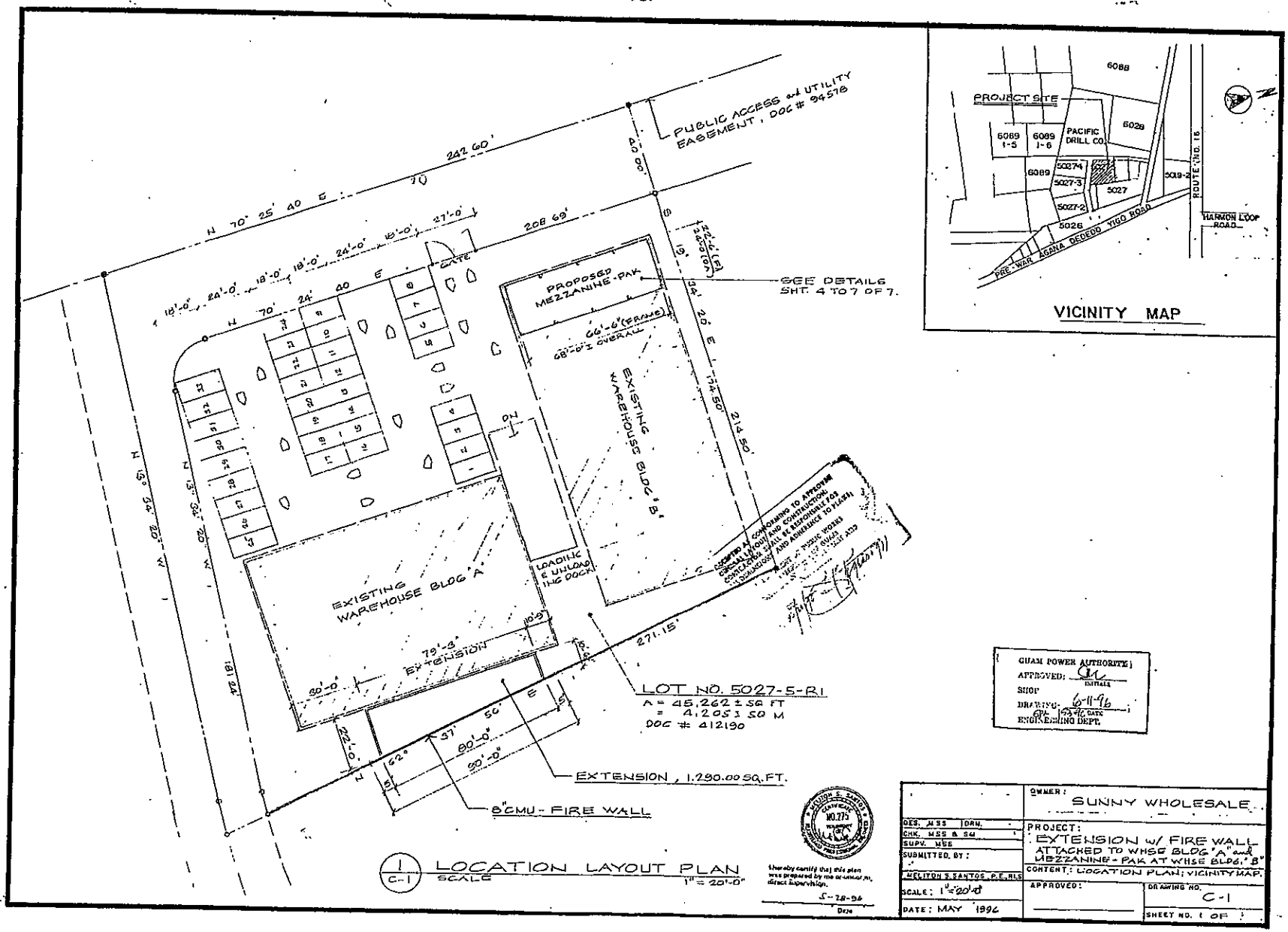

AREHOUSE COMPLEX (2-WAREHOUSES WITH LOADING DOCK)
027-5-R[illegible] HARMON, TAMUNING, GUAM
LOADING DOCK
WAREHOUSE -B


SUNNY PLASTIC GUAM WAREHOUSE & WITH OFFICE


Warehouse A
Loading Dock



Doc. No. 34 GL-17-0972.



Doc. No. 34 GL-17-0972.

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

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

[2016-01]

Website:
http://dlm.guam.gov

E-mail Address:
dlm@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 B. CALVO
Governor of Guam

RAY TENORIO
Lieutenant Governor of Guam

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy

August 19, 2016

Honorable Louise C. Rivera
Mayor of Tamuning

Dear Mayor:

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

The Applicant, Sunny Plastic (Guam), represented by Harry D. Gutierrez, request for a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) zone to put into compliance the existing uses of 2-warehouses, office spaces and equipment parking and loading dock on site with adequate parking to be provided ,on Lot 5027-5-R1, in the Municipality of Tamuning, under Application No. 2016-12.

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 **Tamuning Community Center, Tuesday, September 6, 2016 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

TAMUNING • TUMON • HARMON
GREAT SEAL OF GUAM
GU AM
TANO MAM CHAMORRO
MAYOR'S OFFICE

COPY

Attachment 3

PUBLIC HEARING MINUTES : 9/6/2016
Page 1 of 2

The required public hearing was held at the Tamuning Community/Senior, Community Center on September 6, 2016, at 6:00 P.M. , minutes as notes:

The Case Planner presented the proposed project and read the positions statements from Departments of Public Works, Guam Waterworks, Guam Power Authority, Bureau of Statistics and Plans, Parks and Recreation/Historical Preservation Office and Agriculture. Mr. Gutierrez highlighted details of the application and clients intentions; he discussed the time frame of the application process, proposed construction, improvements and compliance of the building code, permits required for new development on the site; access to the site and area of development to maximize the proposed use and permitted uses on the subject lot.

Public comments and concerns that were noted are as follows:

Mr. Greg Perez, MPC member :

He inquired about the attendance of residents to the hearing and notices given and participating for comments for the development.

Response (from the Case Planner) :

All property owners within the 500 foot radius of the subject lot was mailed a certified letter from Department of Land Management within the requirement of Zoning Law, informing owners of the scheduled hearing, date and location. It not a mandatory requirement for lotowners to attend hearing, however, they are encourage to attend and take part in the hearing, provide

Response/statement from Mr. Gutierrez (representative):

Mr. Gutierrez stated that the Harmon warehouses will be repaired, upgraded to meet all building and fire codes and agencies clearances for occupancy and proposed uses. The perimeter will be cleaned and will also improve the site security, parking area and premises, to include clearing the road abutting the western border of the lot. Further stated that the applicants/owner will improve the site with some landscaping using local flora to buffer activity to nearby residential lots and improve the required ponding basin on site.

