EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

OCT 27 2017

GL# 34-17-1198
Speaker Benjamin J.F. Cruz

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

NOV 06 2017
Time: 307 [ ] AM [ ] PM File No. 34-1164
Received By

2017 NOV -6 PM 3:22 MF

Re: GLUC Zone Change Approval from "R2" (Multi-Family Dwelling) to "C" (Commercial) zone for Lot 1120-REM-1-2NEW, in the municipality of Mongmong-Toto-Maite, under Application No. 2017-01

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, **John Setiadi Tan,** request to re-zone from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone for the expansion of its existing commercial building, on Lot 1120-REM-1-2NEW, in the municipality of Mongmong-Toto-Maite.

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

RAYMOND S. TENORIO
Acting Governor of Guam

1193

GUAM LAND USE COMMISSION
ZONE CHANGE
APPLICATION NO: 2017-01
LOT1120-REM-1-2NEW
MUNICIPALITY OF MONGMONG-TOTO-MAITE

COPY

ATTACHMENT 1

Space for Recordation

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

File for Record is Instrument No. 914345

On the Year 20 17 Month 11 Day 01 Time 4:00

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T YAMASAKI

Doc. No. 34GL-17-1198.

GLUC ZONE CHANGE

APPLICATION NO.: 2017-01

APPLICANT: JOHN SETIADI TAN

PREPARED ON SEPTEMBER 18, 2017

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

TO: "C" (COMMERCIAL)

LOT: 1120-REM-1-2NEW

BLOCK: N/A

TRACT: N/A

MUNICIPALITY: MONGMONG-TOTO-MAITE

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO.: A-71

ZONING MAP NO.: F3-67S34

THE GUAM LAND USE COMMISSION, AT ITS HEARING ON AUGUST 10, 2017 APPROVED IN WHOLE THE ZONE CHANGE FROM "R-2" TO "C" FOR LOT 1120-REM-1-2NEW MUNICIPALITY OF MONGMONG-TOTO-MAITE

==========

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

10/12/17

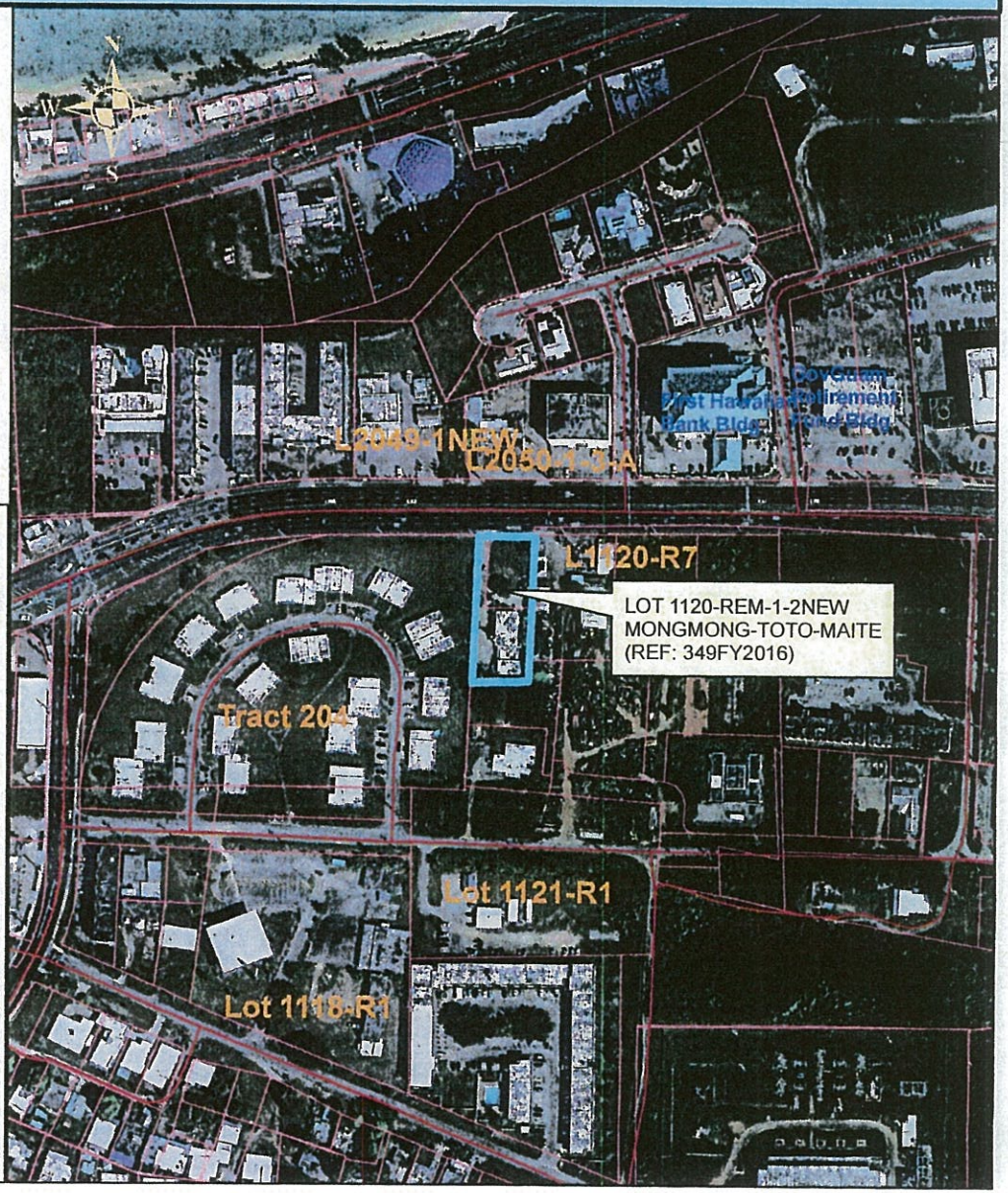
JOHN Z. ARROYO — DATE
CHAIRMAN
GUAM LAND USE COMMISSION

==========

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

OCT 27 2017

RAYMOND S. TENORIO — DATE
Acting Governor of Guam



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

OCT 2 7 2017

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

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

RAYMOND S. TENORIO
Acting Governor of Guam

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

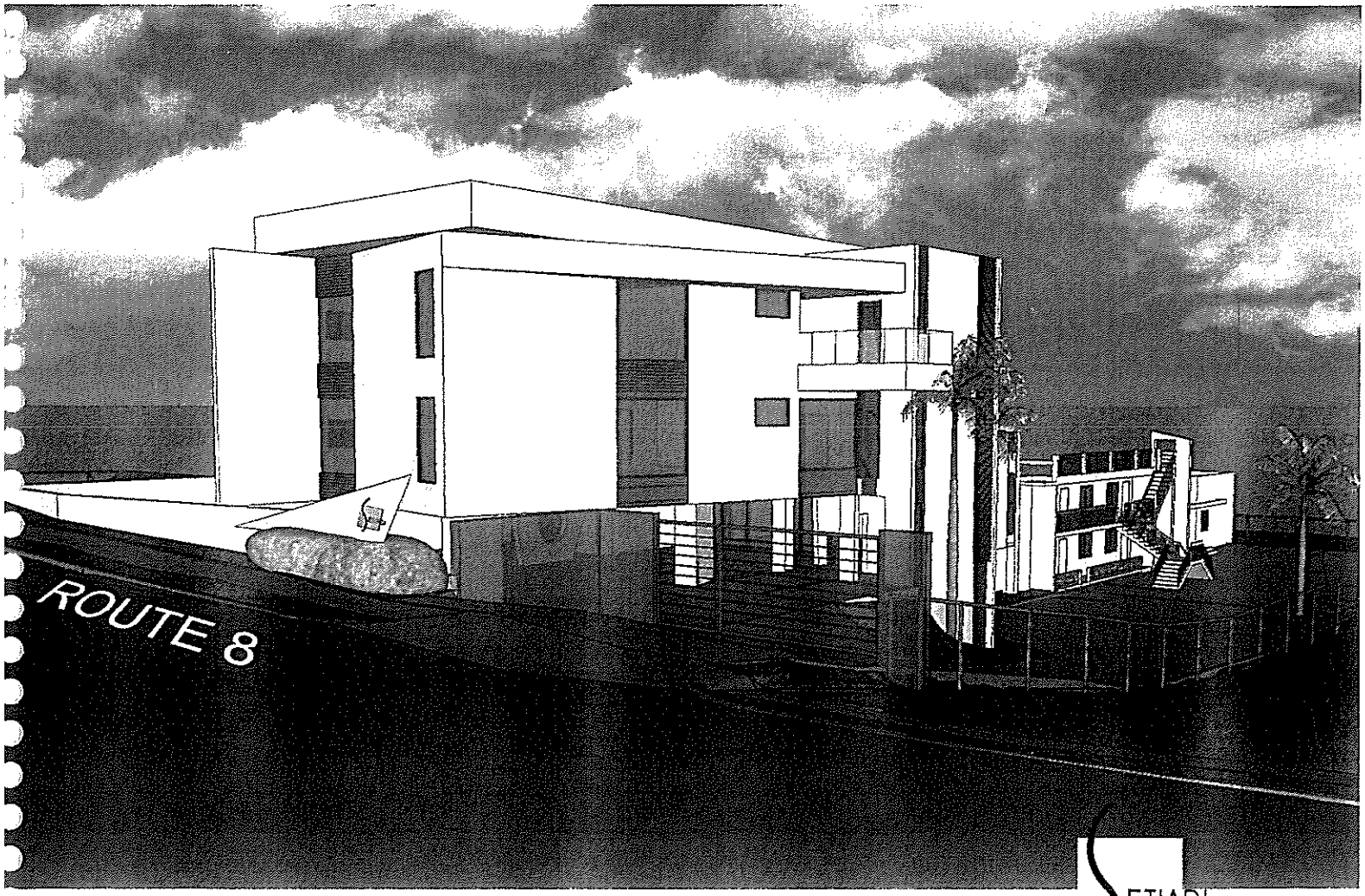
Doc. No. 34GL-17-1198.

Application No.:	**2017-01**
Accepted Date:	**October 17, 2016**
Case Planner:	**Frank P. Taitano**

ZONE CHANGE APPLICATION

LOT 1120-REM-1-2NEW

MUNICIPALITY OF MONGMONG-TOTO-MAITE, GUAM



SETIADI

PRESENTED TO:
GUAM LAND USE COMMISSION
Dept. of Land Management
17 October 2016

SETIADI ARCHITECTS LLC
357 Route 8 Maite, Guam 96910
T: 671-477-3556 | F: 671-477-3559
www.setiadiarchitects.com

ATTACHMENT 2

SETIADI

Zone Change Application

Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite

TABLE OF CONTENTS

- Application Letter
- Zone Change Application
- Justification for Zone Change
- Notice To Rezone Billboard Form and Sample
- Exhibits:
    - A. GEPA Environmental Impact Assessment
    - B. Approved Use Variance NOA 2007-057 (Lot 1120-REM-1-R2)
    - C. Property Survey Map (Consolidated Lot-1120-REM-1-2NEW)
    - D. Zoning 1,000 ft. Radius
    - E. Zoning 750 ft. Radius
    - F. Zoning 500 ft. Radius
    - G. Photos of Existing Surrounding
    - H. As-Built Existing Site Plan
    - I. Proposed Site Plan
    - J. Floor Plans
    - K. Building Elevations
    - L. Electrical Calculations
    - M. Water Demand Analysis
    - N. Wastewater Load Analysis
    - O. Traffic Calculations
    - P. 3D Renderings
    - Q. Quitclaim Deed and Affidavits (Lot1120-REM-1-R2)
    - R. Warranty Deed and Affidavits (Lot1120-REM-1-2)

Doc. No. 34GL-17-1198.

SETIADI

October 17, 2016

TO: Mr. John Z. Arroyo, Chairman
Guam Land Use Commission
Department of Land Management
P.O. Box 2950
Hagatna, Guam 96932

Subject: ZONE CHANGE APPLICATION
For: Lot 1120-REM-1-2NEW

Dear Mr. Arroyo and Commission Members:

We are pleased to submit for the Commission's consideration Application for Zone Change from Residential to Commercial and Letter of Justification for Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite, Guam. Legal Authority: Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61630.

Brief Background:

Location: The subject lot is located in Maite along southern side of Route 8, approximately 800 feet East (towards Barrigada) from the junction of Purple Heart Memorial (Route 8) and East O'Brien Drive (Route 7A).
New Consolidated Lot Area Lot 1120-REM-1-2NEW: 2,375 Square Meters.
Current Zoning: "R2" (Multi –Family) Zone
Previous Lot Numbering: Lot Area 1120-REM-1-R2 and Lot Area 1120-REM-1-2
Previous Commission Action: Lot 1120-REM-1-R2, was granted Zone Variance for office use. Notice of Action 2007-057 issued on September 28, 2007.
Field Description: Lot 1120-REM-1-2NEW is developed with an existing 2 story, four-unit apartment building being used for Architectural office and one apartment.
Proposed Project: To utilize the whole property for commercial use such as: additional parking areas, two dwelling units, gallery/studio, and landscape.

Your consideration to this matter is very much appreciated.

Sincerely,

John Setiadi Tan, AIA, NCARB
President

Doc. No. 34GL-17-1198.

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: **JOHN SETIADI TAN** U.S. Citizen: [X] Yes [ ] No

Mailing Address: **357 ROUTE 8 MAITE, GUAM 96910-2007**

Telephone No.: Business **1 (671) 477-3556** Home: **1 (671) 637-3590**

2. Location, Description and Ownership:

Subdivision Name: _____

Lot(s): **1120-REM-1-2NEW** Block: _____ Tract: _____
(Consolidated map of Lot 1120-REM-1-2 and Lot 1120-REM-1-R2)

Lot Area: Acres _____ Square Meters: **2,375 s/m** Square Feet: _____

Village: **MAITE** Municipality: **MONGMONG-TOTO-MAITE**

Registered Owner: **JOHN SETIADI TAN**

Certificate of Title No.: **QUITCLAIM DEED, Lot 1120-1-R2** **#716703**
WARRANTY DEED, Lot 1120-1-2 Recorded Document No.: **#713348**

3. Current and Proposed Land Use:

Current Use: **Apartment/Setiadi Architects Business Office** Zoned: **R2** w/ approved use variance NOA#2007-057 on Lot 1120-REM-1-R2

Proposed Use: **Commercial use, Architectural Business and Residential Duplex** Proposed **C** Zone: **R2**

Master Plan Designation: **RESIDENTIAL MEDIUM HIGH**

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

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

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

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

ZONE CHANGE

5. Supporting Information (Continuation):

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

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

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

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

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

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

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

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

h. Additional information as required by the Guåhan Chief Planner

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

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

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

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

10/17/2016

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

(Representative, if any, and Date)

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

FOR OFFICIAL USE ONLY

Date 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: _____

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

NOTICE TO REZONE*

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

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

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

PUBLIC NOTICE

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

Doc. No. 34GL-17-1198.

APPLICATION DESCRIPTION:

OWNER:

DEVELOPER:

LOT, BLOCK, TRACT, MUNICIPALITY:

PROPOSED CHANGE OF ZONE:

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

SETIADI

October 17, 2016

Justification for the Zone Change:

1. ***That the zone change will be consistent with the "Guam Master Plan" adopted by the Commission or Legislature.***
   - Lot 1120-REM-1-2NEW is along Route 8, a busy commercial highway, one of the major thorough-fares on Guam. The adjacent surrounding properties are predominantly commercial establishments which include offices, multi-story bank/commercial buildings, retail stores, whole-seller, pub, flower shop, and government office (Retirement Fund building). Multi-family residential establishments are of small percentage compared to commercial establishments in the area. Other uses include light commercial, a heavy equipment rental company. Therefore, a commercial development (zone C) is more compatible with current and adjacent uses than the present multi-family (zone R2) designation.
   - Lot Number 1120-REM-1-R2 was granted Use Zone Variance for office/commercial use by the Guam Land Use Commission in September 2007 (NOA 2007-057).

2. ***That the zone change will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.***
   - Power, Water, Sewer, and Telephone utilities are already in place.
   - Commercial development is currently established in the immediate vicinity.
   - Property is accessible via Route 8, a federal highway – no new roads are required.

3. ***Purpose of the zone change.***
   - The purpose is to further develop the whole property as a professional office complex.
   - The existing building on Lot 1120-REM-1-2NEW will be expanded to accommodate additional parking spaces, gallery space, and Residential Units.
   - New development will be designed and constructed in accordance with the International Building Codes, and all Rules and Regulations.

Sincerely,

John Setiadi Tan, AIA, NCARB
President

Doc. No. 34GL-17-1198.

SUPPORTING DOCUMENTS:

- Exhibits:
  - A. GEPA Environmental Impact Assessment
  - B. Approved Use Variance NOA 2007-057 (Lot 1120-REM-1-R2)
  - C. Property Survey Map (Consolidated Lot-1120-REM-1-2NEW)
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Doc. No. 34GL-17-1198.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)

ENVIRONMENTAL IMPACT ASSESSMENT (SHORT FORM)

October 1999

GEPA has developed this EIA form for use by developers proposing projects or land use activities, which may pose only insignificant environmental impacts. This form is provided as an alternative to the EIA standard format provided to satisfy the requirements of Executive Order 96-26. If potential environmental impacts and issues are assessed or determined to be significant either by the applicant or GEPA, a more detail EIA may be required including a thorough presentation and discussion of alternatives as required by the *Guidelines for the Preparation of Environmental Impact Assessments and Statements* (GEPA October 1999).

This EIA format constitutes the minimum necessary assessment and disclosure of potential impacts for a project. This form may also be used as a preliminary scoping guide or checklist in consultation with the Agency.

Case No: **2017-01**

Project Title: Setiadi Architects LLLC, Maite Office

1. Name, address and business telephone of applicant:
   Setiadi Architects LLC - 357 Route 8 Maite, Guam 96910
   Tel (671) 477-3556 / Fax (671) 477-3559

2. Name, title and telephone number of representative:
   John Setiadi Tan, AIA – President
   Tel (671) 477-3556

3. Name, title and telephone number of EIA document preparer:
   Elizabeth C. Gayle, P.E. – Vice President
   Tel (671) 477-3556

4. Location of the proposed project: (include tract, block, lot, municipality and a location map) Consolidated Lot 1120-REM-1-2NEW
   Municipality: Mongmong-Toto-Maite – See Exhibit C.

   [Previously, Lot 1120-REM-1-R2 was Granted Zone Use Variance, allowing Commercial Use in R-2 Zone (GLUC #2007-057, see Exhibit B).]

5. Describe the general nature or type of proposed project:
   Professional Architectural Office and Two (2) Residential Units

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. Ground water recharge area: The project is located in Mongmong-Toto-Maite, over the Autogenic Recharge area of the Northern Guam Lens Aquifer, The proposed action will not impact the ground water recharge because it does not include any hot-spot activities that would impact it. The waste water will be collected and discharged to a municipal sewer system. There will be no fuel storage tanks. The office and residential uses are not activities that place a burden on the recharge activity. Stormwater will be collected onsite and allowed to drain naturally, thus continuing natural recharge.

b. Watersheds: The entire island of Guam is considered a watershed. The project is located over the Northern Guam Lens Aquifer. The proposed action will not impact the ground water recharge because it does not include any hot-spot activities that would impact it. The waste water will be collected and discharged to a municipal sewer system. There will be no fuel storage tanks. The office and residential uses are not activities that place a burden on the recharge activity. Stormwater will be collected onsite and allowed to drain naturally, thus continuing natural recharge.

c. Wellhead protection zone: No

d. Streams, lakes or ponds: No

e. Marine waters: No. The Lot is at elevation 260'+/-. Although a very small sliver of East Agana Bay is within the 1000' radius of the project site (see Exhibit D), no impacts to marine waters (at elevation 0'+/-) are anticipated.

f. Reef flats: No

g. Pristine forest: No

h. Critical habitat area: No

i. Wetlands: No

j. Flood hazard area: No

k. Archaeological feature(s) or historical sites: No

7. Will the project result in any of the following environmental or infrastructure impacts.

a. Production of toxic or hazardous waste: No

b. Dislocation of existing businesses, residents or public areas: No
The existing architectural office will continue operations at the same location. There are no current residents on the site.

c. Production of air contaminants (temporary or permanent): ___
Any temporary air contaminants during future construction activity on the site will be mitigated pursuant to GEPA requirements. The onsite emergency generator may produce temporary air contaminants and will also be mitigated pursuant to GEPA requirements.

8. Will the project require an increase in the requirements for any of the following public service (provide estimated quantities or volumes)? If answering yes to any of these items you must describe how the impact affects current infrastructure capacity. In addition, if the applicant/ developer proposes contributions or mitigation to offset impacts, describe the contribution or mitigation.

a. Drinking water: The project's estimated drinking (potable) water demand is 1,160 gallons per day average (see Exhibit M). There is an existing waterline lateral with meter on the site, and it is sufficient to supply water for the proposed expansion.

b. Sewage disposal (public system):
The project's estimated wastewater load is 1,044 gallons per day average (see Exhibit N). There is an existing sewage lift station with

forcemain on the site. The forcemain discharges into an existing GWA gravity sewerline along Route 8. The onsite forcemain is sufficient to accommodate the wastewater load of the proposed expansion. The existing gravity sewerline on Route 8 is sufficient to accommodate the wastewater load of the proposed expansion.

c. Vehicle traffic: The project's estimated traffic (trips generated) is 98 trips per day total, 14 trips in morning peak hour, and 13 trips in afternoon peak hour (see Exhibit O). Purple Heart Memorial (Route 8) provides direct access to the project site. As a 7-lane federal highway, it has sufficient capacity to accommodate the projected trips generated by the proposed project. There will be 20-25 employees at any time, plus up to 3 new residents or guests. Parking onsite will be accommodated with 28 parking stalls including 1 ADA stall.

9. Will clearing and/or grading be required (include the number of acres and a general description of site soil and slope conditions):
Lot 1120-REM-1-2NEW is currently landscaped with an average slope of approximately 15% and has a driveway with an average slope of 15% and is flat at the south end, where the existing building is located. Per the *Soil Survey, Territory of Guam*, the soil is "Guam-Urban land complex, 0-3 percent slopes", which is Guam cobbly clay on limestone plateau. The proposed development will partially grade the slope at the toe in order to provide ground-level parking. Additional parking will be provided at the upper part of the slope, in an open-air parking garage at the 1st Floor level. This split-level grading takes advantage of the existing terrrain of the lot. A retaining wall along the east property boundary will be necessary.

10. Will the project utilize an individual waste water disposal system such as septic tank/leaching field system, secondary package treatment system...etc.?)
There is an existing sewer package lift station serving the existing building, but it is not considered an individual waste water disposal system. It lifts wastewater from the lower elevation up to a ground cleanout adjacent to Route 8, which then discharges via gravity into the gravity sewerline on Route 8. The proposed expansion will utilize the existing lift station and forcemain. The additional wastewater loads will simply mean the lift station pump may operate more times during the day than it currently does.

11. Will the project include the use of above or below ground storage tanks for fuel or water? No.

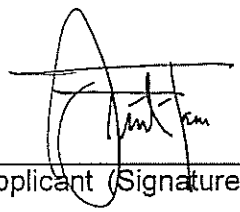
12. Does the project require permitting, land resources, financial and or other assistance from the federal government (please provide type of permit, issuing agency, application dates, and contact person)?
No.

13. Does the project include any special or unique features that are not covered above? No.

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 environment impacts. I/we hereby declare a "finding of no significant impact".



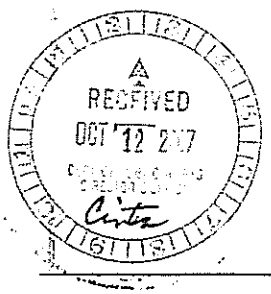
Applicant (Signature)

10/17/2016
Date

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 statues.

