GUAM–HYBRID LAND USE COMMISSION

Chairman Tae S. Oh
Commissioner Conchita D. Bathan
Commissioner Hardy I.T. Vy

Commissioner [Vacant]
Commissioner [Vacant]

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

AGENDA
Regular Meeting
Thursday, December 27, 2018 @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 December 20, 2018 and December 25, 2018]
[MCoG DLM 2019-03]

2018 DEC 21 PM 1:23

I. **Notation of Attendance** [ ] Quorum [ ] No Quorum

II. **Approval of Minutes**

- GLUC-Hybrid Regular Meeting of Thursday, September 27, 2018
- GLUC-Hybrid Regular Meeting of Thursday, December 13, 2018

III. **Old or Unfinished Business [None]**

IV. **New Business**

Tentative Development Plan

A. **Application No. 2017-47A** the Applicant, LULU Investment Industry Co., Ltd. represented by FC Benavente, Planners; request for a Tentative Development Plan for the proposed construction of a three-story, 33-unit apartment complex, Lot 5111-3-1NEW, in an "H" (Hotel/Resort) zone, in the Municipality of Tamuning. **[MCoG DLM 2019-03]** Case Planner: Grace Vergara
[Municipal Commissioners – Mayor Louise Rivera; Mayor Melissa Savares; Mayor Rudy Matanane; Mayor Rudy Paco]

Zone Variance

B. **Application No. 2017-47B** the Applicant, LULU Investment Industry Co., Ltd. represented by FC Benavente, Planners; request for a Zone Variance for Height, for the proposed construction of a three-story, 33-unit apartment complex, Lot 5111-3-1NEW, in an "H" (Hotel/Resort) zone, in the Municipality of Tamuning. **[MCoG DLM 2019-03]** Case Planner: Grace Vergara
[Municipal Commissioners – Mayor Louise Rivera; Mayor Melissa Savares; Mayor Rudy Matanane; Mayor Rudy Paco]

Vice Speaker Therese M. Terlaje
34GL-18-2682
DEC 21 2018
Time: 10:50
Received by:

2682

V. Administrative & Miscellaneous Matters

Request for Extension

C. **Application No. 2017-39**, the Applicant, KEPCO-LG CNS represented by TG Engineers; request for an Extension of Time for a previously approved Conditional Use permit for the Mangilao Solar Farm, Lot 1, Tract 1541, in the Municipality of Mangilao. **[MCoG DLM 2018-02] [Municipal Commissioners – Mayor Allan Ungacta, Mayor June Blas, Mayor Melissa Savares, Mayor Rudy Matanane]** Case Planner: Frank Taitano

VI. Adjournment

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

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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

December 19, 2018

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: **Commission Brief** - Application No. 2017-39B, Conditional Use Permit issued to Lot 1-R3, Tract 1541 in the Municipality of Mangilao

On January 25, 2018, the Guam Land Use Commission (GLUC) approved a Conditional Use Permit for the construction and operation of a Solar Photovoltaic Facility and Renewable Integration Energy Storage System on Lot 1-R3, Tract 1541, in the Municipality of Mangilao. On February 14, 2018, a Notice of Action (NOA) was recorded under instrument number 918197 as a result of the Commission approval.

On November 29, 2018, a letter was received from the applicant's representative, requesting for a one year extension of the approved Notice of Action pursuant to condition "B" where it states that, "If this Conditional Use Permit is granted, The Applicant is required to carefully read, Understand, and Comply with the Time Limitation Condition Noted on the First Page and the Acknowledgment Agreement at the Last Page of the Notice of Action that cites ***"Pursuant to Executive Order 96-26, Section 5, 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 the Notice of Action, otherwise, the approval of the project as granted by the Commission shall be null and void"***.

In support for the request the applicant submitted a total of ten summarized reasons as for the delay in obtaining a building or grading permit for the approved project within the required time. We have reviewed the reasons and find them justifiable in support to the request and therefore support a favorable consideration of the request from the Commission for an extension of time up to February 14, 2020.

Marvin Q. Aguilar
Guam Chief Planner

Case Planners: Frank Taitano and Celine Cruz
Attachments – Letter from TG Engineers dated November 29, 2018

TGE | CIVIL ENGINEERING, PLANNING, CONSTRUCTION MANAGEMENT AND LAND SURVEYING

November 29, 2018

Marvin Aguilar, Chief Planner
Department of Land Management
590 S. Marine Corps Drive, Ste 733
Tamuning, Guam 96913

Attn: Frank Taitano, Planner IV
Celine Cruz, Planner IV

Subject: Request for a One (1) Year Extension of Notice of Action (NOA) Expiration Deadline of February 14, 2019, Application No. 2017-39, KEPCO-LG CNS Mangilao, 60MW Solar PV/ESS Plant, Lot 1 Tract 1541.

Buenas Yan Hafa Adai,

On behalf of KEPCO-LG CNS Mangilao Solar Plant, TG Engineers PC (TGE) is kindly requesting your assistance to include the above subject matter in the agenda for the next GLUC meeting. TGE is filing this request in advance of the next available GLUC meeting scheduled for December 13, 2018, in hopes that this matter can be entertained by the Commission to comply with Condition B below for expiration date from recordation of the GLUC decision dated February 14, 2017. TGE is requesting a one (1) year extension to February 14, 2020 for this NOA.

B. If this Conditional Use Permit is granted, The Applicant is required to carefully read, Understand, and Comply with the Time Limitation Condition Noted on the First Page and the Acknowledgment Agreement at the Last Page of the Notice of Action that cites *"Pursuant to Executive Order 96-26, Section 5, 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 the Notice of Action, otherwise, the approval of the project as granted by the Commission shall be null and void"; and*

The reasons for this extension request can be summarized as follows:

1. KEPCO-LG CNS showed a commitment to proceed with this development by entering into a Power Purchase Agreement with GPA in August 2018. The PPA was an essential requirement for project financing.
2. The construction start date was planned for January 2018 for Clearing and Grading (C&G). However, a lawsuit was filed on March 1, 2018 that caused delays in construction contracting.
3. Financial closure for the project has been delayed as well due to this lawsuit.

101 First Street. Tiyan
Barrigada, GU 96913

Phone: (671)647-0808
Fax: (671)647-0886

11/30/18

4. Construction Contracts are still being finalized with several contractors. This is necessary, in part, for final financial closure with the consortium owner, KEPCO-LG CNS Mangilao Solar Plant. Also contracting with an Engineering, Procurement and Construction (EPC) contractor has been complex because it has required contract provisions to be back-to-back with the PPA and thus it has taken some time to finalize.
5. TGE final engineering designs are complete for the Onsite Solar PV/ESS project but all necessary permits for the project are still pending government approval. A status list of federal and local permit applications are provided in Attachment 1 for your reference.
6. C&G Permit approval is pending because GEPA requirements have been added requiring changes to final design drawings. These include but are not limited to: erosion and sediment control; temporary and post construction storm water drainage; re-vegetation and site stabilization requirements, and increases to the number and capacity for storm water ponds.
7. USEPA NPDES Construction General Permit (CGP) is pending due to additional mitigation plans to protect listed tree snail (Samoana Fragilis) colony—the colony was only recently discovered but well after C&G designs were be submitted to government agencies for review and approval. Mitigation plans (BMPs) are being negotiated with the USFWS to develop a formal agreement prior to the USEPA CGP approval. BMPs have been defined between the Service and TGE and a formal agreement is imminent. Final BMPs will require revisions to C&G plan.
8. USEPA NPDES Construction General Permit (CGP) is also pending due to modifications needed for to the existing Storm Water Pollution Prevention Plan (SWPPP) for erosion and sedimentation control, phasing of the site C&G plan, and additional and larger retention ponds, etc.
9. Storm Water Pollution Prevention Plan (SWPPP) revisions are needed to comply with GEPA and USEPA for changes due to the listed tree snail BMPs, erosion and sedimentation control and additional storm water drainage requirements.
10. The Energy Storage Building Permit review and comments by GEPA, GFD and GWA require design modifications prior to final approval.

Should you have any questions or concerns, please contact me at 483-4141 or 647-0808.

We look forward to hearing from you soonest.

Si Yu'us Ma'ase

Joaquin C. Flores, P.E.
Director of Energy Projects

101 First Street. Tiyan
Barrigada, GU 96913

Phone: (671)647-0808
Fax: (671)647-0886

Attachment "A"
KEPCO-LG CNS MANGILAO SOLAR PLANT
Building Permit Application Tracking
Thursday, November 29, 2018

Permit Application No. G17000065 - Clearing and Grading		
Agency	**Date**	**Agency Comments**
Land Management Zone	8/23/2017	**Resubmitted** 9/18/18 - Approved. Deed Document 911851
Parks & Recreation	10/23/2017	Approved, Archaeologist on Board.
GEPA		**Need EPP/EPC, NOISWPP, Storm Drainage Calculations.** 12/14/2017 - Approved per GEPA # CG111-01012017
Dept of Agriculture	11/8/2017	As per conditions stated on memo dated 8 Nov
GGN Survey Division	8/20/2017	None affected.
Contractor's License Board	1/25/2018	Resubmitted 9/18/18 - Approved. License valid until 6/30/2019.
Dept. of Public Works - D/A	1/5/2018	Approved.
PEALS Board	1/4/2018	Valid Registration.

Permit Application No. G18000865 - Perimeter Fencing		
Agency	**Date**	**Agency Comments**
Dept of Land Mgmt	9/21/2018	GLUC Approved. NOA Doc 918197
Contractor's License Board	9/19/2018	License valid until 6/30/2019
GEPA		**Under review. GEPA needs to clear Clearing & Grading first.**
PEALS Board	9/21/2018	Valid registration
Parks & Rec		
Dept of Agriculture		

Permit Application No. G18000866 - Civil & Structural		
Agency	**Date**	**Agency Comments**
Dept of Land Mgmt	9/21/2018	No comments.
Contractor's License Board	9/19/2019	License valid until 6/30/2019
GEPA		**Under review - Clearing & Grading needs to clear first.** Submit a separate set with Solid Waste Disposal Plan
PEALS Board	9/21/2018	Valid registration
Parks & Rec		
Dept of Agriculture		

Permit Application No. G18000867 - Energy Storage System Building		
Agency	**Date**	**Agency Comments**
Dept of Land Mgmt	10/30/2018	None
Contractor's License Board	9/19/2019	License valid until 6/30/2019.
GEPA		**Pending pesticide certification.**
GWA		**11/27/18 - Pending GWA review of revised drawings and creation of SDC account.** 11/6/18 - Delivered revised drawings. 10/12/2018 - Picked up drawings.Mauryn McDonald emailed building permit conditions. 10/1/18 - Followed up at GWA-not ready. 9/27/18 - Submitted to Sylvia Mercado for review.
GPA	9/27/2018	Approved

Fire Prevention Bureau		**Pending drawing revisions.** 10/31/2018 - Met with GFD to discuss 2018 IFC requirements. 10/10/2018 - Sent to email to I. Campos. 10/5/18 - Followed up - Drawing is in review. Go to DLM upon approval. 9/28/18 - Follow up with GFD. Reviewer is available only on MWF. 9/21/2018 - Submitted under GFD Plan No. 2018-0210.
PEALS Board	9/21/2018	Valid registration
Parks & Rec		

Permit Application No. G18000868 - PV Electrical Installation		
Agency	**Date**	**Agency Comments**
Dept of Land Mgmt	9/21/2018	Approved
Contractor's License Board	9/19/2019	License valid until 6/30/2019.
GEPA		Clearing & Grading needs to clear first. Submit a separate set with Solid Waste Disposal Plan
GPA	9/27/2018	Approved
PEALS Board	9/21/2018	Valid registration
Parks & Rec		
Dept of Agriculture		

GOVERNMENT OF GUAM - Department of Land Management
Office of the Recorder

File for Record is Instrument Number 918197

On the Year 2018 Month 02 Day 14 Time 9:02

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder Jane Yamasaki
JANE T YAMASAKI

(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*."**

COPY

GUAM LAND USE COMMISSION

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

NOTICE OF ACTION

January 26, 2018
Date

To: **LG CNS America, LLC**
c/o TG Engineers, PC
101 First Street, Tiyan
Barrigada, Guam 96932

Application No. 2017-39

The Guam Land Use Commission, at its meeting on **January 25, 2018**.

___/ Approved ___/ Disapproved **XX/** Approved with Conditions

___/ Tabled

Your request on **Lot 1-R3, Tract 1541, Municipality of Mangilao for a:**

NOTICE OF ACTION
LG CNS America, LLC
Lot 1-R3, Tract 1541, Municipality of Mangilao
GLUC Meeting of January 25, 2018

Application No. 2017-39

ZONING

___/ Zone Change***

_XX_/ Conditional Use

___/ Zone Variance
[ ] Height [ ] Use
[ ] Density [ ] Other (Specify)
[ ] Setback

_____/ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

___/ Tentative Subdivision

___/ 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 DESCRIPTION:
The applicant, LG CNS America, LLC, represented by TG Engineers is requesting approval of their Conditional Use Application to construct and operate a Solar Photovoltaic Facility and Renewable Integration Energy Storage System on Lot No. 1-R3, Tract 1541, Municipality of Mangilao

COMMISSION DECISION:
The Guam Land Use Commission **Approved** the applicant's request subject to the following condition;

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

B. If this Conditional Use Permit is granted, The Applicant is required to carefully read, Understand, and Comply with the Time Limitation Condition Noted on the First Page and the Acknowledgment Agreement at the Last Page of the Notice of Action that cites ***"Pursuant to Executive Order 96-26, Section 5, 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 the Notice of Action, otherwise, the approval of the project as granted by the Commission shall be null and void"; and***

C. That Applicant shall not submit any request for a Building or Grading Permit, should the Time Limitation as specified in EO 96-26, Section 5 has elapsed (note: if this occurs, the application must be resubmitted as a new application that must undergo the entire process anew); and

D. Any changes to the approved site development plan shall as a result of ARC permitting agency requirements shall be reflected in an "As-Built" Survey Map to be submitted to the Guam Chief Planner prior to the issuance of an Occupancy Permit.

1-29-18
Marvin Q. Aguilar **Date**
Guam Chief Planner

1-29-18
Victor F. Cruz **Date**
Acting Chairman
Guam Land Use Commission

Case Planner: Celine Cruz & Frank Taitano

Cc: Building Permits Section, DPW

Application No. 2017-39

CERTIFICATION OF UNDERSTANDING

I/We_____ / IOR GUOMUNDSEN
(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.

_____ _____ 2.12.18
Signature of Applicant Date Signature of Representative Date

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

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

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

Mailing Address:
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MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

December 13, 2018

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2017-47A, Tentative Development Plan on Lot 5111-3-1NEW, Tumon, Municipality of Tamuning

1. PURPOSE:

a. **Application Summary:** The applicant, Lulu Investment Industry, Co. represented by FC Benavente Planners, is requesting an approval for a Tentative Development Plan for the proposed 3-storey, 33-unit apartment complex on Lot 5111-3-1NEW, Tumon, Municipality of Tamuning, Guam.

b. **Legal Authority:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61311 "H" (Hotel-Resort) Zone and Section IV (Procedures for Development within an "H" zone) of the Interim "H" Hotel-Resort Zone Rules and Regulations.

2. FACTS:

a. **Location:** The subject lot is located along Leon Guerrero Road, and near to the Happy Landing Road.

b. **Lot Area:** 0.96 Acre or 3,878± Square Meters or 41, 742± Square Feet.

c. **Present Zoning:** "H" (Hotel-Resort) Zone.

d. **Field Description:** The subject lot is presently vacant and overgrown with vegetation.

e. **Masterplan:** "H" (Hotel-Resort)

f. **Community Design Plan:** "H" (Hotel-Resort)

g. **Previous Commission Action:** On January 30, 1990 the Territorial Planning Commission (TPC) approved with conditions a Conditional Use to construct a proposed 40-unit condominium, a Zone Variance for Height to 8 stories, and a Setback Variance on a common boundary in the middle of the two (2) lots (Lot 5111-2-1 and portion of Lot 5111-3).

3. **APPLICATION CHRONOLOGICAL FACTS:**

a. **Date Application Accepted:** July 26, 2017, however, revisions were accepted on March 28, 2018.

b. **Date Heard By ARC:** April 19, 2018

c. **Public Hearing Results:** Not required.

4. **DISCUSSION and STAFF ANALYSIS:** As proposed by this application, the intent is to construct 3-storey buildings, 33-unit apartment complex. Building A consists of eighteen (18) – 3 bedroom & 2 bath dwelling units while Building B consists of fifteen (15) – 3 bedroom & 2 bath dwelling units.

The subject property is 41,742 square feet in size with a maximum density of forty-one (41) dwelling units (41,742 sq. ft. ÷ 1,012 sq. ft. dwelling unit) and the proposed development is to build thirty-three (33) units which is 20% less than the allowable density. Parking as per zoning requirement is one (1) per dwelling unit, the applicant proposed to provide sixty-six (66) parking stalls twenty-two (22) semi-basement parking stalls and forty-four (44) surface parking stalls which includes two (2) ADA compliant and van accessible stalls). The total number of parking stalls are adequate to accommodate the proposed residential use and its' guests. In addition, water, waste water and power services are available within the vicinity of the site. The proposed project will also be landscaped and stormwater management can be accommodated through an infiltration trench system to mitigate rain and stormwater on site. The proposed use is compatible with the adjacent land uses. It is located in an area surrounded by condominiums and multi-family dwelling units.

In line with the Zoning Law and the Interim "H" Resort- Hotel Zone Rules and Regulations, the Commission may approve a Tentative Development Plan (TDP) upon determination that such use is normally to be found in a tourism-related development area, and that the use is reasonably compatible with existing or reasonably foreseeable development in the surrounding area. Uses normally to be found in a tourism related development area as described in the permitted land uses of the Interim "H" Zone Rules and Regulations include cultural and recreational facilities, hotels, restaurants, tourism related shops and offices, dwellings, parks, marinas, zoos, amusement activities and supportive services. Permitted accessory uses and structures include uses and structures which are customarily accessory and clearly complimentary to permitted principal uses and structures reasonably compatible with existing or reasonably foreseeable development in the surrounding area.

The Division of Planning is of the position that the proposed development is in line with the Interim "H" Hotel-Resort Zone Rules and Regulations. This position is based on our findings that the development proposal remains in line and compatible with the existing surrounding uses and is consistent with the law with respect to the Tumon Hotel-Resort master plan, and therefore that it be considered favorably by the Guam Land Use Commission.

5. **RECOMMENDATION:** Recommend **APPROVAL WITH CONDITIONS** as follows:

a. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their Official Position Statement;

b. That any future additional development or changes to the approved site plan shall require the Applicant to submit an amended TDP application for review and approval by the Guam Land Use Commission;

c. That Applicant shall provide a Landscaping Plan pursuant to Section 5G of the Interim "H" Resort-Hotel Rules and Regulations for review and approval by the Chief Planner;

d. That pursuant to the Interim "H" Resort-Hotel Rules and Regulations, Paragraph F, the improvements as specified in the TDP shall be completed within one (1) year from date of Commission approval;

e. The Applicant shall comply with the Interim "H" Resort-Hotel Rules and Regulations Yard Area and Height Regulations; and

f. That the Applicant shall also ensure compliance to the 1-year time restriction that states a ***"grading or building permit must be obtained from date of recordation of the Notice of Action; otherwise the approval as granted by the Commission be "NULL and VOID" per Executive Order 96-26, Section 5".***

Marvin Q. Aguilar
Chief Planner

CASE PLANNER: Grace Vergara/Celine Cruz

Doc. No. 34GL-18-2682.

DIPÅTTAMENTON MINANEHAN TÅNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
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671-649-LAND (5263)

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671-649-5383

December 13, 2018

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report - Application No. 2017-47B, Zone Variance for Height on Lot 5111-3-1NEW, Tumon, Municipality of Tamuning

1. PURPOSE:

a. **Application Summary:** The applicant, Lulu Investment Industry, Co. represented by FC Benavente Planners, is requesting an approval for a Zone Variance for Height for a proposed 3-storey, 33-unit apartment complex on Lot 5111-3-1NEW, Tumon, Municipality of Tamuning, Guam.

b. **Legal Authority:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) Sections 61616 to 61624 (Variances) and Section 61311 "H" (Hotel-Resort) Zone and Section IV (Procedures for Development within an "H" zone) of the Interim "H" Hotel-Resort Zone Rules and Regulations.

2. FACTS:

a. **Location:** The subject lot is located along Leon Guerrero Drive, and near to the Happy Landing Road.

b. **Lot Area:** 0.96 Acre or 3,878± Square Meters or 41, 742± Square Feet.

c. **Present Zoning:** "H" (Hotel-Resort) Zone.

d. **Field Description:** The subject lot is presently vacant with overgrown vegetation.

e. **Masterplan:** "H" (Hotel-Resort)

f. **Community Design Plan:** "H" (Hotel-Resort)

g. **Previous Commission Action:** On January 30, 1990 the Territorial Planning Commission (TPC) approved with conditions a Conditional Use to construct a proposed 40-unit condominium, a Zone Variance for Height to 8 stories, and a Setback Variance on a common boundary in the middle of the two (2) lots (Lot 5111-2-1 and portion of Lot 5111-3).

3. **APPLICATION CHRONOLOGICAL FACTS:**

a. **Date Application Accepted:** March 28, 2018.

b. **Date Heard By ARC:** April 19, 2018

c. **Public Hearing Results:** A public hearing was held on November 20, 2018 at the Tamuning Senior Center. Present were planning staff, the applicant's representatives, Mr. Richard Sana and Ray Benavente, Mayor of Tamuning, Louise Rivera as well as ten (10) lot owners and concerned citizens.

The applicant's representative presented the proposed project and responded to questions and concerns from the attendees. Issues/inquiries discussed included the height, number of stories of the proposed development and the slope of the property. The attendees were informed that another public hearing on the application will be with the commission and will be advertised in Guam Daily Post and will be conducted at Department of Land Management Conference Room. The public hearing was adjourned at 6:39 P.M.

DISCUSSION and STAFF ANALYSIS: This request is for Height Variance to allow the proposed development to exceed the standard building height regulation by five feet and a half inch (5'-1/2") for the proposed 3-storey buildings, 33-unit apartment complex. Representatives of the project asserts a total height of the building to be forty feet one inch (40'-1") with a height variance request of five feet and a half inch (5'-1/2"). Normally a building of such height would require a*10 feet and 1/2-inch deviation* from the thirty (30) foot height restriction. However, in determining structure height, section 61103(f) of Chapter 61 defines height as "the vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to a point midway between the highest and lowest point of the roof". As Lot 5113-3-1NEW maintains a sloped topography its starting point (ground zero) of measurement occurs somewhere midpoint of the first floor and vertically to the proposed building's roofline. This line measured thirty-five (35) feet, thus a variance request of five feet and a half inch (5'-1/2").

Pursuant to Section 61617 (Variance Requirements) of Chapter 61 (Zoning Law), 21 GCA, variances may be granted by the Commission, provided the applicant can justify practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law, that there are exceptional circumstances or conditions applicable to the property or to the intended use that do not apply generally to other properties in the same zone, that the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, that the granting of the variance will not be contrary to the objectives of any part of the Guam Master Plan and that the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed, and that such building will not interfere with or adversely affect the surrounding property owner's or the public right to untrammeled use of the beach and it's natural beauty.

In response, the applicant provides the following:

a. ***That the strict application of the provisions of Section 61617, 21 GCA would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law;***

The applicant provides that the slope of the subject lot would result in practical difficulties or unnecessary hardship inconsistent with the purpose and intent of the law. The design of the proposed apartment buildings is to incorporate the existing slope of the property to provide semi-basement parking facilities for both structures that will minimize excessive cut and grading of the property. The proposed project will be utilizing the natural slope and terrain of the property to provide better automobile parking and circulation, stormwater management and open space for landscaping.

b. ***That there are exceptional circumstances or conditions applicable to the property involved or to the intended use thereof that do not apply generally to other property in the same zone;***

The applicant provides that the sloping condition of the property does not apply to most properties in the area.

c. ***That the granting of Variance(s) 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 the granting of the variance will not result negatively or detrimental to the surrounding developments and neighbors as the proposed development is consistent with the general intent of the Zoning Law.

d. ***The granting of such Variance(s) will not be contrary to the objectives of any part of the "Guahan Master Plan" adopted by the Commission or Legislature;***

The applicant provides that the granting of the Variance is consistent with the vision and general plan of the Northern and Central Guam Land Use Plan and will not be contrary to the objectives of any part of the Master Plan adopted by the Commission or the Legislature.

e. ***That, as to Variance(s) from the restrictions of Section 61617, 21 GCA, the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed and that such building shall not interfere with or adversely affect the surrounding property owners' or public's right to an untrammeled use of the beach and its natural beauty.***

This criterion is "Not Applicable". The site is approximately 0.5 miles away from the beach area.

The applicant's intent for the height variance allows reasonable use of the property to be able to provide covered parking, to provide as much open views as possible for a better circulation of automobiles driving through the property, to provide more spaces for stormwater management and landscaping to aesthetically enhance the area.

In our assessment of the response provided by the applicant in reference to the criterion cited in Section 61617 (Variance Requirements) of Chapter 61 (Zoning Law), 21 GCA, we find that the applicant has provided adequate justification in reference to their request.

In addition, our review and analysis of the form and context of this application in reference to the Zoning Law as well as the positive responses received from the Application Review Committee members, we find that the proposed development is in line with the Interim "H" Hotel-Resort Zone Rules and Regulations, whereby the development is compatible with the surrounding existing uses and will add more value to the property as well as to surrounding properties and provide an aesthetically pleasing structure in the area. We, therefore, conclude that this request is in proper form and context to be considered favorably by the Guam Land Use Commission.