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://land.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 Guahan)

EDDIE BAZA CALVO
Governor of Guahan

RAY TENORIO
Lieutenant Governor of Guahan

MICHAEL JB BORJA
Director

DAVID V. CAMACHO
Deputy Director

October 6, 2016

MEMORANDUM

TO: **Chairman, Guam Land Use Commission**

FROM: **Guam Chief Planner**

SUBJECT: **Staff Report - Application No. 2016-12**
Zone Change Request
Lot 5027-5- R1, Harmon, Municipality of Tamuning.

1. PURPOSE:

   A. Application Summary: The Applicant, Sunny Plastics, Guam, Inc., represented by Harry D. Gutierrez, is requesting the approval of a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (Light - Industrial) Zone, in order to allow zoning conformance of uses of two (2) existing (as-built) warehouses with loading docks on site on Lot 5027-5-R1, Harmon, Municipality of Tamuning.

   B. Legal Authority: Title 21GCA, Chapter 61, and Chapter 61 Article 6, Part 3 (Changes of Zones), Sections 61630 thru 61638 (Zoning Law).

2. FACTS:

   A. Location: The subject property is fronting a 40-foot right of way (Kakkak Lane) on the western front of the lot and approximately 950 feet west of Route No. 16 and abutting Global Recycling yard (M-1 Zone) on the eastern border. The main access to the site is via Kakkak Lane that connects to Taitano Street and Route No. 16. **(See ATTACHMENT 1).**

   B. Lot Area: 4,205 square meters or 45,262 square feet or (1.13) acres

   C. Present Zoning: "R-2" (Multi-Family Dwelling) Zone.

   D. **Field Description:** The subject lot has 2-wareshouses with office and a loading dock with support structures to include parking for employees and clients and company equipment (trucks, vans, etc). The site is contained within a perimeter fence for security purposes.

E. Topography to the immediate area is flat as the surrounding area formerly served as part of post-war Harmon Airfield. Land uses near the site are

500 to 3,000 feet of the subject lot. The location is ideally situated to all areas with a large population, very near the airport and commercial districts to obtain goods and commodities; and

C. **General Welfare:** The applicant provides proposed rezoning and existing uses will protect the general public, the immediate surroundings and properties by being consistent for light-industrial activities that are on-going at the present time and for future uses and requirements that is permitted in a light industrial zone. The owners have maintained the warehouse facilities very well since its acquisition, and any upgrades on the site will ensure that all permitting requirements of building codes, permits and conditions of the land use commission and all government are adhered to, as well as to minimizing impacts to the immediate surroundings, the general public and specially our environment and the water lens below (part of the Northern Recharge Area). The existing operations/development on the site will continue to provide employment of local residents and contribute positively to improving the island's growing economy.

Certain surrounding and abutting parcels (within 500-1,000 feet radius) have been subjected to a zone change from "R-2" (Multi-Family Dwelling) to "Light Industrial", all were either rezoned through legislative action and/or past Commission action. Multi-family uses exist per zoning designation asserted by the 1968 Land Use Master Plan, the current mix use of "R-2 and"M-1", of which clearly depicts current land use overlay of the immediate area.

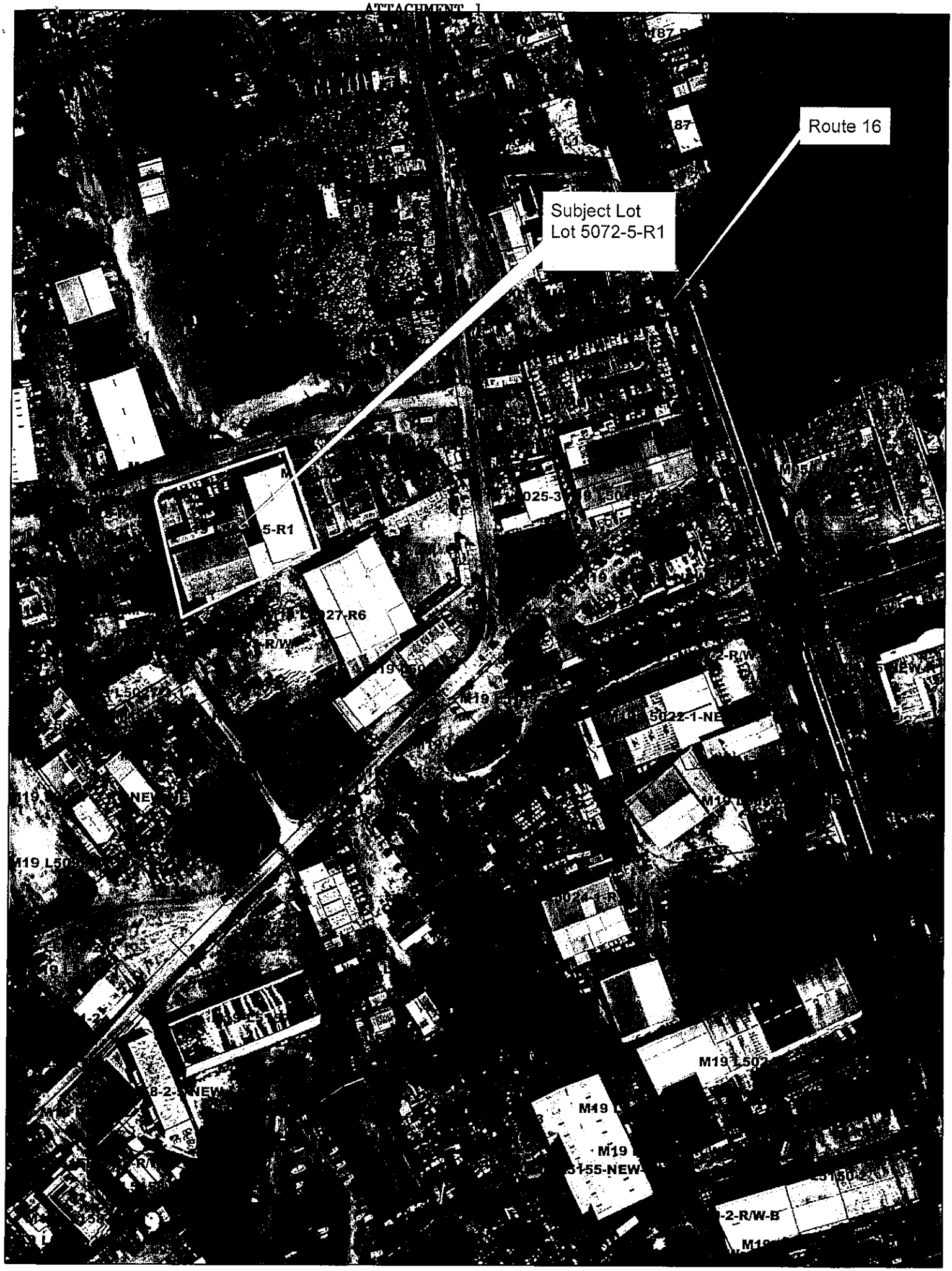
Of the possible competing uses in the immediate and surrounding area we can only surmise is that of high traffic due to Kakkak Lane serving as a single egress/ingress of dependent properties.