GEPA-EPR001 (12/12/96)

Island of Guam, Government of Guam
Department of Land Management



File for record is Instrument No. 762665

For the Year 07, Month 10, Day 10, Time 9:32

Recording Fee EX-OFFICIO Receipt No.

Deputy Recorder A.T.Bautista

(*Space above for Recordation*)

"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."

COPY

GUAM LAND USE COMMISSION
Department of Land Management
Government of Guam
P.O. Box 2950
Hagatna, Guam 96932

NOTICE OF ACTION

September 28, 2007
Date Typed

To: John Setiadi Tan
P.O. Box 21713, GMF
Barrigada, Guam 96921

Application No. 2007-057

The Guam Land Use Commission, at its meeting on September 27, 2007,

___/ Approved ___/ Disapproved

XX/ Approved with Conditions ___/ Tabled

your request on Lot No. 1120-REM-1-R2, Maite, Municipality of Mongmong-Toto, Maite for a:

___/ Zone Change** ___/ Subdivision Variance

___/ Conditional Use ___/ Tentative Subdivision

XX/ Zone Variance

**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. Notification will be sent upon action taken by the Governor. [Ref: 21 GCA (Real Property), Chapter 6 (Zoning Law), Section 61634 (Decision by the Commission).]

APPLICATION DESCRIPTION: The applicant, John Setiadi Tan, is requesting approval to convert an existing 2-storey, four unit apartment structure into an office space for his architectural firm on Lot No. 1120-REM-1-R2, Municipality of Mongmong-Toto-Maite

CONDITIONS: The Guam Land Use Commission approved Application No. 2007-057 subject to the following:

1. That, the approval is subject to Planning Staff recommendations;

DEPARTMENT OF LAND MANAGEMENT (DLM):

1. That the applicant adhere to the ARC conditions and requirements as stipulated on their official Position Statement;

BUREAU OF STATISTICS AND PLANS (BSP):

1. The parking layout and dimensions must be acceptable to the Department of Public Works (DPW) to ensure that the applicant is in conformance with the parking requirements;

2. The applicant must be required to work with the Guam Fire Department to ensure that the subject establishment is sufficiently equipped with fire protection measures and acceptable for emergency vehicles in the event of fire or an emergency;

3. A landscaping plan must be incorporated into this proposal in order to provide a buffer between the development and the adjacent residential area and to help reduce storm water runoff. The landscaping plan must be submitted, reviewed and approved by the Guam Chief Planner, and plants must be in place prior to the issuance of an Occupancy Permit;

4. If a generator is to be used, the applicant should coordinate with the Guam Environmental Protection Agency (GEPA) for their requirements and procedures regarding emissions and proper handling of any lubricants and fuel;

5. No future changes to the proposal may be implemented unless GLUC gives approval to those specific changes.

GUAM WATERWORKS AUTHORITY (GWA):

1. GWA approval does not constitute a guarantee that water and wastewater service is immediately available to the subject lot. Any extension of the water and wastewater system required to serve the property shall be subject to the rules and regulations of GWA and shall be at the expense of the applicant;

2. Plans and specifications must be submitted for review and approval of GWA prior to renovations. Submittal shall include water and sewer demand calculations and drawings illustrating existing and proposed utility layout. Submittal shall demonstrate compliance with proposed zoning rules and regulations. Applicant shall submit both electronic and paper copies of design plans (electronic copy required for utilities only);

3. The project design effort shall include an evaluation of fire flow requirements and a fire flow test of the existing hydrant;

4. GWA Position Statement shall remain valid for 365 calendar days from August 10, 2007.

NOTICE OF ACTION
John Setiadi Tan
Lot No. 1120-REM-1-R2, Maite
Mun. of Mongmong, Toto, Maite
GLUC Meeting of September 27, 2007
Page 3 of 3

Application No. 2007-057

Carlos R. Untalan 10-02-07
Carlos R. Untalan Date
Acting Guam Chief Planner

10-5-07
Jay L. Lather Date
Chairman, GLUC

Case Planner: Frank Taitano
Attachment(s): ARC Distribution List
cc: Building Permits Section, DPW (Attn: Mr. Jesus Ninete)

CERTIFICATION OF UNDERSTANDING

I / WE JOHN SETIADI TAN /
(Applicant, pls. print) (Representative - pls. print)

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

I/We, further agree and accept the conditions above as a part of the Notice of Action, and further agree to adhere to any and all conditions made a part of and attached to this Notice of Action as mandated by the approval of the Guam Land Use Commission/Guam Seashore Protection Commission.

Signature of Applicant

Date: 10/15 · 07

Signature of Representative

Date:

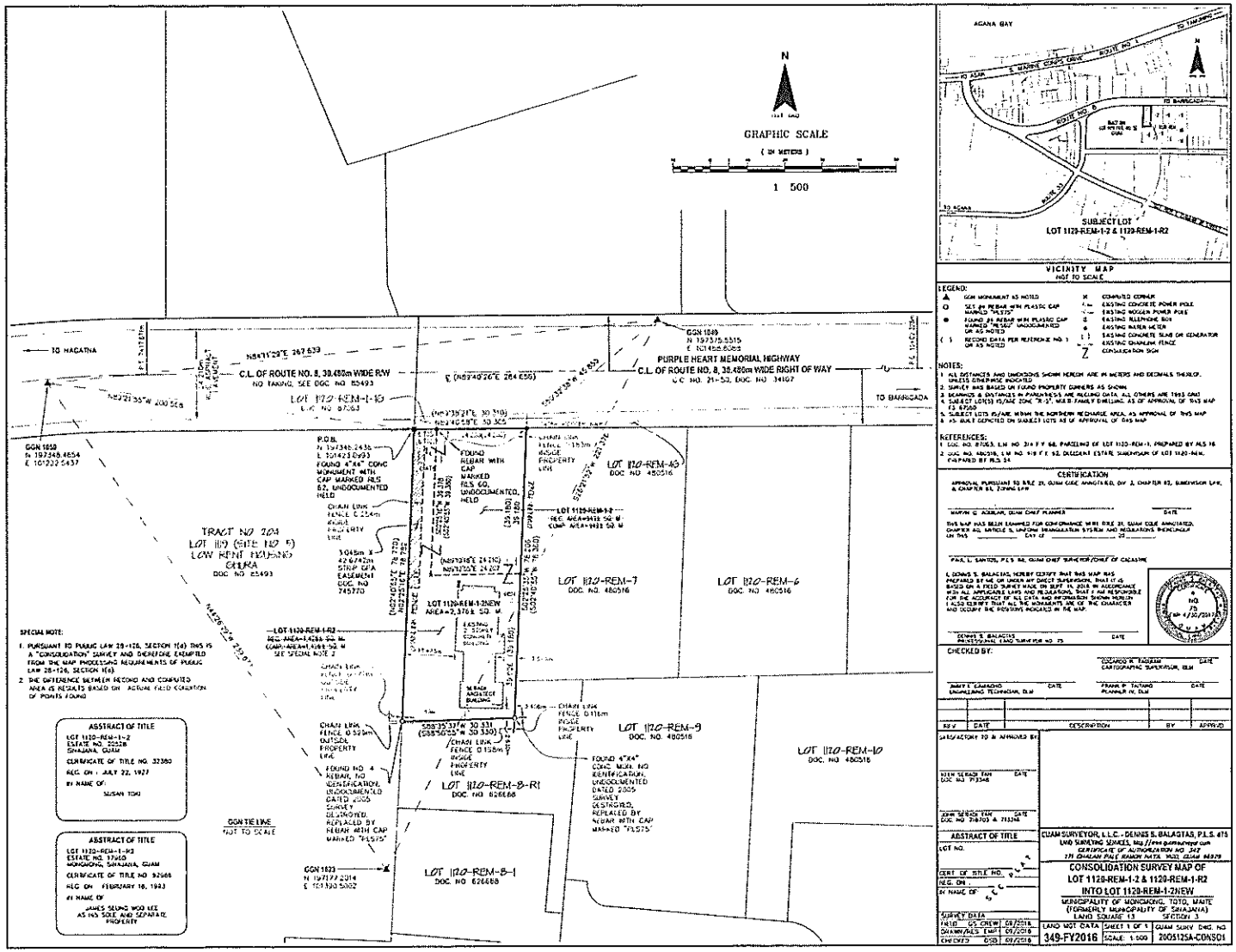
****

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

Applicant or Representative

10/15 · 07
Date

Attachment: ARC Distribution



VICINITY MAP
NOT TO SCALE

LEGEND:

▲	GGN MONUMENT AS NOTED	X	COMPUTED CORNER
O	SET 5/8" REBAR WITH PLASTIC CAP MARKED "PLS75"	⊢⊣	EXISTING CONCRETE POWER POLE
●	FOUND AS REBAR WITH PLASTIC CAP MARKED "PLS82" UNDOCUMENTED OR AS NOTED	—o—	EXISTING WOODEN POWER POLE
( )	RECORD DATA PER REFERENCE NO. 1 OR AS NOTED	E	EXISTING TELEPHONE BOX
		W	EXISTING WATER METER
		[ ]	EXISTING CONCRETE SLAB OR GENERATOR
		-x-	EXISTING CHAINLINK FENCE
		Z	CONSTRUCTION SIGN

NOTES:
1. ALL DISTANCES AND UNKNOWNS SHOWN HEREON ARE IN METERS AND DECIMALS THEREOF, UNLESS OTHERWISE INDICATED.
2. SURVEY WAS BASED ON FOUND PROPERTY CORNERS AS SHOWN.
3. BEARINGS & DISTANCES IN PARENTHESIS ARE RECORD DATA. ALL OTHERS ARE 1993 GRID.
4. SUBJECT LOT(S) IS/ARE ZONE "R-3" MULTI FAMILY DWELLING AS OF APPROVAL OF THIS MAP PER GLUDC 61250.
5. SUBJECT LOTS IS/ARE WITHIN THE NORTHERN RECHARGE AREA, AS APPROVAL OF THIS MAP
6. AS-BUILT CORNERS ON SUBJECT LOTS AS OF APPROVAL OF THIS MAP

REFERENCES:
1. DOC. NO. 87063, L.M. NO. 314 F.Y. 88, PARCELING OF LOT 1120-REM-1, PREPARED BY RLS 16
2. DOC. NO. 480516, L.M. NO. 918 F.Y. 92, DESCENT ESTATE SUBDIVISION OF LOT 1120-REM, PREPARED BY RLS 34

CERTIFICATION

APPROVED, PURSUANT TO 21 G.C.A. 61 (GUAM CODE ANNOTATED, DIV. 2, CHAPTER 61, SUBDIVISION LAW, & CHAPTER 61, ZONING LAW

MARVIN Q. AGUIGUI, GUAM CHIEF PLANNER — DATE

THIS MAP HAS BEEN EXAMINED FOR COMPLIANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 61, ARTICLE 5, LAND MANAGEMENT SYSTEM AND REGULATIONS PROMULGATED ON THIS ____ DAY OF ____, 20__

PAUL L. SANTOS, P.L.S. 82, GUAM CHIEF SURVEYOR / CHIEF OF CADASTRE

I, DENNIS S. BALAGTAS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED ON A FIELD SURVEY MADE ON SEPT. 11, 2016 IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS, THAT I AM RESPONSIBLE FOR THE ACCURACY OF ALL DATA AND INFORMATION SHOWN HEREON, I ALSO CERTIFY THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THE MAP.

DENNIS S. BALAGTAS — DATE
PROFESSIONAL LAND SURVEYOR NO. 75

CHECKED BY:

EDUARDO M. TADEERA — DATE
CARTOGRAPHIC SUPERVISOR, BLM

JANET I. CAMACHO — DATE
ENGINEERING TECHNICIAN, BLM

FRANK P. TATANO — DATE
PLANNER IV, BLM

REV.	DATE	DESCRIPTION	BY	APPROVED

SATISFACTORY TO & APPROVED BY:

MAWSON SURVEY TAH — DATE
DOC NO. 713348

JOHN SURVEY TAH — DATE
DOC NO. 716703 & 713348

ABSTRACT OF TITLE
LOT NO.
CERT. OF TITLE NO.
REG. ON
IN NAME OF

SURVEY DATA

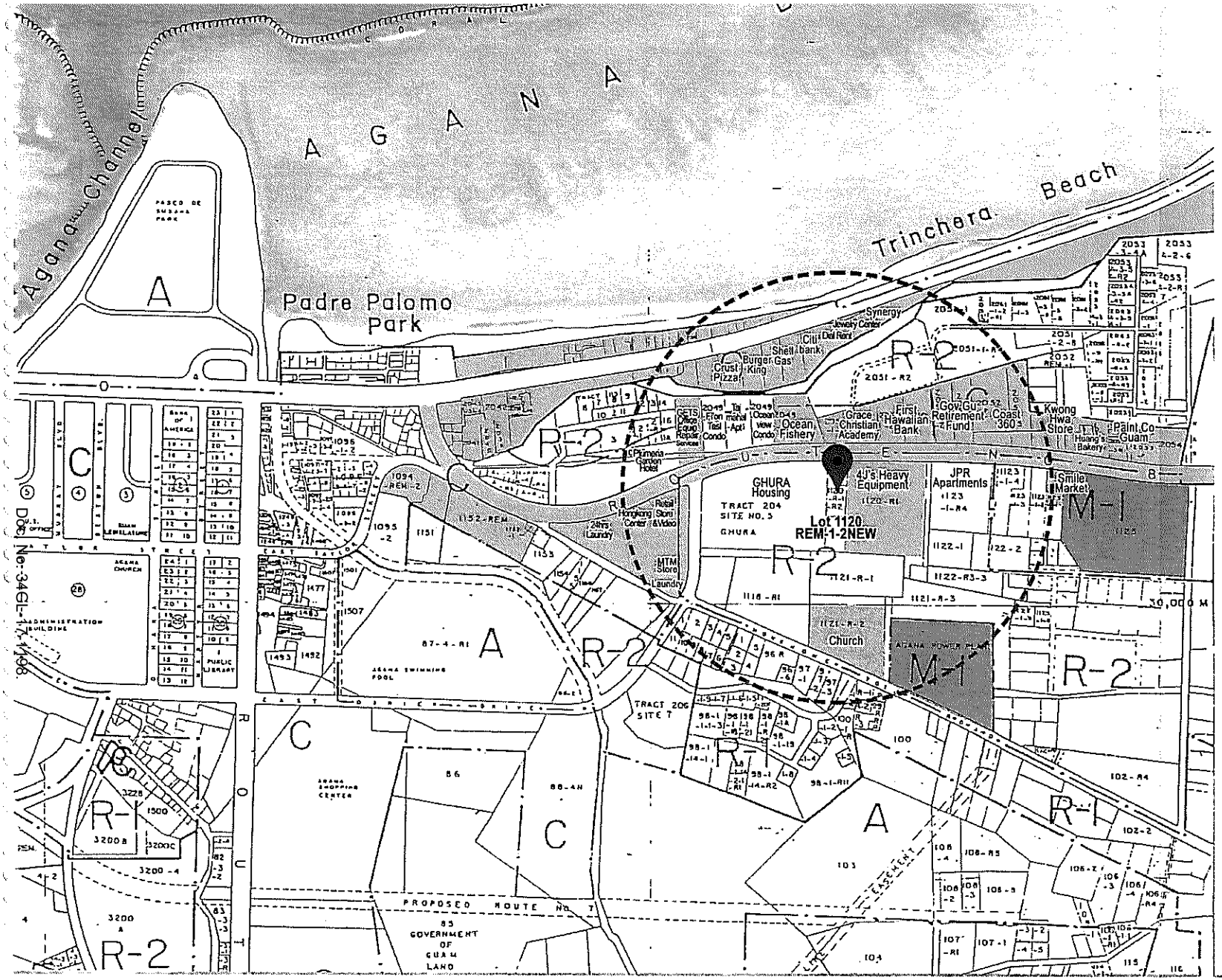
FIELD	GS CREW	09/2016
DRAWINGS	EMP	09/2016
CHECKED	GSD	09/2016

CUAM SURVEYOR, L.L.C. - DENNIS S. BALAGTAS, P.L.S. #75
LAND SURVEYING SERVICES, http://www.guamsurveyor.com
CERTIFICATE OF AUTHORIZATION NO. 342
175 CHALAN PALE RAMON AVE., MOD, GUAM 96929

CONSOLIDATION SURVEY MAP OF
LOT 1120-REM-1-2 & 1120-REM-1-R2
INTO LOT 1120-REM-1-2NEW
MUNICIPALITY OF MONGMONG, TOTO, MAITE
(FORMERLY MUNICIPALITY OF SINAJANA)
LAND SQUARE 13 SECTION 3

LAND MGT DATA	SHEET 1 OF 1	GUAM SURV. DWG. NO.
349-FY2016	SCALE: 1:500	2005125A-CONSO1

Doc. No. 34GL-17-1198



N

EXISTING ZONING WITHIN

1000 FT radius

of LOT 1120-REM-1-2NEW

Municipality of
Mongmong-Toto-Maite

ZONING LEGEND:

A - Agricultural Zone
R1 - Single Family Dwelling Zone
R2 - Multiple Family Dwelling Zone
C - Commercial Zone
PUD - Planned Development Zone
H - Hotel Resort Zone
M1 - Limited Industrial
M2 - Industrial Zone

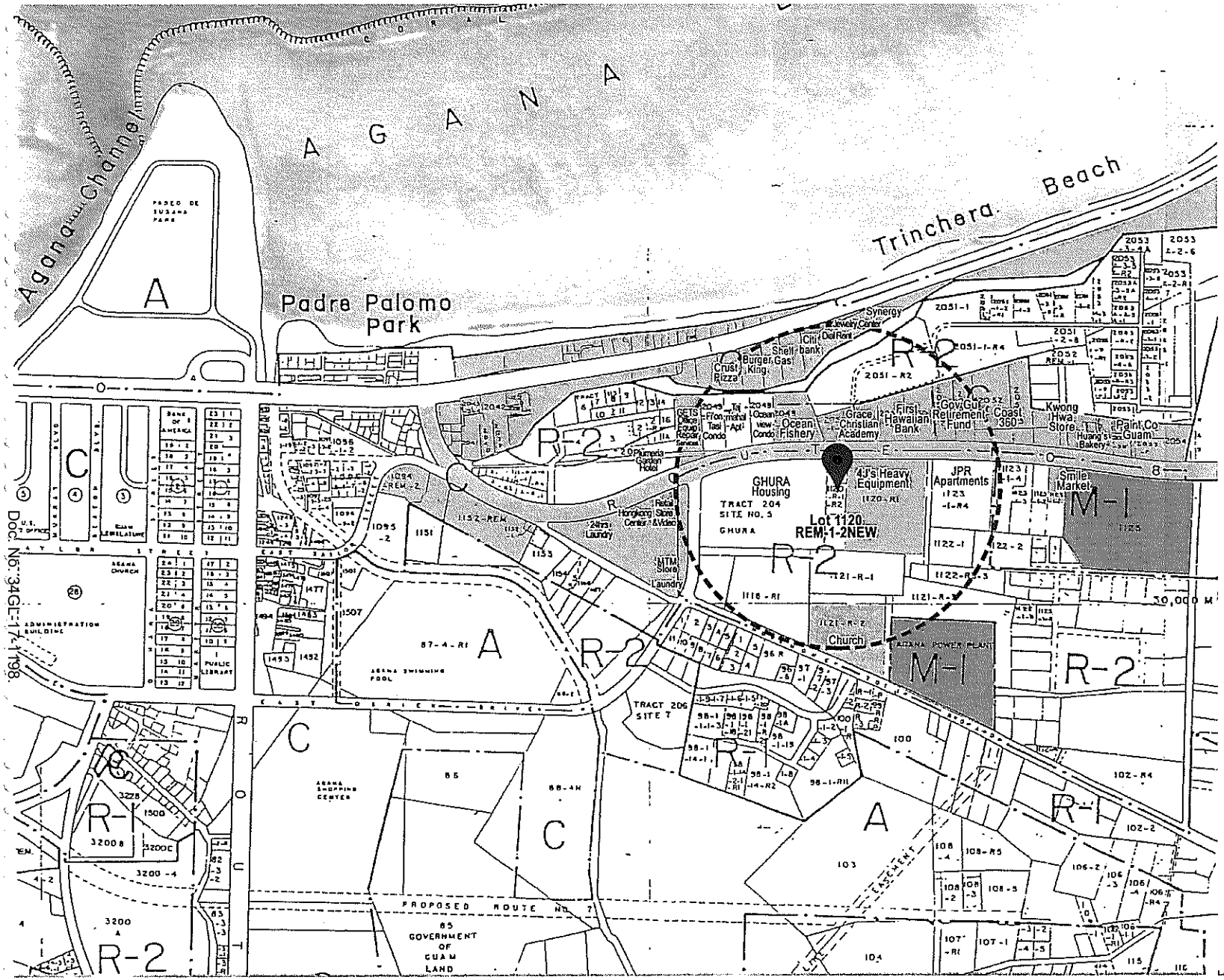
USAGE LEGEND:

Residential / Apartments
Commercial
Church
Industrial / Utility
Hotel
Route 8

Reference:

Official Zoning Map
Planning Division
Dept of Land Management
Government of Guam

SETIADI



Doc. No. 34GE-174-1998

N

EXISTING ZONING WITHIN

750 FT radius

of LOT 1120-REM-1-2NEW

Municipality of
Mongmong-Toto-Maite

ZONING LEGEND:

A - Agricultural Zone
R1 - Single Family Dwelling Zone
R2 - Multiple Family Dwelling Zone
C - Commercial Zone
PUD - Planned Development Zone
H - Hotel Resort Zone
M1 - Limited Industrial
M2 - Industrial Zone

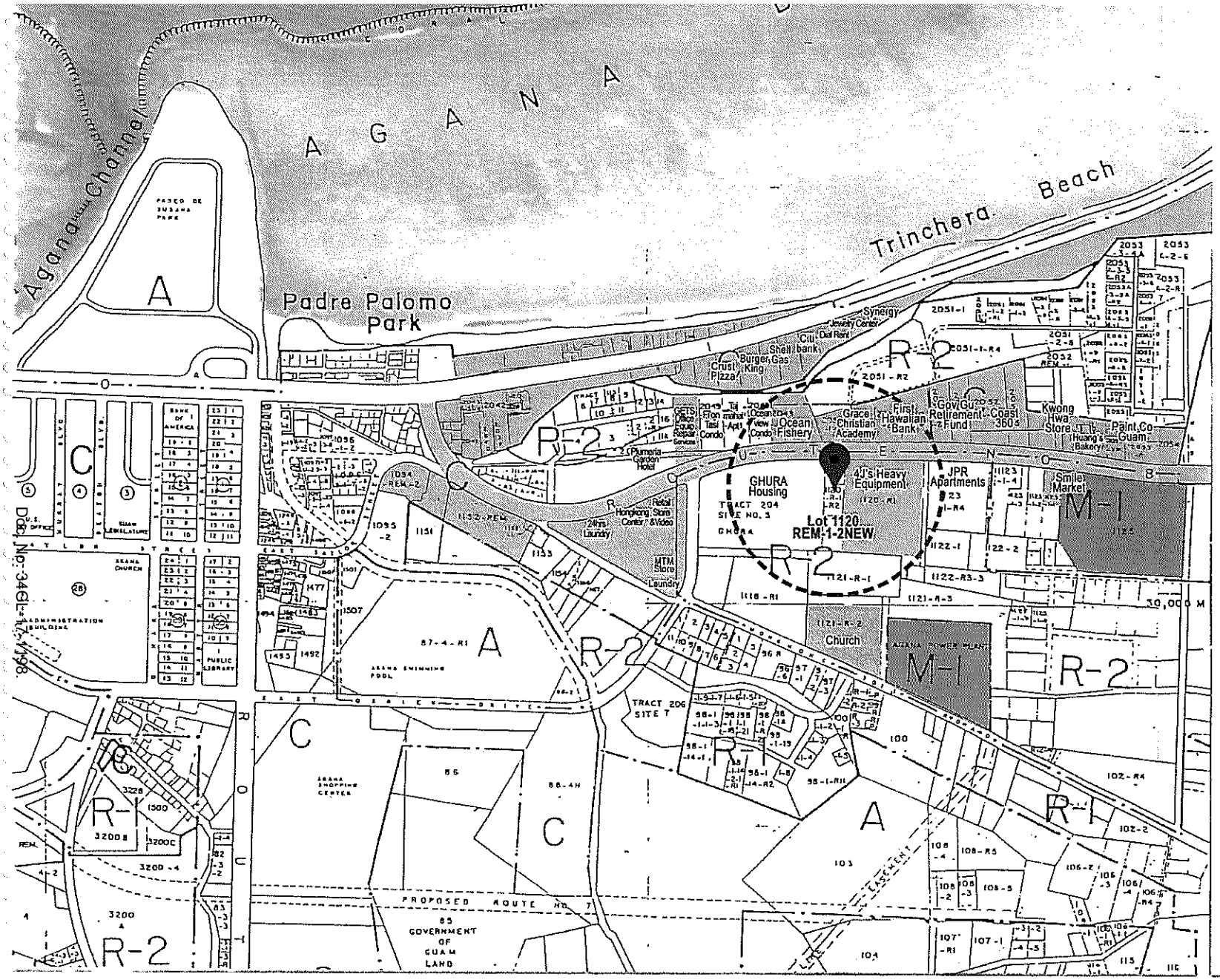
USAGE LEGEND:

Residential / Apartments
Commercial
Church
Industrial / Utility
Hotel
Route 8

Reference:

Official Zoning Map
Planning Division
Dept of Land Management
Government of Guam

SETIADI



N

EXISTING ZONING WITHIN

500 FT radius

of LOT 1120-REM-1-2NEW

Municipality of
Mongmong-Toto-Maite

ZONING LEGEND:

A - Agricultural Zone
R1 - Single Family Dwelling Zone
R2 - Multiple Family Dwelling Zone
C - Commercial Zone
PUD - Planned Development Zone
H - Hotel Resort Zone
M1 - Limited Industrial
M2 - Industrial Zone

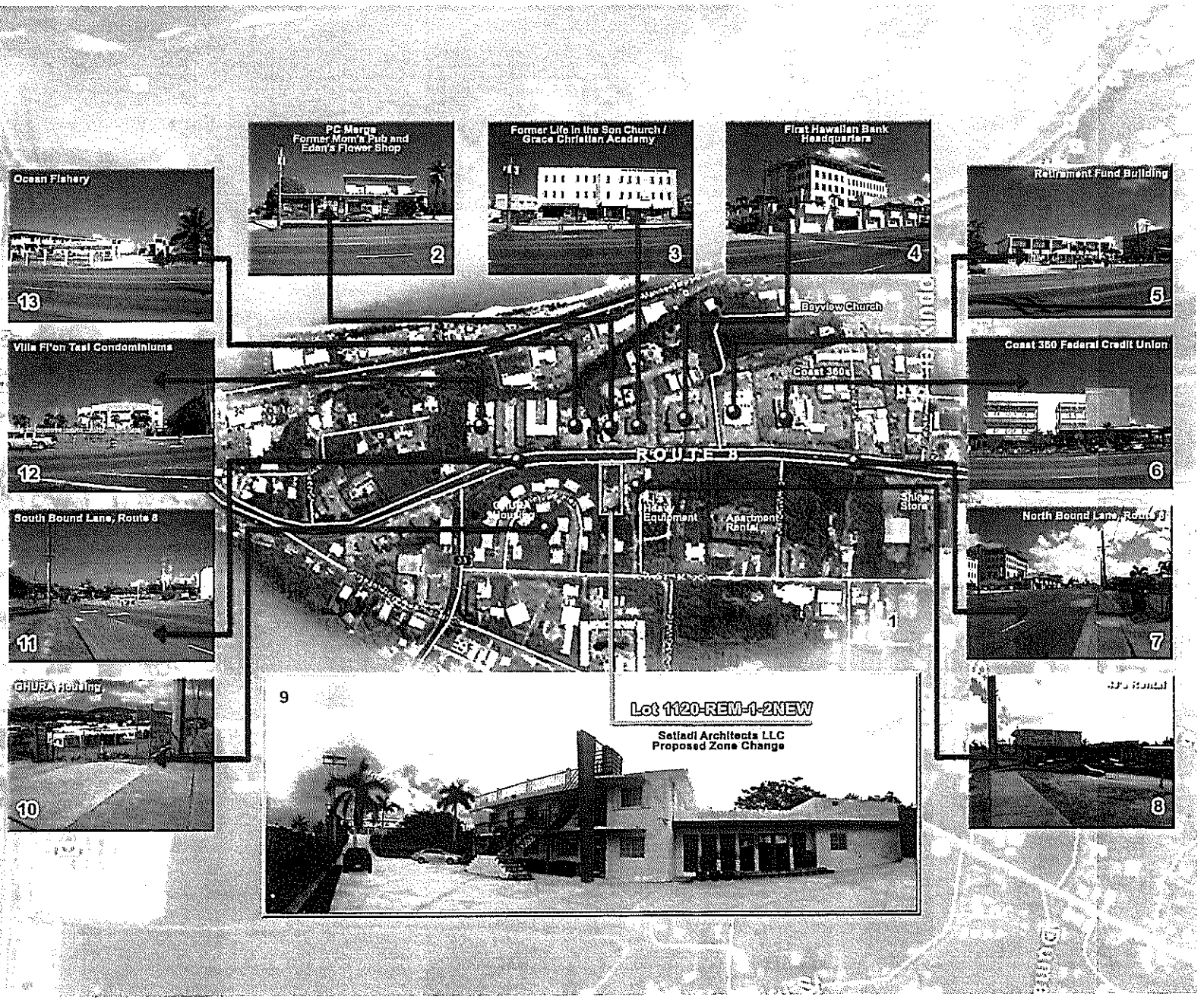
USAGE LEGEND:

- Residential / Apartments
- Commercial
- Church
- Industrial / Utility
- Hotel
- Route 8

Reference:

Official Zoning Map
Planning Division
Dept of Land Management
Government of Guam

SETIADI



N

EXISTING
SURROUNDINGS
of
LOT 1120-REM-1-2NEW
Municipality of
Mongmong-Toto-Maite

IMAGE LEGEND:

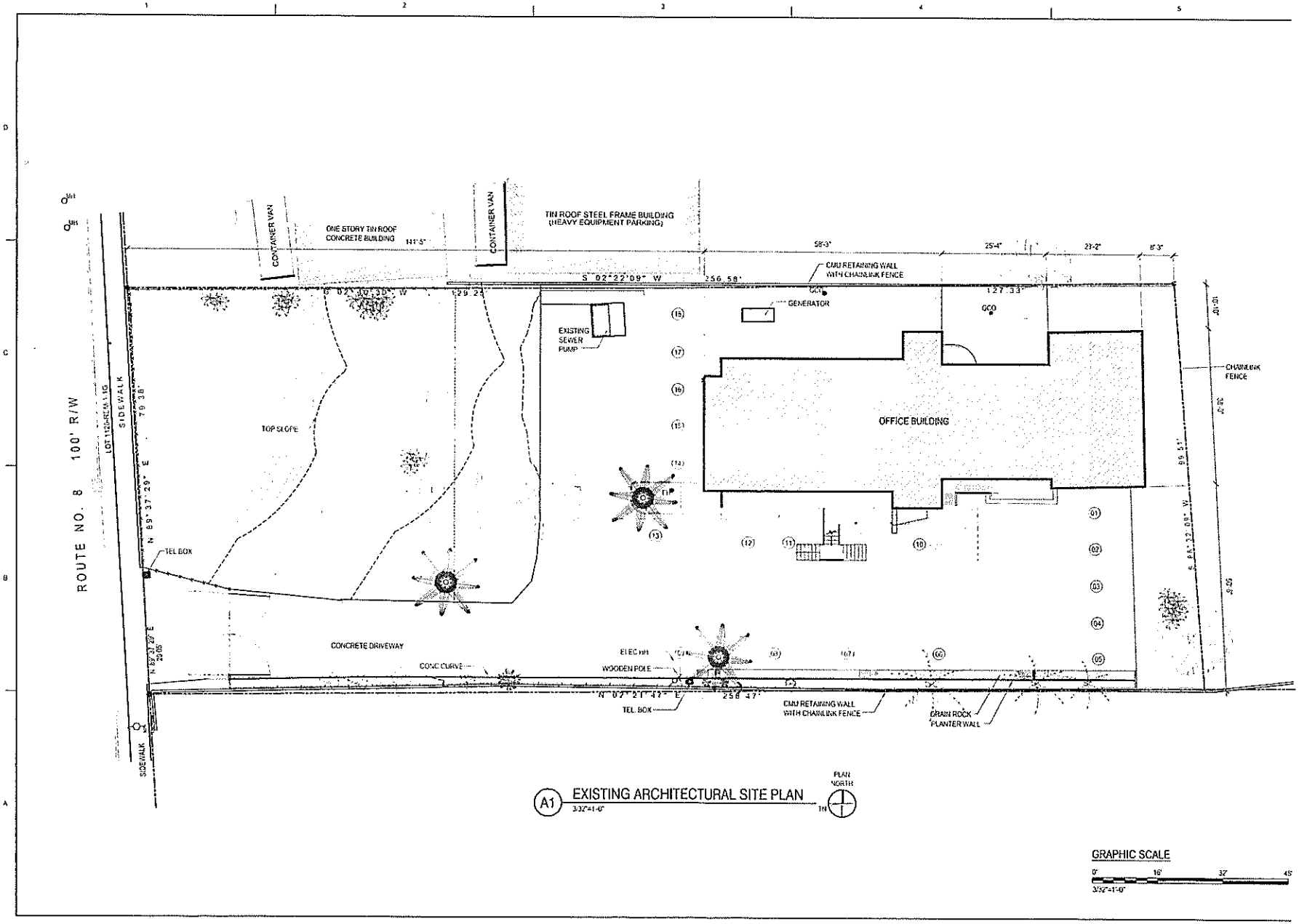
1. Property Map
2. PC Merge
3. Grace Chrislian Academy
4. First Hawaiian Bank
5. Gov Guam Retirement Fund Bldg
6. Coast 360 Federal Credit Union
7. North Bound Lane, Route 8
8. 4J's Heavy Equipment Rental
9. Lot 1120-REM-1-2NEW
10. Ghura Housing
11. South Bound Lane, Route 8
12. Villa Fion Tasi Condo/Commercial
13. Ocean Fishery

Reference:

Google Map
Google Images
Setiadi Images

SETIADI

Doc. No. 34GL-17-1198.



SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 051D2
DWG TITLE : EXISTING ARCHITECTURAL SITE PLAN

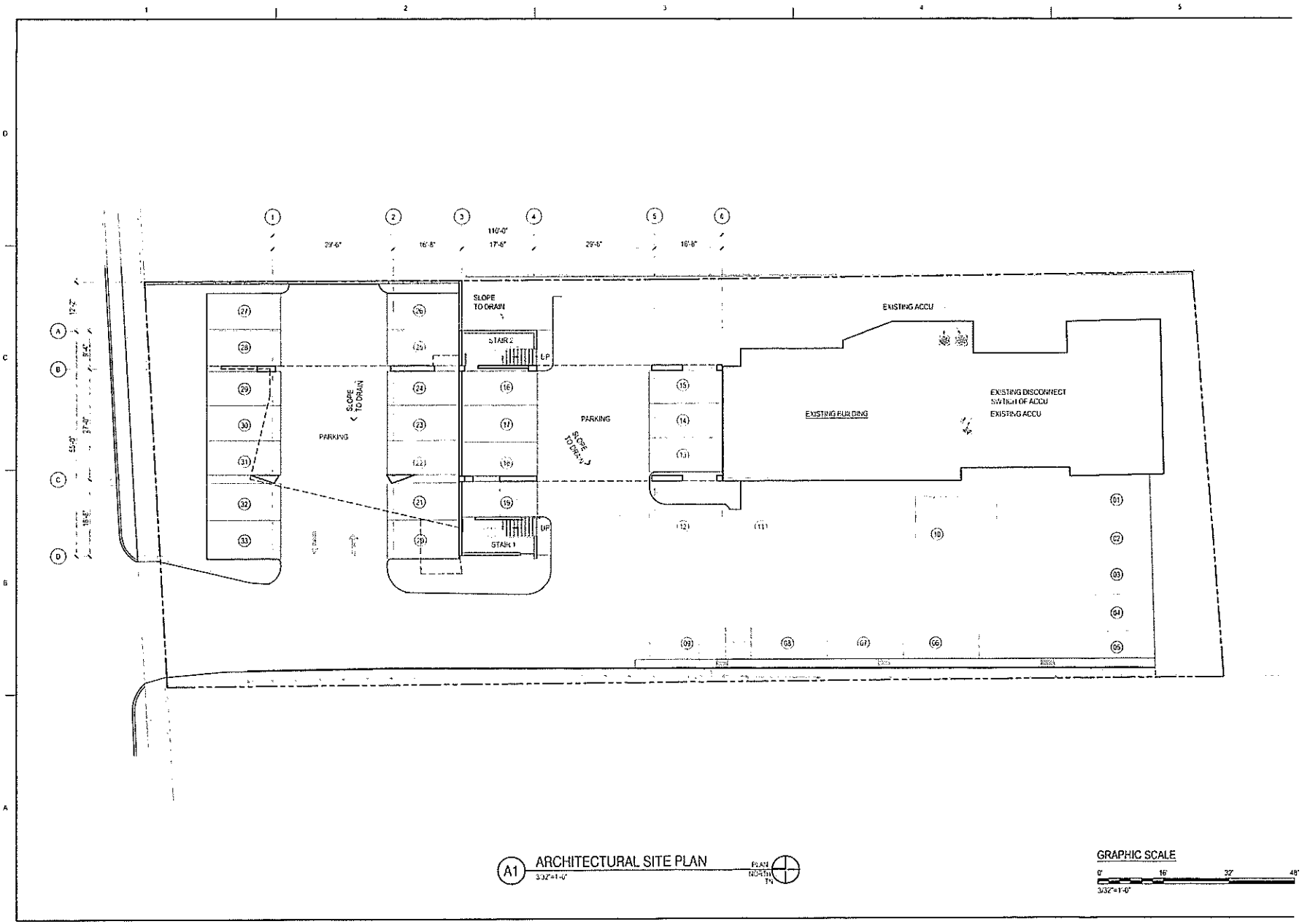
REVISIONS	DATE

DESIGNED BY : -
CHECKED BY : -
DRAWN BY : EJS
DATE : 10/13/2016

DRAWING NO.
-

SHEET X OF 59

Doc. No. 34GL-17-1198.



A1 ARCHITECTURAL SITE PLAN
3/32"=1'-0"

GRAPHIC SCALE
0' 16' 32' 48'
3/32"=1'-0"

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 0512
DWG. TITLE : LOWER LEVEL FLOOR PLAN

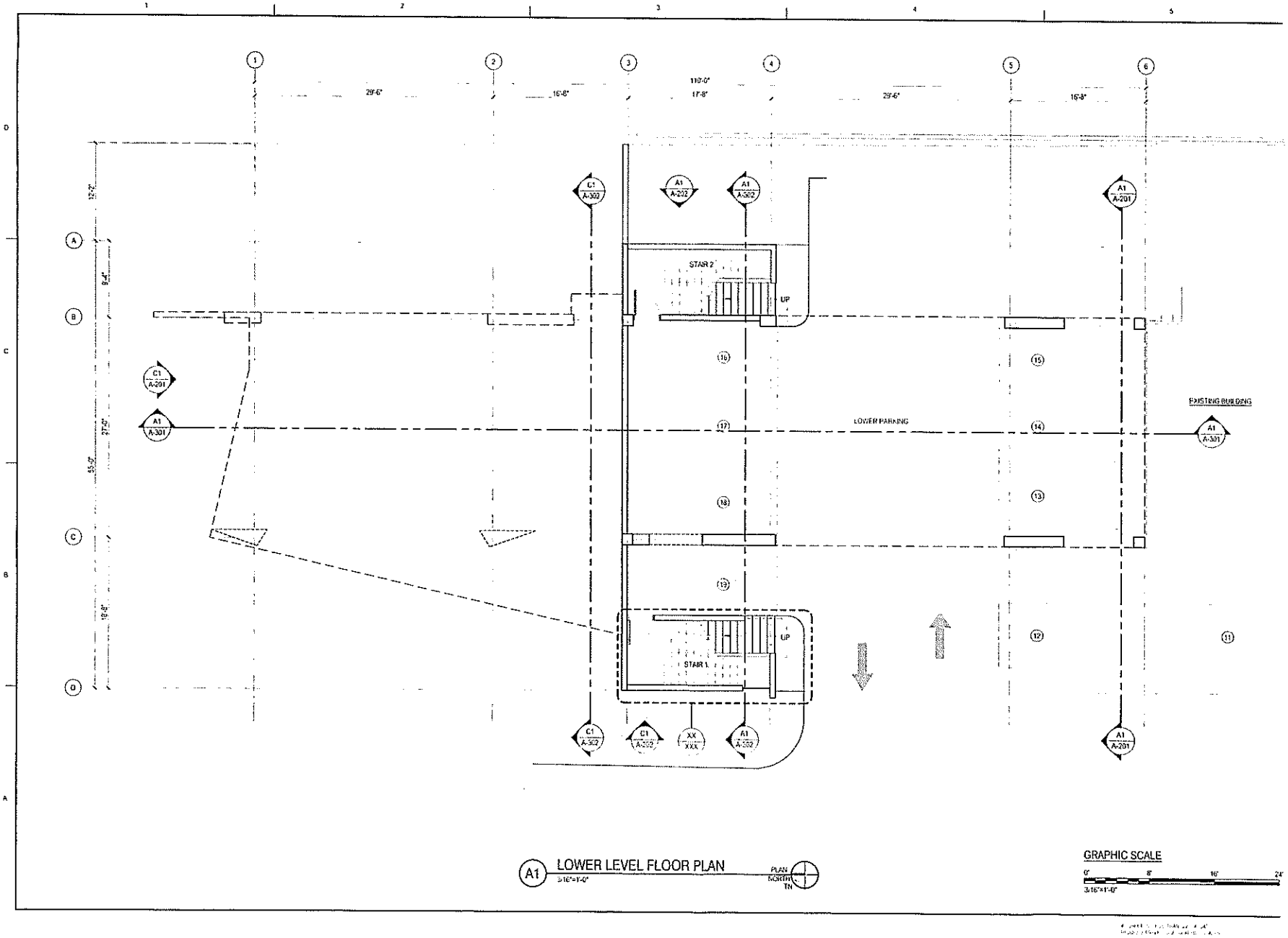
REVISIONS	DATE

DESIGNED BY : -
CHECKED BY : -
DRAWN BY : FTS
DATE : 10/13/2016

DRAWING NO.
AS-101

SHEET X OF 50

Doc. No. 34GL-17-1198



A1 LOWER LEVEL FLOOR PLAN
3/16"=1'-0"

PLAN NORTH TN

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 051D2
DWG. TITLE : LOWER LEVEL FLOOR PLAN

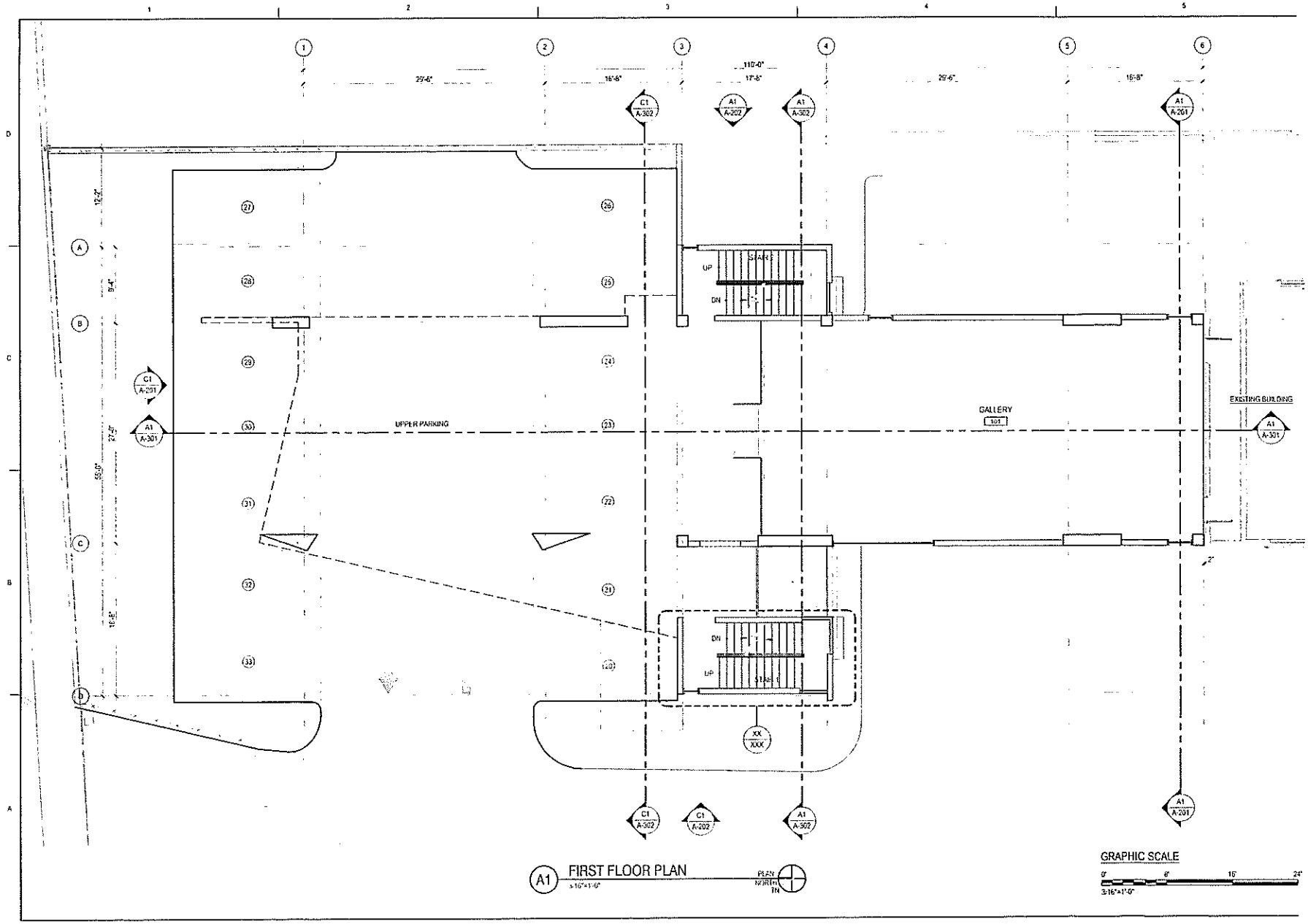
REVISIONS	DATE

DESIGNED BY :
CHECKED BY :
DRAWN BY : FTS
DATE : 10/13/2016

DRAWING NO.
A-101

SHEET X OF 50

Doc. No. 34GL-17-1198.