5. **RECOMMENDATION:** Recommend **APPROVAL WITH CONDITIONS** as follows:

   a. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their Official Position Statement;

   b. That any future additional development or changes to the approved site plan shall require the Applicant to submit an amended TDP application for review and approval by the Guam Land Use Commission;

   c. That Applicant shall provide a Landscaping Plan pursuant to Section 5G of the Interim "H" Resort-Hotel Rules and Regulations for review and approval by the Chief Planner;

   d. That pursuant to the Interim "H" Resort-Hotel Rules and Regulations, Paragraph F, the improvements as specified in the TDP shall be completed within one (1) year from date of Commission approval; and

   e. The Applicant shall comply with the Interim "H" Resort-Hotel Rules and Regulations Yard Area and Height Regulations; and

   f. That the Applicant shall also ensure compliance to the 1-year time restriction that states a ***"grading or building permit must be obtained from date of recordation of the Notice of Action; otherwise the approval as granted by the Commission be "NULL and VOID" per Executive Order 96-26, Section 5".***

Marvin Q. Aguilar
Chief Planner

Attachments: Public Hearing Minutes
CASE PLANNER: Grace Vergara/Celine Cruz

Doc. No. 34GL-18-2682.

The meeting was called to order at 6:02 PM by Planning Division staff. After a brief explanation by Planning Division staff of the public hearing process, the floor was turned over to the applicant's representative, Mr. Richard Sana from FC Benavente Planners. Mr. Sana provided the attendees with a detailed description of the project, after his presentation, the floor was opened for questions as noted below:

Q. Is it a 3-storey or 4-storey? Doesn't the bottom storey not counted because it's build below at a certain level? How did it happen to be 5 ft variance height request?
A. The difference is actually 10 feet 1 inch. But based on the interpretation of the Zoning Law when the property is slope what you do is measure the height from the high point to the lowest point of the slope and set the median of that which is the average that's why it's 5 feet and a half inch but that's if the Commission will interpret it that way. The justification to the variance is that it's located on a slope property and the owner decided to use the natural slope to create more parking underneath the building and that would be beneficial because there will be more open space to provide better circulation for cars driving through the property and we'll be able to utilize some of the area for the stormwater management. The owner also wants each unit to have a bigger space than the average apartment rentals that we normally see because he wants people to call and feel it like their home.

Q. Is the property located along Happy Landing Road or will you be able to see it from Happy Landing Road?
A. No, you can't see it from Happy Landing Road because there's an apartment building just recently constructed from the side view of the property and that's the one adjacent to Happy Landing Road.

Q. On the 18-unit apartment building, will there be a retaining wall that would separate the property of this subject lot to the Leon Guerrero's?
A. The proposed development may require a retaining wall to avoid some type of erosion.

Q. Does the 5 ft height variance being requested is only for the aesthetics of the building (the one on top of the roof)?
A. No, it is to utilize the sloping condition of the property, for covered parking or semi-basement parking, to minimize grading and using more asphalt.

Q. You'll be using more asphalt because of the surface parking.
A. No, because we're trying to utilize some area for landscaping and stormwater management. There's a mitigation to prevent a lot of that and we're guided by the CNMI/Guam Stormwater Management Manual and we have to comply so have to capture everything.

Q. Are the proceedings recorded? I have a written testimony that I want to be included in the record.
A. Yes, everything is recorded but not verbatim. You can submit your written testimony.

Doc. No. 34GL-18-2682.

Mr. Albert Tolentino refused to provide or submit his written testimony. He just read it and below was his testimony:

Mr. Tolentino is the husband of Doris and son-in-law of the adjacent property owner (Mr. Felix Leon Guerrero). He said neither his wife nor Mr. Leon Guerrero won't be able to attend the Public Hearing, however they provided information that they would like the commission to consider to determine whether the variance being requested should be approved. The quality of the request was the primary concern of Mr. Leon Guerrero and hopes the commission appreciates it. The subject lot was originally owned by Mr. Leon Guerrero and the properties surrounding it were originally owned by Mr. Leon Guerrero's siblings and their families. Mr. Leon Guerrero constructed his home with his own hands for his wife and children. The residence has been the venue for their family gatherings. It was the meeting place for family masses, rosaries, birthdays, christening, thanksgiving, Christmas, New Year's Eve and other celebrations even to this date. Its location is central and accessible for most of the family members and is isolated from the hustle and bustle of San Vitores Road. The tourist activities provide the idea of place for celebrating special occasions. The property and the house built upon has a special significance for Mr. Leon Guerrero, he has never wanted to part with despite numerous offers to purchase the property; he remained steadfast to the thought of commitment he could preserve the property for his children and grandchildren. The panorama view of Tumon Bay has already been obstructed by the structures that have been built and the proposed project wants to further materially diminish the value with which the family's house and lot is regarded. The variance being requested can only be described as 5 feet but it is beyond than that; 5 feet of encroachment to be use in enjoyment of the house and a lot which has been the family's place of comfort and security. The face of Tumon has undergone massive changes and the small town character it once had has disappeared into the construction of shopping districts, hotels, condominiums, intrusive lights at night, infrastructure, crimes, however, in some small places and in some ways preservation of the beauty, security and enjoyment of once small face in this concrete jungle should not be dismiss by the Commission. Mr. Leon Guerrero does not stand in the way of the use of another property owner's using the enjoyment of their property rather he stands before the Commission, does want the Zoning Law of Guam respected and adhere to the Zoning provisions, provide the balance that the Legislature has disrupt between the development of these multi-family dwelling units and the surrounding areas. What is the unnecessary hardship that would fall the applicant in 5 feet height variance request? In conclusion, unless the applicant proves to the satisfaction of the Commission that the variance is needed to somehow mitigate some practical difficulties or deviate unnecessary hardship. Why would the Commission want to impose the difficulty and hardship and material diminution value of Mr. Leon Guerrero and his family?

No further discussions. Meeting adjourned at 6:39 PM.

Doc. No. 34GL-18-2682.

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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

December 11, 2018

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Chairman, Application Review Committee (ARC)

SUBJECT: Summary of Position Statements by ARC Members

RE: Tentative Development Plan Application No. 2017-47A
Zone Variance Application No. 2017-47B

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):
Planning staff recommends Approval with the following conditions:

A. The Applicant shall adhere to all the ARC conditions and requirements as stipulated in their Official Position Statement; and
B. That any future additional development or changes to the approved site plan shall require the Applicant to submit an amended TDP application for review and approval by the Guam Land Use Commission; and
C. That Applicant shall provide a Landscaping Plan pursuant to Section 5G of the Interim "H" Resort-Hotel Rules and Regulations for review and approval by the Chief Planner; and
D. That pursuant to the Interim "H" Resort-Hotel Rules and Regulations, Paragraph F, the improvements as specified in the TDP shall be completed within one (1) year from date of Commission approval; and
E. The Applicant shall comply with the Interim "H" Resort-Hotel Rules and Regulations Yard Area and Height Regulations; and
F. That the Applicant shall also ensure compliance to the 1-year time restriction that states a "grading or building permit must be obtained from date of recordation of the Notice of Action; otherwise the approval as granted by the Commission be "NULL and VOID" per Executive Order 96-26, Section 5".

DEPARTMENT OF AGRICULTURE (DoAg):

Agriculture has reviewed the subject lot for the construction of a 3-storey, 33-unit apartment complex and has no opposition to the proposed usage and development. Our agency will recommend approval of the current proposal for the construction of the facility with the following statements, conditions and requirements set forth in 21 GCA Chapter 61 Section 61637.

Our preliminary inspection of the site found no adverse impact to Agriculture as the site has no recent history of cultivation and animal husbandry occurring. However upon review of the application and based on site survey our agency will require a Biological Survey to be submitted for review when and if the plan proceeds to obtaining a Clearing and Grading Permit. The Biological Report should have listed and determined if any protected and endangered species are located on the lot and a proper mitigation plan is in place to address the issue. Agriculture also recommends the developer implement "Best Management Practices" that addresses both environmental and ecological issues. The application plans that show design of the complex shows only a limited aspect of a landscaping. Agriculture encourages this section and the boundary edges of the property line to include native and indigenous trees and other foliage to be used as part of the overall design of the structure.

The continued development of the island creates challenges in trying to achieve a proper balance as the removal of Guam's vegetation will continue to affect the islands environmental make up.

Replanting these trees will allow and prevent the destruction of our "Northern Aquifer" and avoid unchecked and reckless development that does not take into account preservation and continuation of native habitat that has protected our natural resources and island lifestyle. Planting these trees back into the environment will not only achieve that but also add to the development's aesthetic appeal. In addition, these planted trees will help provide shading, windbreak capabilities and a greener appeal to the proposed development.

The use of native trees that originate in this area is recommended as they are suitable and will adapt readily to the existing soils and will help to maintain a healthy aquifer and surrounding habitat to allow for a healthy and vibrant eco-system. The root system of these trees helps to prevent erosion and assists in filtering out synthetic contaminants and other manmade chemicals that would otherwise make its way into the aquifer and coastal zones thereby polluting it. The Department of Agriculture has several programs and personnel that can assist you in developing a plan to address this issue.

Please contact our Agricultural Development Services & Forestry divisions here at the agency for further assistance and guidance at 300-7972 & 7976 respectively. Our Forestry division grows and maintains these native tree species should you choose to incorporate them into the project. In addition, our Agricultural Development Services division maintains an Organic and Environmental Demonstration Farm. The demonstration farm displays various planting techniques that will aid the incorporation of flora back into the landscape to ease and possibly eliminate further damage to the environment for assistance contact John Borja, Rick Lizama and Pete Terlaje at the ADS division at 300-7976 where our agricultural agents can assist you.

Further as the development of this lot is in proximity to Guam's western coastal zone we require that proper silt screens are installed prior to any clearing and grading work on the site is performed and must be maintained throughout the active period of construction to prevent any erosion of soils, debris and other contaminants from making its way into the lower coastal plane and to other adjacent properties. The silt screens must be installed with the bottom third properly buried and secured to prevent seepage from occurring underneath the skirt. The support of the silt screen fence should be staked every 2-4 feet to allow for proper support during heavy periods of rain and wind that will burden the skirt and cause it to fail if it is not properly secured.

The guidelines as listed in this Impact Assessment should be used as a template to ensure continuation of Guam's habitat. Please be aware that the increased kiss if Guam's native habitat contributes to a diminished capacity to sustain and support a healthy island community. It is vital that all land developers take a proactive step in preventing and causing this loss. For other earth friendly techniques and guidance form the Department of Agriculture please contact our offices at 300-7973.

GUAM POWER AUTHORITY (GPA):
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 structure.
      - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
      - Maintain adequate clearance between any structures and electrical utility easements in accordance with NESC and GPA requirements.
      - Developer/Owner shall provide necessary electrical utility easements to GPA prior to final connection.
      - Provide scheduling and magnitude of project power demand requirements for new loads.
      - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
      - GPA reserves its easement rights established under Document No. 428244.

   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):
We reviewed the subject request by FC Benavente, Planners for Lulu Investment Industry Co., LTD. for a Tentative Development Application of subject Lot 5111-3-1NEW and have no objection to the approval of the Tentative Development Plan and Height Variance Application.

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 request provided the following conditions are met:

- parking layout and parking stalls (compact, standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- if the owner chooses to use solid waste disposal or any private services, the location of the trash bin container should be situated in an area that will not hinder the public rights of way;
- must provide typhoon shutters to all opening;
- incorporate noise attenuation measure such as double-glazed windows, sealed doorways under balcony area and sound absorbing materials; and
- comply with all the geotechnical requirements related to site preparations

DPW recommends approval subject to the comments above by the Application Review Committee (ARC) with conditions and prior to building permit application that a complete set of design drawings with all the engineering disciplines needed must be in conformance with the latest building code editions signed by a registered engineer or architect.

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

Land Use. The Bureau finds that the proposed project is within the tourist/resort use category according to the North and Central Guam Land Use Plan (NCGLUP) Future Land Use Map designations. The NCGLUP is approved as an element of the Guam Comprehensive Development Plan (GCDP). The subject property is identified "Tourist/Resort" designation in the Future Land Use Map of the NCGLUP, as stated in Policy LU-1 (f).

Tourist Resort. The Tourist/Resort land use category applies to areas needed for commercial uses to serve the traveling public, including hotels/motels, condominiums-hotels, single family and multiple family residential sues, golf courses and other typical resort services and retail uses. These categories are located primarily along the shoreline and include existing and future tourist and resort areas.

In order to meet the goals and objectives of the NCGLUP, the applicant shall be required to comply with the guidance to adhere to the concept of affordable development as proposed within the North and Central Guam Land Use Plan. Housing Policy H-9 states:

"Provide a requirement or incentives for inclusion of affordable housing in larger residential developments. For example, consider a requirement or incentives to provide at least 15% of housing units built at a price affordable to households earning 80% to 120% of local income adjusted for family size. Incentives could include density increases, flexibility in development standards or other measures."

The Bureau finds that the proposed project is in line with the NCGLUP's Future Land Use Map designations.

Aquifer Protection. The subject property is located within the boundary of the Ground Water Protection Zone of the Northern Guam Lens Aquifer (NGLA) so any groundwater contamination can be impacted directly. The aquifer is an essential resource for Guam and is the primary source of drinking water for eighty percent of the island population. Moreover, the U.S. Environmental Protection Agency has designated the NGLA a sole source aquifer for Guam's drinking water. Therefore, it is of paramount importance to prevent sources of contamination from entering Guam's water supply. The primary goal for protecting the aquifer is to safeguard human health and the environment by maintaining water quality for continued use.

The Bureau is concerned that the proposed construction of a 33 unit 3-storey apartment complex will trigger adverse effects in the aquifer if measures are not in place to control erosion and sedimentation during and after construction of the project. Controlling sedimentation from construction sites is a priority with regards to stormwater controls and impacts to receiving water bodies within the project site. Moreover, the proposed project increases impervious surfaces in the form of roads, rooftops, driveways, sidewalks, and parking lots. These surfaces greatly increase runoff volume accelerating erosion and carry pollutants into the aquifer.

The Bureau requires that the applicant:

1. Implement best management practices (BMP) to manage stormwater runoff on site, prevent runoff from flooding to surrounding neighbors, and avoid contaminating Guam's sole aquifer in accordance with the CNMI and Guam Stormwater Management Manual.

   The Bureau requires the applicant to incorporate bio-retention features to the planter lane dividers and Cul-de-sac loops and modify the road slope plan so the islands serve as a feature to help manage stormwater. Additional BMPs may be found in the CNMI and Guam Stormwater Manual in the Bureau's website www.bsp.guam.gov under the Guam Coastal Management Program.

2. Consult with Guam EPA for an aquifer protection review pursuant to the "Federal Safe Drinking Water Act," SS 1424 and Guam Safe Drinking Water Act," 10 GCA Chapter 53.

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

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 requires that LULU Investment Company LTD., prevent adverse impacts from construction site runoff by employing BMPs. These BMPs include the following but are not limited to:

1. Install perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves a construction site.
2. Minimize unnecessary clearing and grading to preserve existing natural areas.
3. Stabilize construction entrance and install necessary perimeter controls and diversions.
4. Disturbed areas shall be stabilized as soon as possible after construction.
5. Steep slopes shall be protected from erosion by limiting clearing of these areas.
6. Where feasible, schedule construction during the dry season.

The applicant must refer to the CNMI and Guam Stormwater Management Manual, October 2006, the Guam Erosion & Sediment Control Field Guide available at www.bsp.guam.gov or at the Guam

Doc. No. 34GL-18-2682.

Environmental Protection Agency (GEPA) for detailed construction stormwater treatment criteria and standards, bio-retention areas, and rain garden specifications.

Low Impact Development (LID). 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 5.17% according to National Atmospheric Administration's (NOAA) Coastal Change Analysis Program (C-CAP). As surface area increases so does the risk of flooding and decreased water quality and in order to minimize negative impacts best management practices should be incorporated.

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 and minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. Impervious surfaces from roads, parking lots, driveways, sidewalks, and rooftops accelerate stormwater runoff.

Considering the growing concerns of flooding due to increased impervious surfaces, the applicant is required to implement LID practices such as permeable parking and walkways, grassed swales, island bio-retentions, 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.bsp.guam.gov under the Guam Coastal Management Program.

Historical and Archaeological Resources. The Bureau recommends that the applicant coordinate with Department of Parks and Recreation, State Historic Preservation Office to ensure the preservation, protection, excavation, and evaluation of specimens and sites pursuant to Historical Objects and Sites, 21 GCA, Chapter 76.

Height Zone Variance. Pursuant to 5GCA Chapter 1 Article 2 Section 1200 (c), (d) Section 1201(a) (5) the Bureau requires the applicant to comply with the following conditions:

Visual Quality – Guam's visual quality policy states that the preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement and compliance with sign, litter, zoning, subdivision, building, and other related laws. Based on Guam law, the proposed development would be non-conforming according to 21 GCA Chapter 61 Section 61616 for height variance.

Therefore, the structure proposed under this variance will be required to incorporate green building designs consistent with the North and Central Guam Land Use Plan Policy LU-5. Examples could include, but are not limited to installing a green roof to increase open space and those listed in Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID.

In conclusion, the Bureau **recommends Approval with conditions** and finds that construction activities and impervious surfaces from the proposed project can adversely affect Guam's sole source aquifer and surrounding neighbors if BMP's are not in place to manage stormwater runoff on site. Therefore, the Bureau advises the applicant, LULU Investment Industry Co. LTD., to comply with above listed conditions if this application is approved.

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.

GUAM WATERWORKS AUTHORITY (GWA):

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Tentative Development Plan and Height Variance for a 33-unit apartment complex on Lot 5111-3-1NEW.

This memorandum shall serve as GWA's position statement to the above GLUC application related to availability of water and sewer infrastructure 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 the property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

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

1. The applicant must provide GWA with site development plans to construct the proposed development. The site development plans must illustrate the proposed point of connection for water and sewer and is subject to GWA inspection and approval. Submittals shall include water and sewer design calculations and complete drawings and specifications. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations.

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal. Discussions shall include the proposed water demand and sewer production calculations in order to determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction stage, as unavailable for use by newly proposed developments. Discussions with the GWA Engineering Department will also include applicable GWA standards and requirements.

   Given current growth in Tumon, it is likely that future developments will be required to increase the sewer system capacity through offsite utility improvements.

3. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA, must meet GWA standards, be constructed in the public easement or right of way, and shall be subject to inspection by GWA. Any infrastructure improvements will be at the expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite utility improvements.

   The developer shall register maps and documents for new public rights of way or utility easements with the Department of Land Management and provide copies to GWA.

4. Developers and subdivision owners who have installed water and/or wastewater pump stations whose sole purpose is to serve only the proposed development or subdivision, and consequently have no excess capacity to serve customers beyond the boundaries of said development or subdivision, shall be required to maintain their own pump station(s) and force main(s) in proper working condition to the satisfaction of GWA.

5. The applicant shall install GWA water meters in the public right of way or easement.

6. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter.

7. New development is subject to water and/or sewer system development charges.

8. Privately-owned water tanks might be limited to a maximum fill rate to avoid adverse impacts to the public water system.

9. Sewer load discharges to the public sewer system might be limited to certain times of day at certain rates to avoid adverse impacts to the receiving public sanitary sewer system. The applicant would be responsible for the design, permitting, construction, and maintenance of a sufficiently large lift station to meet this requirement.

10. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities.

11. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.

12. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

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.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

The staff of this Agency has reviewed the application and determined that the proposed project will meet the requirements of our regulations provided the owner/developer and contractor comply with all relevant laws and regulations administered by GEPA and if they address the following concerns during the preparation of design documentation, permit application and construction as follows:

A. Stormwater Management Plan

1. All applicable requirements of the Guam Soil Erosion Sediment Control Regulations (GSESCR) and CNMI and Guam Stormwater Management Manual must be followed, to include but not limited to the use of all appropriate construction and post-construction BMPs and appropriate paving and landscaping practices to contain storm run-off within the property.

2. The applicant must obtain coverage under and follow all requirements of the USEPA Construction General permit (CGP). The applicant must submit a Notice of Intent (NOI) and stormwater pollution prevention plan (SWPPP) to USEPA and submit copy to Guam EPA pursuant to GSESCR. Submit an Environmental Protection Plan (EPP) and Erosion Control Plan for review and approval prior to commencement of clearing and grading activities.

B. Water System

1. A water storage tank and a booster pump is necessary to provide the minimum water pressure at the highest fixtures in the building pursuant to Safe Drinking Water Regulations. However, if other water treatment or a water softener is to be used to enhance the water quality

or remove the hardness in water, the applicant is advised that this may trigger additional considerations and requirements under the Lead and Copper Rule.

2. Any water storage tank or other component that comes into contact with potable water must be NSF certified product.

C. Wastewater System

1. A hydraulic analysis must be conducted to insure the receiving sewer main is adequate to receive all discharges from your facility especially during peak hours of sewer used.
2. A transition Sewer Manhole at the point of connection to the existing sewer line is recommended to facilitate maintenance and minimize impedance to upstream flows.

D. Others:

1. Provide adequate Trash Bin to accommodate a full capacity of the apartment complex.
2. Must comply with the Guam EPA Air Pollution Control Act and Guam Pesticide Act and other regulations that applies to the project.

DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES (DPH&SS):
No Position Statement has been received as of the date of this Memorandum of November 6, 2018.

GUAM FIRE DEPARTMENT (GFD):
No Position Statement has been received as of the date of this Memorandum of November 6, 2018.

GUAM DEPARTMENT OF EDUCATION (GDOE):
No Position Statement has been received as of the date of this Memorandum of November 6, 2018.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):
No Position Statement has been received as of the date of this Memorandum of November 6, 2018.

Marvin Q. Aguilar

Attachments: ARC Position statements

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Government of Guam
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Parks Division: (671) 475-6291
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822

Eddie B. Calvo
Governor
Ray Tenorio
Lt. Governor

William N. Reyes
Director
John P. Taitano
Deputy Director

In reply refer to:
RC2018-0615
cr: RC2016-0379

MS 8/10

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
AUG 10 2018
CLTC/GALC/GLUC

July 27, 2018

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DPR Position Statement on DLM Application No. 2017-47 A/B: Tentative Development Plan and Height Variance to Construct A 33-Unit Apartment Complex in Tumon within an "H" Zone

We reviewed subject application submitted by Richard J. Sana and Ray Benavente of FC Benavente, Planners, Authorized Representative, on behalf of the applicant, LULU Investment Industry Co., Ltd. The proposed construction of the 33-residential apartment complex will comprise two buildings on a 3,878-square meter lot, Lot 5111-3-1NEW, situated along and fronting Leon Guerrero Drive in the vicinity of the Old San Vitores Road, also known as Happy Landing Road.

We have no objection to the approval of the subject application. However, the subject development must go through the proper DPW permitting process for review by the various agencies, including the Department of Parks and Recreation, and may be subject to additional development requirements. If you have any questions with regards to our position, please contact our office.

William N. Reyes

Cc: Richard J. Sana, Authorized Representative, FB Benavente, Planners
Richard.jsana@yahoo.com

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo, Agana Heights, Guam 96910
Director's Office: (671) 475-6288
Parks Division: (671) 475-6291
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822

Eddie B. Calvo
Governor
Ray Tenorio
Lt. Governor

William N. Reyes
Director
John P. Taitano
Deputy Director

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
JUN 08 2018
CLTC/GALC/GLUC

In reply refer to:
RC 2018-0569

MB 6/8

May 30, 2018

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: Application No. 2017-47: Tentative Development Plan and Height Variance to Construct a 33 Unit Apartment Complex on Lot 5111-3-1EW, Tumon, Guam

We reviewed the subject request by FC Benevente, Planners for Lulu Investment Industry Co., LTD. for a Tentative Development Application of subject Lot 5111-3-1NEW and have no objection to the approval of the Tentative Development Plan and Height Variance Application.

Please do not hesitate to call us should you have any questions.

Sincerely,

William N. Reyes

Doc. No. 34GL-18-2682.

The Honorable
EDDIE BAZA CALVO
Governor

The Honorable
RAY S. TENORIO
Lieutenant Governor

public works
DIPATTAMENTON CHECHO' PUBLIKO
GLENN LEON GUERRERO
Director
ANDREW S. LEON GUERRERO
Deputy Director

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
MAY 17 2018
CLTC/GALC/GLUC

MEMORANDUM

TO: Director, Department of Land Management

FROM: Director

APPLICANT: LULU Investment Industry Co., Ltd., Guam Corporation

APPLICATION No.: 2017-47 A/B

SUBJECT: Tentative Development Plan and Height Variance to Construct 33 Units, Apartment Complex in Tumon within an "H" Zone, on Lot 5111-3-1-NEW

Buenas yan Hafa Adai! The applicant is proposing to construct 33 units, apartment type complex which consists of the following:

a) Building "A" – 18 units 3 bedrooms and 2 baths with 12 semi-basement parking stalls.
b) Building "B"- 15 units, 3 bedrooms and 2 baths with 10 basement parking stalls.
c) Additional 44 surface parking stalls including 2 ADA compliant and van accessible stalls.

Access to the property will be from Leon Guerrero Drive, a 2- lane paved road with variable width fronting the above subject property. The total lot area is 3,878 square meters or 41,742 square feet.