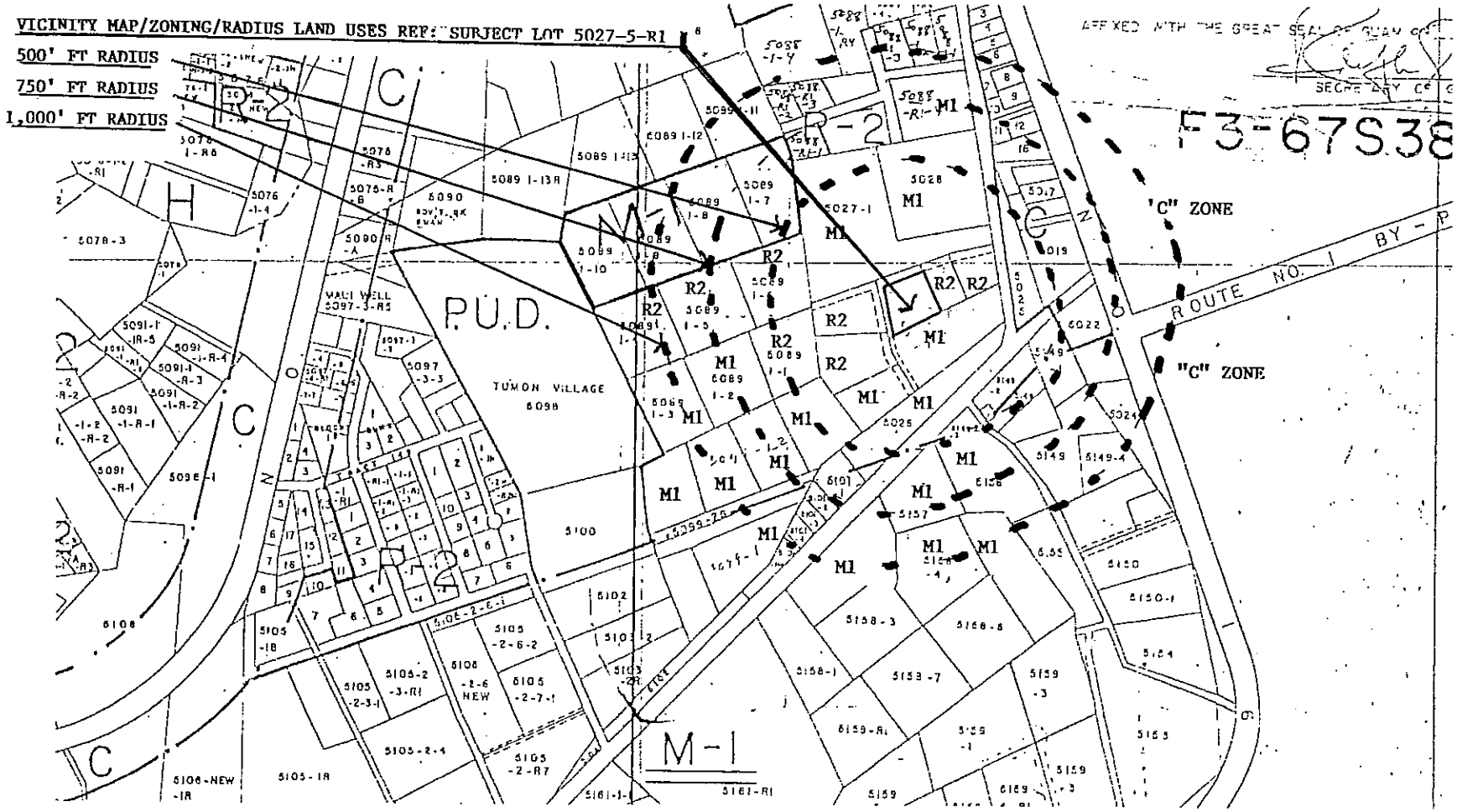
Warehousing on-site has been in existence since its approval for a use variance in 1997. Information is scarce to determine if any other conditions were applied beyond its 7 year restriction. The property remains vacant at this time. We are of the understanding the property owner has yet been issued any further permits for operation or occupancy of its facilities due to the current zoning discrepancy. And while such use has been subjected to past government permitting approval up to the point of discovery, we applaud the property owner to rectify this matter by submitting this request.

With respect to complying with infrastructure requirements, we further understand that while in operation, existing facilities have adhered to agency requirements on water use, waste disposal, power consumption, and storm water drainage. Thus, the current use of the property for commercial and/or industrial activities through the years has demonstrated viability by complying with such requirements in the past.

The zone change will not reduce any zoning standards in the immediate vicinity, but rather, the improvements to the subject lot will create a more stable environment that will provide for an orderly development scheme within the area and adjacent surroundings. The Applicants are aware and will comply with all requirements and conditions and any concerns imposed by government agencies and other mandates in their development plans, resulting from a change of zone as requested.

ATTACHMENT 1





Doc. No. 34 GL-17-0972.

Attachment 3

PUBLIC HEARING MINUTES : 9/6/2016

The required public hearing was held at the Tamuning Community/Senior, Community Center on September 6, 2016, at 6:00 P.M. , minutes as notes:

The Case Planner presented the proposed project and read the positions statements from Departments of Public Works, Guam Waterworks, Guam Power Authority, Bureau of Statistics and Plans, Parks and Recreation/Historical Preservation Office and Agriculture. Mr. Gutierrez highlighted details of the application and clients intentions; he discussed the time frame of the application process, proposed construction, improvements and compliance of the building code, permits required for new development on the site; access to the site and area of development to maximize the proposed use and permitted uses on the subject lot.

Public comments and concerns that were noted are as follows:

Mr. Greg Perez, MPC member :

He inquired about the attendance of residents to the hearing and notices given and participating for comments for the development.

Response (from the Case Planner) :

All property owners within the 500 foot radius of the subject lot was mailed a certified letter from Department of Land Management within the requirement of Zoning Law, informing owners of the scheduled hearing, date and location. It not a mandatory requirement for lotowners to attend hearing, however, they are encourage to attend and take part in the hearing, provide

Response/statement from Mr. Gutierrez (representative):

Mr. Gutierrez stated that the Harmon warehouses will be repaired, upgraded to meet all building and fire codes and agencies clearances for occupancy and proposed uses. The perimeter will be cleaned and will also improve the site security, parking area and premises, to include clearing the road abutting the western border of the lot. Further stated that the applicants/owner will improve the site with some landscaping using local flora to buffer activity to nearby residential lots and improve the required ponding basin on site.