A1 FIRST FLOOR PLAN
3/16"=1'-0"

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 051D2
DWG. TITLE : FIRST FLOOR PLAN

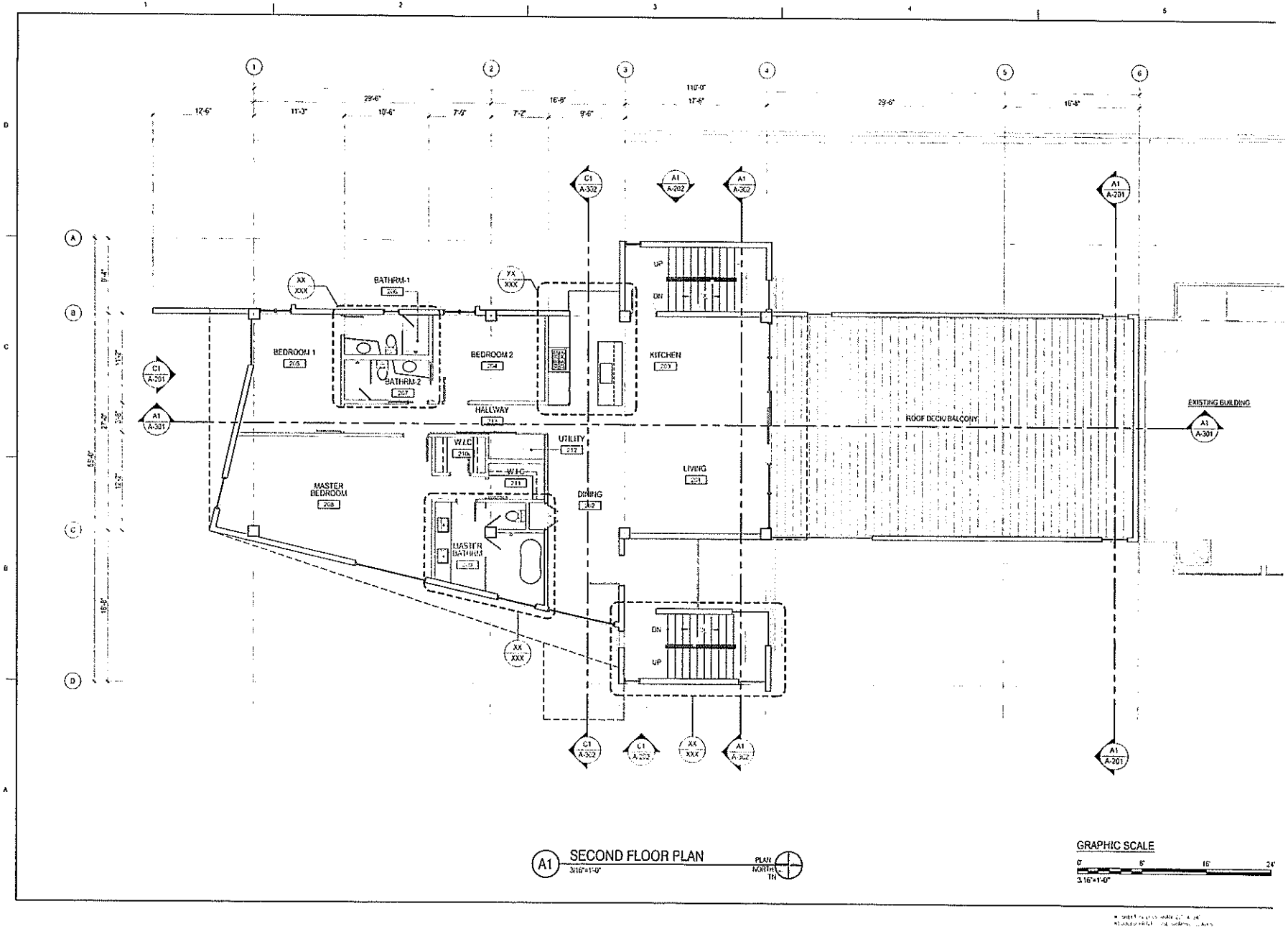
REVISIONS	DATE

DESIGNED BY :
CHECKED BY :
DRAWN BY : FTS
DATE : 10/13/2016

DRAWING NO.
A-102

SHEET X OF 50

Doc. No. 34GL-17-1198.



A1 SECOND FLOOR PLAN
3/16"=1'-0"

PLAN NORTH

GRAPHIC SCALE
0' 8' 16' 24'
3/16"=1'-0"

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLANS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 0510D2
DWG. TITLE : SECOND FLOOR PLAN

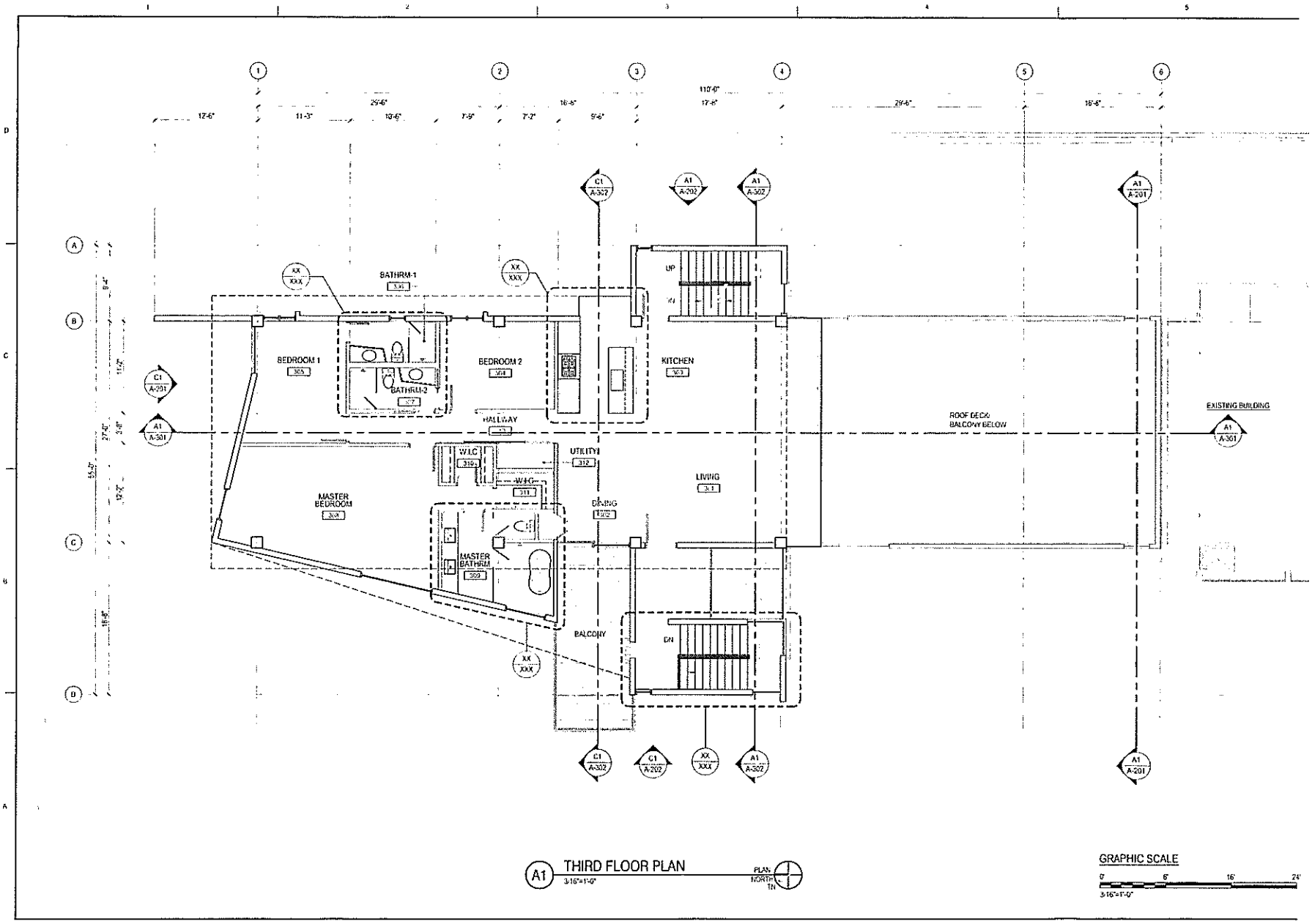
REVISIONS	DATE

DESIGNED BY : -
CHECKED BY : -
DRAWN BY : FTS
DATE : 10/13/2016

DRAWING NO.
A-103

SHEET X OF 50

Doc. No. 34GL-17-1198.



SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY that this plan was prepared by me or under my direct supervision.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 0512
DWG TITLE : THIRD FLOOR PLAN

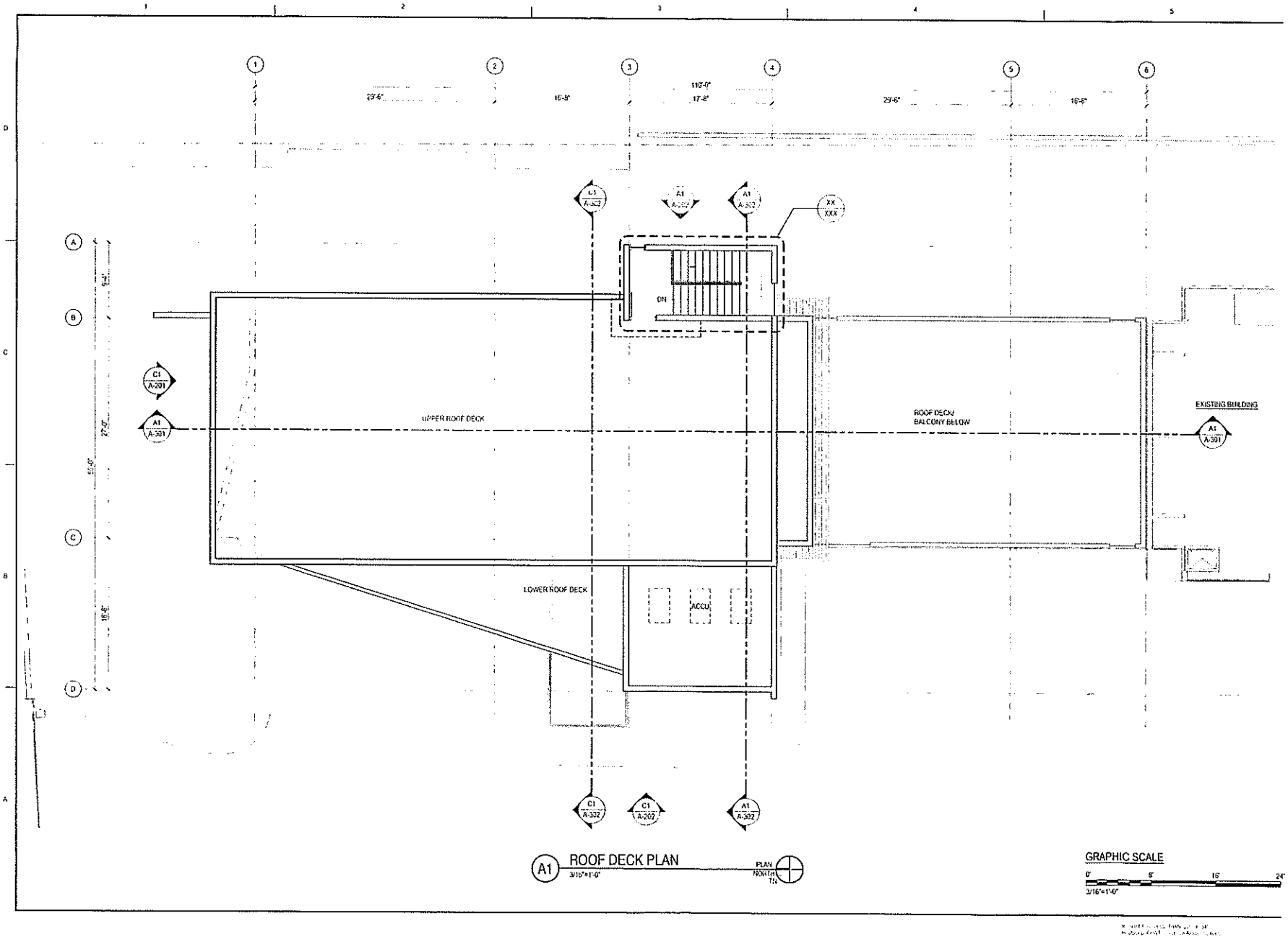
REVISIONS	DATE

DESIGNED BY : -
CHECKED BY : -
DRAWN BY : FTS
DATE : 10/13/2016

DRAWING NO.
A-104

SHEET X OF 50

Doc. No. 34GL-17-1198.



SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3555
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 0510D2
DWG. TITLE : ROOF DECK PLAN

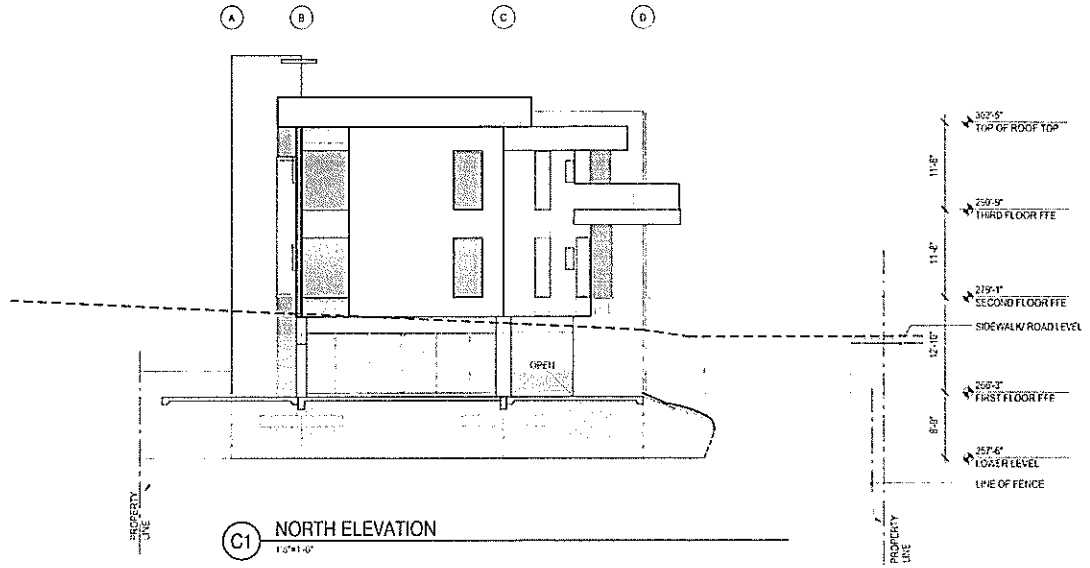
REVISIONS	DATE

DESIGNED BY :
DRAWN BY : FTS
DATE : 10/13/2016

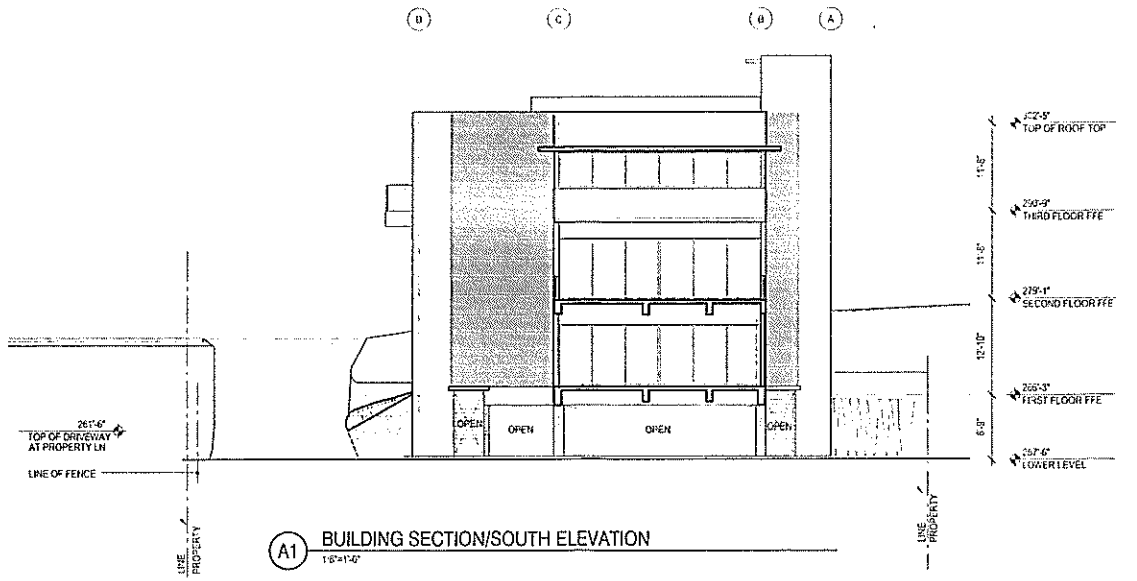
DRAWING NO.
A-105

SHEET X OF 50

Doc. No. 34GL-17-1198.



C1 NORTH ELEVATION



A1 BUILDING SECTION/SOUTH ELEVATION

GRAPHIC SCALE

0' 8' 16' 24' 32'

1/8"=1'-0"

SETIADI

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 051D2
DWG. TITLE : BUILDING ELEVATIONS

REVISIONS	DATE

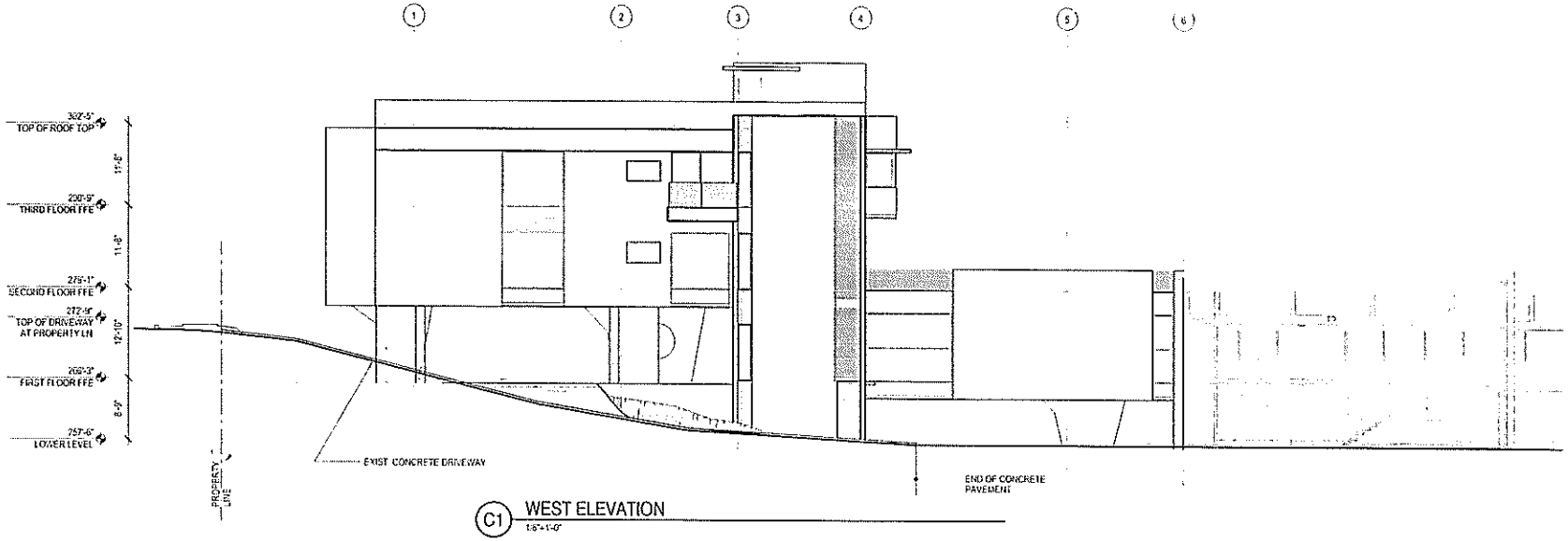
DESIGNED BY :
CHECKED BY :
DRAWN BY : EJS
DATE : 10/14/2016

DRAWING NO.

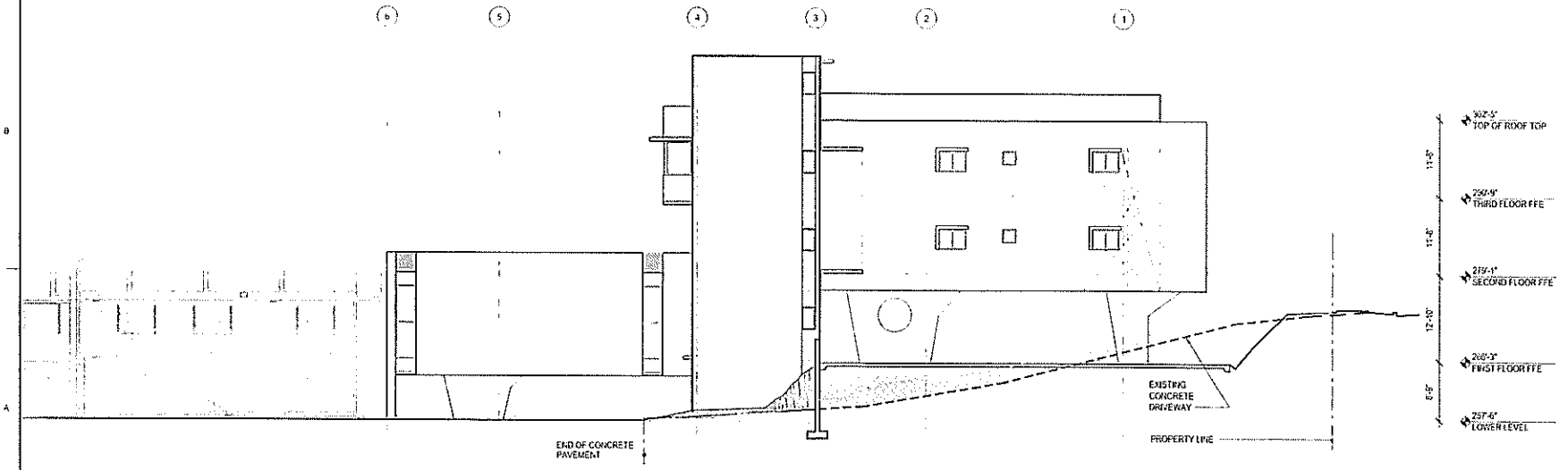
A-201

SHEET X OF 50

Doc. No. 34GL-17-1198



C1 WEST ELEVATION
1/8"=1'-0"



A1 EAST ELEVATION
1/8"=1'-0"

GRAPHIC SCALE
0' 8' 16' 24' 32'
1/8"=1'-0"

SETIADI ARCHITECTS LLC
357 ROUTE 8
MAITE, GUAM 96910-2007
TEL : 477-3556
FAX : 477-3559

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION

PROJECT : SETIADI ARCHITECTS LLC OFFICE
SITE IMPROVEMENTS
PROJECT NO. : 0510D2
DWG. TITLE : BUILDING ELEVATIONS

REVISIONS	DATE

DESIGNED BY : -
DRAWN BY : EJS
CHECKED BY : -
DATE : 10/14/2016

DRAWING NO.
A-202

SHEET X OF 50

Doc. No. 34GL-17-1198.