The Department of Public Works, (DPW) has completed its review of the subject application and has no objection to the request provided the following conditions are met:

- parking layout and parking stalls (compact, standard and accessible stalls) must meet the American Disability Act (ADA) requirements;
- if the owner chooses to use solid waste disposal or any private services, the location of the trash bin container should be situated in an area that will not hinder the public rights of way;
- must provide typhoon shutters to all opening;
- incorporate noise attenuation measure such as double glazed windows, sealed doorways under balcony area and sound absorbing materials; and
- comply with all the geotechnical requirements related to site preparations

DPW recommends approval subject to the comments above by the Application Review Committee (ARC) with conditions and prior to building permit application that a complete set of design drawings with all the engineering disciplines needed must be in conformance with the latest building code editions signed by a registered engineer or architect.

Should you have any questions, please contact Mr. Max C. Manzano, P.E., Chief Engineer for the Division of Capital Improvement Projects @ (671) 988-6273 or Maryrose M. Wilson, Engineer III @ (671) 646-3225. **Dangkulu na Si Yu'os Ma'ase!**

By: GLENN LEON GUERRERO

542 North Marine Corps Drive. Tamuning, Guam 96913 • (671) 646-3121/3232• Fax (671)649-6178

GUAM POWER AUTHORITY

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

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
MAY 01 2018
CLTC/GALC/GLUC

April 17, 2018

M351

MEMORANDUM

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

From: General Manager

Subject: Lots 5111-3-1NEW, Municipality of Tamuning, (Lulu Investment Industry Co., Ltd); Tentative Development & Height Variance Application to construct a 33-Unit, 3-Story apartments. **Application No. 2017-47**

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 under Document No. 428244.**

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

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

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

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

JOHN M. BENAVENTE, P.E.

VFSR

Doc. No. 34GL-18-2682.

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: Lulu Investment Industry Co., Ltd.
Location: Lot 5111-3-1NEW, Tamuning
Type of Application: Tentative Development & Height Variance
GLUC/GSPC Application No. 2017-47
Brief Project Description:
To construct a 33-Unit, 3-Storey apartments.

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

4/30/18
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 may be required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/arp

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

BUREAU OF STATISTICS & PLANS
SAGAN PLANU SIHA YAN EMFOTMASION

Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

Carl V. Dominguez
Director
Manuel Q. Cruz
Deputy Director

OCT 2 9 2018

MB 10/31

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
OCT 30 2018
CLTC/GALC/GLUC

MEMORANDUM

TO: Chairman, Guam Land Use Commission

VIA: Executive Secretary, Department of Land Management

FROM: Director, Bureau of Statistics and Plans

SUBJECT: **Application No.** 2017-47
Location: Lot 5111-3-1NEW, Municipality of Tamuning-Tumon-Harmon
Applicant: LULU Investment Industry Co. LTD
Proposed Use: Zone Variance (Height)\Tentative Development Plan in a "H" Hotel-Resort Zone

Håfa Adai! The applicant, LULU Investment Industry Co., LTD., represented by FC Benavente, is requesting for a Height Zone Variance and a Tentative Development Plan to construct a 33 unit 3-storey apartment complex in a "H" Hotel-Resort Zone within the Municipality of Tamuning-Tumon-Harmon.

The subject lot is 3,878 square meters or 41,742 square feet. Lot 5111-3-1NEW is fronting Leon Guerrero Drive, via Happy Landing Road, on Marine Corp Drive, a major thoroughfare. The adjacent surrounding properties include single family homes, apartment complexes, strip malls, St. John's Church and School, East West Building, Guam Telephone Authority, LMS Landscape, Capitol Hotel, Grand Plaza Hotel, Tumon Police Precinct, and other regularly associated activities in the "H" zone.

The Bureau of Statistics and Plans (Bureau) has completed its review of the subject application and provides the following comments and conditions.

Land Use. The Bureau finds that the proposed project is within the tourist/resort use category according to the North and Central Guam Land Use Plan (NCGLUP) Future Land Use Map designations. The NCGLUP is approved as an element of the Guam Comprehensive Development Plan (GCDP). The subject property is identified as "Tourist/Resort" designation in the Future Land Use Map of the NCGLUP, as stated in Policy LU-1 (f).

> ***Tourist Resort.*** *The Tourist/Resort land use category applies to areas needed for commercial uses to serve the traveling public, including hotels/motels, condominiums-hotels, single family and multiple family residential uses, gold courses and other typical resort services and retail uses. These categories are located primarily along the shoreline and include existing and future tourist and resort areas.*

In order to meet the goals and objectives of the NCGLUP, the applicant shall be required to comply with the guidance to adhere to the concept of affordable development as proposed within the North and Central Guam Land Use Plan. Housing Policy H-9 States :

> *"Provide a requirement or incentives for inclusion of affordable housing in larger residential developments. For example, consider a requirement or incentives to provide at least 15% of housing units built at a price affordable to households earning 80% to 120% of local income adjusted for family size. Incentives could include density increases, flexibility in development standards or other measures."*

The Bureau finds that the proposed project is in line with the NCGLUP's Future Land Use Map designations

Aquifer Protection. The subject property is located within the boundary of the Ground Water Protection Zone of the Northern Guam Lens Aquifer (NGLA) so any groundwater contamination can be impacted directly. The aquifer is an essential resource for Guam and is the primary source of drinking water for eighty percent of the island population. Moreover, the U.S. Environmental Protection Agency has designated the NGLA a sole source aquifer for Guam's drinking water. Therefore, it is of paramount importance to prevent sources of contamination from entering Guam's water supply. The primary goal for protecting the aquifer is to safeguard human health and the environment by maintaining water quality for continued use.

The Bureau is concerned that the proposed construction of a 33 unit 3-storey apartment complex will trigger adverse effects in the aquifer if measures are not in place to control erosion and sedimentation during and after construction of the project. Controlling sedimentation from construction sites is a priority with regards to stormwater controls and impacts to receiving water bodies within the project site. Moreover, the proposed project increases impervious surfaces in the form of roads, rooftops, driveways, sidewalks, and parking lots. These surfaces greatly increase runoff volume accelerating erosion and carry pollutants into the aquifer.

The Bureau requires that the applicant:

1. Implement best management practices (BMP) to manage stormwater runoff on site, prevent runoff from flooding to surrounding neighbors, and avoid contaminating Guam's sole source aquifer in accordance with the CNMI and Guam Stormwater Management Manual.

The Bureau requires the applicant to incorporate bio-retention features to the planter lane dividers and Cul-de-sac loops and modify the road slope plan so the islands serve as a feature to help manage stormwater. Additional BMPs may be found in the CNMI and Guam Stormwater Management Manual in the Bureau's website www.bsp.guam.gov under the Guam Coastal Management Program.

2. Consult with Guam EPA for an aquifer protection review pursuant to the "Federal Safe Drinking Water Act," SS 1424 and Guam Safe Drinking Water Act, " 10 GCA Chapter 53.

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

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 requires that LULU Investment Company LTD., prevent adverse impacts from construction site runoff by employing BMPs. These BMPs include the following but are not limited to:

1. Install perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves a construction site.
2. Minimize unnecessary clearing and grading to preserve existing natural areas.
3. Stabilize construction entrance and install necessary perimeter controls and diversions.
4. Disturbed areas shall be stabilized as soon as possible after construction.
5. Steep slopes shall be protected from erosion by limiting clearing of these areas.
6. Where feasible, schedule construction during the dry season.

The applicant must refer to the CNMI and Guam Stormwater Management Manual, October 2006, the Guam Erosion & Sediment Control Field Guide available at www.bsp.guam.gov or at the Guam Environmental Protection Agency (GEPA) for detailed construction stormwater treatment criteria and standards, bio-retention areas, and rain garden specifications.

Low Impact Development (LID). 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 5.17% 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 decreased water quality and in order to minimize negative impacts best management practices should be incorporated.

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 and minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. Impervious surfaces from roads, parking lots, driveways, sidewalks, and rooftops accelerate stormwater runoff.

Considering the growing concerns of flooding due to increased impervious surfaces, the applicant is required to implement LID practices such as permeable parking and walkways, grassed swales, island bio-retentions, 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.bsp.guam.gov under the Guam Coastal Management Program.

Historical and Archaeological Resources. The Bureau recommends that the applicant coordinate with Department of Parks and Recreation, State Historic Preservation Office to ensure the preservation, protection, excavation, and evaluation of specimens and sites pursuant to Historical Objects and Sites, 21 GCA, Chapter 76.

Height Zone Variance. Pursuant to 5GCA Chapter 1 Article 2 Section 1200 (c), (d) Section 1201(a) (5) the Bureau requires the applicant to comply with the following conditions:

Visual Quality – Guam's visual quality policy states that the preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement and compliance with sign, litter, zoning, subdivision, building, and other related laws. Based on Guam law, the proposed development would be non-conforming according to 21 GCA Chapter 61 Section 61616 for height variance.

Therefore, the structure proposed under this variance will be required to incorporate green building designs consistent with the North and Central Guam Land Use Plan Policy LU-5. Examples could include, but are not limited to installing a green roof to increase open space and those listed in Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID.

In conclusion, the Bureau **recommends Approval with conditions** and finds that construction activities and impervious surfaces from the proposed project can adversely affect Guam's sole source aquifer and surrounding neighbors if BMPs are not in place to manage stormwater runoff on site. Therefore, the Bureau advises the applicant, LULU Investment Industry Co. LTD., to comply with above listed conditions if this application is approved.

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'.***

CARL V. DOMINGUEZ
Director

cc: GEPA
DPR
DPW
GWA
GPA

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

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
NOV 06 2018
CLTC/GALC/GLUC

MB 11/7

MEMORANDUM

October 10, 2018

TO: Michael Borja, Director, Department of Land Management

CC: Mayor Louise C. Rivera, Municipality of Tamuning-Tumon-Harmon (mayorlcrivera.tatuha@gmail.com)

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

SUBJECT: Position Statement on Guam Land Use Commission (GLUC) Application No. 2017-47

APPLICANT: Lulu Investment Industry Co., Ltd.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Tentative Development Plan and Height Variance for a 33-unit apartment complex on Lot 5111-3-1NEW.

This memorandum shall serve as GWA's position statement to the above GLUC application related to availability of water and sewer infrastructure 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 the property shall be subject to GWA rules and regulations. Any required extension to the existing facilities to serve the subject properties shall be at the applicant's expense.

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

1. The applicant must provide GWA with site development plans to construct the proposed development. The site development plans must illustrate the proposed point of connection for water and sewer and is subject to GWA inspection and approval. Submittals shall include water and sewer design calculations and complete drawings and specifications. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations.

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal. Discussions

11/8

shall include the proposed water demand and sewer production calculations in order to determine if existing GWA facilities can accommodate the proposed development and if any off-site infrastructure improvements may be necessary. Utility capacity analysis will consider service to existing customers, as well as approved projects in the building permit/construction stage, as unavailable for use by newly proposed developments. Discussions with the GWA Engineering Department will also include applicable GWA standards and requirements.

Given current growth in Tumon, it is likely that future developments will be required to increase the sewer system capacity through offsite utility improvements.

3. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA, must meet GWA standards, be constructed in the public easement or right of way, and shall be subject to inspection by GWA. Any infrastructure improvements will be at the expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite utility improvements.

   The developer shall register maps and documents for new public rights of way or utility easements with the Department of Land Management and provide copies to GWA.

4. Developers and subdivision owners who have installed water and/or wastewater pump stations whose sole purpose is to serve only the proposed development or subdivision, and consequently have no excess capacity to serve customers beyond the boundaries of said development or subdivision, shall be required to maintain their own pump station(s) and force main(s) in proper working condition to the satisfaction of GWA.

5. The applicant shall install GWA water meters in the public right of way or easement.

6. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter.

7. New development is subject to water and/or sewer system development charges.

8. Privately-owned water tanks might be limited to a maximum fill rate to avoid adverse impacts to the public water system.

9. Sewer load discharges to the public sewer system might be limited to certain times of day at certain rates to avoid adverse impacts to the receiving public sanitary sewer system. The applicant would be responsible for the design, permitting,

construction, and maintenance of a sufficiently large lift station to meet this requirement.

10. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for vehicle maintenance activities.

11. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.

12. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes that may affect the account's classification and utility service requirements. Activity changes include, but are not limited to, laundry, food service, and vehicle maintenance activities.

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.

GUAM WATERWORKS AUTHORITY

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

MB 10/23



MEMORANDUM

October 10, 2018

TO: Michael Borja, Director, Department of Land Management

CC: Mayor Louise C. Rivera, Municipality of Tamuning-Tumon-Harmon (mayorlcrivera.tatuha@gmail.com)

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

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GUAM ENVIRONMENTAL PROTECTION AGENCY
AHENSIAN PRUTEKSION LINA'LA GUAHAN
EDDIE BAZA CALVO
GOVERNOR OF GUAM
RAY TENORIO
LT. GOVERNOR OF GUAM
17-3304 MARINER AVENUE TIYAN, BARRIGADA, GU 96913-1617 FIND US ONLINE AT EPA.GUAM.GOV

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
OCT 25 2018
CLTC/GALC/GLUC

OCT 25 2018

Mr. Tao Oh, Acting Chairman
Guam Land Use Commission
c/o Department of Land Management
590S. Mrine Corps Drive
ITC Building, Ste. 733
Tamuning, Guam 96913

Ref: Application No. GLUC-2017-47A, "Zone Variance for Height" and GLUC-2017-47B, "Request for a Tentative Development Plan", for the proposed construction of a three story, 33-unit apartment complex, on Lot 56111-3-1NEW (Tumon), in an "H" (Hotel/Resort) zone, in the Municipality of Tamuning. Guam

The staff of this Agency has reviewed the application and determined that the proposed project will meet the requirements of our regulations provided the owner/developer and contractor comply with all relevant laws and regulations administered by GEPA and if they address the following concerns during the preparation of design documentation, permit application and construction as follows:

A. Stormwater Management Plan

1. All applicable requirements of the *Guam Soil Erosion Sediment Control Regulations* (GSESCR) and *CNMI and Guam Stormwater Management Manual* must be followed, to include but not be limited to the use of all appropriate construction and post-construction BMPs and appropriate paving and landscaping practices to contain storm run-off within the property.
2. The applicant must obtain coverage under and follow all requirements of the USEPA Construction General Permit (CGP). The applicant must submit a Notice of Intent (NOI) and stormwater pollution prevention plan (SWPPP) to USEPA and submit copy to Guam EPA pursuant to GSESCR. Submit an Environmental Protection Plan (EPP) and Erosion Control Plan for review and approval prior to commencement of clearing and grading activities.

B. Water System

1. A water storage tank and a booster pump is necessary provide the minimum water pressure at the highest fixtures in the building pursuant to Safe Drinking Water Regulations. However, if other water treatment or a water softener is to be used to enhance the water quality or remove the hardness in water, the applicant is advised that this may trigger additional considerations and requirements under the Lead and Copper Rule.
2. Any water storage tank or other component that comes into contact with potable water must be a NSF certified product.

C. Wastewater System

1. A hydraulic analysis must be conducted to insure that the receiving sewer main is adequate to receive all discharges from your facility especially during peak hours of sewer used.
2. A transition Sewer Manhole at the point of connection to the existing sewer line is recommended to facilitate maintenance and minimize impedance to upstream flows.

D. Others:

1. Provide adequate Trash Bin to accommodate a full capacity of the apartment complex.
2. Must comply with the Guam EPA Air Pollution Control Act and Guam Pesticide Act and other regulations that applies to the project.

Should you have questions please contact CDR Brian Bearden, P.E., BCEE, Chief Engineer at 300-4779.

For
WALTER S. LEON GUERRERO
Administrator

GUAM ENVIRONMENTAL PROTECTION AGENCY
AHENSIAN PRUTEKSION LINA'LA GUAHAN

EDDIE BAZA CALVO
GOVERNOR OF GUAM

RAY TENORIO
LT. GOVERNOR OF GUAM

17-3304 MARINER AVENUE TIYAN, BARRIGADA, GUAM 96913-1617 FIND US ONLINE AT EPA.GUAM.GOV

OCT 2 3 2018

DEPARTMENT OF LAND MANAGEMENT
RECEIVED
OCT 25 2018
CLTC/GALC/GLUC

MB 10/25

Tao Oh,
Acting Chairman, Guam Land Use Commission
c/o Department of Land Management
590 S. Marine Corps Drive
ITC Bldg, Ste. 733
Tamuning, Guam 96913

Ref: Application No. GLUC-2017-47A - Zone Variance for Height and GLUC-2017-47B- Request for a Tentative Development Plan, for the proposed construction of a three story, 33-unit apartment complex, on Lot 56111-3-1NEW (Tumon), in an "H" (Hotel/Resort) zone, in the Municipality of Tamuning.

The staff of this Agency has reviewed the application and determined that the proposed project will meet the requirements of our regulations provided the owner/developer and contractor comply with all relevant laws and regulations administered by GEPA and if they address the following concerns during the preparation of design documentation, permit application and construction as follows:

A. Stormwater Management Plan

1. All applicable requirements of the *Guam Soil Erosion Sediment Control Regulations* (GSESCR) and *CNMI and Guam Stormwater Management Manual* must be followed, to include but not be limited to the use of all appropriate construction and post-construction BMPs and appropriate paving and landscaping practices to contain storm run-off within the property.
2. The applicant must obtain coverage under and follow all requirements of the USEPA Construction General Permit (CGP). The applicant must submit a Notice of Intent (NOI) and stormwater pollution prevention plan (SWPPP) to USEPA and submit copy to Guam EPA pursuant to GSESCR. Submit an Environmental Protection Plan (EPP) and Erosion Control Plan for review and approval prior to commencement of clearing and grading activities.

B. Water System

1. A water storage tank and a booster pump is necessary provide the minimum water pressure at the highest fixtures in the building pursuant to Safe Drinking Water Regulations. However, if other water treatment or a water softener is to be used to enhance the water quality or remove the hardness in water, the applicant is advised that this may trigger additional considerations and requirements under the Lead and Copper Rule.
2. Any water storage tank or other component that comes into contact with potable water must be a NSF certified product.

C. Wastewater System

1. A hydraulic analysis must be conducted to insure that the receiving sewer main is adequate to receive all discharges from your facility especially during peak hours of sewer used.
2. A transition Sewer Manhole at the point of connection to the existing sewer line is recommended to facilitate maintenance and minimize impedance to upstream flows.

D. Others:

1. Provide adequate Trash Bin to accommodate a full capacity of the apartment complex.
2. Must comply with the Guam EPA Air Pollution Control Act and Guam Pesticide Act and other regulations that applies to the project.

Should you have questions please contact CDR Brian Bearden, P.E., BCEE, Chief Engineer at 300-4779.

for

WALTER S. LEON GUERRERO
Administrator

Application No:	2017-47
Applicant:	Lulu Investment Industry, Co., LTD
Type of Application:	Tentative Development Plan Application
Accepted Date:	3-28-18
Case Planner:	Grace Vergara

LULU INVESTMENT INDUSTRY CO., LTD., A Guam Corporation
LULU TUMON BAY APARTMENTS
Lot 5111-3-1NEW
Tamuning, Guam

TENTATIVE DEVELOPMENT PLAN AND HEIGHT VARIANCE TO CONSTRUCT A 33 UNIT APARTMENT COMPLEX IN TUMON WITHIN AN "H" ZONE

Submitted By: FC BENAVENTE, Planners

FC Benavente, Planners

Planning, Zoning, Land Development Consulting, Permitting

127 Bejong Street, Barrigada, GU 96913
Tel: 671.687.9865 richardjsana@yahoo.com

March 19, 2018

Mr. Michael Borja, Executive Secretary
Guam Land Use Commission
Department of Land Management
P.O. Box 2950
Hagatna, Guam 96932

Subject: Tentative Development Plan to construct a 33 unit apartment complex in Tumon, Guam

Hafa Adai Mr. Borja,

On behalf of LULU Investment Industry Co. LTD., I am pleased to submit 32 sets of this Tentative Development Plan application for review and consideration and approval by the Guam Land Use Commission to construct a 33 unit apartment complex to be located in the "H" Resort Hotel Zone, Tumon, Tamuning Guam. Attached is a letter of justification and supporting documents required for review of this TDP. I look forward to presenting this application before the Guam Land Use Commission.

Si Yu'os Ma'ase',

Richard J. Sana

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TENTATIVE DEVELOPMENT PLAN APPLICATION

Pursuant to Title 18, 2GAR, Chapter 3, Article 3 – Interim "H: Resort-Hotel Zone

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

Before issuance of any building permit for development proposed in, (1) conjunction with submittal of a requested Zone Change to "H," or (2) in a prior approved "H" Zone, a Tentative Plan for such development shall be submitted to the Guåhan Chief Planner containing the following information as deemed appropriate by the Guåhan Planner:

1. Information on:

a. Name of Legal Owner(s): Lulu Investment Industry Co., LTD., A Guam Corporation

b. Address: P. O. Box 339 Hagatna, Guam 96932

c. Contact No.: Work: _____ Cell: 671-988-8162

d. Certificate of Title No.: _____ Deed Document No.: 890363 Warranty Deed

e. Name of Lessee(s): _____

f. Address: _____

g. Contact No.: Work: _____ Cell: _____

h. Lease Document No: _____

2. Information on:

a. Name of Developer: Lulu Investment Industry Co., LTD.

b. Address: P. O. Box 339 Hagatna, Guam 96932

c. Contact No.: Work: _____ Cell: 671-988-8162

3. Information on:

a. Name of Person Preparing the Map: Dennis Balagtas

b. Address: _____

c. Contact No.: Work: _____ Cell: _____

TENTATIVE DEVELOPMENT PLAN APPLICATION

4. Lot Location and Description:

a. Project Name: 33 Unit, 3 storey apartments

b. Lot (s): 5111-3-1NEW

c. Lot Area: Acres: .96 Sq Meters: 3,878 Sq Feet: 41,742

d. Municipality: Tamuning

5. Current and Proposed Use(s):

a. Current Use(s): _____ Zone: _____

b. Proposed Use(s): Apartments Zone: "H"

6. Information required on the map:

a. Date, North Arrow and scale.
b. A key map locating the development in relation to the surrounding areas.
c. The exact length and bearing of the exterior boundaries of the development which data shall be referenced to the "Guåhan Geodetic Network" (GGN).
d. The accurate placement and outline of structures existing on site.
e. The location, names, and existing widths of adjacent street rights-of-way.
f. The location and dimensions of all known existing easements and reservations.
g. The location of existing utilities, sewers, drainage ditches, and other drainage facilities located in, or adjacent to the proposed development.
h. The location, width, and direction of flow of all water courses within the project area.
i. Topography with contour intervals of two feet (2') where the ground slope is five percent (5%) or less or contour intervals of five feet (5') where the ground slope is more than five percent (5%).
j. The location and widths of all existing or proposed streets in the development.
k. The approximate lot layout and approximate dimensions of each structure, facility, or use proposed within the development.
l. Areas intended to be reserved for public use.
m. A drainage plan showing methods and facilities for collection and disposal of storm waters. The storm drainage disposal area or channel must have a demonstrated ability to accept additional water in view of capacity of area or channel and of capacity of existing improvements confining the channel.

The Tentative Development Plan shall be prepared in sufficient detail for analysis by the Commission as to sufficiency and most suitable location. The Commission may require the submission of **"detailed construction drawings"** as work is initiated to permit detailed analysis of construction conformity to law and the rules and regulations of the Commission and to facilitate inspections.

TENTATIVE DEVELOPMENT PLAN APPLICATION

7. Additional Supporting Information: The information requested below shall be attached as part of the Application:

a. Attach justification, in letter format, explaining the compatibility of the proposed project in relation to adjacent and neighborhood developments as they exist.
b. Plans, drawn to scale, showing dimensions and shape of lot; lot size; size and location of existing and/or proposed structures or alterations; parking and loading areas; access and traffic circulation; open space; landscaping; signs; setback distances; and solid waste disposal area(s).
c. 8 ½" X 14" map, drawn to scale, showing all significant building or uses within a 750' (feet) radius from the subject lot's exterior boundaries (taken from the corners of the lot).
d. 8 ½" X 14" map, drawn to scale, showing all parcels with current lot numbers within 500' (feet) radius from the subject lot's exterior boundaries (taken from the corners of the lot).
e. Include the most current survey map for the subject property that has been approved and recorded in the Department of Land Management.
f. Complete and include an Environmental Impact Assessment (EIA); or if acceptable by GEPA, submit the short form, Findings of No Significant Impact "FONSI" form.
g. Additional information as required by the Guåhan Chief Planner.

8. Administrative Requirements:

a. **Required Number of Copies**. Submit **32-sets** in **Hard Copy;** and **9 copies in Electronic Format** (e.g., CD format, etc.).
b. **Filing Fee.** Fifty Dollar ($50.00) filing fee [Per PL 29-02, Chapter V, Part III (Fees and Charges Assessed by the Department of Land Management].

9. Required Signatures: All legal owner(s) or Lessee(s) as shown on Page 1 of this Application shall sign (Type name or print) and date below. If Representation is authorized, the Representative shall also sign and date below.

"I/We certify that all information contained in this application and its supplements is/are true and correct. I/We also understand that any misrepresentation in this application shall void the entire submission."

_____ _____
(Owner(s) or Lessee(s)) DATE

Richard J. Sana 3-16-18
(Representative(s)) DATE

TENTATIVE DEVELOPMENT PLAN APPLICATION

10. In an effort to provide a more effective means by which the municipality's concerns are heard and accomplished according to the land and regulations of real property uses, this land use application must be assessed for the need to the empanelment of a Hybrid Commission pursuant to **P.L. 33-219.** A Hybrid Commission will be empaneled if this application represents a development cost of **more than three million dollars ($3,000,000.00),** exclusive of the cost of the real property as described in this application.