386578

AMENDMENT 19

Harmon, Dededo

Zoning Map No. F3-67S38

Adopted by the Territorial Planning Commission on:

April 10, 1986

F.L.G. CASTRO
Executive Secretary

Approved by the Governor of Guam on: JUN 15 1987

JOSEPH F. ADA
Governor of Guam

Affixed with the Great Seal of Guam on:
JUN 18 1987

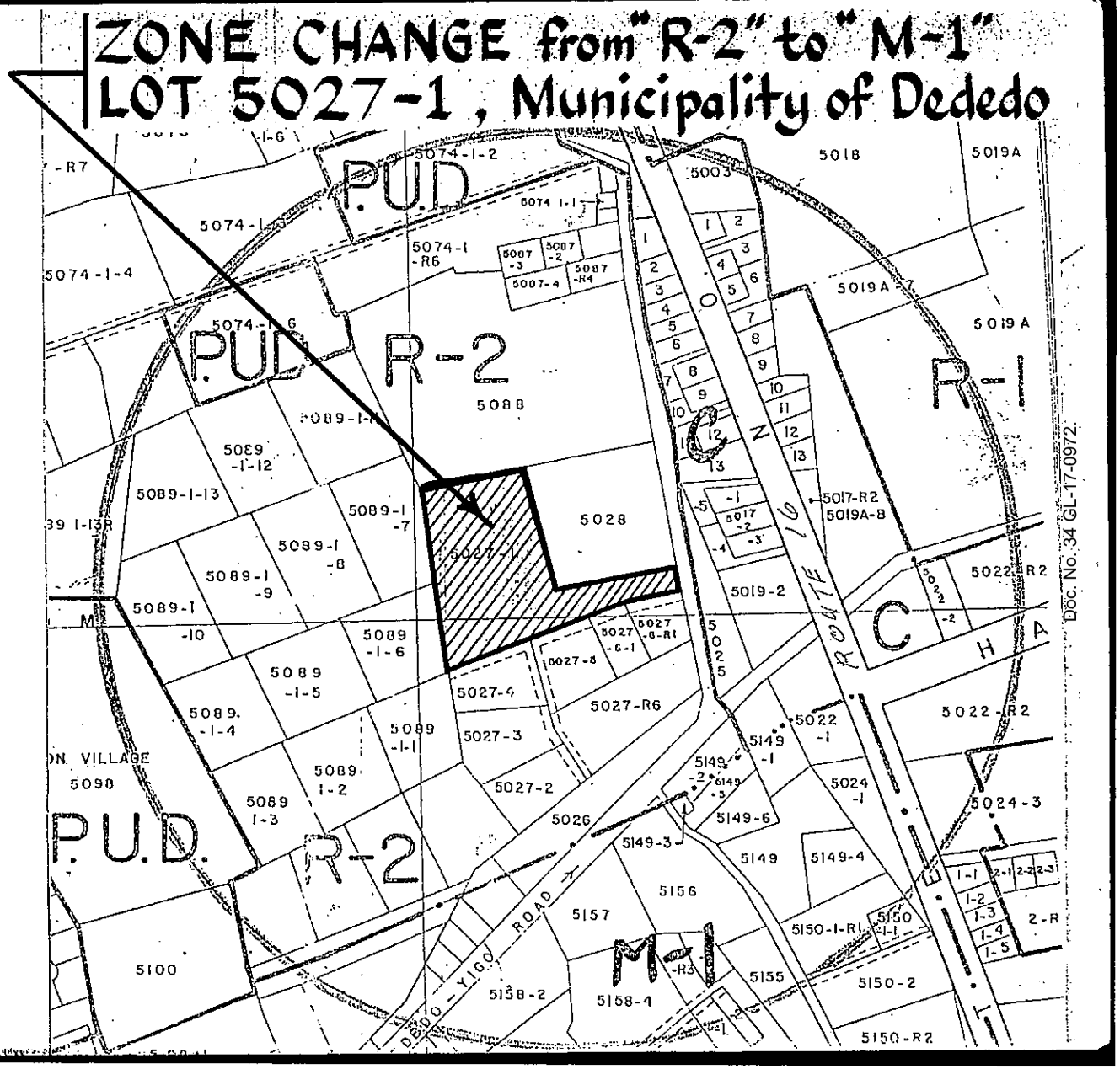
FRANK F. BLAS
Lt. Governor of Guam

NORTH
400 0 400 800
SCALE IN FEET

DEPARTMENT OF LAND MANAGEMENT, PLANNING DIVISION

ATTACHMENT 4

ZONE CHANGE from "R-2" to "M-1" LOT 5027-1, Municipality of Dededo



Doc. No. 34 GL-17-0972

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://land.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 Guahan)

EDDIE BAZA CALVO
Governor of Guahan

RAY TENORIO
Lieutenant Governor of Guahan

MICHAEL JB BORJA
Director

DAVID V. CAMACHO
Deputy Director

October 3, 2016

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairman, Application Review Committee (ARC)

SUBJECT: Summary of Position Statements by ARC

Re: Zone Change **Application No. 2016-12,**
Lot 5027-5-R1, Harmon, Tamuning
GLUC Hearing – October 13, 2016

Listed below is the compilation of Positions received from various ARC Member Agencies as submitted to Planning Division. The conditions as imposed by the ARC Member Agencies are listed when applicable.

1. **DEPARTMENT OF LAND MANAGEMENT (DLM): Recommends APPROVAL WITH NO CONDITIONS**

2. **BUREAU OF STATISTICS AND PLANS (BSP**

   The Bureau has comments and recommendation. No Objection

3. **DEPARTMENT OF PARK AND RECREATION/HISTORICAL PRESERVATION OFFICE (DPR/HPO):**

   DPR/HPO has determined that the proposed project will not affect historic properties and they have no objections to approving the subject application.

4. **GUAM WATERWORKS AUTHORITY (GWA):**
   No Objections with recommendations noted.

5. **DEPARTMENT OF PUBLIC WORKS (DPW):**
   No Objections with recommendations noted.

6. **ENVIROMENTAL PROTECTION AGENCY (GEPA):**
   No Position Statement Received as of Staff Report Date.

The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor

RECEIVED
MB3/28
MAR 2 5 2016
Department of Land Management
Time 12 Intl

public works
DIPATTAMENTON CHE'CHO' PUPBLEKO
GLENN LEON GUERRERO
Director
FELIX C. BENAVENTE
Deputy Director

RECEIVED
3/25/16 KB
Kevin Billuk

March 21, 2016

MEMORANDUM

TO: Director, Department of Land Management

FROM: Director

APPLICATION: 2016-12

APPLICANT: Sunny Plastic, Guam

SUBJECT: Zone Change from "R-2" to "M-1"
Lots 5027- 5-R1, Harmon

Buenas yan Hafa Adai!

The applicant, Sunny Plastic, Guam is requesting the existing "R-2" (Multi Family Dwelling) to change to "M-1" (Light Industrial) zone. The primary access to the area is from Kakkak Lane thru west Taitano Street along East of Route 16. The area consists of 4,205 square meters or 45,262 square feet. The owner is a local company and have operated in Guam for over 30 years and their intent is to rezone the property and make it compatible to the neighbor ing lots and put its uses into compliance of two warehouses, office spaces, equipment parking and loading dock on site.