SETIADI ARCHITECTS LLC OFFICE BUILDING EXTENSION				
ELECTRICAL DEMAND LOAD CALCULATION.				
EMCE CONSULTING ENGINEERS				
BY: VIC REYES, JR. PE			13-Sep-16	
A		**EXISTING BUILDING**		
1		GROUND FLOOR OFFICE	43.6	KVA
2		COMMON AREA	6.5	KVA
		SUB TOTAL	50.1	KVA
		@ 75% DEMAND FACTOR	37.6	KVA
3		SECOND APARTMENT	17.4	KVA
4		SECOND FLOOR STORAGE	6.4	KVA
		SUB TOTAL SECOND FLOOR	23.8	KVA
		SUB TOTAL , FIRST AND SECOND FLOOR	73.9	KVA
		TOTAL BLDG DEMAND @ 75% DUV FACTIR	55.4	KVA
B		**NEW BUILDING DEMAND**		
1		PARKING: 8,500 SF X 0.5 VA / SF	4.3	KVA
2		GALLARY: 1,130 SF X 10 VA / SF	11.3	KVA
3		SECOND FLOOR APARTMENT UNITS.		
	a	LTG & RECEP: 2,000 SF X 3 VA/SF	6	KVA
	b	SMALL APPLIANCES	3	KVA
	c	LAUNDRY	1.5	KVA
	d	STOVE	8	KVA
	e	DRYER	5	KVA
	f	WATER HEATER	4.5	KVA
		SUB TOTAL FOR CONNECTED LOAD, 1 APARTMENT	28	KVA
	g	AIRCONDITIONING UNIT	10	KVA
		SUB TOTAL CONNECTED LOAD FOR 2 APARTMENTS	56	KVA
	h	AIRCONDITIONING UNIT	20	KVA

Electrical Demand Load

C		COMBINED DEMAND LOAD		
1		APARTMENT UNITS		
	a	EXISTING BUILDING	16.8	KVA
	b	NEW BUILDING	56	KVA
		SUB TOTAL FOR APARTMENT UNITS	72.8	KVA
		@ 45% DF FOR 3 UNITS	32.76	KVA
	c	A/C UNITS	25	KVA
		APARTMENT UNITS DEMAND LOAD	57.76	KVA
2		OFFICE SPACES AND COMMON AREA		
	a	EXISTING BUILDING	50.1	KVA
	b	NEW BUILDING	15.6	KVA
		SUB TOTAL COMBINED LOAD	123.46	KVA
		DIV. FACTOR	0.8	
		TOTAL PEAK DEMAND FOR THE ENTIRE FACILITY	98.8	KVA
		SAY 100 KVA		

Water Demand Analysis

References:

1. Guam Water Facilities Master Plan Update, Guam Waterworks Authority February 1992, Barrett Consulting Group
2. Water System Standards, 1985, State of Hawaii.
3. Standard Handbook of Environmental Engineering, Corbitt, Robert A, McGraw-Hill Publishing, 1989

Methods and Assumptions:

- Average daily water demand is calculated for the subject lot based on the proposed land use components (i.e. gallery and 2 dwelling units).
- Demand Factors used are as follows:

Land Use Unit (variable)	Demand Factor
Office - 24 workers per shift	15 gal/day per worker
Gallery - no toilet, lavatory facilities	0 gal/day
Residential Unit (dwelling unit = 4 capita)	400 gal/day per du

- Average day flow is calculated as: Average day flow = (land use unit) x (demand factor)
- Maximum day flow is calculated as: Maximum day flow = average day flow x 1.5
- Peak hour flow is calculated as: Peak hour flow = average day flow x 3.0

Water Demand Calculations

	Variable				Water Demands		
	Office	Gallery	Dwelling Units	Demand Factor	Ave. Dmd	Max Dmd	Peak Dmd
Land Use	workers per shift	SF	d.u.	gal/worker OR gal/SF OR gal/d.u.	gpd	gpd	gpd
Existing Water Demands							
Offices	24		-	15	360	540	1,080
subtotal					360	540	1,080
New Water Demands							
Gallery (no toilet, lavatory)		0	-	0	0	0	0
Single Family Residential Units		-	2	400	800	1,200	2,400
subtotal					800	1,200	2,400
Total					**1,160**	**1,740**	**3,480**

Wastewater Load Analysis

References:

1. Guam Islandwide Wastewater Facilities Plan, Dec. 1994, Duenas & Associates. February 1992, Barrett Consulting Group

2. Public Utility Agency of Guam Standards of Sewer System, 1969, Metcalf & Eddy, Inc.

3. Standard Handbook of Environmental Engineering, Corbitt, Robert A, McGraw-Hill Publishing, 1989

Methods and Assumptions:

- Wastewater for the parcel is calculated based on proposed land use, and is assumed to be 90% of the water demand. This demand shall be the "generated wastewater":
  Generated Wastewater = 0.90 x (water demand *)

- Infiltration and Inflow (I/I) is assumed to be 45% of the generated wastewater
  I/I = 0.45 x (generated wastewater)

- Total average wastewater is equal to the sum of the generated wastewater and the calculated infiltration/inflow.
  Total Ave. Wwtr = (generated wwtr) + I/I

- Peak factors are applied to the generated wastewater flow based on the generated wastewater flow quantity as follows:

Magnitude of Gen. WW flow	Recommended Peak Factor
0 to 100,000 gpd	3.5
101,000 to 1,000,000 gpd	3.0
> 1,000,000 gpd	2.5

- Peak wastewater flow is calculated as the sum of the peak generated wastewater flow and the I/I flow
  Peak wwtr = [(peak factor) x (generated wwtr)] + (I/I)

* Note: See the Water Demand Analysis for description of water demand calculations.

Wastewater Load Analysis

Wastewater Load Calculations										
		Variable			Water Demand	Wastewater Loads				
Land Use	Office	Gallery	Dwelling Units	Demand Factor	Ave. Dmd	Gen'd Wwater Flow	I/I	Total Ave. Wwtr Flow	Peak Factor	Peak wwtr flow
	worker per shift	SF	d.u.	gal/sf or gal/d.u.	gpd	gpd	gpd	gpd		gpd
Existing Wastewater Load										
Office	24			15	360	324	146	470	3.5	1,280
subtotal						324	146	470		1,280
New Wastewater Load										
Gallery		1310		0.00	0	0	0	0	3.5	0
Single Family Residential Units			2	400	800	720	324	1,044	3.5	2,844
subtotal						720	324	1,044		2,844
TOTAL						**1044**	**470**	**1514**		**4,124**

Traffic Analysis

References:

1. Trip Generation, Institute of Transportation Engineers, 5th Edition, 1991.
2. Highway Capacity Manual

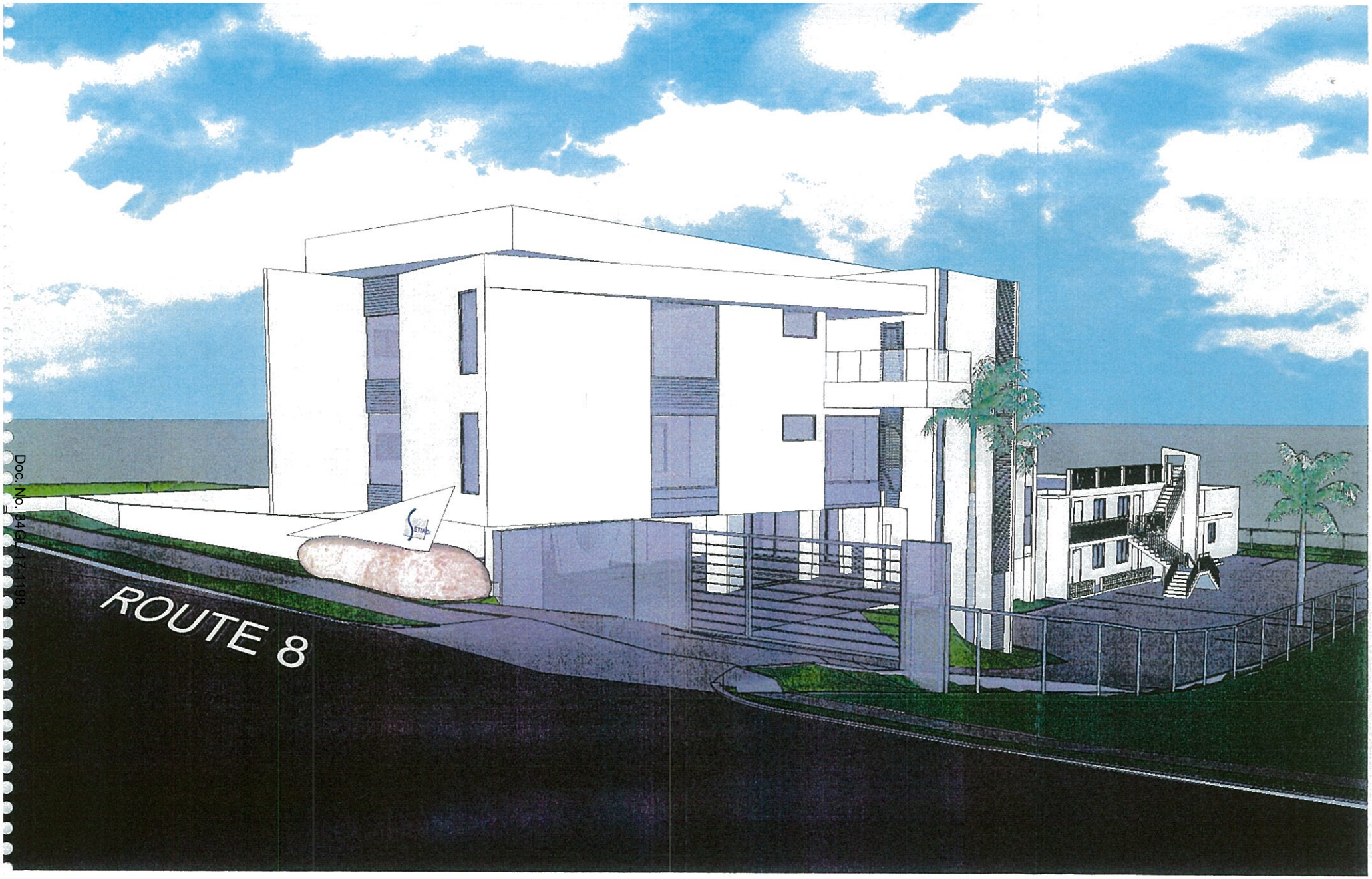
Methods and Assumptions:

- Average daily trip generation is calculated for the development site based on the existing and proposed land use components (i.e. employees, dwelling units).
- Peak Hour trip generation is calculated for the development site based on the existing and proposed land use components (i.e. employees, dwelling units).
- Trip Generation rates are as follows:

Land Use (Unit variable)	Trip Generation Rates	On a
Single Tenant Office Building, employee	3.55/pn	Weekday, Average
Single Tenant Office Building, employee	.52/pn	Weekday, AM peak hour
Single Tenant Office Building, employee	0.50/pn	Weekday, PM peak hour
Apartment, d.u.	6.47 / d.u.	Weekday, Average
Apartment, d.u.	0.51 / d.u.	Weekday, AM peak hour
Apartment, d.u.	0.63 / d.u.	Weekday, PM peak hour

The proposed Gallery is not expected to generate traffic during Weekdays, Weekday AM Peak, nor Weekday PM Peak.

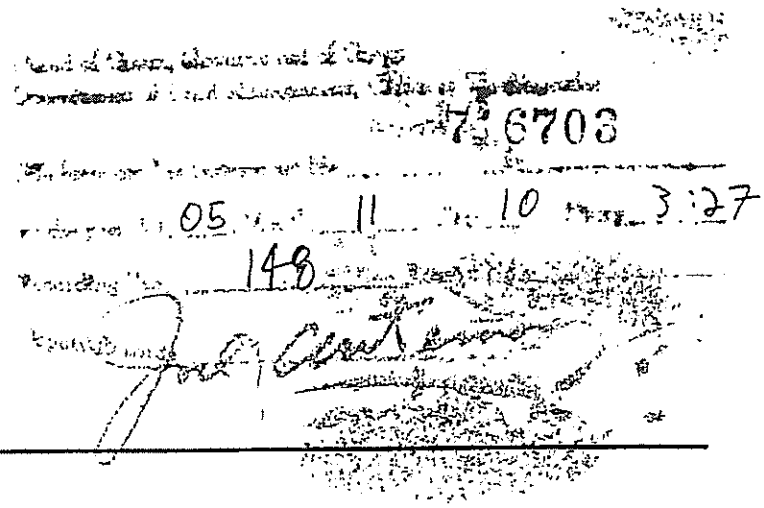
Traffic - Trip Generation								
	Variable		Trip Generation Rates			Trips Generated		
	Employees	Dwelling Units	Weekday	Weekday, AM Peak	Weekday, PM Peak	Weekday	Weekday, AM Peak Hour	Weekday, PM Peak Hour
Land Use	pn	d.u.	trip/d.u.	trip/d.u.	trip/d.u.	trips/day	trips/hr	trips/hr
Existing Trip Generation								
Single Tenant Office Building	24		3.55	0.52	0.5	85	12	12
New Trip Generation								
Apartment		2	6.47	0.51	0.63	13	1	1
Total						98	14	13



Doc. No. 84-17-1198



Doc. No. 3405-17-1198



SECURITY TITLE, INC.

QUITCLAIM DEED

THAT ON THIS 10TH day of November 2005, **FINANCE FACTORS, LIMITED.,** whose mailing address is 1164 Bishop Street Honolulu, Hawaii 96813, hereinafter referred to as **"GRANTOR"**, for and in consideration in the amount of Ten Dollars ($10.00) does hereby remise, release, and forever quitclaim unto **JOHN SETIADI TAN,** whose address is P.O. Box 21713, GMF, Guam 96921, all of GRANTOR'S rights, title and interest, in and to the following described premises:

Lot Number 1120-REM-1-R2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 17960, Suburban, as said Lot is described in that Parcelling Lot 1120-REM-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management. AREA: 1,428 ± square meters. Last Certificate of Title Number: 92966 – James Seung Woo Lee, as his sole and separate property.

GRANTEE, hereby acknowledges that the Government of Guam is not responsible in any way for water and power hookup and that water and power are not immediately available on the property or within 100 feet of the above mentioned property.

IN WITNESS WHEREOF, we have hereunto set our hands this 10th day of November 2005.

GRANTOR:

FINANCE FACTORS, LIMITED

By: _____
MARK WAKATSUKI
Its Authorized Representative

GRANTOR:

FINANCE FACTORS, LIMITED

By: _____
MICHAEL SAKAI
Its Authorized Representative

GRANTEE:

_____
JOHN SETIADI TAN

STATE OF HAWAII)
) ss
COUNTY OF HONOLULU)

ON THIS 4th day of November 2005, before me, a Notary Public in and for Hawaii, U.S.A, personally appeared MARK WAKATSUKI for **and on behalf of FINANCE FACTORS, LIMITED**, and he acknowledged to me that he executed the foregoing **QUITCLAIM DEED**, as his voluntary act and deed for the purposes therein set forth.

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

_____
NOTARY PUBLIC
My commission expires: JAN 12 2007

15

STATE OF HAWAII)
) ss
COUNTY OF HONOLULU)

ON THIS 4th day of November 2005, before me, a Notary Public in and for Hawaii, U.S.A., personally appeared MICHAEL SAKAI **for and on behalf of FINANCE FACTORS, LIMITED,** and he acknowledged to me that he executed the foregoing **QUITCLAIM DEED,** as his voluntary act and deed for the purposes therein set forth.

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

NOTARY PUBLIC
My commission expires: JAN 12 2007

15

GUAM, U.S.A.)
) ss
CITY OF TAMUNING)

ON THIS 16th day of November 2005, before me, a Notary Public in and for GUAM, U.S.A, personally appeared **JOHN SETIADI TAN,** and he acknowledged to me that he executed the foregoing **QUITCLAIM DEED,** as his voluntary act and deed for the purposes therein set forth.

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

NOTARY PUBLIC
My commission expires:

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

AFFIDAVIT

SECURITY TITLE CO. DIRECTOR OF LAND MANAGEMENT

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

WE, have duly transferred any interest we may have in the following described real property:

> **Lot Number 1120-REM-1-R2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 17960, Suburban, as said Lot is described in that Parcelling Lot 1120-REM-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management. AREA: 1,428 ± square meters. Last Certificate of Title Number: 92966 – James Seung Woo Lee, as his sole and separate property.**

by the terms of a Quitclaim Deed executed on the 10th day of November 2005, bearing Document Number 736703 said deed Incorporated here is reference.

That the true consideration or value given for said real property is $138,000.00

That the said value is based on payment of $138,000.00 U.S. Currency, and the balance covered by a Mortgage in the amount of $-0-.

That to my knowledge (initial where applicable):

(a) _____ GRANTEE _____ GRANTOR **A real estate commission was paid in connection with this transaction in the amount of $4,140.00 to RE/MAX Diamond Realty and $4,140.00 to C21 Commonwealth Realty.**

That this Affidavit is executed to satisfy the requirements of Section 20102 of Title 11 GCA and for official use by the Government of Guam.

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

IN WITNESS WHEREOF, WE, hereby affix our signatures this 10TH day of November 2005.

GRANTOR:

FINANCE FACTORS, LIMITED

By: _____
MARK WAKATSUKI
Its Authorized Representative

GRANTOR:

FINANCE FACTORS, LIMITED

By: _____
MICHAEL SAKAI
Its Authorized Representative

GRANTEE:

_____
JOHN SETIADI TAN

Subscribed and sworn before me this 4th day of November 2005, by MARK WAKATSUKI for and on behalf of **FINANCE FACTORS, LIMITED.**

_____
NOTARY PUBLIC
My commission expires: JAN 12 2007

LS

Subscribed and sworn before me this 4th day of November 2005, by MICHAEL SAKAI for and on behalf of **FINANCE FACTORS, LIMITED.**

_____
NOTARY PUBLIC
My commission expires: JAN 12 2007

LS

Subscribed and sworn before me this 10TH day of November 2005, by **JOHN SETIADI TAN.**

_____
NOTARY PUBLIC
My commission expires:

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

716705

11 10 3:28

SECURITY TITLE, INC.

AFFIDAVIT OF TRANSFEREE

I, JOHN SETIADI TAN, being first duly sworn, depose and say as follows:

1. That I am married to Keen Lee Setiadi.

2. That I have purchased the below described property by a Quitclaim Deed.

Lot Number 1120-REM-1-R2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 17960, Suburban, as said Lot is described in that Parcelling Lot 1120-REM-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management. AREA: 1,428 ± square meters. Last Certificate of Title Number: 92966 – James Seung Woo Lee, as his sole and separate property.

3. I have acquired the property as community property.

4. That this Affidavit is made for the purpose of complying with the requirements of Title 21 Guam Code Annotated 29158.

JOHN SETIADI TAN

Subscribed and sworn before me this 10th day of November 2005, by JOHN SETIADI TAN.

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

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SECURITY TITLE, INC.

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

I, SUSAN CASTRO who acquired title as SUSAN TOKI, whose mailing address is P.O. Box 7002, Hagatna, Gu 96932, hereinafter referred to as "GRANTOR", for TEN DOLLARS ($10.00) and other good and valuable consideration paid by JOHN SETIADI TAN AND KEEN L. SETIADI, whose mailing address is P. O. Box 21713, GMF, Guam 96921, hereinafter referred to as GRANTEES", does hereby grant, bargain, sell and convey unto GRANTEE, and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, *as joint tenants with rights of survivorship,* the following described real property in the MUNICIPALITY OF MONGMONG-TOTO-MAITE;

Lot Number 1120-Rem-1-2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 20528, Suburban, as said Lot is described in that Parcelling Lot 1120-Rem-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management Guam. For informational purposes only, the above referenced map indicates the property contains an area of 949+/-square meters, Last Certificate of Title No. 32380-Susan Toki.

TOGETHER with all and singular the tenements, privileges, hereditaments, and appurtenances, whatsoever belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, rights, title, interest, property, claim and demand whatsoever of the said GRANTOR, at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments, and appurtenances thereunto belonging and in anywise appertaining unto the said GRANTEE, its heirs, and executors, administrators and assigns, forever.

AND GRANTOR DOES HEREBY for itself and its assigns, covenant with said GRANTEE, its heirs, and executors, administrators and assigns; that GRANTOR is lawfully seized in fee of the granted premises; that it is free from all encumbrances other than those disclosed in the **STEWART TITLE INSURANCE COMMITMENT for Title Insurance issued by SECURITY TITLE, INC. under File ST-722253;** That Current Real Property Taxes are not yet due and payable; that GRANTOR has good right to sell the same as aforesaid; that GRANTOR shall warrant and defend the same to the said GRANTEE, its heirs, and assigns, forever against the lawful claims and demands of all persons.

AND GRANTEES, for themselves and their successors and assigns do hereby acknowledge and confirm that water and power are immediately available on the property or within 100 feet of the property described above.

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

GRANTOR:
SUSAN CASTRO who acquired title as SUSAN TOKI

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

ON THIS 1st day of ~~August~~ September 2005, before me, a Notary Public in and for TAMUNING GUAM, personally appeared **SUSAN CASTRO WHO ACQUIRED TITLE AS SUSAN TOKI,** and she acknowledged to me that she executed the foregoing **WARRANTY DEED,** as her voluntary act and deed for the purposes therein set forth.

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

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

GRANTEE:

JOHN SETIADI TAN

GRANTEE:

KEEN L. SETIADI

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

ON THIS 1st day of ~~August~~ September 2005, before me, a Notary Public in and for GUAM, U.S.A., personally appeared **JOHN SETIADI TAN AND KEEN L. SETIADI,** and they acknowledged to me that they executed the foregoing **WARRANTY DEED,** as their voluntary act and deed for the purposes therein set forth.

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

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

SECURITY TITLE INC.

AFFIDAVIT

TO: DIRECTOR OF LAND MANAGEMENT

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

WE, have duly acquired the following described real property:

Lot Number 1120-Rem-1-2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 20528, Suburban, as said Lot is described in that Parcelling Lot 1120-Rem-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management Guam. For informational purposes only, the above referenced map indicates the property contains an area of 949+/-square meters, Last Certificate of Title No. 32380-Susan Toki.

by the terms of a deed executed on the 1st day of ~~August~~ September 2005, bearing Document Number 233318, said deed Incorporated here is reference.

That the true consideration or value given for said real property is $90,000.00 That the said value is based on payment of $90,000.00 U.S. Currency, and the balance being covered by a Mortgage N/A.

That to my knowledge (initial where applicable):

(a) K/S LOT — GRANTEE

S.T.C — GRANTOR

A real estate commission or other real estate fee in connection with this transaction in the amount of $4,500.00 to Coral Sea Realty and $4,500.00 to Remax/Diamond Realty.

That this Affidavit is executed to satisfy the requirements of Section 20102 of Title 11 GCA and for official use by the Government of Guam.

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

IN WITNESS WHEREOF, WE, hereby affix our signature(s) this 1ST day of ~~August~~ September 2005.

GRANTOR:
SUSAN CASTRO who acquired title as SUSAN TOKI

Subscribed and sworn before me this 1ST day of ~~August~~ September 2005, by **SUSAN CASTRO WHO ACQUIRED TITLE AS SUSAN TOKI.**

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

GRANTEE:

JOHN SETIADI TAN

GRANTEE:

KEEN L. SETIADI

Subscribed and sworn before me this 1ST day of ~~August~~ SEPT 1ST 2005, by **JOHN SETIADI TAN AND KEEN L. SETIADI.**

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

Island of Guam, Government of Guam
Department of Land Management, Office of The Recorder
#33349

AFFIDAVIT OF TRANSFEREE

SECURITY TITLE, INC.

WE, JOHN SETIADI TAN AND KEEN L. SETIADI, being first duly sworn, depose and say:

1. That we are married.
2. That we have acquired the below described property by a Warranty Deed.

Lot Number 1120-Rem-1-2, Mongmong-Toto-Maite (formerly of Sinajana), Guam, Estate Number 20528, Suburban, as said Lot is described in that Parcelling Lot 1120-Rem-1, as shown on Drawing Number LCJ68T34, as L.M. Check Number 314 FY 68, dated 24 July 68 and recorded on 27 August 68 under Instrument No. 87063 at Land Management Guam. For informational purposes only, the above referenced map indicates the property contains an area of 949+/-square meters, Last Certificate of Title No. 32380-Susan Toki.

3. WE have acquired the property as **joint tenants with rights of survivorship.**
4. That this Affidavit is made for the purpose of complying with the requirements of Title 21 Guam Code Annotated 29158.