WILL THIS PROJECT COST MORE THAN $3,000,000.00? **YES** ☒ **NO** ○

Please sign attesting to your answer ⟹

Verified by PDFfiller
03/15/2018

(See attachment for more information on PL 33-219 and PL 33-209, as the affect the process of assessment of this application)

Mr. Chairman and Commissioners, we are pleased to submit for review and approval a Tentative Development Plan (TDP) for the development of 33 residential apartments located in Tumon, Guam. As required and pursuant to Title 18, 2GAR, Chapter 3, Article 3, of the Interim "H" Resort Hotel Zone, we provide to you a brief synopsis and description of the proposed project and statement why this project is suitable and consistent with the general intent of the Resort Hotel Zone. Based on the Draft Northern and Central Guam Land Use Plan (NCGLUP), Tumon Bay is the center of Guam's tourist industry and it features large numbers of hotels and condominiums as well as tourist oriented businesses such as restaurants and entertainments. In addition, the Tourist/Resort land use category applies to areas needed for commercial uses to serve the traveling public including hotels/motels, condominiums, single family and multiple family residential uses, sports and other typical resort services. Although, this plan has not been formally adopted, it has been used quite frequently as a tool by gov't agencies in reviewing and assessing new development project applications prior to being presented to the GLUC. This proposed development is consistent with the NCGLUP and the Interim regulations mentioned above.

The TDP is for the construction of 33 residential apartments comprising of two buildings on LOT 5111-3-1NEW situated along and fronting Leon Guerrero Drive in Tumon, Guam.

Building layout and parking standards

Building A	18 dwelling units, 6 per floor	3 residential floors
	12 parking stalls below bldg.	Semi-basement
Building B	15 dwelling units, 5 per floor	3 residential floors
	10 parking stalls below bldg.	Semi-basement
	44 parking stalls w/ADA	Parking lot
Building Height: bldg. A/B	Front elevation = 40'-1"	Right/Left side elev.= 35'-0.5" Rear elevation = 30'-0"
Setback	Front: 10'- 0" Right: 10'- 0"	Rear:13'- 9" Left: 46'- 0"

You will find that this proposed project meets the criteria set forth by the above-mentioned rules and regulations for development of the applicant's property. All development and building standards in accordance with the above interim rules and regulations will be complied with as well as the ARC and other permitting agencies requirements.

Building A will consist of 18-3 bedroom and 2 bath room units with 12 semi-basement parking stalls. Building B will consist of 15–3 bedroom and 2 bath units with 10 basement parking stalls. Additional 44 surface parking stalls will be provided including 2 ADA compliant and van accessible stalls.

The Tumon "H" Resort Hotel Zone is a high intensity development district comprising of hotels, condominiums, restaurants, gift and apparel shopping outlets, and various entertainment businesses geared toward a growing and affluent tourist industry. The proposed development is situated near existing apartment/condominium buildings where another apartment building (GLUC approved) is currently being built and near completion, adjacent to the subject property. The proposed development is compatible with the surrounding land uses and will not be detrimental to the general welfare and public safety of the community.

Access to the property will be from Leon Guerrero Drive, a 2-lane paved road with variable width which fronts the subject property. Water, sewer and electric power utilities are located within this public easement. Service connections for these utilities will be coordinated and applied with GWA and GPA. The storm water collection and management will utilize a trench system to contain runoffs on site which will conform with the CNMI/Guam Stormwater Management Manual. Stormwater runoffs and erosion will be managed and contained on-site within the property during construction.

Prior to issuance of the occupancy permit for this project a landscaping plan will be submitted to the Chief Planner for his review and approval in accordance with Section: 3324, Article 3, 18 GAR. The applicant will coordinate with DAGR with the types of plants, shrubs and trees recommended for landscaping.

You will also find in this TDP submittal, sufficient detailed information in the conceptual site and building plans that would assist the DLM and the GLUC make a favorable consideration in approving this application.

FC Benavente, Planners

Planning, Zoning, Land Development Consulting, Permitting

127 Bejong Street, Barrigada, GU 96913
Tel: 671.687.9865 richardjsana@yahoo.com

March 19, 2018

Mr. Michael Borja, Executive Secretary
Guam Land Use Commission
Department of Land Management
P.O. Box 2950
Hagatna, Guam 96932

Subject: Zone Variance to increase building height by 5 feet and 1 inch, to a proposed construction of 33 residential apartments in Tumon, Guam

Hafa Adai Mr. Borja,

On behalf of LULU Investment Industry Co. LTD., I am pleased to submit 32 sets of this Zone Variance application for review and and approval by the Guam Land Use Commission to construct 33 residential apartment units located in the "H" Resort Hotel Zone, Tumon, Tamuning Guam. Attached is a letter of justification and supporting documents required for review of this Zone Variance application. I look forward to presenting this application before the Guam Land Use Commission.

Si Yu'os Ma'ase',

Richard J. Sana

ZONE VARIANCE

TYPE OF VARIANCE REQUESTED:

					Required	Current
[ ]	Use Variance	[ ]	Sign Variance			
[ ]	Density Variance	[ ]	Setback Variance			
[X]	Height Variance	[ ]	Right Side	8'-0' ft	_____ ft	_____ ft
[ ]	Parking Variance	[ ]	Left Side	8'-0' ft	_____ ft	_____ ft
		[ ]	Front	15'-0' ft	_____ ft	_____ ft
		[ ]	Rear	10'-0' ft	_____ ft	_____ ft

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

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zone Variance, pursuant to Section 61616-61623, Article 6 (Administration & Enforcement), Division 2 (Regulations of Real Property Uses), Chapter 61 (Zoning Law), 21 GCA Real Property.

1. Information on Applicant:

Name of Applicant: LULU Investment Industry Co.; LTD; A Guam Corportation U.S. Citizen: [ ] Yes [ ] No

Mailing Address: P.O. Box 339 Hagatna Guam 96932

Telephone No.: Business: 671 988-8162 Home: _____

2. Location, Description and Ownership:

Subdivision Name: _____

Lot(s): 5111-3-1NEW Block: _____ Tract: _____

Lot Area: Acres .96 Square Meters 3,878 Square Feet 41,742

Village: Tumon Municipality: TATUHA

Registered Owner: LULU Investment Industry Co., LTD

Certificate of Title No.: _____ Recorded Document No.: 890363

3. Current and Proposed Land Use:

Current Use: Vacant/undeveloped Zoned: "H"

Proposed Use: Residential Apartments Proposed Zone: _____

Master Plan Designation: Resort Hotel Zone

4. **Attach 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 and the nature of variance request in accordance with ***Guam Code Annotated 21 GCA, Chapter 61, Section 61617.***

a. That the strict application of the provisions of Section 61617, 21 GCA would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law;

ATTACHMENT: Section 61616 (Variance) – 61623 (Review by Municipal Planning Council) is attached for your information and guidance in preparing of your application and justification. For additional requirements, visit the Zoning Section, Land Planning Division.

4. (Continuation):

b. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use thereof that do not apply generally to other property in the same zone;
c. That the granting of Variance(s) 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;
d. That granting of such Variance(s) will not be contrary to the objectives of any part of the "Guåhan Master Plan" adopted by the Commission or Legislature; and
e. That, as to Variance(s) from the restrictions of Section 61617, 21 GCA, the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed and that such building shall not interfere with or adversely affect the surrounding property owners' or the public's right to an untrammeled use of the beach and its natural beauty.

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

a. **Site Plan required**: Plans, drawn to scale, showing dimensions and shape of lot; lot size; size and location of buildings; locations and dimensions of proposed buildings or alterations;
b. 8 1/2" X 14" map, drawn to scale, showing existing zoning circled within 1000 feet radius from the subject lot's boundaries.
c. 8 1/2" x 14" map, drawn to scale, showing all parcels and their uses within 750 feet radius circled from the subject lot's boundaries. The map shall also contain:

(1) Lot number of every parcel(s);
(2) Identify by name and use all existing activities on all parcels(s);
(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) Any natural or topographic peculiarities.

d. 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.
e. The most recent survey map, certified and recorded in the Department of Land Management, showing the subject property;
f. An initial comprehensive ***Environmental Impact Assessment (EIA)*** in accordance with Executive Order 90-10, or ***FONSI*** if acceptable to GEPA in place of an ***EIA***.
g. Additional information as required by the Guam 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: Seventy-Five Dollars ($75.00) 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. In an effort to provide a more effective means by which the municipality's concerns are heard and accommodated according to the land and regulations of real property uses, this land use application must be assessed for the need to the empanelment of a Hybrid Commission pursuant to **P.L. 33-219**. A Hybrid Commission will be empaneled if this application represents a development cost of **more than three million dollars ($3,000,000.00)**, exclusive of the cost of the real property as described in this application.

WILL THIS PROJECT COST MORE THAN $3,000,000.00? YES ⊗ NO ○

(See attachment for more information on PL 33-219 and PL 33-209, as they affect the process of assessment of this application.)

Please sign attesting to your answer ⇨ _____ 3·19·18

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

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

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

Richard J. Sana 3·19·18
(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 [ ] No [ ] (See Below)

Conditions of Approval: _____

_____

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

Doc. No. 34GL-18-2682.

AFFIDAVIT OF AUTHORIZATION

We, Han Liu and Hua Zhang, husband and wife, residents of Guam, of legal age, and as owners of Lot 5111-3-1NEW Tumon, located in Municipality of Tamuning, Guam, through this instrument hereby depose and say the following:

1) That FC BENAVENTE, PLANNERS, Consultant, is hereby authorized to request the Guam Land Use Commission to review and consider this request for approval of a Tentative Development Plan Application at the above mentioned location; and

2) That our authorized Consultant may conduct himself accordingly to arbitrate, negotiate, commit, revoke, represent, mitigate and abate the proposed project through all reviewing instrumentalities involved in the Tentative Development Plan Application process.

In TESTIMONY THEREOF, I/We hereunto affix my signature to my/our deposition.

Han Liu, Co-Owner
Lot _____, Tumon, Municipality of Tamuning

Hua Zhang, Co-Owner
Lot _____, Tumon, Municipality of Tamuning

ACKNOWLEDGEMENT

GUAM)
)ss.
City of Hagatna)

On this 21st day of FEBRUARY, 2017, before me personally appeared Han Liu. and Hua Zhang, known to me as the person/s whose name/s is/are subscribed to this instrument and who acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I hereby lay my hand and affix my official seal on the day, month, and year aforementioned above.

IN AND FOR GUAM NOTARY CONNIE MAE S. QUICHOCHO PUBLIC U.S.A.

Notary Public

CONNIE MAE S. QUICHOCHO
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: MAY 23, 2018
P.O. Box 11881 Tamuning, GU 96931

Security Title

890363

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

File for Record is Instrument No. 890363

On the Year 16 Month 3 Day 23 Time 311

Recording Fee 38 52.50 Receipt No. 44066

Deputy Recorder

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

We, **LAX DEVELOPMENT, INC.,** a Guam corporation, whose mailing address is P.O. Box 9070, Tamuning GU 96931, **and C.P.I. INVESTMENTS (GUAM), INC.,** a Guam corporation, whose mailing address is P.O. Box 7582, Tamuning GU 96931, hereinafter referred to as **"GRANTOR",** for TEN DOLLARS ($10.00) and other good and valuable consideration paid by **LULU INVESTMENT INDUSTRY CO., LTD.,** a Guam corporation, whose mailing address is P.O. Box 3339, Hagatna GU 96932, hereinafter referred to as **"GRANTEE"**, do hereby grant, bargain, sell and convey any and all of the Grantor's right, title and interest unto GRANTEE, and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, the following described real properties in the MUNICIPALITY OF TAMUNING:

PARCEL ONE:

Lot Number 5111-2-1, Tamuning, Guam, Suburban, as said Lot is described in that Parcelling Survey Map of Lot 5111-2, as shown on Drawing Number CSS-01-05-87, as L.M. Check Number 051 FY 87, dated 28 January 87 and recorded on 28 January 87 under Instrument No. 380670 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 1,579 ± square meters or 17,000 ± square feet.

Last Certificate of Title Number: 21027 - Maria P. Leon Guerrero (as to Basic Lot 5111-2; Estate Number 11745).

PARCEL TWO:

Lot Number 5111-3-1, Tamuning, Guam, Suburban, as said Lot is described in that Parcelling Survey Map of Lot # 5111-3, as shown on Drawing Number PRB 89-189, as L.M. Check Number 037 FY 90, dated 01 November 89 and recorded on 11 January 90 under Instrument No. 428244 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 2,300 ± square meters or 24,759 ± square feet.

Last Certificate of Title Number: 21028 - Felix P. Leon Guerrero (as to Basic Lot 5111-3; Estate Number 11746).

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, issue 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 hereunto belonging and in anywise appertaining unto the said GRANTEE, its heirs, and executors administrators and assigns, forever.

AND GRANTOR DOES HEREBY for themselves and assigns, covenant with said GRANTEE, their 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:

1. Real property taxes for the year 2016 not yet due and payable.

2. Grant of Easement, granted to the Felix P. Leon Guerrero and Estella L.G. Bukikosa, dated 18 October 62 and recorded on 12 February 63 under Instrument No. 48433 at Land Management.

3. Declaration of Taking, under Civil Case No. CV3-67, styled, The Government of Guam, Plaintiff, vs. 1,113,973 square feet of land, more or less, situated in the Municipality of Dededo and Kenneth Willford Laurent, etal and Unknown Owners, Defendants, dated 03 January 67 and recorded on 12 September 84 under Instrument No. 351313 at Land Management.

That 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 GRANTEE, for itself and its successors and assigns does hereby acknowledge and confirm that water and power ☒**are** ☐**are not** _____ immediately available on the property or within 100 feet of the property described above.

IN WITNESS WHEREOF, this instrument has been executed this 22nd day of March, 2016.

GRANTOR:

LAX DEVELOPMENT, INC., A GUAM CORPORATION

By _____
SOK G. CHANG
AUTHORIZED REPRESENTATIVE

890363

GUAM, U.S.A.

} ss

CITY OF TAMUNING

On this 22nd day of March, 2016, before me, a Notary Public in and for Guam, U.S.A., personally appeared Sok G. Chang, for and on behalf of LAX Development, Inc., as its duly authorized representative, and he/she acknowledged to me that he/she executed the foregoing Warranty Deed, as his/her voluntary act and deed for the purposes herein set forth.

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

Notary Public
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JUNE 02, 2016
356 S. Marine Corps. Dr., Tamuning, Guam 96913

890363

GRANTEE:

LULU INVESTMENT INDUSTRY CO., LTD., A GUAM CORPORATION

By _____
HUA ZHANG
AUTHORIZED REPRESENTATIVE

GUAM, U.S.A.

} ss

CITY OF TAMUNING

On this 22nd day of March, 2016, before me, a Notary Public in and for Guam, U.S.A., personally appeared Hua Zhang, for and on behalf of Lulu Investment Industry Co., Ltd., as its duly authorized representative, and she acknowledged to me that she executed the foregoing Warranty Deed, as her voluntary act and deed for the purposes herein set forth.

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

_____
Notary Public
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: JUNE 02, 2016
356 S. Marine Corps. Dr., Tamuning, Guam 96913

Warranty Deed
Parcel One: Lot 5111-2-1, Tamuning GU 96913
Parcel Two: Lot 5111-3-1, Tamuning GU 96913
2015-1104LJD

890363

GRANTOR:

C.P.I. INVESTMENTS (GUAM), INC., A GUAM CORPORATION

By _____
MYUNG KI PARK
AUTHORIZED REPRESENTATIVE

GUAM, U.S.A.

} ss

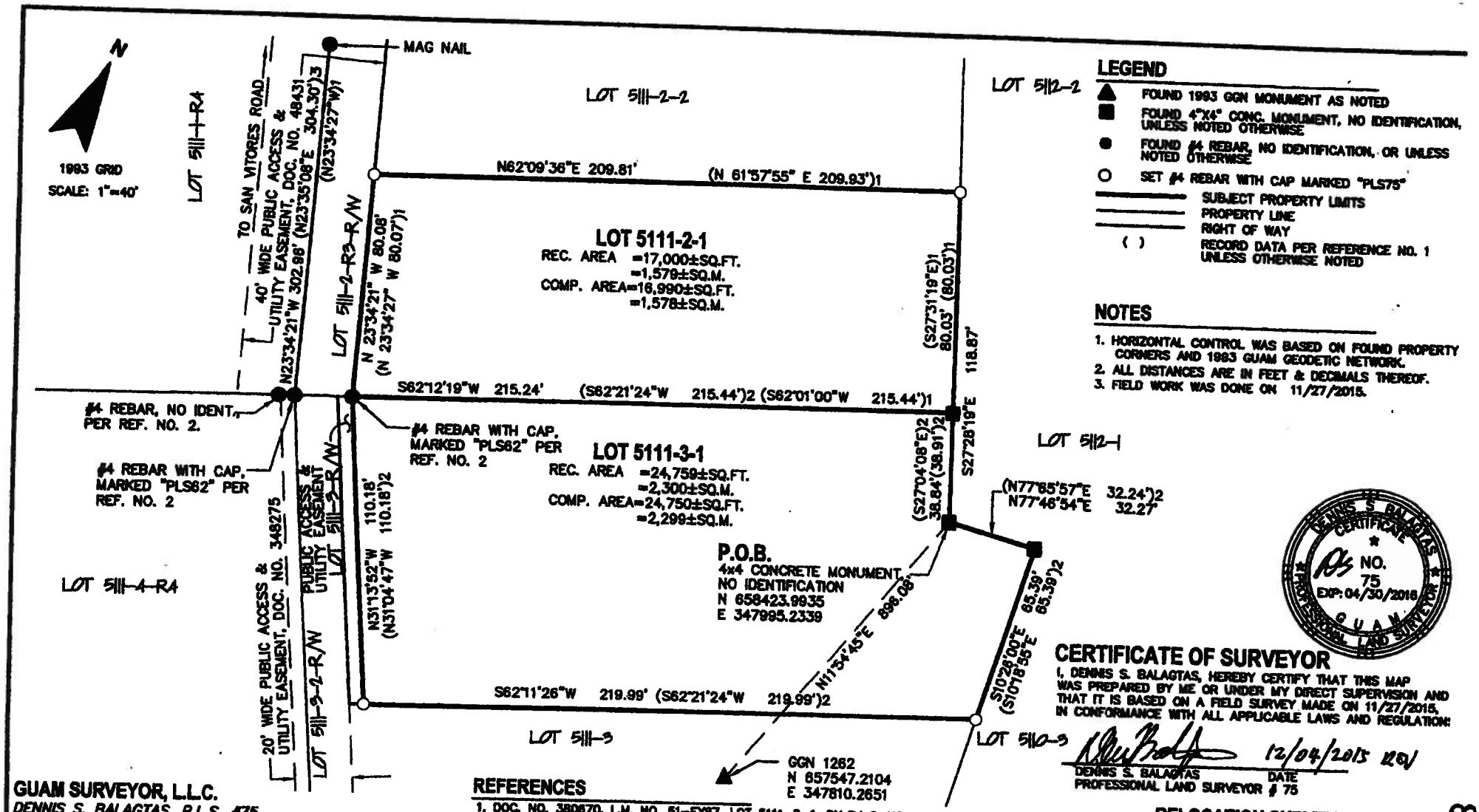
CITY OF TAMUNING

On this 22nd day of March, 2016, before me, a Notary Public in and for Guam, U.S.A., personally appeared Myung Ki Park, for and on behalf of C.P.I. Investments (Guam), Inc., as its duly authorized representative, and he/she acknowledged to me that he/she executed the foregoing Warranty Deed, as his/her voluntary act and deed for the purposes herein set forth.

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

Notary Public
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **JUNE 02, 2016**
356 S. Marine Corps. Dr., Tamuning. Guam 96913


N
1993 GRID
SCALE: 1"=40'
MAG NAIL
LOT 5111-2-2
LOT 5112-2
LOT 5111-4-R4
TO SAN VITORES ROAD
40' WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 48431
(N23°34'27"W)1
N23°34'21"W 302.86' (N23°35'08"E 304.30')3
LOT 5111-2-R3-R/W
N 23°34'21" W 80.08'
(N 23°34'27" W 80.07')1
N62°09'36"E 209.81'
(N 61°57'55" E 209.93')1
LOT 5111-2-1
REC. AREA =17,000±SQ.FT.
=1,579±SQ.M.
COMP. AREA=16,990±SQ.FT.
=1,578±SQ.M.
(S27°31'19"E)1
80.03' (80.03')1
118.87'
S27°28'19"E
S62°12'19"W 215.24'
(S62°21'24"W 215.44')2 (S62°01'00"W 215.44')1
#4 REBAR, NO IDENT, PER REF. NO. 2.
#4 REBAR WITH CAP, MARKED "PLS62" PER REF. NO. 2
#4 REBAR WITH CAP, MARKED "PLS62" PER REF. NO. 2
LOT 5111-3-1
REC. AREA =24,759±SQ.FT.
=2,300±SQ.M.
COMP. AREA=24,750±SQ.FT.
=2,299±SQ.M.
(S27°04'08"E)2
38.84'(38.91')2
LOT 5112-1
(N77°65'57"E 32.24')2
N77°46'54"E 32.27'
P.O.B.
4x4 CONCRETE MONUMENT
NO IDENTIFICATION
N 658423.9935
E 347995.2339
N11°54'45"E 898.08'
S10°28'00"E 65.39'
(S10°18'55"E 65.39')2
20' WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 348275
PUBLIC ACCESS & UTILITY EASEMENT
LOT 5111-3-R/W
N31°13'52"W 110.18'
(N31°04'47"W 110.18')2
LOT 5111-4-R4
LOT 5111-3-R2-R/W
S62°11'26"W 219.99' (S62°21'24"W 219.99')2
LOT 5111-3
LOT 5110-3
GGN 1262
N 657547.2104
E 347810.2651
LEGEND
FOUND 1993 GGN MONUMENT AS NOTED
FOUND 4"X4" CONC. MONUMENT, NO IDENTIFICATION, UNLESS NOTED OTHERWISE
FOUND #4 REBAR, NO IDENTIFICATION, OR UNLESS NOTED OTHERWISE
SET #4 REBAR WITH CAP MARKED "PLS75"
SUBJECT PROPERTY LIMITS
PROPERTY LINE
RIGHT OF WAY
( ) RECORD DATA PER REFERENCE NO. 1 UNLESS OTHERWISE NOTED
NOTES
1. HORIZONTAL CONTROL WAS BASED ON FOUND PROPERTY CORNERS AND 1993 GUAM GEODETIC NETWORK.
2. ALL DISTANCES ARE IN FEET & DECIMALS THEREOF.
3. FIELD WORK WAS DONE ON 11/27/2015.
DENNIS S. BALAGTAS CERTIFICATE NO. 75 EXP: 04/30/2016 GUAM PROFESSIONAL LAND SURVEYOR
CERTIFICATE OF SURVEYOR
I, DENNIS S. BALAGTAS, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT IS BASED ON A FIELD SURVEY MADE ON 11/27/2015, IN CONFORMANCE WITH ALL APPLICABLE LAWS AND REGULATION.
12/04/2015
DENNIS S. BALAGTAS DATE
PROFESSIONAL LAND SURVEYOR # 75
REFERENCES
1. DOC. NO. 380670, L.M. NO. 51-FY87, LOT 5111-2-1, BY R.L.S. NO. 14.
2. DOC. NO. 428244, L.M. NO. 37-FY90, LOT 5111-3-1, BY R.L.S. NO. 62.
3. DOC. NO. 224361, L.M. NO. 702-FY73, PARCELLING OF LOT 5111-1, BY R.L.S. NO. 20.
GUAM SURVEYOR, L.L.C.
DENNIS S. BALAGTAS, P.L.S. #75
LAND SURVEYING SERVICES, http://www.guamsurveyor.com
671-637-2042(w) 671-637-2041(f) surveyor@guamsurveyor.com
RELOCATION SURVEY
OF LOT 5111-2-1 AND LOT 5111-3-1,
MUNICIPALITY OF DEDEDO, TERRITORY OF GUAM
DWG.# : 2015-250_rslo01.dwg
PROJ.#: 2015-250
CLIENT: MR. M. K. PARK./LAX DEVELOPMENT, CPI GUAM INC.
SURV : FB416,PG.20-21, BY ED,MIAH, AND
890363

896407

SPECIAL NOTE:

1. PURSUANT TO PUBLIC LAW 28-126, SECTION 1(d) THIS IS A "CONSOLIDATION" SURVEY AND THEREFORE EXEMPTED FROM THE MAP PROCESSING REQUIREMENTS OF PUBLIC LAW 28-126, SECTION 1(c).
2. THE DIFFERENCE BETWEEN RECORD AND COMPUTED AREA IS RESULTS BASED ON ACTUAL FIELD CONDITION OF POINTS FOUND.