Department of Public Works (DPW) recommendations:

- must provide a copy of the as built drawings for the existing structure;
- must meet the occupational safety requirements;
- must have electrical safety checklists;
- must consider the exiting and egress safety;
- warehouse must be well ventilated; and
- fire extinguisher must be on site to avoid hazard to the public or within the neighboring property

DPW recommends approval, subject to the comments reviewed by the Application Review Committee (ARC) with conditions that the complete set of drawings must meet all the requirements in conformance with the latest building code edition including the Building Law of Guam.

If you have any questions, please call John F. Calanayan, Acting Engineer in Charge or Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646- 3189/3224.

Dangkulu na Si Yu'os Ma'ase!

GLENN LEON GUERRERO

GUAM POWER AUTHORITY

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

RECEIVED
MAR 0 3 2016
Department of Land Management
Time Intl

February 18, 2016

MB 3/3

MEMORANDUM

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

From: General Manager

Subject: Lots 5027-5-R1, Harmon, Municipality of Tamuning, (Sunny Plastic, Guam); Zone Change Application from "R-2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) for zoning compliance on existing warehouses. **Application No. 2016-12**

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

A. Comments and Recommendations Concerning GPA requirements:

1. Applicant is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
   - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
   - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
   - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
   - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
   - Provide scheduling and magnitude of project power demand requirements for new loads.
   - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.

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

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

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

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

JOHN M. BENAVENTE, P.E.

ASG/arp

VFSR

GUAM WATERWORKS AUTHORITY

Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

RECEIVED
4-7-2016

RECEIVED
APR 07 2016
Department of Land Management
Time 11:37 Intl

MEMORANDUM

March 16, 2016

TO: Director, Department of Land Management

FROM: Miguel C. Bordallo, P.E., General Manager

SUBJECT: Position Statement on Zone Change Application No. 2016-12 for Lot 5027-5-R1, in the Municipality of Tamuning.

APPLICANT(S): Sunny Plastic Guam Inc.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "R2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) zone to put into compliance the uses of the two warehouses for warehousing, office spaces, and equipment parking and loading dock on site with adequate parking to be provided for the existing uses and operation.

This memorandum shall serve as GWA's position statement to the above zone change request related to availability of water and sewer infrastructures to serve the above subject lot. This position statement shall not be construed as notice that water and sewer systems have the capabilities to accommodate the proposed development including fire flow without on-site or off-site improvements. Any extension of the water and sewer systems and/or capacity upgrades required to serve property shall be subject to the rules and regulations of GWA. Any required extension to the existing facilities to serve the subject properties shall be at expense of the applicant.

Given the information provided in the application and field observations, the following comments are conditions for GWA's position in favor of the approval of this zone change application:

Department of Agriculture
Dipåttamenton Agrikottura

Eddie Baza Calvo
Governor

Ray Tenorio
Lt. Governor

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

Matthew L.G. Sablan
Director

Jessie B. Palican
Deputy Director

RECEIVED
FEB 17 2016
Department of Land Management
Time 9:10 Intl

RECEIVED
2/16/2016
DLM PLANNING

February 15, 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 on Lot 5027-5-R1 located on Kakkak Lane Harmon from an "R-2 to an M1" (Light Industrial). (Sunny Plastic, Guam Inc. c/o Harry Gutierrez)**

Agriculture has reviewed the subject lot and request for a "Zone Change" 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 "M1"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 to incorporate a landscaping plan that includes indigenous and 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. It is vital that all land developers take a proactive step in preventing and causing this loss. To fully benefit and see these eco-friendly practices being used visit our **Department of Agriculture Organic and Environmentally Demonstration Farm.**

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

Robert S. Lizama
Director

William N. Reyes
Deputy Director

In reply refer to:
RC2016-0082

RECEIVED
FEB 25 2016
Department of Land Management
Time 10:00 Intl

February 24, 2016

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No. 2016-12, Zone Change
Lot 5027-5-R1, Harmon, Municipality of Tamuning
Applicant: Sunny Plastic, Guam, Inc., c/o Harry D. Gutierrez
Case Planner: Penmer Gulac

We reviewed the subject and determined that the 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 do not hesitate to call us.

Robert S. Lizama

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

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

William M. Castro
Director
James T. McDonald
Deputy Director

APR 1 1 2016

MEMORANDUM

RECEIVED
APR 13 2016
Dept of Land Management
Time 10:03 Intl

To: Director, Department of Land Management

Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

4/13

Subject: **APPLICATION NO.** 2016-12; **LOCATION:** Lot No. 5027-5-R1, Harmon, Tamuning; **APPLICANT:** Sunny Plastic, Guam, Inc; **PROPOSED USE:** Rezone property from "R-2" (Multi-Family Dwelling) to "M-1" (Light-Industrial) to put into zoning compliance.

Buenas yan Håfa Adai! Applicant, Sunny Plastic, Guam, Inc. is requesting Lot No. 5027-5-R1 in the village of Harmon, Tamuning to be rezoned from an "R-2" Multi-family residential to "M-1" Light-industrial to put the property into zoning compliance. The subject lot was granted a zone variance in 1989 and expired on July 14, 1997. Sunny Plastic, Guam Inc. acquired the property in 1996 and claims they were not aware of the variance. Currently, two vacant warehouses sit on the property. The subject property has an area of 45,262 (±) square feet or a total of 1.13 (±) acres.

The Bureau has completed its review of the subject application and provides the following comments and recommendations:

1. **Zone Change.** The application lacks the following supporting documents as required by GLUC Form 02-Revised April 2010:

   5e. A detailed As-Built Plan of the lot shall include the following:
   3.) Layouts of utilities and drainage;
   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;

   The Bureau highly recommends the applicant to submit the detailed information as required.

Doc. No. 34 GL-17-0972

Conservation and Recovery Act of 1976". Practices may include the following, but are not limited to:

a. Keeping a spill kit close to where spills are likely and ensure all staff know how to use it;
b. Mopping the workshop floor rather than hosing;
c. Surrounding storage areas with containment berms to control leaks or spills; and
d. Employee training to manage waste and materials properly.

2.) Comply with an Aquifer Protection Review pursuant to the "Federal Safe Drinking Water Act," § 1424 and "Guam Safe Drinking Water Act," 10 GCA Chapter 53.

3.) Coordinate with the Guam Waterworks Authority (GWA) for water resource conservation and ensure the NGLA is protected through compliance with the "Water Pollution Control Act," 10 GCA Chapter 47; "Water Resources Conservation Act," 22 GCA Chapter 5; 10 GCA Chapter 46, as amended by P.L. 17-97, and the Guam Water Resource Development & Operating Regulations.

4. **Stormwater Management.** Managing stormwater is a crucial element in the protection of Guam's vital water resource. Surface runoff carries pollutants into Guam waters causing siltation and increasing sediment loads, which impairs receiving waters. The alteration of vegetated areas into buildings, driveways, parking lots, roads and other surfaces prevent water from filtering into the ground and greatly increases the runoff volume created during storms. Studies show that impervious surfaces directly correlate to increased runoff volumes as well as waterway velocities, erosion, and flooding.