JOHN SETIADI TAN

KEEN L. SETIADI

Subscribed and sworn before me this 1st day of ~~August~~ September 2005, by **JOHN SETIADI TAN AND KEEN L. SETIADI.**

KIM ANDERSON YOUNG
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: Nov. 03, 2008
865 S. Marine Dr. #202B
Tamuning, Guam 96913

NOTARY PUBLIC
My commission expires:

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

April 25, 2017

RECEIVED 5/4/17

Honorable Rudy A. Paco
Mayor of Mongmong-Toto-Maite

Dear Mayor:

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

The Applicant, John Setiadi Tan, request for a zone change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone to utilize the whole property for commercial use such as additional parking area, two dwelling units, gallery/studio and landscape, on Lot 1120-REM-1-2NEW in the Municipality of Mongmong-Toto-Maite, under Application No. 2017-01.

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 have scheduled with your office a public hearing to be held at the **Mongmong-Toto-Maite Community Center, May 17, 2017, Wednesday, at 6:00 p.m**.

Please confirm the time, date and place.

Si Yu'os Ma'ase,

MARVIN Q. AGUILAR
Guam Chief Planner

ATTACHMENT 3

Minutes of Public Hearing

Application No. 2017-01, Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) of Lot 1120-REM-1-2NEW, Municipality of Mongmong –Toto-Maite

On May 17, 2017 - 6:05 P.M. a public hearing was conducted at the Mongmong-Toto-Maite Community Center, present was the applicant's representative, Ms. Elizabeth Gayle, the Mayor, Mr. Rudy A. Paco, and 3 public attendees.

Case Planner called the meeting to order, introduced himself, the application and explained the purpose of the public hearing. He then introduced Ms. Gayle who would present and explain the purpose of the application.

Ms. Gayle introduced herself, explained the location and description of the property the elements of the existing architectural office complex and the elements of the proposed development as an addition to the existing complex.

The floor was open for comments:

Comments and Questions:

Ms. Laguana asked, for a brief description of the proposed project and where will the entrance to the complex be located?
Ms. Gayle summarized the proposed project and noted that the entrance is as existing from Route 8.

Ms. Laguana asked how the project will accommodate storm water runoff?
Ms. Gayle responded that the stormwater will be collected into French drains located on site and that no stormwater discharge will leave the site.

Ms. Laguana asked about sewer and water connection?
Ms. Gayle responded that GWA was on the ARC meeting and had provided input on connecting to the existing waterline along Route 8, and the existing sewerline on Route 8 via a force main from the existing holding tank on site.
Ms. Laguana then replied that she has no objections to the proposed zone change.

Mr. Sachdev asked about the project's overall plan and noted that he is more interested in the Zone Change for a separate property that is closer to his property that has existing apartments.
Ms. Gayle responded with a summary of the proposed project.
Mr. Sachdev then replied that he too, has no objection s to the proposed zone change.

Mayor Paco stated also that he has no objection to the proposed Zone Change and commented that he just recently had that area clean and feels that the area being overgrown with vegetation seems to attract people who drink and trash the area and the development of the area could discourage this type of activity.

Minutes of Public Hearing
Application No. 2017-01 (Zone Change)
Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite
Page No. 2

After no further concerns or question was put forth by the attendees case planner thanked those in attendance for taking the time to attend and for their input.

There being no further questions or concerns the case planner adjourned the meeting at 6:45 P.M.

Frank P. Taitano
Case Planner

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

July 17, 2017

MEMORANDUM

To: Chairman, Guam Land Use Commission

From: Guam Chief Planner

Subject: Staff Report - Application No. ~~2015-37~~ W17-01

1. PURPOSE:

a. **Application Summary:** The applicant, John Setiadi Tan is requesting approval for a Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) for the expansion of the existing Setiadi Architects LLC office complex Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite.

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

2. FACTS:

a. **Location:** The subject lot is in Maite along the southern side of Route No. 8, approximately 800 feet east (towards Barrigada) from the junction of Route No. 8 and East Obrien Dr.

b. **Lot Area:** 2,375 Square Meters or 25,555 Square Feet.

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

c. **Field Description:** The site is developed with an existing two-story office building, parking area, landscaping, an on-site storm water retention system, a sewer pump, and a generator.

ATTACHMENT 5

e. **Masterplan:** Residential (Med-High)

f. **Community Design Plan:** Urban Residential (Med-High Density)

g. **Previous Commission Action:** September 27, 2007- Zone Variance approval to convert an existing two-story apartment structure into an office space for the applicant's architectural firm on Lot 1120-REM-1-R2. *(Note: Lot 1120-REM-1-R2 was consolidated with Lot 1120-REM-1-2 into Lot 1120-REM-1-2NEW).*

3. APPLICATION CHRONOLOGICAL FACTS:

a. **Date Application Accepted:** October 17, 2016

b. **Date Heard By ARC:** November 3, 2016

c. **Public Hearing Results:** May 17, 2017 **(See Attachment "A")**

4. DISCUSSION and STAFF ANALYSIS:

The applicant's request is for a rezone approval of Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite from "R-2" (Multi-Family Dwelling) zone to "C" (Commercial) zone to expand the existing Setiadi Architects LLC office complex.

Pursuant to Section 61630 (Requirements For Changes) of Chapter 61 (Zoning Law) 21GCA, where it states; **"The Commission may, with the approval of the Governor, change the zones established under this Chapter whenever it finds that the public necessity, convenience and general welfare justify such action"**.

The applicant in response for the Zone Change submits the following justification:

a. **That the zone change will be consistent with the "Guam Master Plan" adopted by the Commission or Legislature.** The applicant provides that Lot 1120-REM-1 -2NEW is along Route 8, a busy commercial highway, one of the major thorough-fares on Guam. The adjacent surrounding properties are predominantly commercial establishments which include offices, multi-story bank/commercial buildings, retail stores, whole-seller, pub, flower shop, and government office (Retirement Fund building). Multi-family residential establishments are of small percentage compared to commercial establishments in the area. Other uses include light commercial, a heavy equipment rental company. Therefore, a commercial development zone (C) is more compatible with current and adjacent uses than the present multi-family zone (R2) designation. Further, Lot Number 1120-REM-1-R2 was granted Use Zone Variance for office/commercial use by the Guam Land Use Commission in September 2007 (NOA 2007-057).

b. **That the zone change will not be materially detrimental to the public *welfare* or injurious to the *property* or improvements in the neighborhood in *which the* property is located.** The applicant provides that Power, Water, Sewer, and Telephone utilities are already in place. He further provides that commercial development is currently established in the immediate vicinity and that the property is accessible via Route 8, a federal highway — no new roads are required.

c. **Purpose of the zone change.** The applicant provides the purpose for the change of zone is to further develop the whole property as a professional office complex. He notes the existing building on Lot 1120-REM-I-2NEW will be expanded to accommodate additional parking spaces, gallery space, and Residential Units. He further provides that a new development will be designed and constructed in accordance with the International Building Codes, and all Rules and Regulations.

The property maintains an office complex which has existed since its conversion from a multi-family building to its current and official occupancy as office space for an architecture firm. Such facility has existed to date without adverse impact to nearby residential and retail sales uses, thus proving compatible land use with its surrounding neighborhood.

This request received no objectionable comments from Application Review Committee. Likewise, the request received a positive response from the community as indicated by a mandatory public hearing held within the property's municipality. Such response is further affirmed in a letter by the Mayor of Mongmong-Toto-Maite.

If concurred by the Commission, the property owner may avail himself to all allowable uses without conditions as may be permitted in a commercial zone. However, our analysis finds the proposed change to be consistent with logical land planning strategies for the immediate area. This is based on the fact the property is near a routed road. Route 8 is known as a heavy-traffic corridor. Thus, from a land use planning perspective, uses near a heavy traffic area should be less-restrictive, and further away uses should be more-restrictive (i.e. suburban development).

We find the context of the application provides justification that the public necessity, convenience and general welfare will not be compromised, and thus supports a positive action on the zone change request.

5. **RECOMMENDATION:** Planning staff recommends Approval subject to the ARC Position Statement and the permitting agencies requirements.

Marvin Q. Aguilar
Guam Chief Planner

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Suite 733 ITC Building
Tamuning, GU 96913

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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

July 17, 2017

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairman, Application Review Committee (ARC)

SUBJECT: Summary of Positions Submitted by ARC

RE: Application No. 2017-01 (Zone Change)

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to Planning Division, Department of Land Management. The conditions as imposed by the ARC member agencies are listed when applicable.

DEPARTMENT OF LAND MANAGEMENT (DLM):
Recommends approval subject to the ARC Position Statement and the permitting agencies requirements.

GUAM ECONOMIC DEVELOPMENT & COMMERCE AUTHORITY (GEDCA):
GEDCA has no objections

GUAM POWER AUTHORITY (GPA):
GPA has reviewed the application and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. 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:

   a. Coordinate overhead/underground power requirements with GPA Engineering for new structures;

b. Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electric Code;
c. Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements;
d. Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection;
e. Provide scheduling and magnitude of project power demand requirements fo r new loads;
f. All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials;
g. 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.

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.

DEPARTMENT OF PARKS AND RECREATION (DPR):
DPR has reviewed the application has no objection.

DEPARTMENT OF PUBLIC WORKS (DPW):
The Department of Public Works, (DPW) has completed its review of the subject application and has no objection to the requests provided the following conditions be in place:

- storm drainage water disposal must be shown in details in the **final** drawings and to be supported with calculations;

- parking layout and parking stalls (compact ,standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- adequate egress/ ingress must be coordinated with the Division of Highways, (rights of way section) :
+ entrance, exit, sidewalks should be wide enough for public access:
- provide a solid waste composition:
- ecological planning is needed in order to ensure the conservation of its resources; and
- to include all the geotechnical requirements related to site preparations:

DPW recommends approval, subject to the comments reviewed by the application Review Committee (ARC) with conditions that prior to building permit application that all must comply with all the applicable rules, regulations and design drawings must be in conformance with the latest building code requirements including building law of Guam prior to issuance of building permit.

BUREAU OF STATISTICS AND PLANS (BSP):
The Bureau has completed its review of the subject application and provides the following comments and recommendations:

Stormwater Management. Managing stormwater is a key element in the protection of Guam's water resources. Surface runoff carries pollutants into Guam waters causing siltation and increasing sediment loads, which impairs receiving waters including the Northern Guam Lens Aquifer (NGLA). The installation of impervious surfaces greatly increases runoff volume created during storms, as well as waterway velocities, erosion and flooding.

The application lacks a drainage plan or methods to address stormwater runoff. However, in an ARC meeting November 3, 2016, Ms. Gayle stated that "the new building will catch runoff from the roof into downspouts and they will also go into a filtered infiltration chamber." Additional water catchments like a rock-filled trench will be installed throughout since the property is too small to accommodate a ponding basin according to Ms. Gayle.

The Bureau applauds the applicant for incorporating best management practices to manage stormwater runoff on site. However, the applicant's property is located above Guam's aquifer, a primary water source for drinking water. Therefore, we recommend the applicant to consult with Guam Environmental Protection Agency (EPA) for effective implementation of stormwater controls.

Erosion Control. Controlling erosion and sediment flow from construction sites are a priority with regard to stormwater impacts to receiving water bodies within the project site, which includes the NGLA. The Bureau recommends that the applicant prevent adverse impacts from construction site runoff by employing best management practices. These practices include the following, but are not limited to:

1. Installing perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves the construction site.

2. Where feasible, schedule construction during dry season.

3. Stabilize construction entrances to reduce the tracking of sediment/mud from the construction site onto paved roads and parking lots.

Additional methods are listed in the CNMI Guam Stormwater Management Manual and the Guam Erosion and Sediment Control Field Guide; and can be obtained from the Bureau's website www.bsp3.guam.gov under Guam Coastal Management Program.

Low Impact Development (LID) Practices. The project site also lies within the Fonte River-Frontal Hagatna Bay Watershed. This area has seen an increase in impervious surfaces throughout the years. In between the years 2005 and 2011, the impervious surface area increased by more than five percent according to National Oceanic Atmospheric Administration's (NOAA) Coastal Change Analysis Program (C-CAP). As surface area increases so does the risk of flooding and degradation of water quality. The Bureau is concerned that additional impervious surfaces may exacerbate flooding in the area and surrounding neighbors if practices are not in place to manage runoff on the property.

The LID approach works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features while minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

Native Flora. Protection from invasive species is critical to preserving Guam's native plant and animal species. Therefore, the applicant is advised to avoid the use of invasive plants in their landscape plan.

The use of native plants requires little to no fertilizer for growth. The Bureau encourages consultation with the Department of Agriculture's Division of Forestry and Soil Resources on using native plants and organic fertilizers to avoid additional contaminants from entering the aquifer. The applicant may also seek guidance from Guam EPA regarding their Pesticide Control Program.

Considering the growing concerns of flooding due to increased impervious surface, the applicant is highly encouraged to implement LID practices such as permeable parking and walkways, grassed swales, island bio-retentions, green roofs, and/or rain gardens into the landscape as a means to reduce runoff and control erosion from their property. An electronic file of the Island Stormwater Practice Design Specifications is available on the Bureau's website at www.bsp3.guam,gov under the Guam Coastal Management Program.

In light of the points presented above, the Bureau finds that the proposed commercial activity is compatible with its surrounding uses. We further find that stormwater runoff from commercial activities can detrimentally affect Guam's sole source aquifer and surrounding neighbors if best management measures are not in place. Accordingly, the applicant is encouraged to prevent contaminants from entering Guam's aquifer by controlling erosion during construction and managing stormwater on site. Subsequently, if this application is approved, the Bureau recommends the applicant to comply with the recommendations stipulated above.

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 public health, safety, and to promote the public welfare and convenience. We also encourage the applicant to protect Guam's natural resources and to ensure they are used in a sustainable manner. Si Yu'os Ma'ase'.

GUAM WATERWORKS AUTHORITY (GWA):

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 explain GWA's position to support approval of this zone change application:

1. Future development must be covered under a Department of Public Works (DPW) construction permit. Plans and specifications must be submitted for GWA review and approval prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specifications. Design calculations shall include water demand calculations and wastewater production calculations for the proposed development. Drawings shall delineate the water and wastewater service point of connection and provide specific connection details. If sewage disposal is to be accomplished by an Individual Sewage Disposal System, the plan must be in compliance with Guam Environmental Protection Agency (GEPA) and GWA requirements.

2. GWA requires coordination with the GWA Engineering Department in advance of the permitting process to determine if available water and sewer system capacity can accommodate future development. Any offsite utility improvements necessary to support the proposed development shall be at the expense of the applicant. GWA's approval of the construction permit application will be contingent upon the applicant's agreement to construct the necessary offsite utility improvements. GWA's approval of the occupancy permit application will be contingent upon the completion of the offsite improvements.

3. Finalized property maps identifying public rights of way or easements must be submitted to GWA.

4. Public water and sewer infrastructure facilities installed by the developer must meet GWA standards including construction on public rights of way or easements and inspection by GWA.

5. The applicant's construction plans shall include the proposed meter size(s) and identify water meters in the public right of way or easement.

6. New development is subject to water and/or sewer system development charges (SDC).

7. Backflow prevention devices are required for non-residential activities.

8. Grease traps or interceptors are required for food service establishments.

This GWA Position Statement shall remain valid for 365 calendar days from the date of this response.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):
Has not submitted Position Statement as of Staff Report date.

GUAM FIRE DEPARTMENT (GFD):
Has not submitted Position Statement as of Staff Report date.

DEPARTMENT OF AGRICULTURE (DoAg):
Has not submitted Position Statement as of Staff Report date.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):
Has not submitted Position Statement as of Staff Report date.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):
Has not submitted Position Statement as of Staff Report date.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):
Has not submitted Position Statement as of Staff Report date.

Marvin Q. Aguilar

Attachments: ARC Position statements
CC: Executive Secretary, GLUC

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo, Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7; Fax (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:
RC 2017-0015

RECEIVED
NOV 16 2016
Department of Land Management
Time 2:25 pm

November 9, 2016

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: Application No. 2017-01: Application for Zone Change of Lot 1120-REM-1-2NEW, Mongmong-Toto-Maite, Guam

We reviewed the subject application by Setiadi Architects LLC for applicant John Setiadi, for zone change of Lot 1120-REM-1-2NEW from "R2" to "C" zone, and have no objection.

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

Sincerely,

for Robert S. Lizama

The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY TENORIO
Lt. Governor

public works
DIPATTAMENTON CHE'CHO' PUBLEKO

GLENN LEON GUERRERO
Director
FELIX C. BENAVENTE
Deputy Director

November 29, 2016

MEMORANDUM

TO: Director, Department of Land Management

FROM: Director

APPLICANT: John Setiadi Tan

Application No.: 2017-01

SUBJECT: Position Statement No. 2017-01
Multi-Family Dwelling ("R-2") to Commercial ("C") Zone on Lot No. 1120-REM-1
2NEW, Municipality of Mongmong -Toto- Maite, Guam

MB 12/2

RECEIVED
DEC 01 2016
Department of Land Management
Time 2:15

Buenas yan Hafa Adai! The applicant is proposing to develop the whole property as a professional office complex to accomodate additional parking spaces, gallery space and residential units.

The Department of Public Works, (DPW) has completed its review of the subject application and has no objection to the requests provided the following conditions be in place:

- storm drainage water disposal must be shown in details in the final drawings and to be supported with calculations;
- parking layout and parking stalls (compact ,standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- adequate egress/ ingress must be coordinated with the Division of Highways, (rights of way section) ;
- entrance, exit, sidewalks should be wide enough for public access;
- provide a solid waste composition;
- ecological planning is needed in order to ensure the conservation of its resources; and
- to include all the geotechnical requirements related to site preparations;

DPW recommends approval, subject to the comments reviewed by the application Review Committee (ARC) with conditions that prior to building permit application that all must comply with all the applicable rules, regulations and design drawings must be in conformance with the latest building code requirements including building law of Guam prior to issuance of building permit.

Should you have any questions, please contact Mr. 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

12/2/16
P. Baluc
Land Plng Div

12/2/16

GUAM POWER AUTHORITY

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

RECEIVED
NOV 04 2016
Department of Land Management
Time 9:23 AM

October 31, 2016

MEMORANDUM

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

From: General Manager

Subject: Lot 1120-REM-1-2NEW, Municipality of MongMong-Toto-Maite, (John Setiadi Tan); Zone Change Application from "R-2" (Multi-Family Dwelling) to "C" (Commercial) to build a Residential Duplex. **Application No. 2017-01**

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

A. Comments and Recommendations Concerning GPA requirements:

1. 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.
   - GPA reserves its easement rights established at the Department of Land Management under document number **745770**.

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.

for JOHN M. BENAVENTE, P.E.

ASG/arp

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: John Setiadi Tan
Location: Lot 1120-REM-1-2NEW, MongMong-Toto-Maite
Type of Application: Zone Change
GLUC/GSPC Application No. 2017-01
Brief Project Description:
"R-2" to "C" to build a Residential Duplex.

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

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

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

   Yes ☐ No ☒

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

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

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

JOHN M. BENAVENTE, P.E.
General Manager

11/3/16
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

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

RECEIVED
1132/13 FEB 13 2017
Department of Land Management
Time 930 Int N

MEMORANDUM

February 8, 2017

TO: Director, Department of Land Management

FROM: Miguel C. Bordallo, P.E., General Manager 2/9/17

P. Gollac 2/13/17 Land planning

SUBJECT: Position Statement on Zone Change Application No. 2017-01 for Lot 1120-REM-1-2NEW, in the Municipality of MongMong-Toto-Maite.

APPLICANT(S): John Setiadi Tan

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "R2" (Multi-Family Dwelling) to "C" (Commercial) zone for the proposed construction of a professional architectural office and two (2) residential units.

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 explain GWA's position to support approval of this zone change application:

1. Future development must be covered under a Department of Public Works (DPW) construction permit. Plans and specifications must be submitted for GWA review and approval prior to construction. Submittals shall include water and sewer design calculations and complete drawings and specifications. Design calculations shall include water demand calculations and wastewater production calculations for the proposed development. Drawings shall delineate the water and wastewater service

point of connection and provide specific connection details. If sewage disposal is to be accomplished by an Individual Sewage Disposal System, the plan must be in compliance with Guam Environmental Protection Agency (GEPA) and GWA requirements.

2. GWA requires coordination with the GWA Engineering Department in advance of the permitting process to determine if available water and sewer system capacity can accommodate future development. Any offsite utility improvements necessary to support the proposed development shall be at the expense of the applicant. GWA's approval of the construction permit application will be contingent upon the applicant's agreement to construct the necessary offsite utility improvements. GWA's approval of the occupancy permit application will be contingent upon the completion of the offsite improvements.

3. Finalized property maps identifying public rights of way or easements must be submitted to GWA.

4. Public water and sewer infrastructure facilities installed by the developer must meet GWA standards including construction on public rights of way or easements and inspection by GWA.

5. The applicant's construction plans shall include the proposed meter size(s) and identify water meters in the public right of way or easement.

6. New development is subject to water and/or sewer system development charges (SDC).

7. Backflow prevention devices are required for non-residential activities.

8. Grease traps or interceptors are required for food service establishments.

This GWA Position Statement shall remain valid for 365 calendar days from the date of this response. Please contact GWA Engineering Division regarding water and sewer system improvement design and construction standards and procedures. For additional information please contact Mauryn McDonald, P.E., Permits and New Area Development Supervisor, at 300-6054.

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
Manuel Q. Cruz
Deputy Director

DEC 23 2016

DEC 28 2016

Time 1210

MEMORANDUM

To: Chairman, Guam Land Use Planning

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: **APPLICATION NO.** 2017-01; **LOCATION:** Lot No. 1120-REM-1-2NEW Mongmong-Toto-Maite; **APPLICANT:** John Setiadi Tan; **PROPOSED USE:** Zone Change from "R2" Multi-Family Dwelling to "C" Commercial Zone for Professional Architectural Office and Residential Duplex

Håfa Adai! The applicant, John Setiadi Tan, represented by Elizabeth Gayle request for a zone change from R2 multi-family dwelling to "C" commercial zone for the construction of professional architectural office and two (2) residential units on Lot No. 1120-REM-1-2NEW in the municipality of Mongmong-Toto-Maite. Currently, the applicant's property, Lot 1120-REM-1-R2 was granted a zone variance allowing commercial use in an R2 zone (GLUC 2007-057). The applicant proposes to further develop the whole property as a professional office complex. The existing building on Lot No. 1120-REM-1-2NEW will be expanded to accommodate additional parking spaces, gallery space, and residential units.

The subject lot is 2,375 square meters or approximately half (0.586) an acre. Lot No. 1120-REM-1-2NEW is located along Route 8, one of Guam's major thoroughfare. The adjacent surrounding properties are predominantly commercial establishments, including First Hawaiian Bank, Coast 360, a retail store, a pub, and a flower shop. Other land uses include a heavy equipment rental company and a government office – Guam Retirement Fund.

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

Stormwater Management. Managing stormwater is a key element in the protection of Guam's water resources. Surface runoff carries pollutants into Guam waters causing siltation and increasing sediment loads, which impairs receiving waters including the Northern Guam Lens Aquifer (NGLA). The installation of impervious surfaces greatly increases runoff volume created during storms, as well as waterway velocities, erosion, and flooding.

The application lacks a drainage plan or methods to address stormwater runoff. However, in an ARC meeting November 3, 2016, Ms. Gayle stated that "the new building will catch runoff from the roof into downspouts and they will also go into a filtered infiltration chamber." Additional water catchments like a rock-filled trench will be installed throughout since the property is too small to accommodate a ponding basin according to Ms. Gayle.

The Bureau applauds the applicant for incorporating best management practices to manage stormwater runoff on site. However, the applicant's property is located above Guam's aquifer, a primary water source for drinking water. Therefore, we recommend the applicant to consult with Guam Environmental Protection Agency (EPA) for effective implementation of stormwater controls.