N

1993 GRID

GRAPHIC SCALE

(IN METERS)

1 : 300

GGN 1307
N 200745.5457
E 105901.6929

LOT 5111-2-3

N88°20'47"W 181.918

FOUND MAGNAIL
NO
IDENTIFICATION

N59°37'11"W 109.201

LEON GUERRERO DRIVE

6.096m

6.096m. WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 380670

LOT 5111-2-2
DOC. NO. 380870

LOT 5111-2-R2-R/W
DOC. NO. 380670

12.192m

40' ±

12.192m. WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 48431

N 62°09'36" E 63.948 (N 61°57'55" E 63.987)1

CMU WALL

RETAINING WALL INSIDE PROPERTY

P.O.B.
N 200688.5406
E 106063.6997
FOUND 4X4 MONUMENT NO IDENTIFICATION, DOC. NO 48431 AS PER DOC. NO 428244

LOT 5111-2-1
~~REG. AREA=1,579± SQ. M.~~
~~COMP. AREA=1,578± SQ. M.~~
SEE SPECIAL NOTE 2

(S 27°31'18" E 24.393)1

(S 27°12'00" E 24.583
S 27°28'19" E 24.583)2

S23°24'36"W 45.227

LOT 5112-2
DOC. NO. 356660

LOT 5112-1
C.T. NO. 92502
DOC. NO. 52662

11.539

(S 27°04'06" E 11.590)2

N 77°46'54" E 9.836
(N 77°55'57" E 9.827)2

FOUND 4X4 MONUMENT NO IDENTIFICATION, DOC. NO 48431 AS PER DOC. NO 428244

S 10°26'00" E 19.934
(S 10°15'35" E 19.931)2

RETAINING WALL INSIDE PROPERTY

LOT 5110-3
DOC. NO. 92828

LOT 5111-R4
DOC. NO. 224361

ASPHALT ROAD VARIABLE WIDTH

N 23°34'21" W 24.408
(N 23°35'08" W 24.408)1

N 23°34'21" W 92.754
(N 23°35'08" W 92.791)3

FOUND REBAR WITH CAP MARKED "PLS82" DOC. NO. 428244

LOT 5111-3-1NEW
AREA=3,878± SQ. M.

S 62°12'19" W 65.609
(S 62°01'00" W 65.666)1
(S 62°21'24" W 65.666)2

1.707m
(1.52')

(6.114)
6.114

N 31°13'52" W 33.594 (N 31°04'47" W 33.583)2

S 62°12'19" W 7.815
(S 62°01'00" W)1

FOUND REBAR NO IDENTIFICATION UNDOCUMENTED

FOUND REBAR WITH CAP MARKED "PLS82" DOC. NO. 428244

LOT 5111-3-R2
DOC. NO. 428244

S 62°11'23" W 67.056 (S 62°21'24" W 67.053)2

LOT 5110-4
DOC. NO. 114501

LOT 5111-4-R1-R/W
DOC. NO. 400386

LOT 5111-3R/W
1.707m. WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 428244

5'.6"

LOT 5111-4-R/W
PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 348275

LOT 5111-3-2-R/W
PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 428244

ASPHALT ROAD VARIABLE WIDTH

6.096m. WIDE PUBLIC ACCESS & UTILITY EASEMENT, DOC. NO. 348275

S18°33'04"E 343.227

N12°29'12"E 322.243

LOT 5111-4-2
DOC. NO. 400386

GGN 1262
N 200420.7932
E 106012.7819

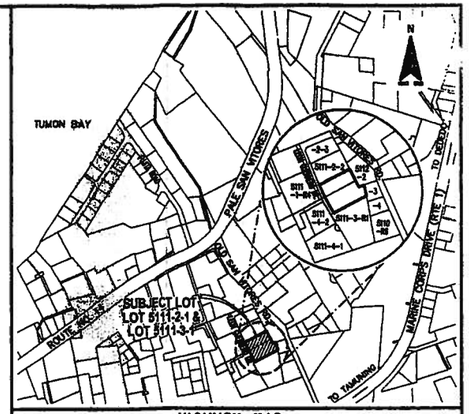
GGN 1305
N 200740.2959
E 106083.5354

ABSTRACT OF TITLE

LOT 5111-2
TUMON, DEDEDO, GUAM
ESTATE NO. 11745
CERT. OF TITLE NO. 21027
REG. ON : FEBRUARY 12, 1963
IN NAME OF:
MARIA P. LEON GUERRERO

ABSTRACT OF TITLE

LOT 5111-3
TUMON, DEDEDO, GUAM
ESTATE NO. 11746
CERT. OF TITLE NO. 21028
REG. ON : FEBRUARY 12, 1963
IN NAME OF:
FELIX P. LEON GUERRERO



VICINITY MAP
NOT TO SCALE

LEGEND:

- ▲ GGN MONUMENT AS NOTED
- ○ SET #4 REBAR WITH PLASTIC CAP MARKED "PLS782"
- ● FOUND #4 REBAR WITH CAP MARKED "PLS82" DOC. NO. 428244, OR AS NOTED
- ■ FOUND 4X4 MONUMENT NO IDENTIFICATION DOC. NO. 48431 AS PER DOC. NO. 428244
- Z CONSOLIDATION SIGN
- CONCRETE POWER POLE
- WOODEN POWER POLE
- SEWER MANHOLE
- TELEPHONE BOX
- ( ) RECORD DATA PER REFERENCE NO. 1 OR AS NOTED

NOTES:

1. ALL DISTANCES AND DIMENSIONS 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 "H", HOTEL ZONE, AS OF APPROVAL OF THIS MAP, PER P.L. 19-82 ; ".
5. SUBJECT LOTS IS/ARE WITHIN THE NORTHERN RECHARGE AREA, AS APPROVAL OF THIS MAP
6. AS-BUILT DEPICTED ON SUBJECT LOTS AS APPROVAL OF THIS MAP.

REFERENCES:

1. DOC. NO. 380670, L.M. NO. 091 F.Y. 87, PARCELING SURVEY MAP OF LOT 5111-2, PREPARED BY RLS. 14.
2. DOC. NO. 428244, L.M. NO. 037 F.Y. 90, PARCELING SURVEY MAP OF LOT 5111-3, PREPARED BY RLS. 62
3. DOC. NO. 224361, L.M. NO. 702 F.Y. 73, LOT PARCELING OF BASIC LOT 5111-1, PREPARED BY RLS. 20.
4. DOC. NO. 356660, L.M. NO. 111 F.Y. 84, PARCELING SURVEY MAP LOT 5112-R1, PREPARED BY RLS. 90.

CERTIFICATION

APPROVAL PURSUANT TO TITLE 21, GUAM CODE ANNOTATED, DIV. 2, CHAPTER 62, SUBDIVISION LAW, & CHAPTER 61, ZONING LAW.

MARVIN D. AGUILAR, GUAM CHIEF PLANNER — DATE 6-12-2016

THIS MAP HAS BEEN EXAMINED FOR CONFORMANCE WITH TITLE 21, GUAM CODE ANNOTATED, CHAPTER 60, ARTICLE 2, SECTION [illegible] AND REGULATIONS THEREUNDER ON THIS 16th DAY OF August, 20[illegible]

PAUL L. SANCHEZ, P.E., P.S., 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 NOV. 27, 2015, 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 IN THE MAP.

DENNIS S. BALAGTAS
PROFESSIONAL LAND SURVEYOR NO. 75 — DATE 07/19/2016

CERTIFICATE NO. 75 EXP: 4/30/2017

CHECKED BY:

MELVIN G. JAVIER, ENGINEERING TECHNICIAN, DLM — DATE 8-15-16

EDWARD R. TAGUIAM, CARTOGRAPHIC SUPERVISOR, DLM — DATE 8/15/16

FRANK P. TAYAG, PLANNER IV, DLM — DATE 8-10-16

REV.	DATE	DESCRIPTION	BY	APPRVD.

SATISFACTORY TO & APPROVED BY:

YEUL KWANG CHOI, AUTHORIZED REPRESENTATIVE, LIKU INVESTMENT DEVELOPMENT CO., LTD A GUAM CORPORATION — DATE 07/19/16

LOT 5111-2
LOT 5111-3

ABSTRACT OF TITLE

LOT NO. 4
CERT. OF TITLE NO. 9
REG. ON :
IN NAME OF:

SURVEY DATA:
FIELD: DRAWN: 11/2015
DRAWN: PREP. CHKD: 04/2016
CHECKED: 05/2016

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

File for Record is Instrument No. 896407

On the Year 16 Month 8 Day 22 Time 1059

Recording Fee 35 Receipt No. 45870

GUAM SURVEYOR, LIC. - DENNIS S. BALAGTAS, P.L.S. 075
LAND SURVEYING SERVICES, http://www.guamsurveyor.com
CERTIFICATE OF AUTHORIZATION NO. 342
171 CHALAN PAUL ANAICH HAYA, YIGO, GUAM 96929

CONSOLIDATION SURVEY MAP OF LOT 5111-2-1 & LOT 5113-3-1 INTO LOT 5111-3-1NEW

MUNICIPALITY OF TAMUNING
(FORMERLY TUMON, MUNICIPALITY OF DEDEDO)
LAND SQUARE 14 SECTION 2

LAND MGT. DATA	SHEET 1 OF 1	GUAM SURV. DWG. NO.
193-FY2016	SCALE: 1:300	2015250-CONSO1

S-15012

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
ENVIRONMENTAL IMPACT ASSESSMENT (SHORT FORM)
OCTOBER 1999

GEPA has developed this 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: _____

Project Title: LULU Tumon Bay Apartments

1. Name, address and business telephone of applicant:

   LULU Investment Industry Co. LTD., A Guam Corporation
   P.O. Box 339 Hagatna, Guam 96932
   671-988-8162

2. Name, title and telephone number of representative:

   Richard J. Sana, Principal, FC Benavente, Planners (671) 687-9865

3. Name, title, and telephone number of EIA document preparer:
   Richard J. Sana, Principal, FC Benavente, Planners (671) 687-9865

4. Location of the proposed project: (include tract, block, lot, municipality and a location map)

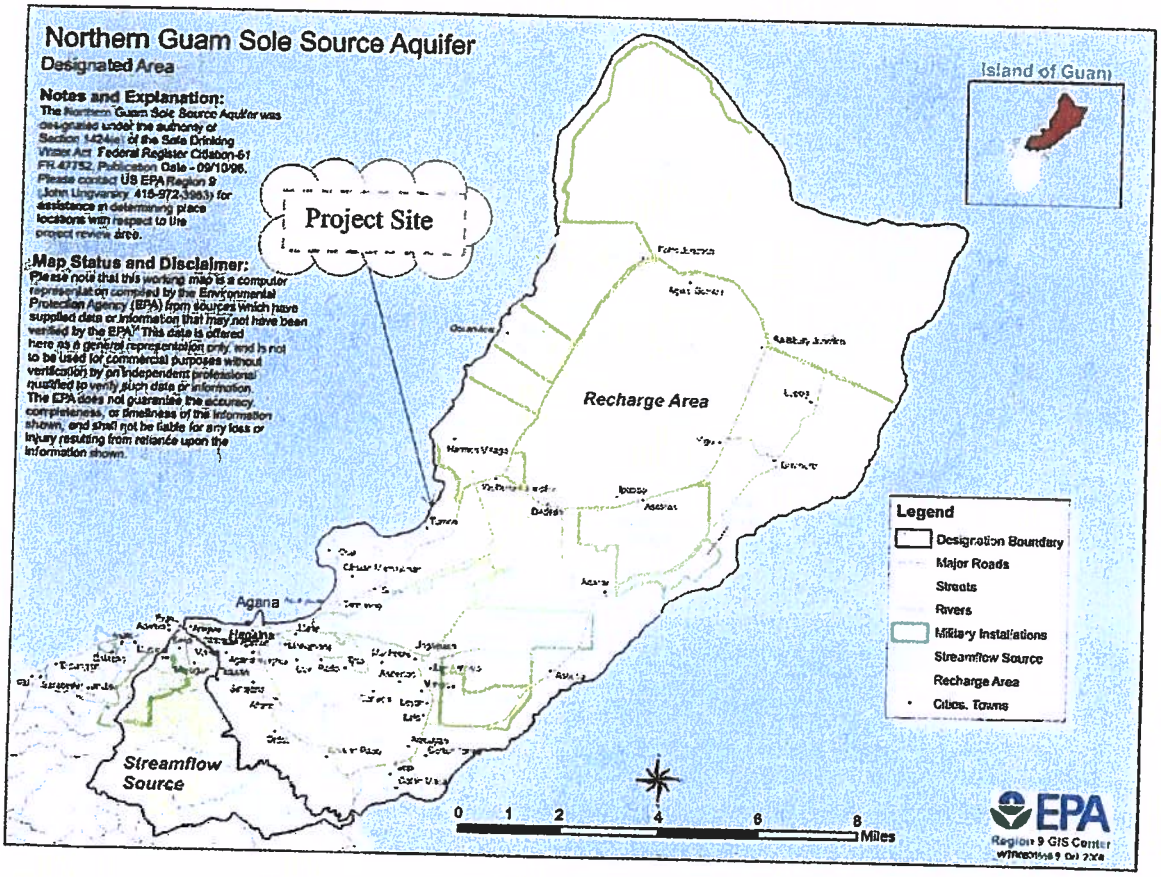
5. Describe the general nature or type of proposed project:

   To construct 33 units, 3 story apartment complex to consist of 2 building structures in the Tumon Hotel Resort ("H") Zone.

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:

Yes. The property, located in Tumon, is acknowledged to be within the boundary of the Northern Guam Water lens area which encompasses the northern half of the entire island (See Figure 1). The proposed development will address and comply with regulations and requirements in place to protect the recharge area with proper and adequate method of collection and discharge of storm water within the project site. This proposed development is not expected to significantly impact the water recharge area.



Location 1Project Site

Figure 1. Northern Guam Sole Source Aquifer Map.

b. Watersheds:

Yes. Although located within a watershed area, as all property on Guam including those within the Northern Aquifer, the impact of the of the proposed development will be minimal if any and is not expected to be significant.

c. Wellhead protection zone:

No known water wells within 1000 feet of proposed project.

d. Marine waters:

No. The property is not located near any beach or shoreline area and is not expected to have significant impacts to adjacent marine waters.

e. Reef flats:

No. The property is not located near any beach or marine waters and is not expected to have significant impacts to the reef flats.

f. Pristine forest:

No. The property is not within a pristine forest. Existing vegetation are second growth.

g. Critical habitat area:

No. The property is not within a critical habitat area.

h. Wetlands:

No. The property is not close to or within a known wetland area.

i. Flood hazard area:

No. The property is not within the flood zone area.

j. Archaeological feature(s) or historical sites:

The DPR-HPO will be consulted for clearance and permitting prior to any excavation and construction work commencing on the development project site.

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

   a. Production of toxic or hazardous waste:

      No. Should however such toxic or hazardous waste exist, appropriate mitigation and disposal will be used in compliance with GEPA requirements.

   b. Dislocation of existing businesses, residents or public areas:

      No. The property is presently vacant and undeveloped and there are no existing businesses or residents located on the property.

   c. Production of air contaminants (temporary or permanent):

      Yes. There will be some dust and emissions from heavy equipment exhaust systems during clearing and grading and construction of buildings. Should however such air contaminants emerge, appropriate mitigation will be used in compliance with 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:

      Yes. It is anticipated that 33 apartment units will have approximately 150 persons/occupants estimated at 4.5 persons per apartment unit. The USGS estimates that the average water consumption is between 80 – 100 gallons per person per day. This means that based on 150 persons, it is estimated that the total water consumption will be approximately 12,000 – 15000 gpd. Drinking water will continue to be provided by existing GWA public systems in place. Any increase in potable water use is not expected to have extreme negative impacts to existing water demand. However, this has to be validated by GWA due to the recent increase of development and construction projects in Tumon Bay.

   b. Sewage Disposal (Public System):

      No. Sewerage services will continue to be provided by existing GWA public systems in place. The project will comply and meet GWA's standards and

requirements. Again, validation by GWA is necessary due to recent developments in Tumon.

c. Vehicle traffic:

Yes. Tumon Bay already has an existing vehicular traffic congestion problem due to area being Guam's primary Hotel Resort and Tourist business location. It is also the favorite Island eating and dining destination patronized by the local population. We do not anticipate any major significant impacts as a result of this development.

Short Form, Page 4.

d. Electricity:

No. Electrical power service will continue to be provided by existing GPA systems in place. Any increase in electricity use in this area is expected to be marginal.

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

Yes. Approximately .96 acres. Soil Classification: Guam-Urban land-Pulantat, very shallow and shallow, well drained, level to gently sloping soils.

(Source: General Soil Map – USDA, Territory of Guam, 1984)

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

No. Preliminary site inspection indicates there is an existing GWA sewer line system near the property. We will verify with GWA if the system is available for connection.

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

No.

11. 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. This project is completely financed by private sources.

12. Does the project include any special or unique features that are not covered above?

No.

Short Form, Page 5.

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

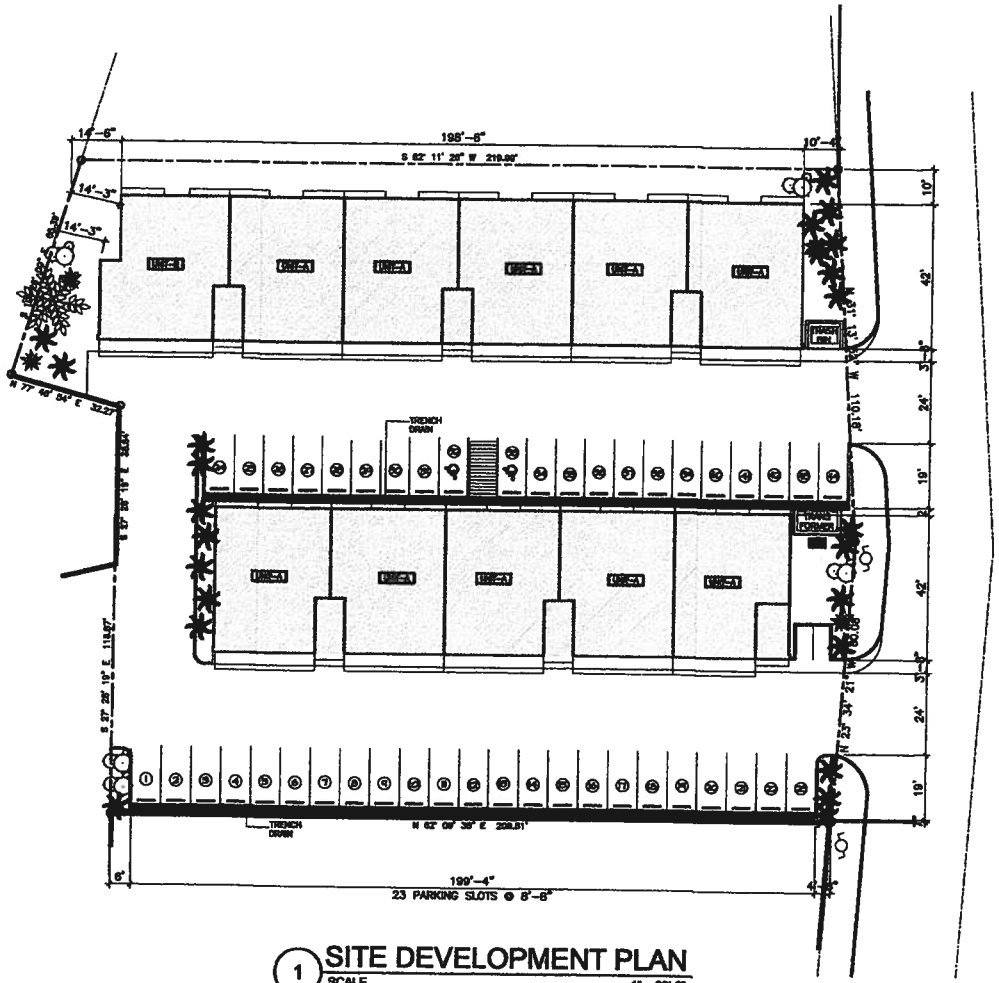
Based on this assessment, it is reasonable to expect that this project will not result in significant adverse environment impacts. I/we hereby declare a "finding of no significant impact".

Richard J. Sana, Applicant Representative
Applicant (Signature)

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 implantation of protection and mitigation measures identified. Failure to fulfill stated avoidance, minimization or mitigation measures may also constitute grounds for Agency enforcement actions to the full extent of all applicable environmental regulations and statutes.

GEPA-EPR001 (12/12/96)



1 SITE DEVELOPMENT PLAN
SCALE 1" = 20'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: SITE DEVELOPMENT PLAN

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

THIS WORK WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION

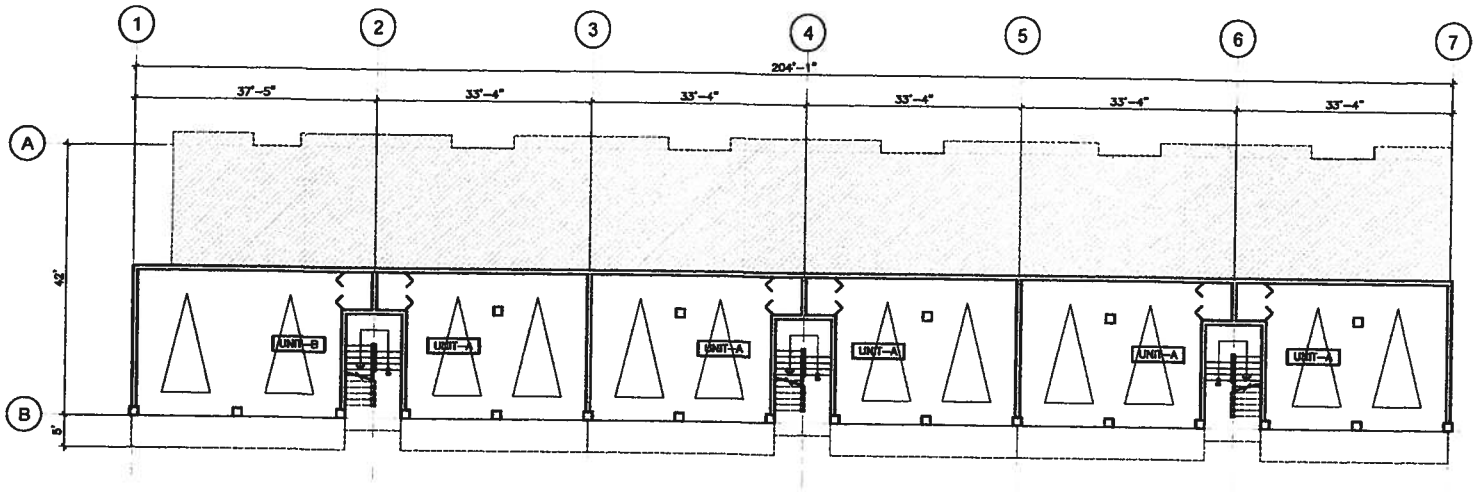
PROJECT NUMBER	P-8040
DESIGNED:	DRAWN: SGIBAR
CHECKED:	SUPV:
APPROVED:	DATE:

DRAWING NO.