   Industrial sites are classified as stormwater hotspots which is defined in the *CNMI Guam Stormwater Management Manual as "a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxins than are found in typical stormwater runoff, based on monitoring studies."*

   The Bureau is concerned that activities generated from the property may severely impair the water quality of the NGLA. If best management practices are not in place before, during, and after construction to control runoff and erosion from the site, this activity can adversely impact drinking water source and surrounding neighbors. Additionally, according to "Stormwater Treatment Practice Criteria and Standards" chapter 2 in the *CNMI Guam Stormwater Management Manual*:

   1. "...stormwater runoff from hotspots cannot be allowed to infiltrate into groundwater without prior water quality treatment."

   2. "...a greater level of stormwater treatment is needed at hotspot sites to prevent pollutant wash off after construction. This will involve preparing and implementing

Areas *"(c) Lots over the aquifer. Lot sizes and set-back on properties above the aquifer shall be established by the Guam Environmental Protection Agency."*

8. **Government Clearances.** Should future expansion or alteration occur, the applicant is advised to obtain appropriate government agency review and approval to ensure compliance.

The Bureau finds that the proposed zone change is in line with the NCGLUP, however, in light of the points presented in the application, the Bureau finds the proposed zone change may affect the water quality and surrounding areas if best management measures for industrial uses are not in place. The Bureau encourages the applicant to comply with the above listed recommendations.

As government officials, it is our primary responsibility to ensure that the construction and operations of this proposed endeavor are in a manner designed to protect the public health, safety, and to promote the public welfare and convenience. We also encourage the applicants to protect Guam's natural resources and to ensure they are used in a sustainable manner.

WILLIAM M. CASTRO

cc: GEPA
DPW
GWA
DPR
GPA

GUAM DAILY POST • TUESDAY, OCTOBER 11, 2016

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

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
a) 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

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.

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 hand shake. 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.

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 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."

ATTACHMENT 6

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.]

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 COMMISSION
GUAM SEASHORE PROTECTION COMMISSION
Speaker's Sign-In Record

Location: Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

[X]	GLUC	[X]	Regular	Date:	Thursday, October 13, 2016
[ ]	GSPC	[ ]	Special	Time:	1:38 pm
[✓]	Quorum	[ ]	No Quorum	Adjournment:	

(THIS RECORD WILL BE USED IN THE TRANSCRIPTION OF THE GLUC/GSPC MINUTES. PLEASE PROVIDE YOUR FULL NAME AND WHO YOU REPRESENT, I.E., ITEM ON AGENDA.)

PLEASE PRINT NAME CLEARLY	APPLICATION NAME AND/OR NUMBER	Telephone No.
Ignacio Santos	Immanuel Choi	7773862
R. TODD THOMPSON	ABT - ABC ATTORNEY	472 2089
HEE CHO	ABT	
TERRY BROOKS	ABT	
Michael D. Flynn, Jr.	ABT Owners Association	477-7059
IAN SWAVELY	U.K. CHO / ABT OA	688-8029
HENRY Sampson	ABC	727-5382
Steven Thompson	Ayuda ABC	687-5326
HARRY GUTOR		

GLUC Form 20 - GLUC Speaker Log Record Form - APRIL 2010

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."

Marvin Aguilar the term of eight-years expired on July 14, 1997. It is our understanding as with the other application prior that this zoning designation efficiency was discovered at the time the applicant was trying to refinance the property and it was identified in their Title. And perhaps Mr. Gutierrez could shed more light on that.

Chairman Arroyo since you are on that Penmer. So, the variance was granted in 1989 (Mr. Gulac responds "yes, Mr. Chairman"]. On your write-up on Page 3, fourth paragraph beginning with "warehousing on the site." Should that date 1997 be ..... eight years, should be 1998. Alright, go ahead.

[Mr. Gulac continues with the staff report.]

Marvin Aguilar I actually took various photos of the property, but had to try to do this close-up but the fencing got in the way. It is a very large facility with inter-connecting enclosed units throughout the property. For the record though, it really is not in operation it is abandoned. I mean not abandoned it is secured. There is no activity. You don't see .... with the exception of, I don't know if that is the loading dock in between the two buildings. Again, you cannot see anything and even if you went up close, it's far towards the back of the property. There were pallets that were stacked and looked like they were packaged to be shipped out or some kind of material that was either coming in or going out. But, there were no vehicles on the two occasions that I was out there; there is no operational activity. It is well kept and maintained.

Chairman Arroyo so you don't know how long it had been sitting vacant?

Marvin Aguilar no sir. I suspect it was the discovery of the zoning discrepancy.

Penmer Gulac maybe Mr. Gutierrez has information on that.

Harry Gutierrez it has been vacant for about year. They are in the verge of reorganization and they moved all of their operation over to, behind the old Bank of Hawaii in Tamuning in that 3-story building there. They have something in the future for the building. When they bought the building in 1995 ----

Chairman Arroyo Harry, I'm sorry to interrupt. We will just finish up with the report and get back to you. Anything else Penmer you want to add?

[Mr. Gulac continues with the staff report.]

Chairman Arroyo any questions? [None noted from the Commissioners] Looking at this map of the radius; to the left and the right of the property it is surrounded by R-2, and then above and below it is M-1. At the public hearing were there any property owners who owned the R-2 properties were they present at that public hearing?

Penmer Gulac the Mayor suggested during the meeting that Sunny clears that road area for the safety of the neighborhood.

[Discussion ensues]

Chairman Arroyo so did Sunny Wholesale, Sunny Plastic did they agree to maintain that road?

Penmer Gulac we brought it up to the Mayor and they said they would talk to Sunny to make sure that that area is cleaned up because sometimes there's fire or somebody will hide there. It's to protect the interest of the other neighbors. There are still residents that traverse there or walk through there because it connects to the M-1 zone where Westco warehouse is. Also, across from Kakkak is Pacific Drilling warehouse that rezoned by the GLUC.

Chairman Arroyo any other questions? [None]

Harry, if you could state your name please for the record.

Harry Gutierrez (representing Sunny Wholesale) To answer some of your questions. Sunny agrees, he wants to do it anyway cut the grass ten feet away from the fence because he's been having problems with people climbing over, sleeping overnight. And he is in the state of reorganizing the corporation right now. He didn't abandon it he's using it as storage for now until he figures what he wants to do with it.

Chairman Arroyo Harry, aside from the expired use variance, can they legally occupy the building or did they lose any ability to do that. Are they permitted to use the building?

Harry Gutierrez I couldn't answer that.

Marvin Aguilar the property is still R-2 zone, the business license would probably be rejected.

Chairman Arroyo would that be the case?

Harry Gutierrez that's the case. What happened there was he bought the building in 1996 where the variance expired in 1998, and he didn't know about it. I met him here a few times 2011 and he asking questions how he could rezone it make it back to legal. He finally hired me in 2014.

Chairman Arroyo so, he's pushing now because he wants to get some financing to improve the property is that what it is?

Harry Gutierrez no, I don't think he needs financing.

Chairman Arroyo but he is looking to improve the property.