Erosion Control. Controlling erosion and sediment flow from construction sites are a priority with regard to stormwater impacts to receiving water bodies within the project site, which includes the NGLA. The Bureau recommends that the applicant prevent adverse impacts from construction site runoff by employing best management practices. These practices include the following, but are not limited to:

1. Installing perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves the construction site.

2. Where feasible, schedule construction during dry season.

3. Stabilize construction entrances to reduce the tracking of sediment/mud from the construction site onto paved roads and parking lots.

Additional methods are listed in the CNMI Guam Stormwater Management Manual and the Guam Erosion and Sediment Control Field Guide; and can be obtained from the Bureau's website www.bsp3.guam.gov under Guam Coastal Management Program.

Low Impact Development (LID) Practices. The project site also lies within the Fonte River-Frontal Hagåtña Bay Watershed. This area has seen an increase in impervious surfaces throughout the years. In between the years 2005 and 2011, the impervious surface area increased by more than five percent according to National Oceanic Atmospheric Administration's (NOAA) Coastal Change Analysis Program (C-CAP). As surface area increases so does the risk of flooding and degradation of water quality. The Bureau is concerned that additional impervious surfaces may exacerbate flooding in the area and surrounding neighbors if practices are not in place to manage runoff on the property.

The LID approach works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features while minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

Native Flora. Protection from invasive species is critical to preserving Guam's native plant and animal species. Therefore, the applicant is advised to avoid the use of invasive plants in their landscape plan. The use of native plants requires little to no fertilizer for growth. The Bureau encourages consultation with the Department of Agriculture's Division of Forestry and Soil Resources on using native plants and organic fertilizers to avoid additional contaminants from entering the aquifer. The applicant may also seek guidance from Guam EPA regarding their Pesticide Control Program.

Considering the growing concerns of flooding due to increased impervious surface, the applicant is highly encouraged to implement LID practices such as permeable parking and walkways, grassed swales, island bio-retentions, green roofs, and/or rain gardens into the landscape as a means to reduce runoff and control erosion from their property. An electronic file of the Island Stormwater Practice Design Specifications is available on the Bureau's website at www.bsp3.guam.gov under the Guam Coastal Management Program.

In light of the points presented above, the Bureau finds that the proposed commercial activity is compatible with its surrounding uses. We further find that stormwater runoff from commercial activities can detrimentally affect Guam's sole source aquifer and surrounding neighbors if best management measures are not in place. Accordingly, the applicant is encouraged to prevent contaminants from entering Guam's aquifer by controlling erosion during construction and managing stormwater on site. Subsequently, if this application is approved, the Bureau recommends the applicant to comply with the recommendations stipulated above.

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 public health, safety, and to promote the public welfare and convenience. We also encourage the applicant to protect Guam's natural resources and to ensure they are used in a sustainable manner. Si Yu'os Ma'ase'.

WILLIAM M. CASTRO

cc: GEPA
DPW
GWA
DPR
GPA

Deportation process begins for child molester

An immigrant convicted of molesting a 12-year-old girl four months ago now faces deportation after the governor started the process with a commutation.

U.S. immigration officials identified Esty Sachuo Martin as having committed a deportable crime. Officials placed a federal detainer on his file. Police notified the victims who noted their support of his deportation.

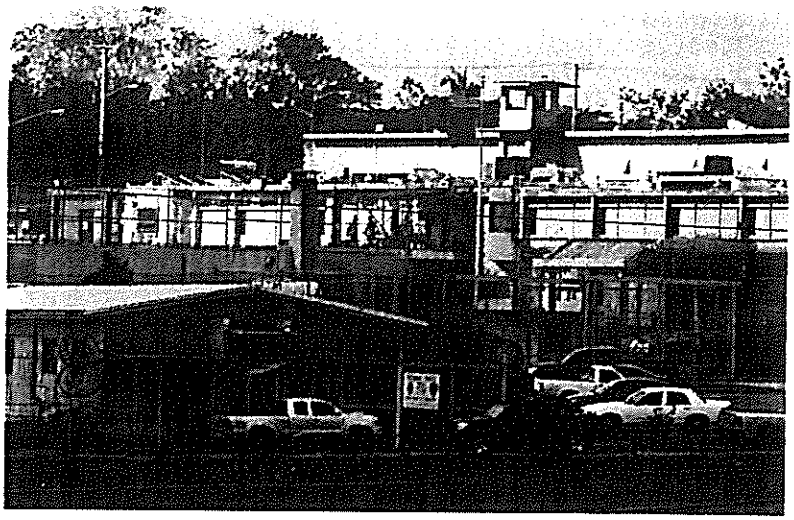
Martin is being deported to Chuuk in the Federated States of Micronesia, according to the governor's office.

Martin was convicted of fourth-degree criminal sexual conduct as a third-degree felony and was ordered to serve 18 months with credit for time served, according to the governor's office.

The Department of Corrections will place Martin in the custody of the federal government for deportation as part of the governor's initiative to keep residents of Guam safe and save on costs of hosting foreign criminals.

This action brings the total number of criminals whose sentences the governor commuted for either removal or deportation to 32.

(Daily Post Staff)



DEPORTATION: *The Department of Corrections prison compound is shown. Thirty-two foreign prisoners have been subject to removal or deportation since last year. Post file photo*

$1.5M expected for hosting Compact immigrants

Guam will receive almost $1.5 million out of $3 million in discretionary Compact-impact funding to help pay for the cost of hosting regional immigrants from the Federated States of Micronesia, Palau and the Marshall Islands, Guam Delegate Madeleine Bordallo announced yesterday.

Hawaii, the Commonwealth of the Northern Mariana Islands, and American Samoa will get the rest of the $3 million latest funding.

This funding is in addition to the mandatory $30 million annual funding provided to the hosts of the regional immigrants. The $30 million a year is split primarily between Guam and Hawaii.

Bordallo said in a press release she worked with her colleagues on the House Appropriations Committee to protect the discretional Compact funding, despite efforts by the White House to reduce or eliminate it in the president's budget request for each of the last three fiscal years and for fiscal 2018.

"Compact impact is an important issue for our island, and I continue to work in Congress to find ways to lessen the burdens put on our local treasury as a result of these agreements," Bordallo said.

Last year, GovGuam spent $142 million providing public services to regional immigrants, including costs related to prison, public education and public health care, according to the local government's 2016 Compact-impact report. That one-year total reflects nearly quadruple the cost from more than a decade ago, according to the local government.

In February, Gov. Eddie Calvo reported to the Trump administration GovGuam's cost of hosting regional migrants has topped $1.07 billion over the past 13 years.

GUAM HUMANITIES COUNCIL
STATEMENT OF ACTIVITIES

	10/31/2016
SUPPORT AND REVENUE:	
Federal financial assistance	$ 365,562
Project grants	125,471
Support service fundraising	58,661
Federal grant cost share	92,959
Miscellaneous	7,145
TOTAL SUPPORT AND REVENUE	649,798
EXPENDITURES:	
Program services	417,721
Management and general	130,733
Support service fundraising	46,811
TOTAL EXPENDITURES	595,265
CHANGES IN NET ASSETS	54,533
NET ASSETS AT BEGINNING OF YEAR	64,281
NET ASSETS AT END OF YEAR	$ 118,814

STATEMENT OF FINANCIAL POSITION

ASSETS	
Cash	$ 122,521
Accounts receivable	5,293
Other assets	17,194
TOTAL ASSETS	$ 145,008
LIABILITIES	
Regrants payable	$ 1,800
Accrued expenses	11,618
Deferred revenue	12,776
TOTAL LIABILITIES	26,194
NET ASSETS	
Unrestricted	89,036
Temporarily restricted	29,778
TOTAL NET ASSETS	118,814
TOTAL LIABILITIES AND NET ASSETS	$ 145,008

I hereby certify that the above Statement of Activities and Statement of Financial Position are a true and accurate account of the Guam Humanities Council

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

Regular meeting of the Guam Land Use Commission will be held on Thursday, August 10, 2017 at 1:30 pm, Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning.

I. Roll Call

II. Approval of Minutes – June 22, 2017

III. Old/Unfinished Business [None]

IV. New Business

A. John Setiadi Tan; Zone Change from "R2" to "C" zone; for expansion of existing building, Lot 1120-REM-1-2NEW, Mongmong-Toto-Maite. [2017-01]

B. C.W. Holdings, LLC; Zone Variance for height for proposed 3-story medical service building, Lot 5009-2-21, Dededo. [2016-25]

V. Administrative Matters

C. Lih Pao Investment, LLC; issuance of its First Supplementary Final Public Report for Talo Verde Estates Townhomes, Lots 57NEW-NEW-1, -2, -4 & -6, T13105, Tamuning. HPR No. 169. [2016-11C]

D. ARINC; Technical Amendment to Leo Palace Resort's PUD to accommodate a temporary aviation communication receiving tower, on a portion of Lot 2511, Yona.

VI. Adjournment

Funding Source provided by above Applicants

Person(s) requiring special accommodations please call Cristina at 649-5263 Ext. 375

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Group eyes Palmridge Inn for assisted living

By Louella Losinio
louella@postguam.com

A group of senior wellness investors plans to open a 15-room assisted-living facility in the Palmridge Inn in Mongmong-Toto-Maite within the year.

The Magas Patriot Group presented the concept to the community during an informational session and town hall meeting Sunday at the Palmridge Inn.

The group – described in brochures as pioneers in building active-adult communities and retirement living in Guam – plans to use all 15 rooms in the first floor of the hotel.

Anthony Taijeron, Magas president, said the facility will be equipped to handle the needs of seniors and other individuals requiring specialized assistance.

A definite opening date was not announced Sunday, although Taijeron said the group intends to open the facility once applications have been processed.

A stay in the facility could potentially cost around $240 per day, or around $7,200 per month. However, this would also cover on-site services, such as 24-hour medical assistance and security, as well as access to a 24/7 emergency call system.

The $240 per-day fee is based on a $10-per-hour rate for a 24-hour, full-time caregiver, according to Taijeron.

Taijeron said residents will become part of a community and will be able to participate in well-designed activities, arrange for transportation and receive assistance with daily living activities. Weekly housekeeping is also provided to residents.

The facility not only accommodates seniors, but also veterans and others with highly specialized needs.

Continuum of care

In his presentation, Dr. Vincent Akimoto, Magas CEO and medical director, described the continuum of care system that serves as a framework for residents of the facility. This includes providing housing and skilled nursing care.

"What we are proposing is a facility where people will have access to 24-hour care," he said. By including different services in the package, Akimoto said, the facility keeps costs down with fewer regulatory requirements.



STAKEHOLDERS: *Around 50 people attended a presentation by Magas Patriot Group to discuss a proposed assisted-living facility at the Palmridge Inn on Sunday, Aug. 6. Photos by David Castro/The Guam Daily Post*

> "What we are proposing is a facility where people will have access to 24-hour care."
>
> – Dr. Vincent Akimoto, CEO and medical director, Magas Patriot Group

He said a stay at the facility would cost less than a hospital stay for the same amount of time at Guam Memorial Hospital or Guam Regional Medical City.

Akimoto said a feasibility study disseminated last year to determine community interest for the project received favorable responses from more than 400 respondents.

Akimoto is a physician and co-founder of the American Medical Center, which recently invested in a second medical clinic in Mangilao. Akimoto had said earlier this year that his involvement in the assisted-living facility project is separate from his work with the clinic.

Former Sens. Larry and Carmen Kasperbauer also attended the meeting Sunday.

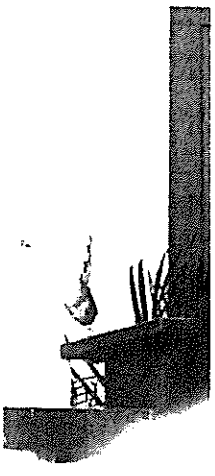
He emphasized the need for the Guam Legislature to work toward developing regulations to set standards for senior-care facilities in Guam.

"We should set the standards right from the beginning, rather than see our senior citizens get hurt," Larry Kasperbauer said, adding that the people working on the regulations should look at other jurisdictions as a model for Guam.

Facility at LeoPalace

In January, Magas announced plans to develop a portion of the LeoPalace Resort Guam into an "elegant senior living facility." The proposed facility will be opened in one of the La Cuesta buildings. According to Akimoto, a letter of intent has been issued for the planned facility in Yona.





PRESENTATION: *Dr. Vincent Akimoto, CEO and medical director of Magas Patriot Group, delivers the keynote address during a meeting to discuss plans for an assisted-living facility at the Palmridge Inn on Sunday, Aug. 6.*

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AGENDA

Regular meeting of the Guam Land Use Commission will be held on Thursday, August 10, 2017 at 1:30 pm, Department of Land Management Conference Room, 590 S. Marine Corps Dr., 3rd Floor, ITC Building, Tamuning.

I. Roll Call
II. Approval of Minutes – June 22, 2017
III. Old/Unfinished Business [None]
IV. New Business
A. John Setiadi Tan; Zone Change from "R2" to "C" zone; for expansion of existing building, Lot 1120-REM-1-2NEW, Mongmong-Toto-Maite. [2017-01]
B. C.W. Holdings, LLC; Zone Variance for height for proposed 3-story medical service building, Lot 5009-2-21, Dededo. [2016-25]
V. Administrative Matters
C. Lih Pao Investment, LLC; issuance of its First Supplementary Final Public Report for Talo Verde Estates Townhomes, Lots 57NEW-NEW-1, -2, -4 & -6, T13105, Tamuning. HPR No. 169. [2016-11C]
D. ARINC; Technical Amendment to Leo Palace Resort's PUD to accommodate a temporary aviation communication receiving tower, on a portion of Lot 2511, Yona.
VI. Adjournment

Funding Source provided by above Applicants
Person(s) requiring special accommodations please call Cristina at 649-5263 Ext. 375

GUAM LAND USE COMMISSION

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

Commissioner Tae S. Oh
Commissioner Hardy T.I. Vy

Michael J.B. Borja, Executive Secretary
Nicolas E. Toft, Legal Counsel (OAG)

AGENDA - Disposition

Regular Meeting

Thursday, August 10, 2017, 2017 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 August 3rd and August 8th, 2017]

I. Notation of Attendance [X] Quorum 1:40 pm [ ] No Quorum

Present were: Chairman John Arroyo, Vice Chairman Victor Cruz, Commissioner Conchita Bathan, Commissioner Tae Oh, Commissioner Hardy Tan, Executive Secretary Michael Borja, Legal Counsel Nicolas Toft, Guam Chief Planner Marvin Aguilar, Case Planner Frank Taitano and Recording Secretary Cristina Gutierrez.

II. Approval of Minutes

- GLUC Regular Meeting of Thursday, June 22, 2017

Action – motion to approve GLUC Meeting Minutes of June 22, 2017 subject to corrections of minor typographical errors; was passed unanimously. [5 ayes, 0 nay]

III. Old or Unfinished Business [None]

IV. New Business

Zone Change

A. The Applicant, John Setiadi Tan; request for Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone, for the expansion of its existing commercial building, on Lot 1120-REM-1-2NEW, in the Municipality of Mong-Mong, under Application No. 2017-01. Case Planner: Frank Taitano

Motion to approve Application No. 2017-01 was passed unanimously subject to ARC conditions as stated in the official position statements and permitting agencies' requirements; 5 ayes, 0 nay.

Zone Variance

B. The Applicant, C.W. Holdings, LLC represented by Sterling Design, Inc.; request for a Height Zone Variance for the proposed construction of a three-story medical service building with a height of 38-feet, on Lot 5009-2-21, in an "M-1" (Light Industrial) zone, in the Municipality of Dededo, under Application No. 2016-25. Case Planner: Frank Taitano

Motion to approve Application No. 2016-25 was passed unanimously (5 ayes 0 nay); subject to the following conditions:

1. **Adhere to ARC conditions and requirements as stipulated in official position statements;**
2. **Grading or building permit must be obtained within one (1) year from date of recordation of the Notice of Action; otherwise, the approval as granted by the GLUC will be "NULL AND VOID" per E.O. 96-26, Sec 5; and,**
3. **Obtain a letter of support from the Municipal Council of Dededo by way of letter and/or Resolution for the GLUC and Chief Planner.**

V. Administrative & Miscellaneous Matters

Horizontal Property Regime

C. The Applicant, Lih Pao Investment LLC represented by Atty. Janalynn Damian; requests issuance of its First Supplementary Final Public Report for Talo Verde Estates Townhomes, on Lots 57NEW-NEW-1, -NEW-2, -NEW-4 & -NEW-6, Tract 13105, in the Municipality of Tamuning, HPR No. 169, under Application No. 2016-11C.
Case Planner: Celine Cruz
Action – Motion to accept and issue the applicant's request for its First Supplementary Final Public Report for a period of 13 months to allow developer to continue to sell unsold units; was passed unanimously, 4 ayes, 0 nay, 1 recuse (Commissioner Vy). First Supplementary Final Public Report will expire August 27, 2018.

D. The Applicant, ARINC (subsidiary of Rockwell Collins) represented by Daniel D. Swavely; technical amendment request for Leo Palace Resort's Planned District Development (PUD), in order to accommodate a temporary aviation communication receiving tower, on a portion of Tract 2511 (portion no Lot No. 177-4-1NEW), in the Municipality of Yona.
Case Planner: Frank Taitano
Action – It was the order of the Chairman to continue the review/approval of this application. The Commission requested that a letter of authorization be obtained from the owners of the property (Leo Palace Resort) allowing a "representative" to represent them on the request to amend its approved PDD master plan and supports the ARINC application.

- **Brief discussion on PDD amendment requests;**
- **Upcoming visit of Mr. Stephen Tebo regarding Sigua Highlands;**
- **Chief Planner's annual report to the Commission on pending land use applications;**
- **Continuation of Pago Bay Resort's pending six-month status**

VI. Adjournment [Meeting was adjourned at 4:05 p.m.]

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

File for Record is Instrument No. 912275

On the Year 20 17 Month 9 Day 13 Time 857

Recording Fee DE-OFFICIO Receipt No. DE-OFFICIO

Deputy Recorder JOEL D ANTEMORCRUZ

Above Space for Recorder's Use only

ORIGINAL

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES

Department of Land Management Conference Room
ITC Building, Tamuning

Thursday, August 10, 2017
1:40 p.m. to 4:05 p.m.

ATTACHMENT 8

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Department of Land Management Conference Room, 3rd Floor, ITC Bldg., Tamuning
Thursday, August 10, 2017 • 1:40 p.m. to 4:05 p.m.

I. Attendance

Chairman Arroyo called to order the regular meeting of the Guam Land Use Commission meeting for Thursday, August 10, 2017 at 1:40 p.m., noting a quorum.

Present were: Chairman John Arroyo, Vice Chairman Victor Cruz, Commissioner Conchita Bathan, Commissioner Tae Oh, Commissioner Hardy Vy, Executive Secretary Michael Borja, Legal Counsel Nicolas Toft, Guam Chief Planner Marvin Aguilar, Planning Staff Frank Taitano and Recording Secretary Cristina Gutierrez

The agenda before you, is there any need to make any changes on the agenda. [None noted]

II. Approval of Minutes

Chairman Arroyo we have the approval of the June 22nd meeting, and you have all had the Minutes emailed to you by Cris. I will entertain a motion on the approval of the Minutes.

Commissioner Bathan made a motion to approve the minutes of the GLUC regular meeting of June 22, 2017.

Commissioner Oh second.

Chairman Arroyo motion made by Commissioner Bathan, seconded by Commissioner Oh. Any discussion? [None] All in favor of approving the minutes please say "aye" [Chairman Arroyo, Vice Chair Cruz, Commissioners Bathan, Oh, and Vy], all opposed say "nay."

[Motion passed unanimously; 5 ayes, 0 nay. Minutes of June 22, 2017 was approved with no corrections noted.]

III. Old or Unfinished Business

Chairman Arroyo we do not have any old or unfinished business. Moving onto the new business. The first item is a zone change request –

IV. New Business

Zone Change

A. The Applicant, John Setiadi Tan; request for Zone Change from "R-2" (Multi Family Dwelling) to "C" (Commercial) zone, for the expansion on its existing commercial building, on Lot 1120REM-1-2NEW, in the Municipality of MongMong-Toto-Maite, under Application No. 2017-01. Case Planner: Frank Taitano

Doc. No. 34GL-17-1198.

Marvin Aguilar (Chief Planner) advised the Commissioners that there is a minor correction on the subject line; application number should read 2017-01 and not 2015-37 as stated. Mr. Aguilar continues to read the staff report to include facts, purpose, public hearing results, staff analysis/discussion, conclusion, and recommendation. [Please see attached report for full content/context]

[Attachment A – Staff Report dated July 17, 2017]

Chairman Arroyo any questions.

Commissioner Bathan did we receive a photo of the billboard sign?

Marvin Aguilar stated that a photo was received and stated for the record that the Case Planner, Frank Taitano, confirmed that the billboard sign which included the appropriate date and time of the GLUC was up and that a photograph was received. [Copy of the photo was passed around to the Commissioners]

Chairman Arroyo BSP had a comment regarding the applicant's lack of a drainage plan. I did see later on in your write-up that it had been addressed.

Marvin Aguilar when we assess these zone changes, we ask that they look at the impacts of the designation to the area, and not necessarily the material side of the proposed development. By the applicant stating that he wanted to open a professional complex here doesn't necessarily mean by this process that he has to stick to that proposed use. That will be a requirement under the building permit process once they submit.

Elizabeth Gayle (with Setiadi Architects) there is an existing French drain for the parking area. Ms. Gayle added that they have acknowledged that with the new building which is the larger building on this property that it will increase the impervious section, and so they will definitely accommodate for low impact development and storm water management within the design. Landscape will be used as well as bio-swales and other facilities to make sure that they account for the additional storm water that would be generated due to the new building.

Chairman Arroyo any other questions of the staff? [None noted] Please state your name for the record and proceed with your presentation

Elizabeth Gayle I prepared the application package on behalf of John Setiadi (who is my boss). He is off-island today otherwise he would have been here today and asked me to represent him for today's GLUC hearing. I am also the preparer of the Guam EPA FONSI (Finding of No Significant Impact) form.

We have a slideshow, and a lot of the information is what Marvin (Aguilar) had already gone through and as well as what is in the application.

First slide – image of the perspective view of what the building would look like from Route 8. Ms. Gayle explained that the building located at the very back is the existing office building. This is one of the reasons why Mr. Setiadi would like to build up towards the road because they have a difficult time explaining to their clients where the office is located. By changing the property to

commercial zone and being able to develop all the way up to the front property line, it will give them more visibility.

Second slide – view of the perspective building from the GHURA housing side. The existing building was a four-unit apartment building that was converted and now used as an office building. When the property was purchased there was a shell structure towards the back of the building and was developed to the applicant's architectural office which includes a reception area in the front and conference rooms.

The proposed project is to connect the existing building with a bridge building which will be used as a gallery space. It is more of flexible space; many times, as an architectural firm, space is needed to have meetings or present client projects. It is being called a gallery, but it will be an extension of the current architectural office.

Next slide – at the top (bigger building) will be actually two executive level apartment units that Mr. Setiadi would like to bring to the development. He wants to be able to experiment with nice, modern design. It is a stacked apartment which duplexes are allowed within a commercial zone, and it was verified with the Planner that a stacked apartment qualifies as a duplex.

Next slide – parking for the new apartment units plus the expanded office; the ground space in front of the existing building plus the lower level of the new building will be parking. The purpose of the project is to utilize the whole property for commercial use such as additional parking, two dwelling units, and gallery/studio and additional landscaping.

Next slide – image of site plan showing the existing building. Ms. Gayle continues to explain the topography of the property.

Next slide – shows the new proposed site plan to include existing building, parking on the left side which is below the new building.