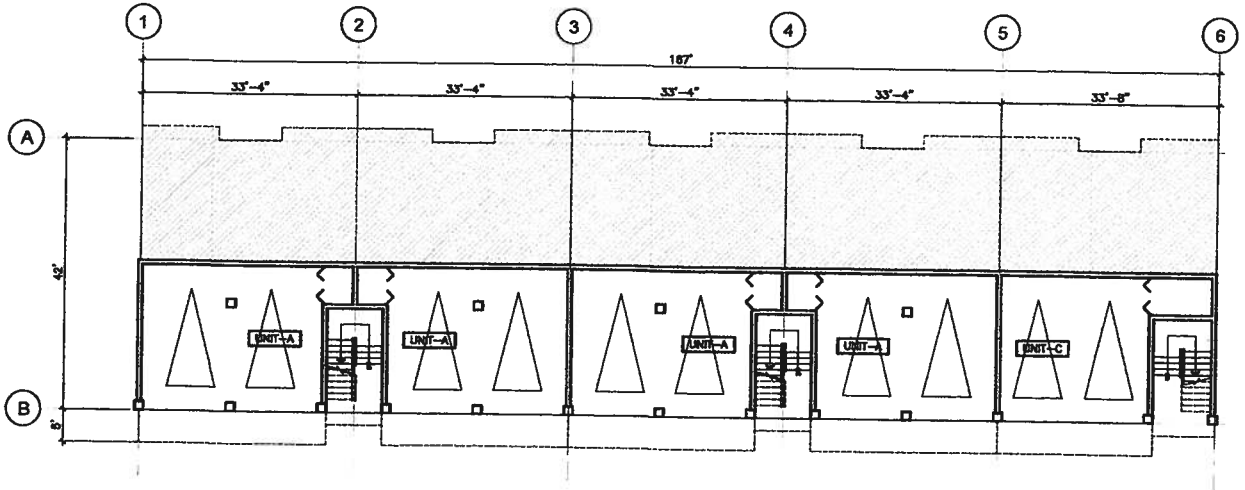
C-1

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



1 BUILDING-A OVER-ALL BASEMENT PLAN
SCALE 3/32" = 1'-0"



2 BUILDING-B OVER-ALL BASEMENT PLAN
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: BUILDING-A OVER-ALL BASEMENT PLAN, BUILDING-B OVER-ALL BASEMENT PLAN

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

THIS WORK WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION

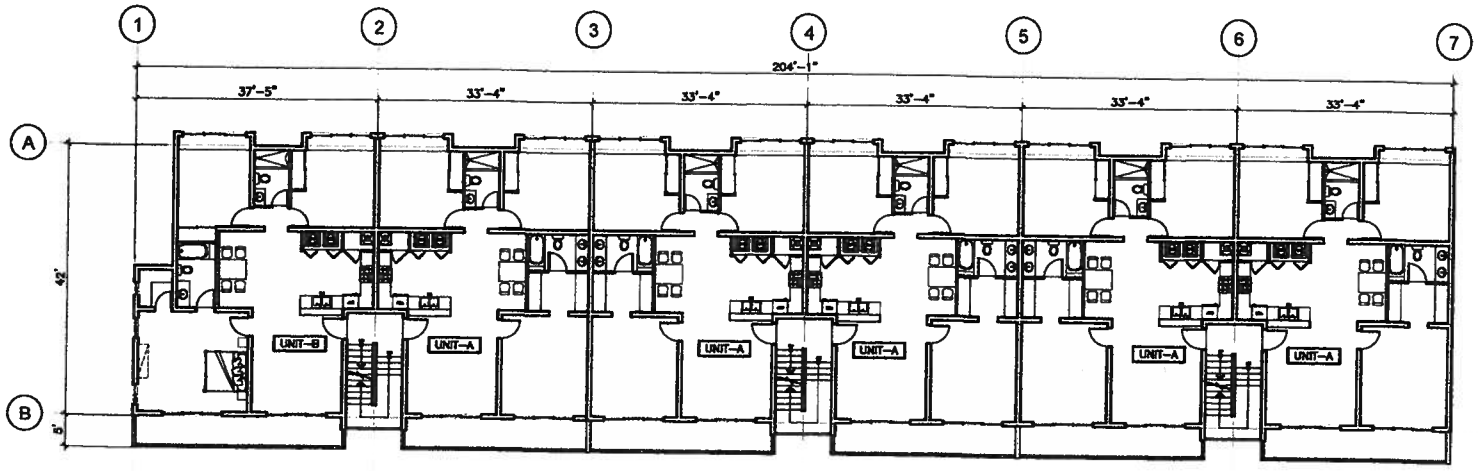
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DESIGNED:	DRAWN: SGMAR
CHECKED:	SUPV:
APPROVED:	DATE: APR 2018

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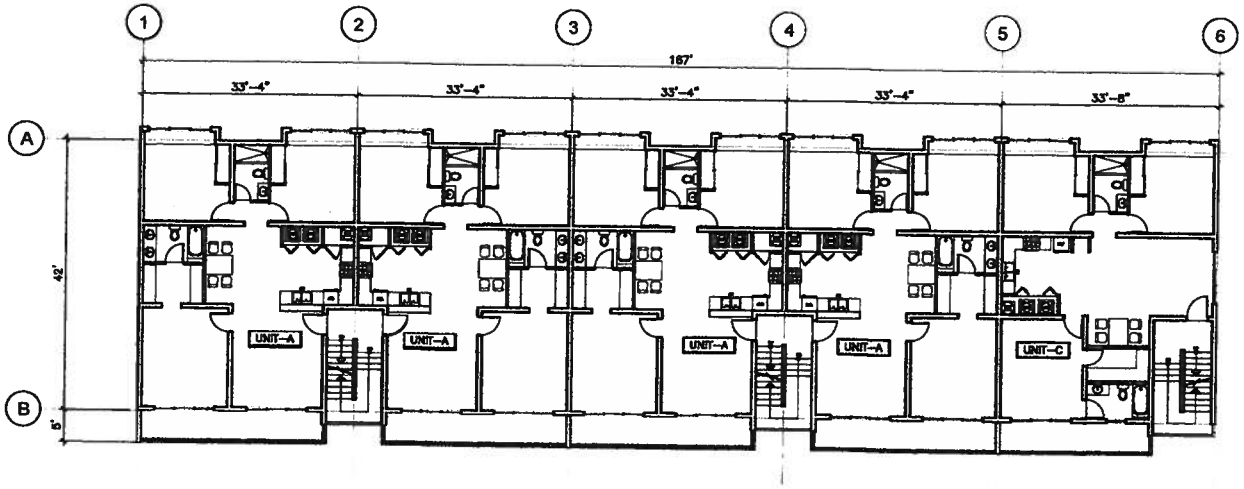
A-1

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



1 BUILDING-A OVER-ALL TYPICAL FLOOR PLAN
SCALE 3/32" = 1'-0"



2 BUILDING-B OVER-ALL TYPICAL FLOOR PLAN
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: BUILDING-A OVER-ALL TYPICAL FLOOR PLAN, BUILDING-B OVER-ALL TYPICAL FLOOR PLAN

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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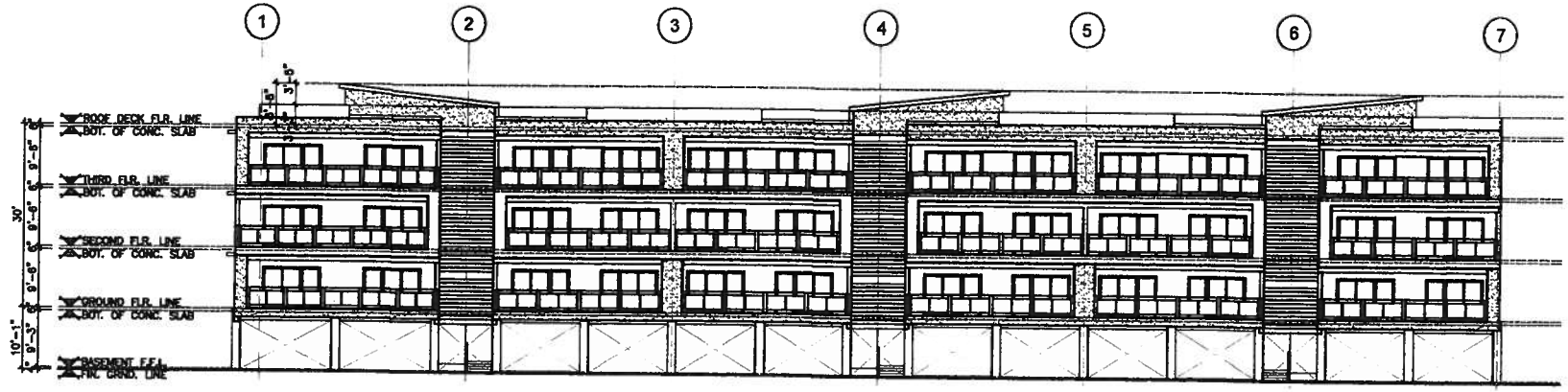
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CHECKED:	SUPV:
APPROVED:	DATE: [illegible]

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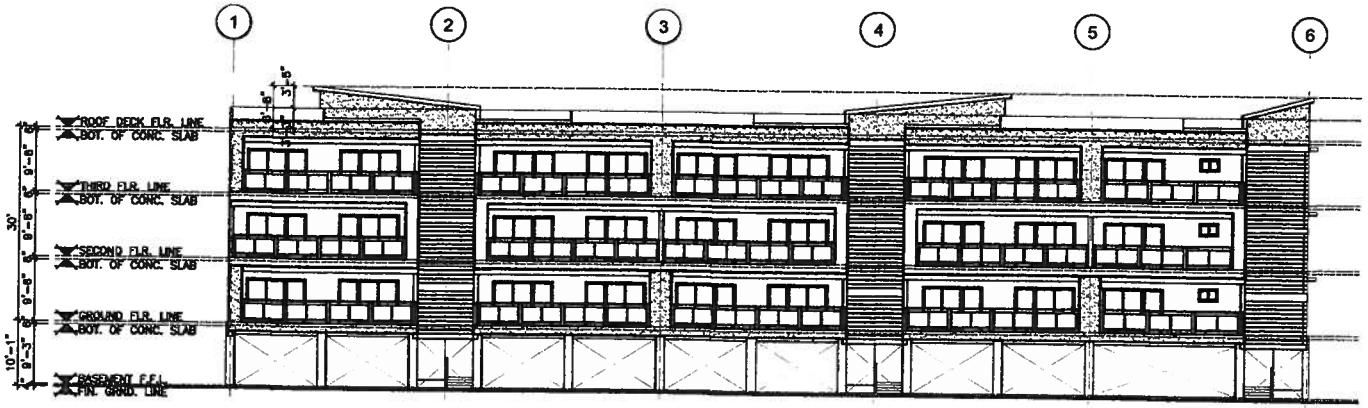
A-2

SHEET 00 OF 00

Doc. No. 34GL-18-2682



1 BUILDING-A FRONT ELEVATION
SCALE 3/32" = 1'-0"



2 BUILDING-B FRONT ELEVATION
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LU HAN

SHEET CONTENT: BUILDING-A FRONT ELEVATION; BUILDING-B FRONT ELEVATION

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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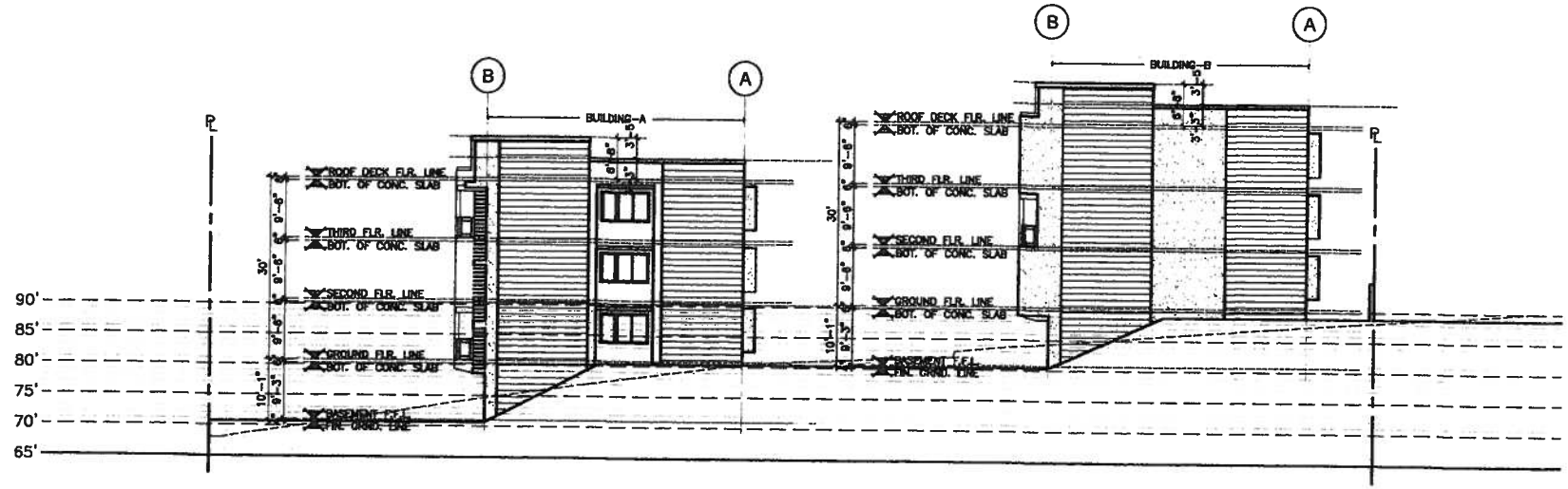
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CHECKED:	SUPV:
APPROVED:	DATE:

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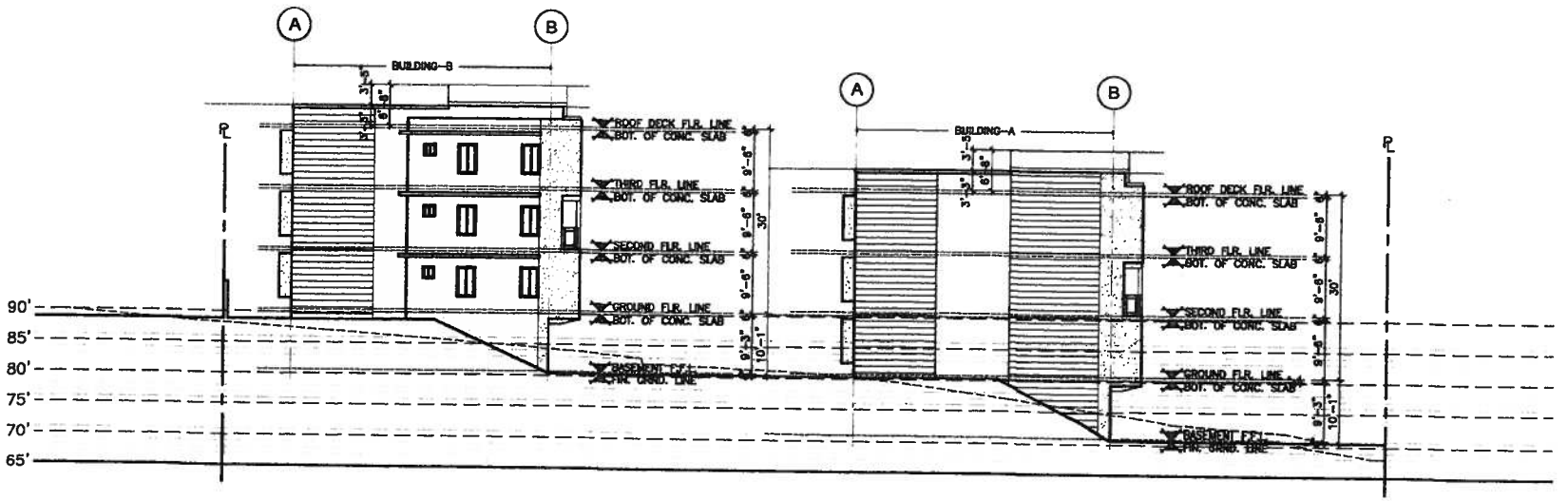
A-3

SHEET 00 OF 00

Doc. No. 34GL-18-2682



1 BUILDING-A & B RIGHT SIDE ELEVATION
SCALE 3/32" = 1'-0"



2 BUILDING-A & B LEFT SIDE ELEVATION
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: BUILDING-A & B RIGHT SIDE ELEVATION, BUILDING-A & B LEFT SIDE ELEVATION

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER P-5040

DESIGNED: DRAWN: SCHUR

CHECKED: SUPV:

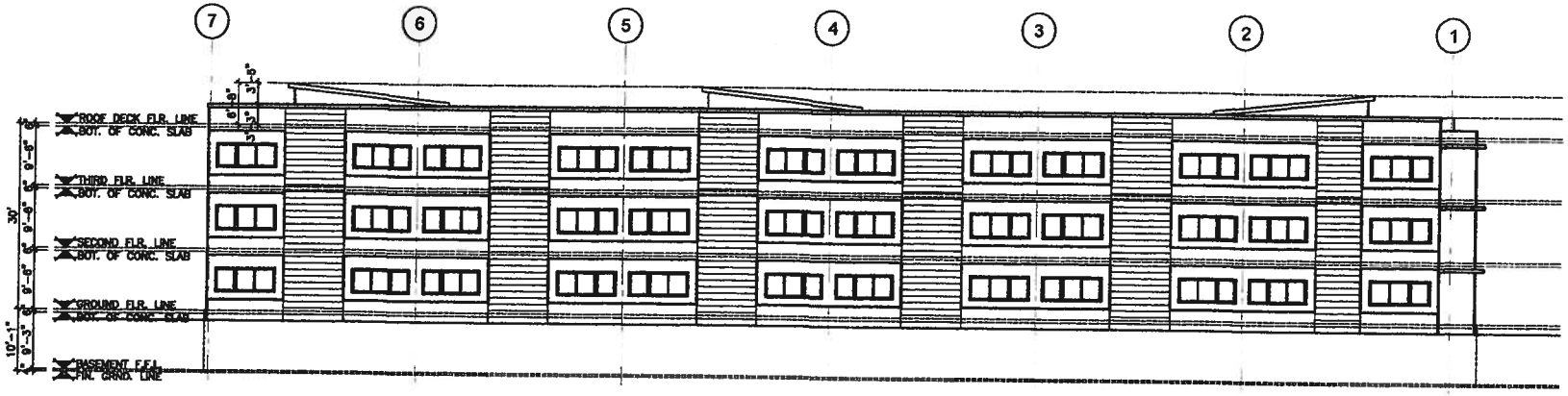
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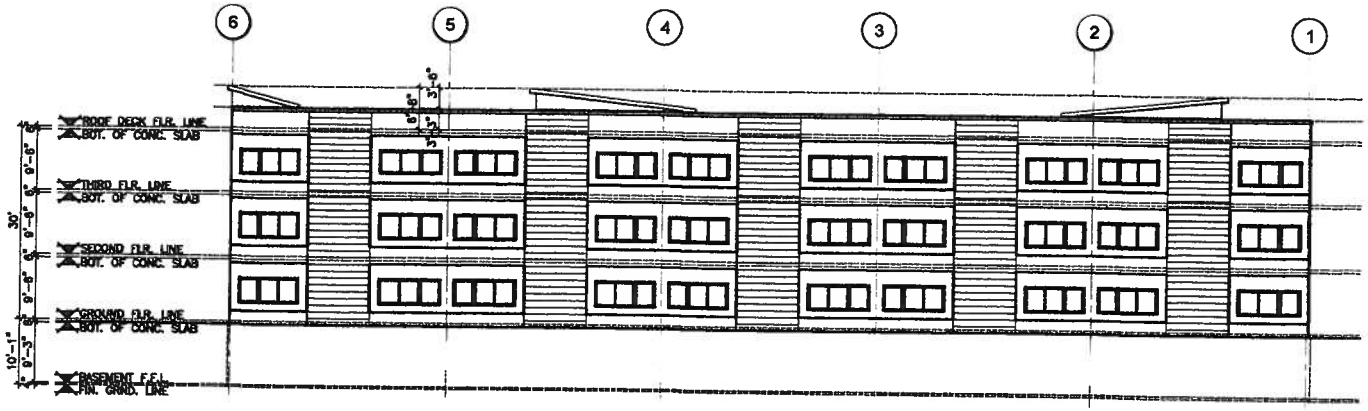
A-4

SHEET 00 OF 00

Doc. No. 34GL-18-2682



1 BUILDING-A REAR ELEVATION
SCALE 3/32" = 1'-0"



1 BUILDING-B REAR ELEVATION
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: BUILDING-A REAR ELEVATION, BUILDING-B REAR ELEVATION

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER P-6040

DESIGNED: DRAWN:

CHECKED: SUPV:

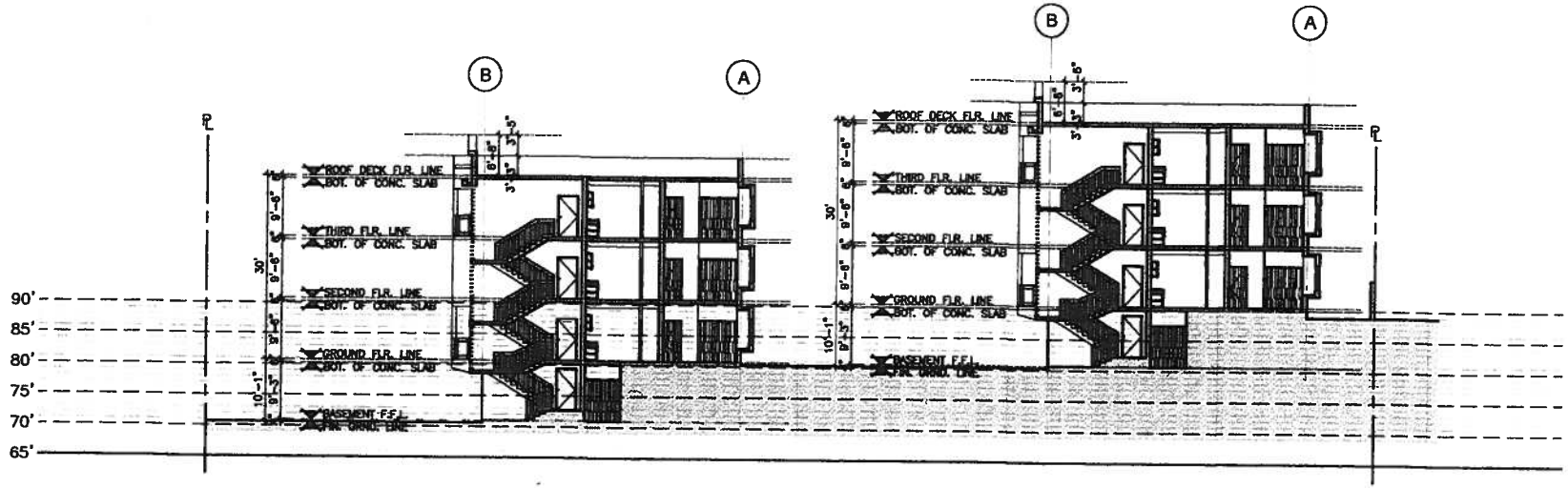
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DRAWING NO.

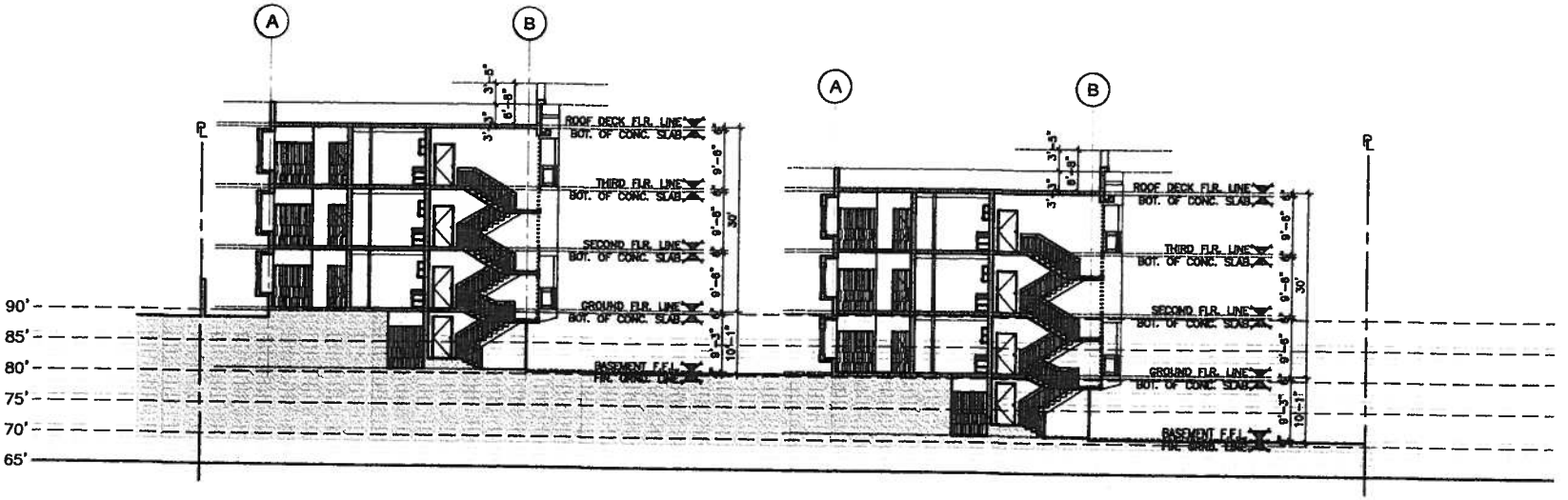
A-5

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



1 BUILDING-A & B CROSS SECTION - 1
SCALE 3/32" = 1'-0"



2 BUILDING-A & B CROSS SECTION - 2
SCALE 3/32" = 1'-0"

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: BUILDING-A & B CROSS SECTION-1; BUILDING-A & B CROSS SECTION-2

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER P-6040

DESIGNED: DRAWN: SASHA

CHECKED: SUPV:

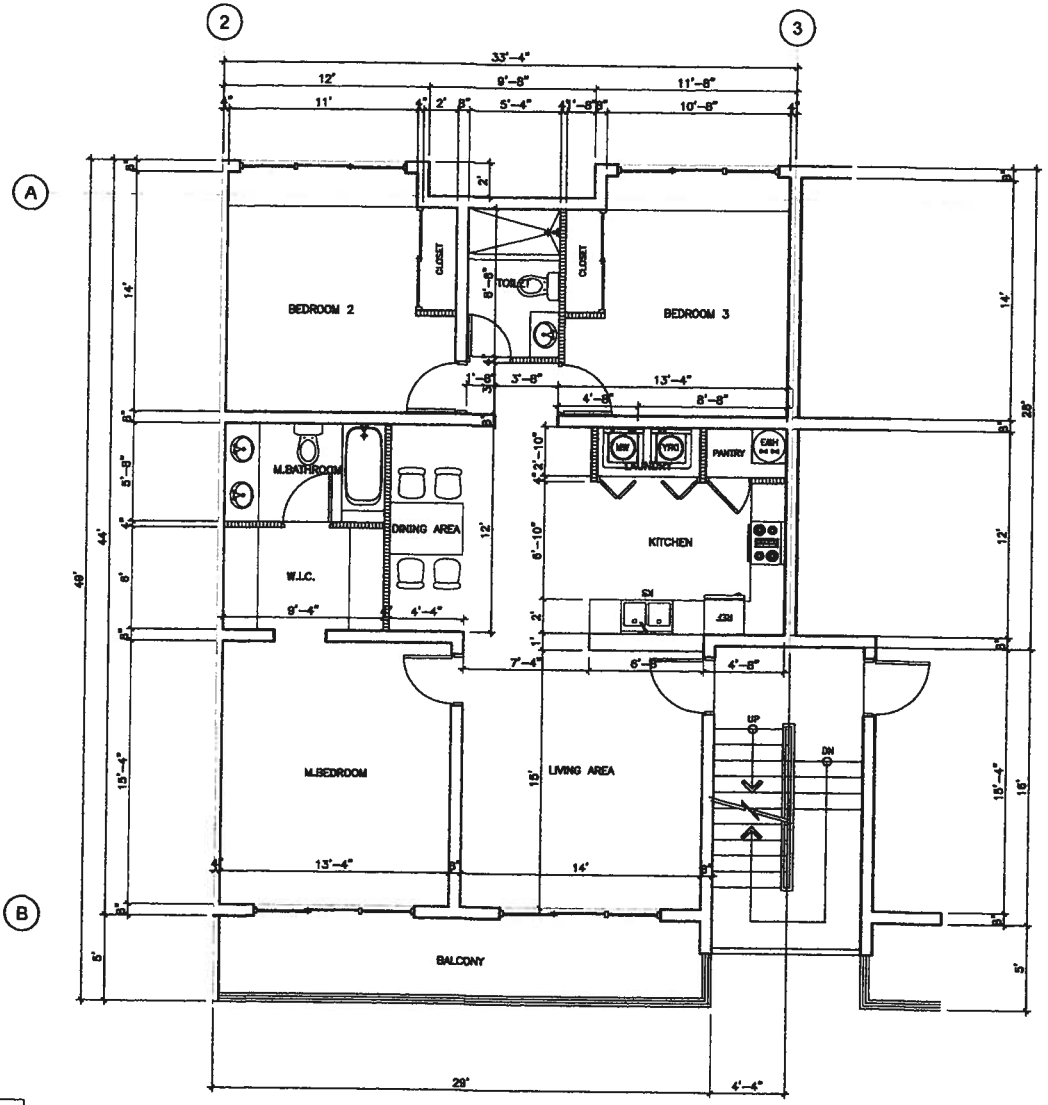
APPROVED: DATE:

DRAWING NO.