Chairman Arroyo unfortunately Tae that requires people to go and spot check these things. Over the course of my tenure on the Commission, I have seen these things pop up every once in awhile. They do talk about being more proactive in monitoring these variances and any conditions that are attached to the things that we grant; setting up some kind of tickler system so that at least Planning Division is aware that .... of variances that are expiring and we need to be a little more proactive with getting back with the landowner and saying hey you need to come back to us to renew this or let us know what your plan is. I guess that is an issue internally the division has to work on.

Any other discussion? [None noted]

If you are ready to move forward, I am ready to entertain a motion on this request.

Commissioner Oh Mr. Chairman, I move to approve the zone change from "R-2" to "M-1" zone for the applicant Sunny Plastic Inc. represented by Harry D. Gutierrez for compliance of existing warehouses on Lot 5027-5-R1, in the municipality of Tamuning under Application No. 2016-12.

Chairman Arroyo there's a motion by Commissioner Tae, do I have a second.

Vice Chairman Cruz I second.

Chairman Arroyo second by the Vice Chair. Any discussion? [None noted]

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

[Motion to approve Application 2016-12 passed unanimously; 4 ayes, 0 nay.]

Chairman Arroyo let's take a five (5) minutes recess.

[Commission recessed at 2:45 p.m. and reconvened at 3:00 p.m.]

IV. Old or Unfinished Business

Horizontal Property Regime

A. The Applicant, Alupang Beach Tower; requests issuance of its Supplementary Final Public Report for the Alupang Beach Condominium, 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 – GLUC hearing of April 14, 2016]** Case Planner: Celine Cruz

Chairman Arroyo go ahead with your presentation.

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

NOTICE OF ACTION **Application No. 2016-12**
Sunny Plastics, Guam, Inc.
Represented by Harry D. Gutierrez
Lot 5027-5-R1, Municipality of Tamuning
Date of GLUC Hearing: October 13, 2016
Date of Preparation of NOA: November 22, 2016

ZONING

__XX__/ **ZONE CHANGE *****

_____/ Conditional Use Permit

_____/ Zone Variance

[ ] Height [ ] Use
[ ] Density [ ] Other (Specify)
[ ] 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. 2016-12**
Sunny Plastics, Guam, Inc.
Represented by Harry D. Gutierrez
Lot 5027-5-R1, Municipality of Tamuning
Date of GLUC Hearing: October 13, 2016
Date of Preparation of NOA: November 22, 2016

==========

CERTIFICATION OF UNDERSTANDING

I/We, _____/ **Harry D. Gutierrez, Rep**
(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.

_____ _____ _____ 3-31-17
Signature of Applicant Date Signature of Representative Date

==========

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

_____ _____ _____ 9-14-17
Applicant(s) Date Representative Date

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

BE IT RESOLVED, that on the **13th** day of **October**, **2016**, a hearing of the Guam Land Use Commission (GLUC) was held in accordance with notices duly issued to consider the application of **Sunny Plastic's, Guam, Inc.** for a Zone Change of **Lot No. 5027-5-R1**, Municipality of **Tamuning**.

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

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

Appearing for the applicant were: **Mr. Harry D. Gutierrez, Representative**

Also appearing and testifying on the above project was:

none in favor/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, b) Public Necessity and Convenience: The following facts support a finding that public necessity and convenience justifies the zone change:

We, Commission have reviewed the application and find that, as presented by the applicant's and their representative and that all conditions imposed by the Commission and the Application Review Committee position statements for the zone change has been satisfied as well as the above sections.

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 **August 23, 2016**, I submitted the Official Memorandum (attached as **Attachment A**) from the Guam Chief Planner to the Guam Daily Post, Tamuning, Guam, a request to publish the 2 x 2 legal notice to appear on August 27, 2016 for Application No. **2016-12 (Sunny Plastic, Guam)** to be heard on September 6, 2016, 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 25th day of May, 2017.

M. CRISTINA GUTIERREZ
Word Processing Secretary II

Island of Guam)
) ss:
City of Tamuning)

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

NOTARY PUBLIC

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

2 Catholic nuns killed in Mississippi

Signs point to home break-in

DURANT, Miss. (AP) – Two nuns who worked as nurses and helped the poor in rural Mississippi were found slain in their home, perhaps victims of a break-in and vehicle theft, officials said.

Authorities would not say if they have a suspect or what kind of vehicle is missing from the nuns' home. They also did not release a cause of death, but the Rev. Greg Plata said police told him the sisters were stabbed.

The nuns were identified as Sister Margaret Held and Sister Paula Merrill. Their bodies were taken to a state crime lab for autopsies.

The women, both nurse practitioners, were found Thursday morning when they didn't report to work at a nearby clinic, where they provided flu shots, insulin and other medical care for children and adults who couldn't afford it.

"They were two of the sweetest, most gentle women you can imagine. Their vocation was helping the poor," said Plata, who oversees a 35-member Catholic church the sisters attended.

Maureen Smith, a spokeswoman for the Catholic Diocese of Jackson, said there were signs of a break-in at the home and the nuns' vehicle is missing.

Unclear motive

Authorities didn't release a motive and it wasn't clear if the nuns' religious work had anything to do with the slayings.

"I have an awful feeling in the pit of my stomach," said Durant Assistant Police Chief James Lee, who is Catholic.

Police Chief John Haynes said officers are canvassing the area and trying to look at video from surveillance cameras in town to see if they spot anything unusual.

Merrill, 68, had worked in Mississippi for more than 30 years, according to the Sisters of Charity of Nazareth in Kentucky. She was from Massachusetts and joined the order in 1979.

Two years later, she moved to the South and found her calling in the Mississippi Delta community, according to a 2010 article in The Journey, a publication by the Sisters of Charity of Nazareth. When asked about her ministry, Merrill was humble.

"We simply do what we can wherever God places us," Merrill said.

A video on the order's website detailed her work, interviewing her and her patients talking about the care they had received.

"What really appalls me is over 60 percent of the children live in poverty," Merrill said.

During an early part of her career, she helped bring a tuberculosis outbreak under control in the region, said Lisa Dew, who managed the Lexington Medical Clinic where the sisters worked.

"They'll help anybody they can help. They'll give you the shirt of their back," she said.

At the clinic, the sisters cultivated relationships with drug company representatives, who often left extra free samples and asked about how treatment was going for some patients, Dew said.

Merrill saw children and adults, and helped in other ways.

Social work

"We do more social work than medicine sometimes," Merrill told The Journey. "Sometimes patients are looking for a counselor."

After Hurricane Katrina left much of the town was without power for weeks, the sisters allowed people to come to their house to cook because they had a gas stove.

They were skilled in stretching resources, and routinely produced amazing dishes out of what seemed like a very small garden at their home, said Sam Sample, lay leader of St. Thomas Catholic Church in Lexington, where the sisters were members.

"These ladies didn't require any fanfare, any bells and whistles. They would just keep their nose to the grindstone, doing what had to be done," he said.

The small congregation at St. Thomas typically gathered on Thursday nights for Bible study and a meal. Held, a member of the School Sisters of St. Francis in Milwaukee, was known for her baked goods.