Next slide – images showing the building sections of the two apartments as well as the gallery building, parking, etc.

Next slide – elevation view showing the old building and the proposed building. Explains the location of the parking; the gallery will line up with the second floor of the apartment building and an opening will be cut through the existing office. The lower elevation is taken from the 4J heavy equipment yard.

Chairman Arroyo would the gallery area be completely enclosed.

Elizabeth Gayle responded that it would be completely enclosed and will be used for meetings, design presentations; it is flexible venue space.

Vice Chairman Cruz before you move on, the existing building; is it connected with the new construction?

Elizabeth Gayle it will be, and continues to explain how the existing building will be aligned to the second floor of the new building. The existing building there are upstairs offices and downstairs offices and so they will cut an opening through to connect to the gallery. Visitors will still have to come through the main entrance to get to the gallery.

Chairman Arroyo the existing building there are no apartments at all.

Elizabeth Gayle the existing building was used for apartments; the first floor was used as an office and eventually the second floor was renovated to accommodate for a gallery and conference area and office for work stations. There was one apartment unit left and the reason why the owner would like an apartment on site is for visiting architects and/or off-island visitors while on island doing work for the office.

Commissioner Oh the current existing structure will be maintained as an office (Ms. Gayle responds "yes.") and the new structure, the first floor will also be office space.

Elizabeth Gayle explained that it would be gallery/office space.

Commissioner Oh in the proposed new building it would be parking on the first floor, and the two floors above will be ---

Elizabeth Gayle the two stalked-apartment units.

Vice Chairman Cruz in the existing building there are two stories (Ms. Gayle responds "yes."). the question I am going to ask is what is the height of this new building if you count the existing building as the first floor.

Elizabeth Gayle 245.9 is the lower level of the existing building and roof of the new building is 293.

Vice Chairman Cruz what is the height from your so-called lower level to the top.

Elizabeth Gayle it is approximately 40-feet total.

Vice Chairman Cruz what is the maximum? Thirty or forty?

Marvin Aquilar it is 30-feet.

Nicolas Toft it is 30-feet from the highest point of elevation on the piece of the land. The top of the driveway is at 262.48, and the top of the roof top is 30-feet above.

[Discussion ensues on the building height.]

Marvin Aquilar we are taking the upper portion, and that would be the parapet or some sort of façade and then you have the stairway access on the roof. Planners have a calculation that takes into consideration both the upper and lower elevations and then there is the use. Although there

is connectivity between the basement parking area with existing structure; but, Frank may have discussed this with Ms. Gayle that we applied this rule.

Frank Taitano according to the Zoning Law and IBC code; it is not applied from the lowest point it is from the finished grade which is the finished grade of the top elevation of Route 8 to the top of the roof and it is 30-feet; it not above 30-feet.

[Discussion ensues on height requirements and Planning's assessment on how they derived at the structure's 30-feet height.]

Elizabeth Gayle interjected and explained that when Mr. Setiadi first purchased the property it was two lots; one was considered a flat lot that had the existing apartment building and a shell of a building. He bought the lot in front and never consolidated the lots until he came up with this idea. In this case, he is talking advantage of the natural grade of the property; there will be parking on the first floor and then stalking the two apartments above and almost at the same level as Route 8.

Vice Chairman Cruz if the main entrance of the two-story side, existing. Where would you take the 30-feet.

Marvin Aguilar it would be taken from the bottom.

Elizabeth Gayle one of the other reasons for consolidating was because Mr. Setiadi wanted to do the bridge building between the two. If the lots were not consolidated we would have to contend to front-yard, back-yard setback issues, and would be two different buildings which would be an inconvenience. [Continues with presentation]

Next slides – image of the Zoning Map. The next couple of slides show the 1000-foot, 750-foot and 500-foot radius maps.

Next slide – image of the google map and photos of surrounding entities around the office.

Next slide – images of abandoned building prior to Mr. Setiadi purchasing and renovating the building.

Next couple of slides – engineering calculations to include power load demand, etc.

Next slide – (slide 21) rendering of the proposed building from Route 8. Mr. Setiadi wants to add like a marquee sign which will be part of the design, fence at the driveway which will be locked at night and open during the day for protection of tenants of apartment units.

Next slide – shows rendering of building taken from GHURA housing side. There will be screen hedge landscape between the property and GHURA so they don't actually see this, but they do see everything that is second floor.

Commissioner Oh you mentioned that the connecting bridge and below that is additional parking.

Elizabeth Gayle this is where people park now. [Continues to explain where employees and/or customers park, and additional parking up on the hill] Where the bridge is located, not only will there be an opening from the office side but an opening to the parking so that employees are able to park here and go through the gallery to go their offices. [This concluded Ms. Gayle's presentation.] Thank you very much.

Chairman Arroyo any other questions? [None noted] Okay, I will open it up for public comment. Is there anybody who would like to step forward and say anything about this application, please come forward now.

Public Comment **[Seeing none, Chairman Arroyo closed public comment period]**

Chairman Arroyo Betty, is there anything else you would like to say before we make a decision?

Elizabeth Gayle this is the 20th anniversary of John Setiadi's architecture business. And so, this project is dear to his heart, and he wanted to do some sort of a big project for himself in celebration and recognition on being on his own for twenty years.

Chairman Arroyo please give him our congratulations on 20-years; that is a nice milestone. I am ready to entertain a motion on this application.

Commissioner Oh I would like to make a motion to approve the applicant, John Setiadi Tan; request for a zone change from "R2" (Multi Family Dwelling) to "C" (Commercial) zone for the expansion of its existing commercial building on Lot 1120-REM-1-2NEW, in the municipality of MongMong, under Application No. 2017-01; subject to the conditions stipulated in the official ARC position statements and permitting agencies' requirements.

Chairman Arroyo there is a motion to approve by Commissioner Oh, do I have a second.

Commissioner Bathan second.

Chairman Arroyo second by Commissioner Bathan. Any discussion? [None noted]

On the motion, all in favor say "aye" [Chairman Arroyo, Vice Chairman Cruz, Commissioners Oh, Bathan and Vy], all opposed say "nay." **Motion passed unanimously; 5 ayes, 0 nay**

Zone Variance

B. The Applicant, C.W. Holdings, LLC represented by Sterling Design, Inc.; request for a Height Zone Variance for the proposed construction of a three-story medical service building with a height of 38-feet, on Lot 5009-2-21, in the Municipality of Dededo, in an "M-1" (Light Industrial) zone, under Application No. 2016-25.
Case Planner: Frank Taitano

(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

ORIGINAL #1

NOTICE OF ACTION

August 11, 2017
Date

To: **John Setiadi Tan**
357 Route 8, Maite
Mongmong-Toto-Maite, Guam 96913

Application No. 2017-01

The Guam Land Use Commission, at its meeting on **August 10, 2017**.

____/ Approved ____/ Disapproved **XX/** Approved with Conditions

____/ Tabled

Your request on **Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite for a:**

ATTACHMENT 9

Application No. 2017-01

ZONING

XX/ **Zone Change*****

___/ Conditional Use

___/ 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)

Application No. 2017-01

APPLICATION DESCRIPTION:

The applicant, John Setiadi Tan is requesting approval for a Zone Change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) for the expansion of the existing Setiadi Architects LLC office complex Lot 1120-REM-1-2NEW, Municipality of Mongmong-Toto-Maite.

COMMISSION DECISION:

The Guam Land Use Commission **Approved** the applicants request subject to the ARC Position Statement and the permitting agencies requirements.

Marvin Q. Aguilar **Guam Chief Planner**	8-24-17 **Date**	**John Z. Arroyo** **Chairman** **Guam Land Use Commission**	9/14/17 **Date**

Case Planner: Frank Taitano
Cc: Building Permits Section, DPW

Application No. 2017-01

CERTIFICATION OF UNDERSTANDING

I/We _____ / Elizabeth C. Gayle
(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

_____ 10.5.17
Signature of Representative Date

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

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

Reference No.: **Application 2017-01**

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

OCT 27 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 **17th** day of **May, 2017**, in the Municipal District of **Mongmong-Toto-Maite** 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 **7th** day of **May, 2017** 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 **John Setiadi Tan** for a Zone Change, hearing of the Guam Land Use Commission (GLUC) was held on the **10th** day of **August, 2017** as evidenced of publications attached as **Exhibit "C"**.

BE IT RESOLVED, that on the **10th** day of **August,2017**, the Guam Land Use Commission, **Approved** the Zone Change from **"R-2" to "C"** for **Lot No. 1120-REM-1-2NEW**, Municipality of Mongmong-Toto-Maite.

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**
5. **Mr. Hardy T. I. Vy, Commissioner**

Appearing for the applicant was: **Ms. Elizabeth Gayle;**

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:

5 Ayes 0 Nays 0 Abstentions

This decision was adopted this 10th day of August, 2017, and shall be submitted to the Governor for final approval pursuant to Title 21 GCA §61634.

8/24/17

John Z. Arroyo
Chairman,
Guam Land Use Commission

Date

Attachments: Exhibit "A" (Affidavit of Publications)
Exhibit "B" (Affidavit of Mailings)
Exhibit "C" (Evidenced 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 **May 2, 2017**, 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 May 7, 2017 for Application No. **2017-01 (John Setiadi Tan)** to be heard on May 17, 2017 at the Mongmong-Toto-Maite 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 20th day of October, 2017.

M. Cristina Gutierrez
Word Processing Secretary II

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 20th day of October, 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 9693[illegible]

EXHIBIT A

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 2, 2017

COPY

Guam Daily Post
388 S. Marine Corps Drive
Suite 301
Tamuning, GU 96913

05/02/17.
By: KLG

Hafa Adai!

Please publish this legal public hearing notice on a **2x2** inch column ad to appear in the Guam Daily Post on **Sunday, May 7, 2017.**

Attached is a check for **$96.00** to cover the enclosed government public notice scheduled for the abovementioned date.

Please email proof to cristina.gutierrez@land.guam.gov for review and approval.

Thank you for your anticipated cooperation on this request.

Regards,

Marvin Quitugua Aguilar
Guam Chief Planner

Attachments:
Public Hearing Ad
Check

ATTACHMENT A

Fraudulent autism claims, disinformation help bring about record measles outbreak in Italy

Rome (dpa) - Italy recorded 1,920 cases of the deadly measles virus in the first four months of the year, a 523 percent increase from the same period of 2016, national health authorities reported on Thursday.

The news came as Italy's main opposition party, the populist Five Star Movement (M5S), was defending itself from a New York Times editorial accusing it of campaigning "actively on an anti-vaccination platform."

Some 88 percent of people who contracted measles were unvaccinated, and 73 percent were aged 15 or above, the National Health Institute and the Ministry of Health said in a bulletin. There were 176 cases among health care workers, it added.

"The measles data is really worrying, particularly due to serious and dangerous anti-scientific disinformation, also spread by some political forces, which have led some people to refuse vaccines," Health Minister Beatrice Lorenzin told the ANSA news agency.

Leading M5S officials, including founder Beppe Grillo, have publicized fraudulent studies suggesting that vaccines can be harmful and may cause autism, and have campaigned against compulsory vaccination.

The Times published its editorial on Tuesday under the headline "Populism, Politics and Measles."

It also quoted an "utterly unfounded and irresponsible" 2014 tweet by US President Donald Trump, which claimed: "Healthy young child goes to doctor, gets pumped with massive shot of many vaccines, doesn't feel good and changes - AUTISM. Many such cases!"

Learn more

To read the New York Times editorial about the danger caused by Italy's populist opposition party spreading unfounded and irresponsible claims about vaccines, go to: http://nyti.ms/2qtTQuz

Or scan this QR code:

Scientists call for more precision in global warming predictions

(Reuters) - Researchers from Harvard University, Princeton University and the Environmental Defense Fund proposed a new, more precise way to measure the effects of greenhouse gas emissions on Earth's climate in an article published Thursday in the academic journal Science, the weekly, peer-reviewed journal published by the American Association for the Advancement of Science.

The proposal, titled "Unmask temporal trade-offs in climate policy debates," would create a two-digit measurement system the scientists likened to blood pressure readings in medicine, which show the pressure on blood vessels both during heartbeats and in between them. It would help scientists and policymakers account for the fact that some greenhouse gasses last longer than others in the atmosphere.

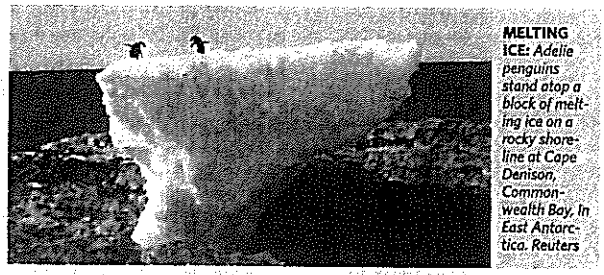
"Different gases have widely different lifetimes in the atmosphere after emission and affect the climate in different ways over widely different timescales," said co-author Michael Oppenheimer, a geosciences professor at Princeton.

Show effects of greenhouse emissions on 20-year and 100-year scale

The system would show the effects of greenhouse emissions on a 20-year scale and a 100-year scale. Having a measurement that shows both numbers, the scientists argued, would let governments and other institutions trying to reduce greenhouse gas emissions and slow global warming decide which policies would be best in the short term and which should be adopted longer term.

It would also help in disputes between opposing advocacy groups. For example, according to the researchers, advocates for using natural gas as an energy source base their arguments on a 100-year timescale. But their opponents, activists lobbying against natural gas, use a 20-year timescale to show the effects of burning natural gas on the climate.

An overwhelming majority of scientists believe gas emissions like carbon dioxide, which is produced from burning fossil fuels, are contributing to global climate change, triggering sea level rise, droughts and more frequent violent storms.



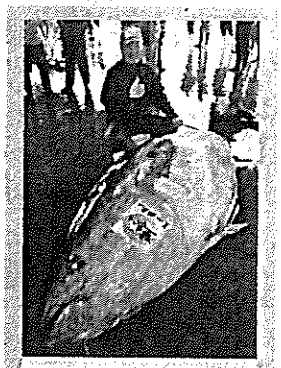
MELTING ICE: *Adelie penguins stand atop a block of melting ice on a rocky shoreline at Cape Denison, Commonwealth Bay, in East Antarctica. Reuters*

Learn more!

• To tune in to the American Association for the Advancement of Science's weekly podcast to learn more about yourself, your world, your universe and how they all work, go to: http://tunein.com/radio/Science-Magazine-Podcast-p234187/

Or scan this QR code:

• To read more science stories, go to the American Association for the Advancement of Science's website at: www.aaas.org



FRESH: *A big bluefin tuna is unloaded at Katsuura fishing port in Wakayama Prefecture, Japan. Japan News/Yomiuri*

Pressure rises over Japan's tuna haul

TOKYO (The Japan News/Yomiuri) - Japan is facing a dilemma after it was disclosed that the nation's bluefin tuna catches exceeded the annual limit set under an international accord on resource conservation - evidence of its poor management of marine resources.

Observers are calling the

TUNA continued on page 11

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: May 17, 2017
Time: 6:00 pm
Place: MTM Community Center

For: John Setiadi Tan; Zone Change request from "R2" to "C" to utilize property for commercial use, Lot 1120-REM-1-2NEW. [2017-01]

Funding Source provided by the Applicant.
Persons requiring special accommodations, please call Cristina at 649-5263 ext. 375 or email at cristina.gutierrez@land.guam.gov

PUBLICATION NOTICE

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

INTO THE NIGHT, LLC
dba: DA RYTE SPOT

has applied for a Class: **4 General On Sale Alcoholic Beverage License** said premises being marked as Lot: **8-New-New Tract 10417 Yigo Town Center, Yigo.**

ATTACHMENT B

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 matters stated herein and would so testify in any hearing concerning this matter.

4. On **May 2, 2017, I**, Ernest V. Santos deposited in the United States Postal Service in Tamuning, Guam, via certified return receipt mail (attached as **Attachment A**), thirty-four (34), with postage fully paid, each containing a copy of the Notice of Public Hearing for **Ian Corporation** (attached as **Attachment B),** addressed to the following property owners:

Owner	Delivery Address	Delivery Address 2
Pablo James Francis	7520 102nd St. East	Puyallup, WA. 98373
Pablo Gregory Jacob	P.O. Box 31	Hagatna, Guam 96932
Peterson Steven J.	Flat 43, 142 Pokfulam Road	Pokfulam, Hong Kong
Arriola Joaquin C. & Francisco C. & Jose, Arriola Vicente C. & Edward C. & Edward C., Aguon Margarita A. & Perez Josefina A., Arriola Maxine F. & Pamela G.	P.O. Box X	Hagatna, Guam 96932
JPR Inc. Guam Corporation	P.O. Box 7253	Tamuning, GU 96931
Pablo Joseph John R. & Lawrence R., Pablo Vincent R. & Raymond R., Pablo Patrick R. & Doris R. & Paul R., Pablo Daniel R. & David R. & Joleen R.	4058 Harter	Culver City, CA 90232
Pablo Carmen C.	P.O. Box 4817	Hagatna, Guam 96932
Laguana Carlos T. & Rosemary Pablo	P.O. Box 4509	Hagatna, Guam 96932
Catholic Social Service	196B Cuesta San Ramon	Hagatna, Guam 96932
Malaca Mazie S.	P.O. Box 7954	Tamuning, GU 96931
Keun Kevin Ye	P.O. Box 7446	Tamuning, GU 96931
Laguana Carlos Lorenzo Pablo	292 J.A. Camacho Street	Mongmong, Gu 96910
Baumgartner Apollinaris W.	196B Cuesta San Ramon	Hagatna, Guam 96910
Guam Housing and Urban Renewal Authority	117 Bien Venida Avenue	Sinajana, GU 96910
King Enterprises inc. A Guam Corp.	P.O. Box 93	Hagatna, GU 96932

EXHIBIT B

Triple J Enterprises Inc.	P.O. Box 6066	Tamuning, GU 96931
Martinez Robert G.	328 Chalan Machaute	Maite, GU 96910
Kim Karen Young Sook	P.O. Box 12272	Tamuning, GU 96931
Gruber Mark F.	P.O. Box 23111	Barrigada, GU 96921
Blankenfeld Jeanne M.	P.O. Box 1728	Hagatna, GU 96932
Jury Michael T.	P.O. Box 25951	Barrigada, GU 96921
Pichet Iampornpipopchai & Sunanta Iampornpipopchai	736 Route 4 Suite 103	Sinajana, GU 96910
Alingog Ronel & Jessica	206 Tun Josen E. Camacho Rd.	Tamuning, GU 96913
Schoen Thomas Donovan, Schoen Young David Anin	P.O. Box 9235	Tamuning, GU 96931
Nagashima Hiroko	P.O. Box 326204	Hagatna, GU 96932
Donahue Brett & Sayumi Kohn	P.O. Box 278	Hagatna, GU 96932
McCreadie Brant Thomas & Dina Cuasito	174 Kotla DR.	Agana Heights, GU 96910
Cho Raymond K.C. & Mabel	P.O. Box 6812	Tamuning, GU 96931
Tomoko Momoi	328 Route 8 Road, 2H	Maite, GU 96910
Chun Duk B. & Kyung A.	388 Ypao RD.	Tamuning, GU 96913
Silverio Sandra Q.	P.O. Box 25867	Barrigada, GU 96931
Kosanke Gregg	P.O. Box 6304	Tamuning, GU 96931
Chiang Elvin & Alice	P.O. Box 6812	Tamuning, GU 96931
Callicrate Isaac Andrew	Eodmu 5 Unit 25499	FPO, AP 96601
Asia Guam Enterprises	P.O. Box 9939	Tamuning, GU 96931
Chu Chu Hui, Chu Benjamin Chu-Ping Chu	P.O. Box 6812	Tamuning, GU 96931
Chang Alice Chu-Wen	231 Ypao Road, Suite 100	Tamuning, GU 96913
Charlene Chu Ruoh Chu Chung	P.O. Box 8034	Tamuning, GU 96931
Li Cindy Chu Yun	24082 Lapwing Lane	Laguna Niguel, CA. 92677
Ocean Fishery LLP	P.O. Box 23727	GMF, Barrigada, GU 96921
Rosario Richard F.	P.O. Box 1534	Hagatna, GU 96932
First Hawaiian Bank	P.O. Box 7988	Tamuning, GU 96931
Government of Guam Retirement Fund	424 Route 8	Maite, GU 96910
Carlos Ramela A. & Cecile T.	P.O. Box 9414	Tamuning, GU 96931
Artero Brian K. & Marlo Z.	P.O. Box 9910	Tamuning, GU 96931
Blancaflor Jaime A. & Maria	P.O. Box 1460	Hagatna, GU 96932
Hoffman Timothy	P.O. Box 9663	Tamuning, GU 96931
Mesa Monte & Margaret	P.O. Box 9465	Tamuning, GU 96931
Tougher Michael A. III & Wendy T.	P.O. Box 326455	Hagatna, GU 96932
Carlos Ramel A. & Cecile T.	P.O. Box 9414	Tamuning, GU 96931
Yang Kevin & Chae S.	P.O. Box 9807	Tamuning, GU 96931
Calvo Enterprises Inc.	138 Martyr ST.	Hagatna, GU 96932
Rudy A. Paco	P.O. Box 786	Hagatna, Guam 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 G.C.A. Section 61633.

IN WITNESS, WHEREOF, I hereby affix my signature this 20th day of October, 2017.

ERNEST V. SANTOS
Land Agent Supervisor

Island of Guam)
) ss:
City of Tamuning)

Subscribed and sworn to before me this 20th day of October, 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 9693

EXHIBIT B

CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here MAY 2 2017 USPS
Sent To Pablo James Francis
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4230

CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here MAY 2 2017 USPS
Sent To Pablo Gregory Jacob
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4261

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here MAY 2 2017 USPS
Sent To Peterson Steven J.
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4261

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here MAY 2 2017 USPS
Sent To Hamilla Joaquin C.
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4285

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here USPS
Sent To JPIC Inc. Carlum
Street, Apt. No.; or PO Box No. Corporation
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4285

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here USPS
Sent To Pablo Joseph John
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4308

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
OFFICIAL USE
Postage $ .49
Certified Fee $3.35
Return Receipt Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees $ 3.84
Postmark Here
Sent To Pablo Carmen C.
Street, Apt. No.; or PO Box No.
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

7012 0470 0002 4484 4308

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Street, Apt. No.; or PO Box No. Rd Crmny
City, State, ZIP+4
PS Form 3800, August 2006 See Reverse for Instructions

ATTACHMENT A

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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7012 0470 0002 4484 4322

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USPS

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Return Receipt Fee (Endorsement Required)	
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Sent To: Reynaldo Richards F
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Sent To: Carlos Romero S
Street, Apt. No.; or PO Box No.: Cecile
City, State, ZIP+4:

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Sent To: Antero Bilan S
Street, Apt. No.; or PO Box No.: Manlo
City, State, ZIP+4:

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Sent To: Blanchflow James S Maria
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Sent To: Hoffman Timothy
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Sent To TOUGHTEN MICHAEL III
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Restricted Delivery Fee (Endorsement Required)	
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Street Address:
90 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

April 25, 2017

Dear Sir/Madam:

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

The Applicant, John Setiadi Tan, request for a zone change from "R-2" (Multi-Family Dwelling) to "C" (Commercial) zone to utilize the whole property for commercial use such as additional parking area, two dwelling units, gallery/studio and landscape, on Lot 1120-REM-1-2NEW in the Municipality of Mongmong-Toto-Maite, under Application No. 2017-01.

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 as follows:

PLACE:	**Mongmong-Toto-Maite Community Center**
DATE:	**May 17, 2017, Wednesday**
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 the scheduled Guam Land Use Commission Hearing which will be published on the Guam Daily Post and noted on the applicant's onsite sign. Our office is located on the third floor (room 304) of the ITC Building and 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