A-6

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



LIVING AREA	=	1,378.00 SF.
BALCONY	=	145.00 SF.
TOTAL AREA	=	1,523.00 SF.

1 UNIT-A FLOOR PLAN
SCALE 1/4" = 1'-0"

LEGEND:
- 8" THK. CMU WALL
- 6" / 4" THK. GYP. BOARD WALL

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: UNIT-A FLOOR PLAN, AREA COMPUTATION, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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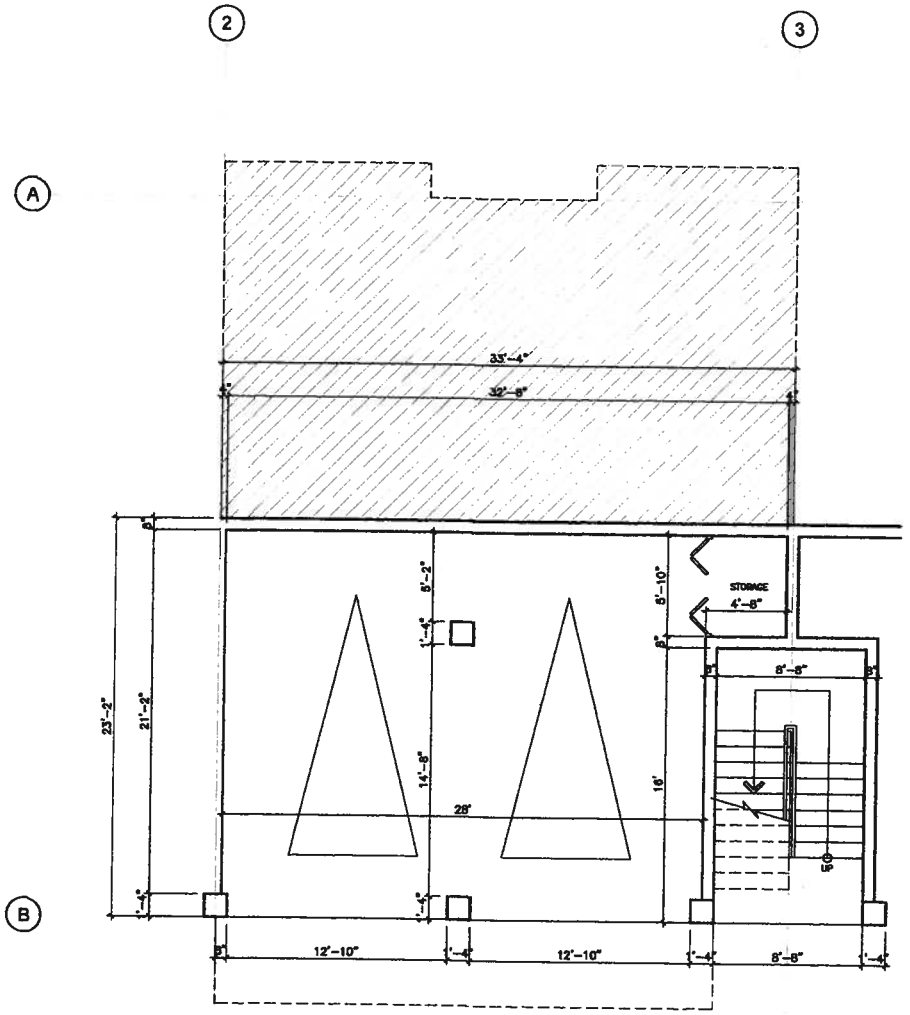
PROJECT NUMBER	P-6040
DESIGNED:	DRAWN: SGIBAR
CHECKED:	SUPV:
APPROVED:	DATE:

DRAWING NO.

A-7

SHEET 00 OF 00

Doc. No. 34GL-18-2682



1 UNIT-A BASEMENT PLAN
SCALE 1/4" = 1'-0"

LEGEND:
8" THK. CMU WALL
6" / 4" THK. GYP. BOARD WALL

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: UNIT-A BASEMENT PLAN, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION:

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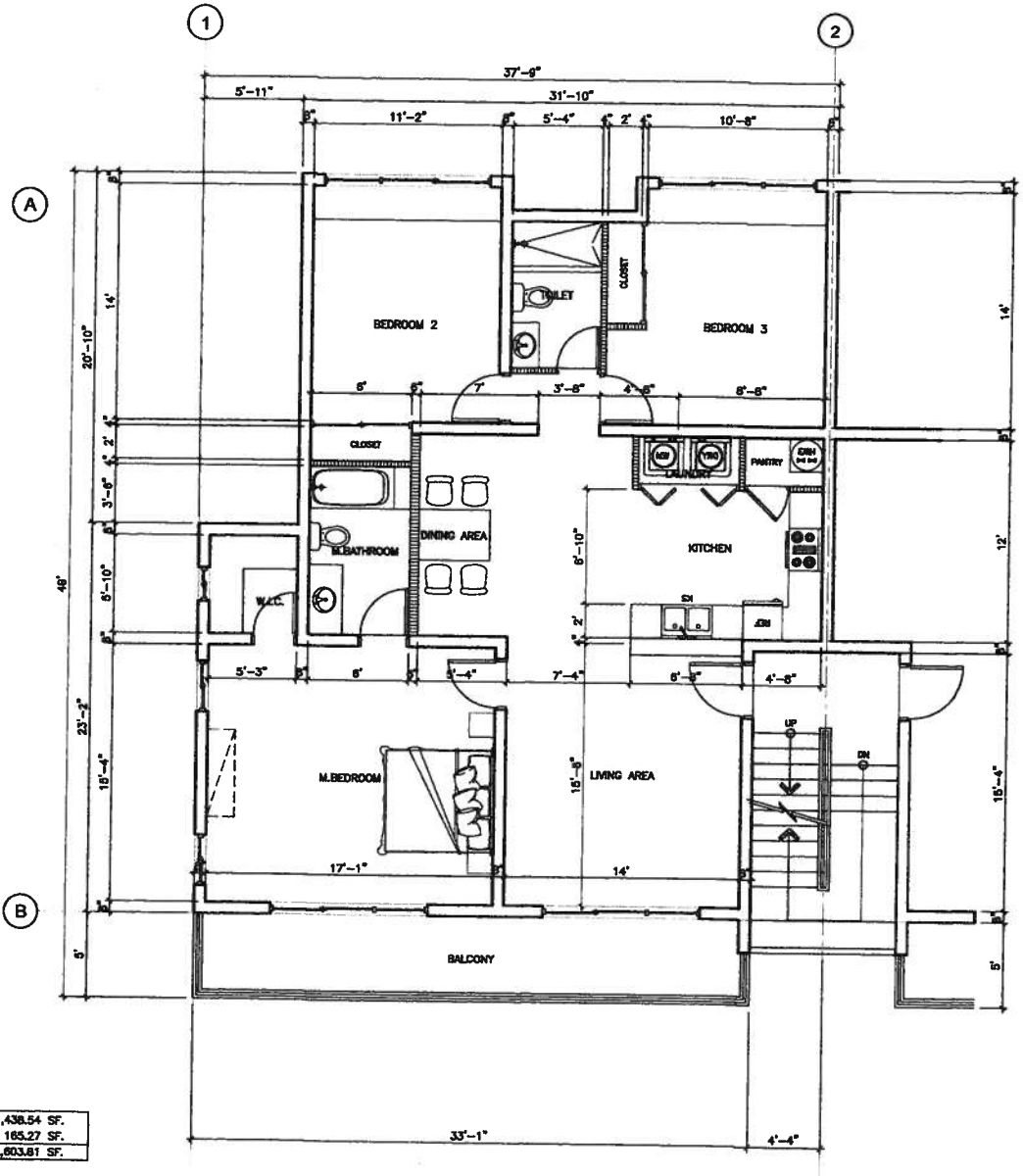
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DESIGNED:	DRAWN:
CHECKED:	SUPV:
APPROVED:	DATE:

DRAWING NO.

A-8

SHEET 00 OF 00

Doc. No. 34GL-18-2682



LIVING AREA	=	1,438.54 SF.
BALCONY	=	165.27 SF.
TOTAL AREA	=	1,603.81 SF.

1 UNIT-B FLOOR PLAN
SCALE 1/4" = 1'-0"

LEGEND:
- 8" THK. CMU WALL
- 6" / 4" THK. GYP. BOARD WALL

NO.	REVISION	DESCRIPTION	DATE

OWNER: MR. LU HAN

SHEET CONTENT: UNIT-B FLOOR PLAN, AREA COMPUTATION, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER P-8040

DESIGNED: DRAWN: SSSBUR

CHECKED: SUPV:

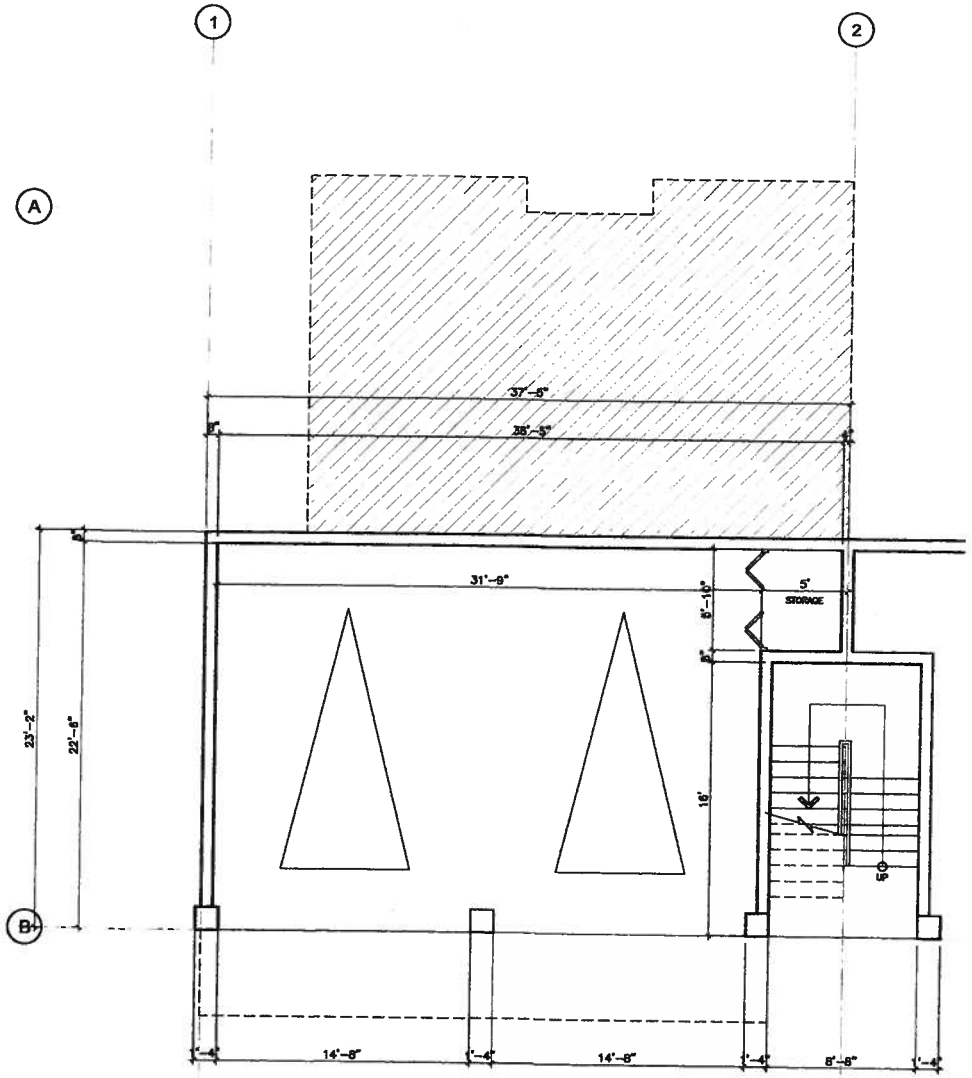
APPROVED: DATE: JUN, 2018

DRAWING NO.

A-9

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



1 UNIT-B BASEMENT PLAN
SCALE 1/4" = 1'-0"

LEGEND:
8" THK. CMU WALL
6" / 4" THK. GYP. BOARD WALL

DATE	DESCRIPTION	REVISION

OWNER: MR. LU HAN

SHEET CONTENT: UNIT-B BASEMENT PLAN, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER P-6040

DESIGNED: DRAWN: SGEBUR

CHECKED: SUPV:

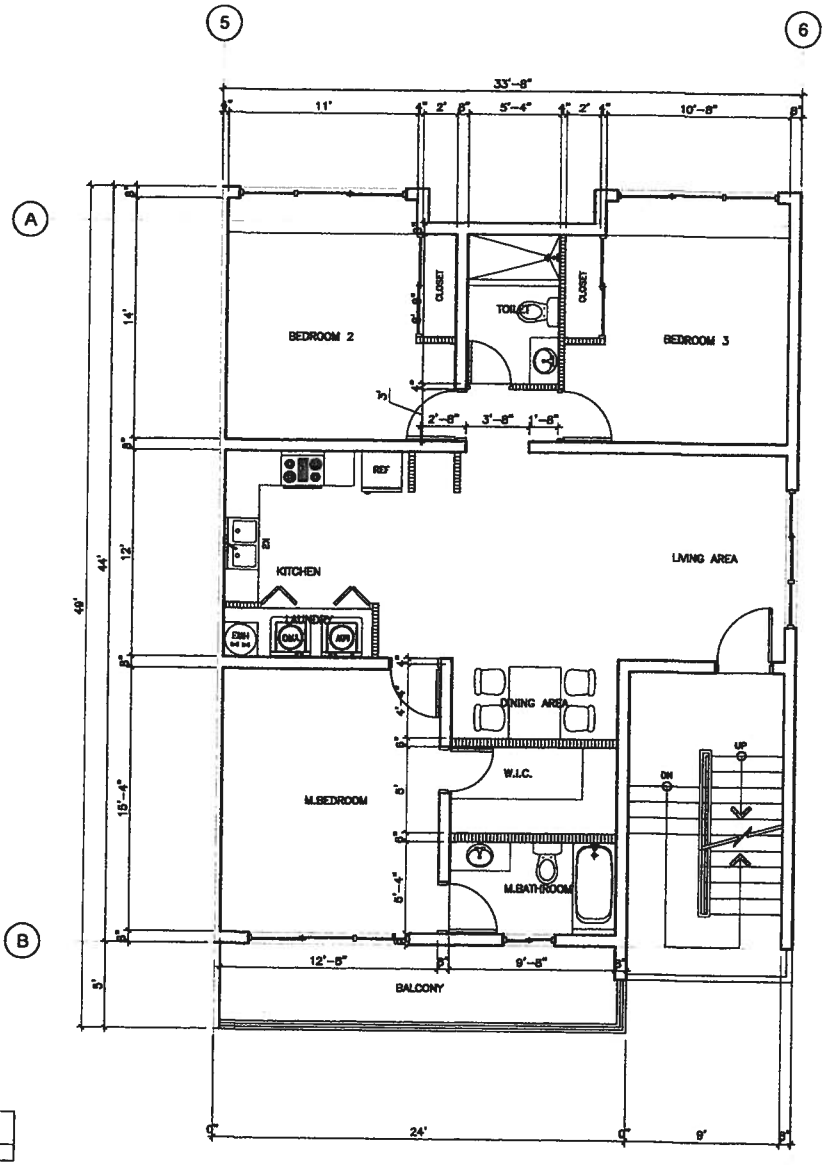
APPROVED: DATE:

DRAWING NO.

A-10

SHEET 00 OF 00

Doc. No. 34GL-18-2682.



LIVING AREA	=	1,307.33 SF.
BALCONY	=	120.38 SF.
TOTAL AREA	=	1,427.71 SF.

1 UNIT-C FLOOR PLAN
SCALE 1/4" = 1'-0"

LEGEND:
- 8" THK. CMU WALL
- 6" / 4" THK. GYP. BOARD WALL

DATE	DESCRIPTION	REVISION

OWNER: MR. LIU HAN

SHEET CONTENT: UNIT-C FLOOR PLAN, AREA COMPUTATION, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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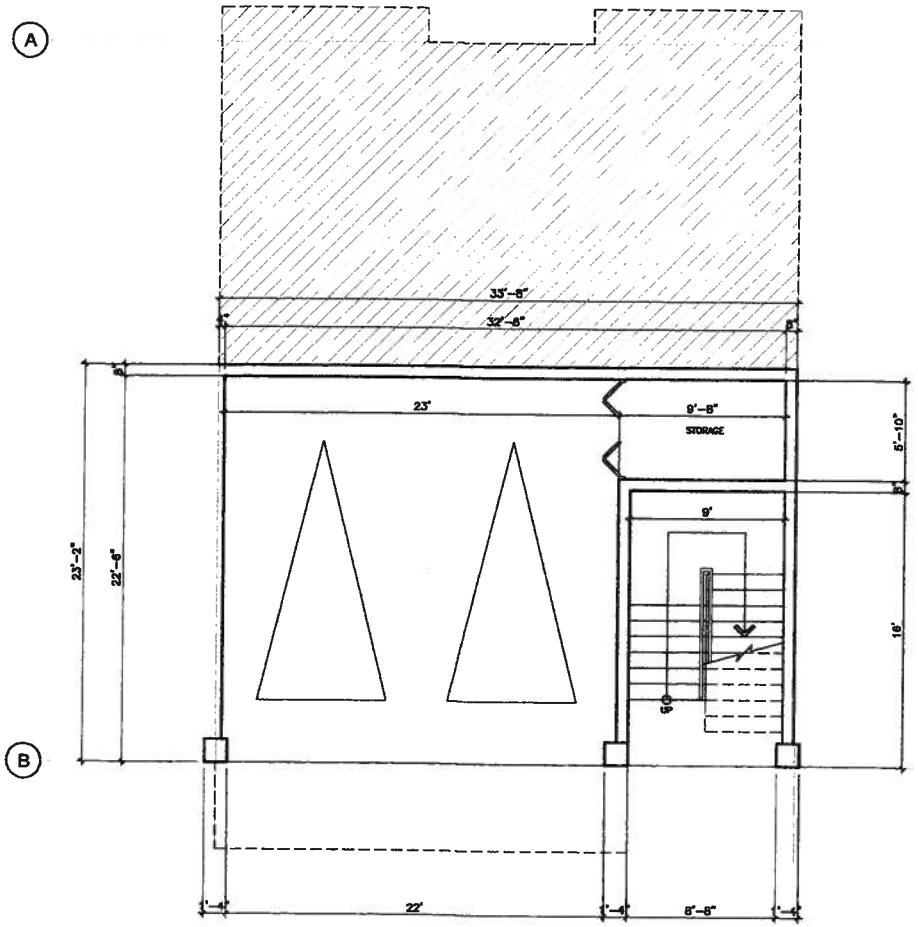
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CHECKED:	SUPV:
APPROVED:	DATE: [illegible]

DRAWING NO.

A-11

SHEET 00 OF 00

Doc. No. 34GL-18-2682



1 UNIT-C BASEMENT PLAN
SCALE 1/4" = 1'-0"

LEGEND:
6" THK. CMU WALL
6" / 4" THK. GYP. BOARD WALL

REVISION	DESCRIPTION	DATE

OWNER: MR. LIU HAN

SHEET CONTENT: UNIT-C BASEMENT PLAN, WALL LEGENDS

PROJECT: PROPOSED 3-STOREY APARTMENT

LOCATION: TUMON, GUAM

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PROJECT NUMBER	P-6040
DESIGNED:	DRAWN: SCUBBA
CHECKED:	SUPV:
APPROVED:	DATE: AUG, 2018

DRAWING NO.

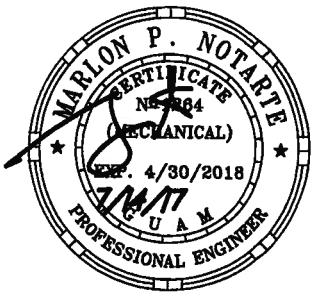
A-12

SHEET 00 OF 00

Doc. No. 34GL-18-2682

PLUMBING
DESIGN CALCULATIONS

PROPOSED 3-STOREY, 33-UNIT APARTMENT
TUMON, GUAM



PREPARED BY: MARLON P. NOTARTE, P.E.
P.O. BOX 21251
GMF, GUAM 96921
TEL: 969-7799

Doc. No. 34GL-18-2682.

Proposed 33-Units Apartment

Project Description:

Proposed project includes two 3-story, apartment buildings located in Tumon, Guam.
Project includes 3-bedroom units, with 3-types of floor layouts (Type-A, B & C).
Building-A includes 15 Type-A units, and 3 Type-B units.
Building-B includes 12 Type-A units, and 3 Type-B units.

Plumbing Fixtures:

Plumbing facility for each unit includes 2-bathrooms, kitchen and laundry room.
Type-A Units: 2-water closets; 3-lavatories; bathtub; shower; kitchen sink & clothes washer.
Type-B Units: 2-water closets; 2-lavatories; bathtub; shower; kitchen sink & clothes washer.
Type-C Units: 2-water closets; 2-lavatories; bathtub; shower; kitchen sink & clothes washer.

References:

GWA Standards for water and wastewater flows.
Maui Standards.
City of Palm Coast, Florida Standards for water & wastewater.
Ten State Standards
American Society of Plumbing Engineers (ASPE) Handbooks.