"Name it, she could make it. It would melt in your mouth," said neighbor Patricia Wyatt-Weatherly.

Dr. Elias Abboud worked with the sisters for years and agreed to help build the Lexington clinic because "you could feel their passion about serving the people, helping the poor. They loved it."

Abboud estimated that the clinic provided about 25 percent of all the medical care in the county, which has a population of about 18,000, according to U.S. Census Bureau estimates for July 2015.

The Catholic community in Mississippi is relatively small. Of nearly 3 million people, the diocese said there are about 108,000 Catholics.



CRIME SCENE: *Local police officers leave the Durant, Miss., home of two slain Catholic nuns who worked as nurses at the Lexington Medical Clinic, Thursday, Aug. 25. The clinic office manager and a Durant police officer discovered their bodies inside the house after both nuns did not report for work. AP*

Guantanamo prison to close by next year

SWEDEN (Reuters) – U.S. Vice President Joe Biden said he expected the military prison in Guantanamo Bay, Cuba, to close before President Barack Obama leaves office in January. "That is my hope and expectation," he told a news conference in Sweden. The White House has been trying to close the facility since Obama took office but has been stymied by opposition in Congress.

Trump targets trade with China, plans sanctions

TAMPA (Reuters) – Republican presidential candidate Donald Trump threatened to slap tariffs on Chinese products to show Beijing that the United States is "not playing games anymore" when it comes to leveling the field on trade. Addressing a rally in Tampa, Florida, Trump said that if he was elected in November, he would instruct the U.S. trade representative to bring cases against China both in the United States and at the World Trade Organization. Tariffs would be necessary in some cases "because they have to understand that we're not playing games anymore," he added. Trump had previously pledged a 45 percent tariff on Chinese goods.

US jobless claims fall for the third week

NEW YORK (Reuters) – The number of Americans filing for unemployment benefits unexpectedly fell again, suggesting the labor market was continuing to gain momentum. Initial claims for state unemployment benefits slipped 1,000 to a seasonally adjusted 261,000 for the week ended Aug. 20, the Labor Department said. It was the third straight weekly decline in claims. Claims for the prior week were unrevised. Economists polled by Reuters had forecast first-time applications for jobless benefits rising to 265,000 in the latest week.

Department of Land Management
P.O. Box 2950, Hagåtña, Guahan 96932
Tel: 649-5263 Ext. 375: Fax: 649-5383

EDDIE BAZA CALVO
Governor
RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director
DAVID V. CAMACHO
Deputy Director

PUBLIC HEARING NOTICE

Date: September 6, 2016
Time: 6:00 pm
Place: Tamuning Community Center

For: Sunny Pastic (Guam), Zone Change from "R-2" to "M-1" to put in compliance existing uses of 2 warehouses, office space and equipment parking on Lot 5027-5-R1, Tamuning. [2016-12] No. 34-GL-16-012

Funding Source provided by the Applicant.

Scan to go direct:

OBITUARIES.

Have a family member who recently died? Log in and add the obituary FOR FREE. See other obituaries posted and sign their guest book too.

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ATTACHMENT B

B-7 LLC and Catherine B. Anderson Trust (Benavente Josefina B. Estate of)	P.O. Box AH	Hagatna, GU 96932
Chou En-Che & Yu-Pao Kuey	P.O. Box 6882	Tamuning, GU 96931
Huang Su Ching	P.O. Box 7574	Tamuning, GU 96931
Nguyen Lylan T. & Van Le Phat	P.O. Box 22595	GMF, Barrigada, GU 96921
Shen Chia Ming	P.O. Box 7026	Tamuning, GU 96931
Gu Xigen & Jing Shang Yao	P.O. Box 315678	Tamuning, GU 96931
San Nicolas Minda C.	P.O. Box 10564	Tamuning, GU 96931
Chao's International, LTD.,	118 E. Acapulco Ct.	Dededo, GU 96929
Huang David C.	P.O. Box 6772	Tamuning, GU 96931
Lam Steve S.K.	P.O. Box 26145	Barrigada, GU 96921
Huang Wei-Shen	P.O. Box 11753	Tamuning, GU 96931
Yu Harvey C.	P.O. Box 7146	Tamuning, GU 96931
Xia Yinghua & Zhi Aijun	P.O. Box 11275	Tamuning, GU 96931
Su Jonathan	P.O. Box 4495	Hagatna, GU 96932
Li Julin	P.O. Box 8913	Tamuning, GU 96931
Yan Jue Fang & Chen Fang Hua	P.O. Box 7061	Tamuning, GU 96931
Tapar Russel & Anabelle & Reyes Julie Tapar	P.O. Box 24743	Barrigada, GU 96921
Lee Dunstany Y. & Christine K.	P.O. Box 22354	GMF, Barrigada, GU 96921
Shant Enterprises Inc.	P.O. Box 7626	Tamuning, GU 96931
Hua Guo Lin, Zhu Qun Ying	P.O. Box 315333	Tamuning, GU 96931
Ramirez Antonio A. & Minda E.; Dulatre Minda;	1301 E 6th ST.	National City, CA. 91950
Arizala Gloria V.	P.O. Box 1557	Hagatna, GU 96932
Bejjess Enterprises Inc. dba:GEMCO	P.O. Box 282	Hagatna, GU 96932
Pacific Modair Corporation	P.O. Box 10720	Tamuning, GU 96931
Kim Hyon Pok & Yun Suk	P.O. Box 26413	Barrigada, GU 96921
Tonets Corporation DBA TNK Guam	P.O. Box 10720	Tamuning, GU 96931
Mizuta Patrick S. & Brenda L.	1128 N. Marine Corps Drive	Tamuning, GU 96931
Louise C. Rivera	P.O. Box 786	Hagatna, Guam 96932

EXHIBIT B

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7012 0470 0002 4484 2298

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Certified Fee	$3.30
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 3.77

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Sent To: George & Yu Mei Tsai Family Living
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Sent To: Lay Sun Long & Siu Fong K.
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Sent To: Mizuta Patrick S. & Brenda L.
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Sent To: Louise Rivera
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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

[2016-01]

Website:
http://dlm.guam.gov

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

August 19, 2016

Dear Sir/Madam:

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

The Applicant, Sunny Plastic (Guam), represented by Harry D. Gutierrez request for a Zone Change from "R-2" (Multi-Family Dwelling) to "M-1" (Light Industrial) zone to put into compliance the existing uses of the 2-warehouses, office spaces and equipment parking and loading dock on site with adequate parking to be provided on Lot 5027-5-R1, in the Municipality of Tamuning, under Application No. 2016-12.

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:	**Tamuning Community Center**
DATE:	**September 6, 2016, Tuesday**
TIME:	**6:00 p.m.**

As a property owner identified within 500 feet of this proposed development, we invite you to attend this Public Hearing and participate in the review process and to express your opinion on this application. If you are unable to attend the Public Hearing, please submit written comments to our office on or before, **September 5, 2016, Monday.** Written comments should be addressed to:

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

ATTACHMENT B