Calculations Summary:

Estimated water demand:	18,150 gallons per day
Estimated sewage flow:	14,520 gallons per day
Main water meter:	2-inches
Main water supply pipe:	3-inches
Main sewer line:	8-inches
Electric water heater:	40-gallons; 4.5 kw (typical per unit)

ESTIMATED WATER DEMAND and SEWAGE FLOW CALCULATIONS

Proposed 33-Units Apartment Building

References: Guam Waterworks Authority
International Plumbing Code, 2009
American Society of Plumbing Engineers (ASPE) Handbooks
Manufacturers Brochures & Catalogs

A. Domestic Water Demand Calculations:

Unit type/description	No. of Apartment Units (3-BR)	Estimated occupant load per unit	Total no. of occupants per building	GWA Design Criteria	
				Domestic water demand per person per day, gallons	Total domestic water demand, gallons per day
Building-A	18	4	72	125	9,000
Building-B	15	4	60	125	7,500
			Total domestic water flow per day		**16,500 Gal/Day**
			Factor of safety, 10%		1,650
			Total Design Flow		**18,150 Gal/Day**

B. Sewage Flow Calculations:

Unit type/description	Quantity, ea.	Estimated occupant load per unit	Estimated no. of occupants	GWA Design Criteria	
				Estimated wastewater flow per person per day, gallons	Total wastewater flow, gallons per day
Building-A	18	4	72	100	7,200
Building-B	15	4	60	100	6,000
			Total wastewater flow per day		**13,200 Gal/Day**
			Factor of safety, 10%		1,320
			Total Design Flow		**14,520 Gal/Day**

Proposed 33-Unit Apartment

Building-A & B

WATER CALCULATIONS

FIXTURE	AMT		FU	TOTAL	
WAT. CL..(FV)	0	X	10	0	FU
WAT. CL. (FT)	66	X	2.2	145.2	FU
URINAL (FV)	0	X	5	0	FU
LAVATORY	93	X	0.7	65.1	FU
MOP SINK	0	X	4	0	FU
KITCHEN SINK	33	X	1.4	46.2	FU
1 COMP SINK		X	4	0	FU
BAR SINK		X	2	0	FU
HAND SINK		X	2	0	FU
2 COMP SINK		X	6	0	FU
3 COMP SINK	0	X	8	0	FU
SHOWER	33	X	1.4	46.2	FU
BATHTUB	33	X	1.4	46.2	FU
HOSE BIBB	0	X	5	0	FU
LAUNDRY TUB	0	X	1.4	0	FU
CL. WASHER	33	X	3	99	FU
DISHWASHER	0	X	1.4	0	FU
EVAP COOLER		X	1	0	FU
COFFEE MAC		X	1	0	FU
ICE MACHINE		X	2	0	FU
DISPOSAL		X	4	0	FU
HOSE REEL		X	4	0	FU
EDF		X	2	0	FU
OTHER		X		0	FU
OTHER		X		0	FU
TOTAL FIXTURE UNITS =				447.9	FU

FLUSH VALVE SYSTEM

FIXTURE UNITS:	447.9	N/A
GPM:	135	N/A
PIPE SIZE:		

FLUSH TANK SYSTEM

FIXTURE UNITS:	447.9
CW GPM:	111
PIPE SIZE:	3"

Proposed 33-Unit Apartment

Building-A

WATER CALCULATIONS

FIXTURE	AMT		FU	TOTAL	
WAT. CL..(FV)	0	X	10	0	FU
WAT. CL. (FT)	36	X	2.2	79.2	FU
URINAL (FV)	0	X	5	0	FU
LAVATORY	51	X	0.7	35.7	FU
MOP SINK	0	X	4	0	FU
KITCHEN SINK	18	X	1.4	25.2	FU
1 COMP SINK		X	4	0	FU
BAR SINK		X	2	0	FU
HAND SINK		X	2	0	FU
2 COMP SINK		X	6	0	FU
3 COMP SINK	0	X	8	0	FU
SHOWER	18	X	1.4	25.2	FU
BATHTUB	18	X	1.4	25.2	FU
HOSE BIBB	0	X	5	0	FU
LAUNDRY TUB	0	X	1.4	0	FU
CL. WASHER	18	X	3	54	FU
DISHWASHER	0	X	1.4	0	FU
EVAP COOLER		X	1	0	FU
COFFEE MAC		X	1	0	FU
ICE MACHINE		X	2	0	FU
DISPOSAL		X	4	0	FU
HOSE REEL		X	4	0	FU
EDF		X	2	0	FU
OTHER		X		0	FU
OTHER		X		0	FU
TOTAL FIXTURE UNITS =				244.5	FU

FLUSH VALVE SYSTEM

FIXTURE UNITS:	244.5	N/A
GPM:	101	N/A
PIPE SIZE:		

FLUSH TANK SYSTEM

FIXTURE UNITS:	244.5
CW GPM:	73
PIPE SIZE:	2"

Proposed 33-Unit Apartment

Building-B

WATER CALCULATIONS

FIXTURE	AMT		FU	TOTAL	
WAT. CL..(FV)	0	X	10	0	FU
WAT. CL. (FT)	30	X	2.2	66	FU
URINAL (FV)	0	X	5	0	FU
LAVATORY	42	X	0.7	29.4	FU
MOP SINK	0	X	4	0	FU
KITCHEN SINK	15	X	1.4	21	FU
1 COMP SINK		X	4	0	FU
BAR SINK		X	2	0	FU
HAND SINK		X	2	0	FU
2 COMP SINK		X	6	0	FU
3 COMP SINK	0	X	8	0	FU
SHOWER	15	X	1.4	21	FU
BATHTUB	15	X	1.4	21	FU
HOSE BIBB	0	X	5	0	FU
LAUNDRY TUB	0	X	1.4	0	FU
CL. WASHER	15	X	3	45	FU
DISHWASHER	0	X	1.4	0	FU
EVAP COOLER		X	1	0	FU
COFFEE MAC		X	1	0	FU
ICE MACHINE		X	2	0	FU
DISPOSAL		X	4	0	FU
HOSE REEL		X	4	0	FU
EDF		X	2	0	FU
OTHER		X		0	FU
OTHER		X		0	FU
TOTAL FIXTURE UNITS =				203.4	FU

FLUSH VALVE SYSTEM

FIXTURE UNITS:	203.4	N/A
GPM:	94	N/A
PIPE SIZE:		

FLUSH TANK SYSTEM

FIXTURE UNITS:	203.4
CW GPM:	65
PIPE SIZE:	2"

Building-A & B

WASTE CALCULATIONS

FIXTURE	AMT		FU	TOTAL FU	
WAT CL	66	X	6	396	FU
URINAL	0	X	2	0	FU
LAVATORY	93	X	1	93	FU
MOP SINK	0	X	6	0	FU
BAR SINK		X	2	0	FU
SINK	33	X	3	99	FU
CLWASHER	33	X	2	66	FU
LANDRY TUB	0	X	2	0	FU
EDF		X	1	0	FU
SHOWER	33	X	2	66	FU
BATHTUB	33	X	2	66	FU
DISHWASHER	0	X	3	0	FU
2" FL DRAIN	33	X	4	132	FU
3" FL DRAIN		X	6	0	FU
4" FL DRAIN		X	8	0	FU
2" FL SINK		X	4	0	FU
3" FL SINK		X	6	0	FU
4" FL SINK		X	8	0	FU
OTHER		X	2	0	FU
OTHER		X	3	0	FU
OTHER		X	4	0	FU
			TOTAL BUILDING FU =	918	FU

WASTE MAIN SIZE:

SLOPE- 1/4" PER FOOT =	8	INCH
SLOPE- 1/8" PER FOOT =	8	INCH

Building-A

WASTE CALCULATIONS

FIXTURE	AMT		FU	TOTAL FU	
WAT CL	36	X	6	216	FU
URINAL	0	X	2	0	FU
LAVATORY	51	X	1	51	FU
MOP SINK	0	X	6	0	FU
BAR SINK		X	2	0	FU
SINK	18	X	3	54	FU
CLWASHER	18	X	2	36	FU
LANDRY TUB	0	X	2	0	FU
EDF		X	1	0	FU
SHOWER	18	X	2	36	FU
BATHTUB	18	X	2	36	FU
DISHWASHER	0	X	3	0	FU
2" FL DRAIN	18	X	4	72	FU
3" FL DRAIN		X	6	0	FU
4" FL DRAIN		X	8	0	FU
2" FL SINK		X	4	0	FU
3" FL SINK		X	6	0	FU
4" FL SINK		X	8	0	FU
OTHER		X	2	0	FU
OTHER		X	3	0	FU
OTHER		X	4	0	FU
			TOTAL BUILDING FU =	501	FU

WASTE MAIN SIZE:

SLOPE- 1/4" PER FOOT =	6	INCH
SLOPE- 1/8" PER FOOT =	6	INCH

Building-B

WASTE CALCULATIONS

FIXTURE	AMT		FU	TOTAL FU	
WAT CL	30	X	6	180	FU
URINAL	0	X	2	0	FU
LAVATORY	42	X	1	42	FU
MOP SINK	0	X	6	0	FU
BAR SINK		X	2	0	FU
SINK	15	X	3	45	FU
CLWASHER	15	X	2	30	FU
LANDRY TUB	0	X	2	0	FU
EDF		X	1	0	FU
SHOWER	15	X	2	30	FU
BATHTUB	15	X	2	30	FU
DISHWASHER	0	X	3	0	FU
2" FL DRAIN	15	X	4	60	FU
3" FL DRAIN		X	6	0	FU
4" FL DRAIN		X	8	0	FU
2" FL SINK		X	4	0	FU
3" FL SINK		X	6	0	FU
4" FL SINK		X	8	0	FU
OTHER		X	2	0	FU
OTHER		X	3	0	FU
OTHER		X	4	0	FU
			TOTAL BUILDING FU =	417	FU

WASTE MAIN SIZE:

SLOPE- 1/4" PER FOOT =	6	INCH
SLOPE- 1/8" PER FOOT =	6	INCH

Electric Water Heater Calculations:

Typical Apartment Unit:

References: ASHRAE Handbooks
ASPE Handbooks
Manufacturers Brochures & Catalogs

Hot water demand:

Qty.	Fixture	HW demand, gph	Total demand, gph
3	Lavatory	2	6
1	Shower	30	30
1	Bathtub	20	20
1	Clothes washer	20	20
1	Kitchen sink	10	10
		Total demand, gph	**86**

Demand factor:	0.3
Storage capacity factor:	1.25
Recovery rate, gph:	**26**
Storage capacity, gals.:	**32**
Elec. heating required, KW:	**4**

Select Standard Unit	**40 gallons**
	4.5 kw

REFERENCES

GUAM WATERWORKS AUTHORITY

Standards for Wastewater

GWA has adopted the following three documents as standards and specifications for wastewater. In the case of conflict between these documents, the following order of precedence shall be followed:

1. Title 28 Guam Administrative Rules
2. Recommended Standards for Wastewater Facilities (commonly referred to as the "Ten State Standards")
3. City of Palm Coast, Florida Standards and Specifications for Water and Wastewater Construction, March 2009 ("Palm Coast Standards"), inclusive of the sections noted below:
   a. Division 2, Part 1, Sections 3 – 6
   b. Division 3, Part 3
   c. Division 4, Force Main and Gravity Sanitary Sewer Details
      i. Force Main and Gravity Sanitary Sewer Details: SS-1 through SS-30 shall apply
      ii. Structural Details S-1 through S5 shall apply
      iii. Miscellaneous Details M-1 though M16 shall apply
   d. All exceptions noted in the 'Guam Water Works Authority *Exceptions* to the City of Palm Coast, Florida Standards and Specifications for Water and Wastewater Construction' shall apply. These exceptions shall be updated as required by the GWA Engineering Department.

A copy of this standard can be viewed from the following link:
http://www.ci.palm-coast.fl.us/CityDocs/Departments/Utilities/Standards/DesignManual.pdf

All construction that is not covered under these standards, such as clearing and grubbing, excavation and backfill, distances between water and sewer pipe, etc., shall be from the Water System Standards, Department of Water Supply County of Maui, State of Hawaii 2002 ("Maui Standards").

Guam Water Works Authority Exceptions to the City of Palm Coast, Florida Standards and Specifications for Water and Wastewater Construction

All of the below apply.

- All instances of "The City of Palm Coast" shall be replaced with "the Guam Waterworks Authority" and all instances of "Florida" shall be replaced with "Guam".
- All references to Divisions or Sections not included in GWA's adoption of the Palm Coast Standards shall be replaced by the appropriate Maui Standard.
- For all references to specific products, add the words "or approved equal"
- Unless otherwise noted in these Exceptions, all references to Standard Details shall apply.
- All electrical controls and generators shall be installed in a typhoon hardened structure, the design of which shall be approved by GWA

4.2.2 Peak design flow shall be in accordance with the "Ten State Standards"
4.3.3 Gravity sewer velocity shall be a minimum of 3.0 fps at ½ full flow.
4.4.3 Change "24-inches clear" to "30-inches clear"
4.4.4 Eliminate the words "without special consideration."
4.4.8 Change "Florida Bearing Value of 50psi and compacted to 95% of ASSHTO T-180" to "compacted to at least 95% of the maximum density as specified in Section 204 of the "Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects FP-03""
4.5.3 This shall be in accordance with Title 28 GAR.
5.3.7 Change "registered in Florida" to "registered in Guam." To "Army Corps of Engineers and Coast Guard" add "and Guam Environmental Protection Agency."
6.3.5 To the phrase "a minimum of five (5) minutes" add "or manufacturer's specifications, whichever is longer"
6.3.6 Add "in accordance with Title 28 GAR"
32.2.2 Replace sentence beginning "All jointing material" with "Manhole sections must be joined using a bitumastic sealant such as Ramneck or approved equal"
32.4.7 All pipe to manhole connections shall be flexible connectors such as Kor-N-Seal or approved equal
Section 34 Testing requirements shall be in accordance with the "Ten State Standards"
35.10 Division 3 Section 22 valve box requirements shall apply for sanitary sewer valve boxes as defined in this Section.
37.1 Change "Flygt" to "Flygt, ABS or approved equal"

GUAM WATERWORKS AUTHORITY

Standards for Water

GWA has adopted the following four documents as standards and specifications for water. In the case of conflict between these documents, the following order of precedence shall be followed:

1) Title 28 Guam Administrative Rules
2) Water System Standards, Department of Water Supply County of Maui, State of Hawaii 2002 ("Maui Standards"), inclusive of the sections noted below:
3) Water Service Limitations Guidance Document. (February 4, 2006)
4) Recommended Standards for Water Facilities (commonly referred to as the "Ten State Standards")

A copy of this standard can be viewed from the following link:
http://www.boardofwatersupply.com/files/With%20Amendments%20Final%20Complete%20Copy%20of%20Water%20System%20Standards%202002.pdf

Guam Waterworks Authority Exceptions to the Water System Standards, Department of Water Supply County of Maui, State of Hawaii 2002

All of the below apply.

- All references of "Maui" shall be replaced with "the Guam Waterworks Authority" and all references of "Hawaii" shall be replaced with "Guam".
- For all references to specific products, add the words "or approved equal".
- Unless otherwise noted in these Exceptions, all references to Standard Details shall apply.
- All electrical controls and generators shall be installed in a typhoon hardened structure, the design of which shall be approved by GWA.

Table 100-18 - DOMESTIC CONSUMPTION GUIDELINES				
	AVERAGE DAILY DEMAND*			
ZONING DESIGNATION	HAWAII	KAUAI	MAUI	OAHU
RESIDENTIAL:				
Single Family or Duplex	400 gals/unit	500 gals/unit	600 gals/unit or 3000 gals/acre	500 gals/unit or 2500 gals/acre
Multi-Family Low Rise	400 gals/unit	350 gals/unit	560 gals/unit or 5000 gals/acre	400 gals/unit or 4000 gals/acre
Multi-Family High Rise	400 gals/unit	350 gals/unit	560 gals/unit	300 gals/unit
COMMERCIAL:				
Commercial Only	3000 gals/acre	3000 gals/acre	6000 gals/acre	3000 gals/acre
Commercial/Industrial Mix	--	5000 gals/acre	140 gals/1000 sq. ft.	100 gals/1000 sq. ft.
Commercial/Residential Mix	--	3000 gals/acre	140 gals/1000 sq. ft.	120 gals/1000 sq. ft.
RESORT (To include hotel for Maui only)	400 gals/unit (1)	350 gals/unit	350 gals/unit or 17000 gals/acre	350 gals/unit or 4000 gals/acre
LIGHT INDUSTRY:	4000 gals/acre	4000 gals/acre	6000 gals/acre	4000 gals/acre
SCHOOLS, PARKS:	4000 gals/acre or 60 gals/student	4000 gals/acre or 60 gals/student	1700 gals/acre or 60 gals/student	4000 gals/acre or 60 gals/student
AGRICULTURE:		2,500 gals/acre	5000 gals/acre	4000 gals/acre

* - Where two or more figures are listed for the same zoning, the daily demand resulting in higher consumption use shall govern the design unless specified otherwise.

(1) - Subject to special review and control by the Manager.

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Section 1

THE CITY OF PALM COAST
WATER –
TABLE OF DAILY FLOWS
FOR VARIOUS OCCUPANCIES

Types of Establishments

Apartments	300 gpd (1)
Banquet hall (per seat)	25 gpd
Bars and cocktail lounges	5 gpcd (2)
Bathroom (non-residential)	300 gpd
Beauty shop (per seat)	170 gpd
Boarding schools (students and staff)	75 gpd
Boarding houses	75 gpcd
Bowling alleys (toilet wastes only, per lane)	100 gpd
Country clubs, per member	25 gpcd
Day schools (with cafeteria, no gymnasium or showers)	15 gpcd
Day schools (with cafeteria, gymnasiums and showers)	25 gpcd
Day workers at office and schools	20 gpcd
Dentist, per wet chair	250 gpd
Drive-in theaters (per car space)	5 gpd
Factories (with showers)	30 gpcd
Factories (no showers)	10 gpd/100 sq. ft. (3)
Funeral home	10 gpd/100 sq. ft.
Gas stations (no car wash)	450 gpd
Hospitals (with laundry) (per bed)	250 gpd
Hospitals (no laundry) (per bed)	200 gpd
Hotels and motels (per room & unit)	125 gpd
Laundromat (per washing machine)	225 gpcd
Mobile home park (per trailer)	225 gpd
Movie theaters, auditoriums, churches (per seat)	3 gpd
Nursing homes	150 gpd/100 sq. ft.
Office buildings	17 gpd/100 sq. ft.
Public institutions (other than those listed herein)	75 gpcd
Restaurants (per seat)	50 gpd
Restaurants (take-out)	50 gpd/100 sq. ft. (350 gpd minimum)
Restaurants (Fast Food) (per seat)	35 gpd

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Single-family residence	300 gpd
Townhouse residence	300 gpd
Shopping centers	17 gpd/100 sq. ft.
Stadiums, frontons, ball parks, etc. (per seat)	3 gpd
Stores, without kitchen wastes	5 gpd/100 sq. ft.
Speculative buildings	30 gpd plus 10 gpd/100 sq. ft.
Warehouses	30 gpd plus 10 gpd/1,000 sq. ft.

(1) gpd - Gallons per day
(2) gpcd - Gallons per capita per day
(3) sq. ft. – Square feet

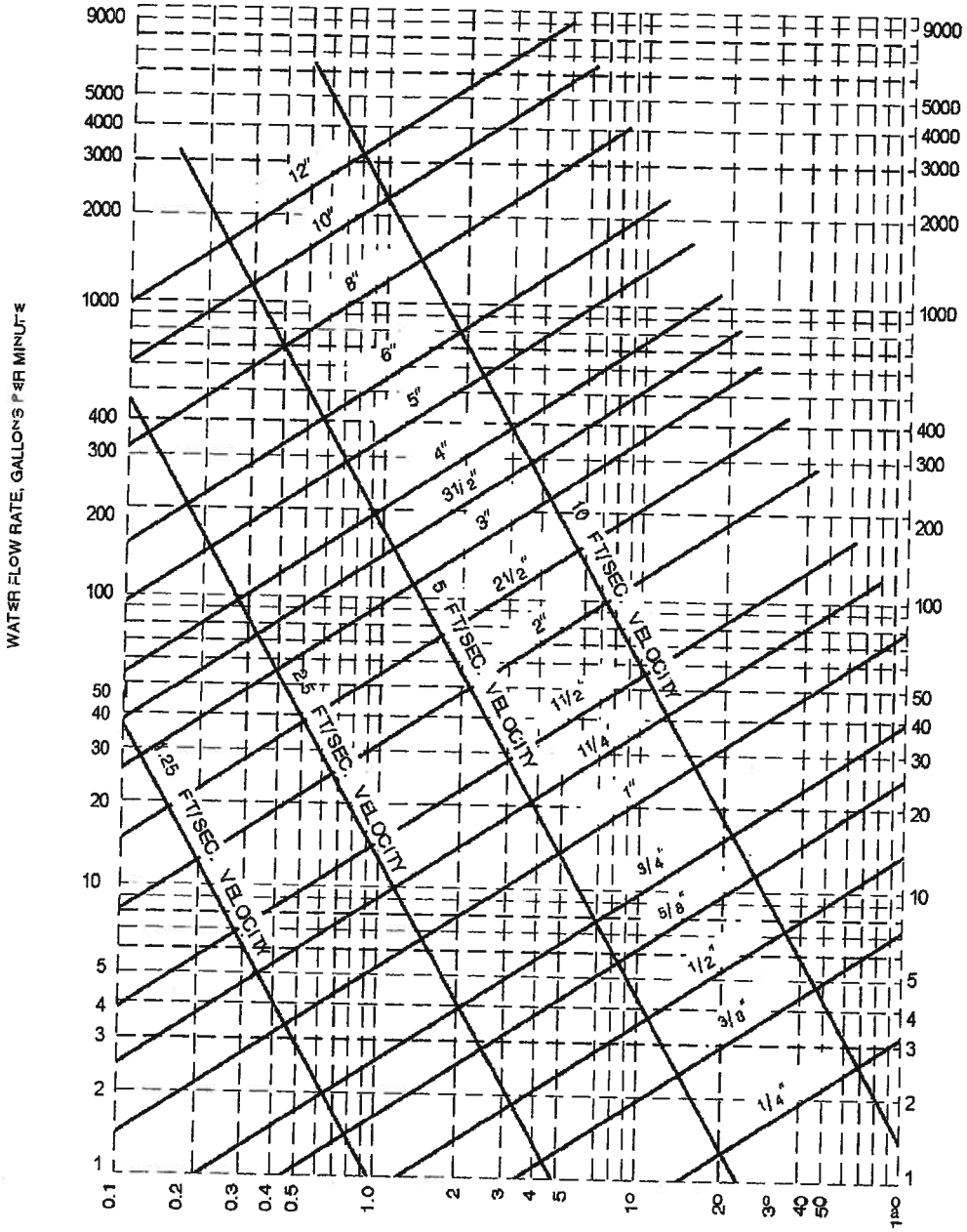
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Table 8-9 Quantities of Sewage Flows

Type of Establishment	GPD/Person (L/D/Person)[a]
Airports (per passenger)	5 (20)
Apartments—multifamily (per resident)	60 (225)
Bathhouses and swimming pools	10 (40)
Camps	
Campground with central comfort stations	35 (130)
With flush toilets, no showers	25 (95)
Construction camps (semipermanent)	50 (190)
Day camps (no meals served)	15 (60)
Resort camps (night and day) with limited plumbing	50 (190)
Luxury camps	100 (380)
Cottages and small dwellings with seasonal occupancy	50 (190)
Country clubs (per resident member)	100 (380)
Country clubs (per nonresident member present)	25 (95)
Dwellings	
Boarding houses	50 (190)
additional for nonresident boarders	10 (40)
Luxury residences and estates	150 (570)
Multifamily dwellings (apartments)	60 (225)
Rooming houses	40 (150)
Single-family dwellings	75 (285)
Factories (gal [L] per person, per shift, exclusive of industrial wastes)	35 (130)
Hospitals (per bed space)	250 (945)[b]
Hotels with private baths (2 persons per room)	60 (225)
Hotels without private baths	50 (190)
Institutions other than hospitals (per bed space)	125 (475)
Laundries, self-service (gal [L] per wash, i.e., per customer)	50 (190)
Mobile home parks (per space)	250 (945)
Motels with bath, toilet, and kitchen wastes (per bed space)	50 (190)
Motels (per bed space)	40 (150)
Picnic parks (toilet wastes only) (per picnicker)	5 (20)
Picnic parks with bathhouses, showers, and flush toilets	10 (40)
Restaurants (toilet and kitchen wastes per patron)	10 (40)
Restaurants (kitchen wastes per meal served)	3 (10)
Restaurants, additional for bars and cocktail lounges	2 (8)
Schools	
Boarding	100 (380)
Day, without gyms, cafeterias, or showers	15 (60)
Day, with gyms, cafeteria, and showers	25 (95)
Day, with cafeteria, but without gyms or showers	20 (80)
Service stations (per vehicle served)	10 (40)
Swimming pools and bathhouses	10 (40)
Theaters	
Movie (per auditorium seat)	5 (20)
Drive-in (per car space)	5 (20)
Travel trailer parks without individual water and sewer hookups (per space)	50 (190)
Travel trailer parks with individual water and sewer hookups (per space)	100 (380)
Workers	
Construction (at semipermanent camps)	50 (190)
Day, at schools and offices (per shift)	15 (60)

[a]Unless otherwise noted.

[b]Includes cafeteria.



Note: Fluid velocities in excess of 5 to 8 feet/second are not usually recommended.

FIGURE E103.3(3)
FRICTION LOSS IN SMOOTH PIPEa (TYPE L, ASTM B 88 COPPER TUBING)

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 gpm = 3.785 *Lim*, 1 psi = 6.895 kPa, 1 foot per second = 0.305 *m/s*.

a. This chart applies to smooth new copper tubing with recessed (streamline) soldered joints and to the actual sizes of types indicated on the diagram.

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TABLE 9.34 Hot Water Demand in Gallons (Liters) per Hour at 140°F (60°C)

	Apartment house	Club	Gymnasium	Hospital	Hotel	Industrial plant	Office building	Private residence	School	YMCA
1. Basins, private lavatory	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)	2 (7.6)
2. Basins, public lavatory	4 (15)	6 (23)	8 (30)	6 (23)	8 (30)	12 (45.5)	6 (23)	—	15 (57)	8 (30)
3. Bathtubs	20 (76)	20 (76)	30 (114)	20 (76)	20 (76)	—	—	20 (76)	—	30 (114)
4. Dishwashers*	15 (57)	50–150 (190–570)	—	50–150 (190–570)	50–200 (190–760)	20–100 (76–380)	—	15 (57)	20–100 (76–380)	20–100 (76–380)
5. Foot basins	3 (11)	3 (11)	12 (46)	3 (11)	3 (11)	12 (46)	—	3 (11)	3 (11)	12 (46)
6. Kitchen sink	10 (38)	20 (76)	—	20 (76)	30 (114)	20 (76)	20 (76)	10 (38)	20 (76)	20 (76)
7. Laundry, stationary tubs	20 (76)	28 (106)	—	28 (106)	28 (106)	—	—	20 (76)	—	28 (106)
8. Pantry sink	5 (19)	10 (38)	—	10 (38)	10 (38)	—	10 (38)	5 (19)	10 (38)	10 (38)
9. Showers	30 (114)	150 (568)	225 (850)	75 (284)	75 (284)	225 (850)	30 (114)	30 (114)	225 (850)	225 (850)
10. Service sink	20 (76)	20 (76)	—	20 (76)	30 (114)	20 (76)	20 (76)	15 (57)	20 (76)	20 (76)
11. Hydrotherapeutic showers				400 (1520)						
12. Hubbard baths				600 (2270)						
13. Leg baths				100 (380)						
14. Arm baths				35 (130)						
15. Sitz baths				30 (114)						
16. Continuous-flow baths				165 (625)						
17. Circular wash sinks				20 (76)	20 (76)	30 (114)	20 (76)		30 (114)	
18. Semicircular wash sinks				10 (38)	10 (38)	15 (57)	10 (38)		15 (57)	
19. DEMAND FACTOR	0.30	0.30	0.40	0.25	0.25	0.40	0.30	0.30	0.40	0.40
20. STORAGE CAPACITY FACTOR†	1.25	0.90	1.00	0.60	0.80	1.00	2.00	0.70	1.00	1.00

*Dishwasher requirements should be taken from this table or from manufacturers' data for the model to be used, if this is known.

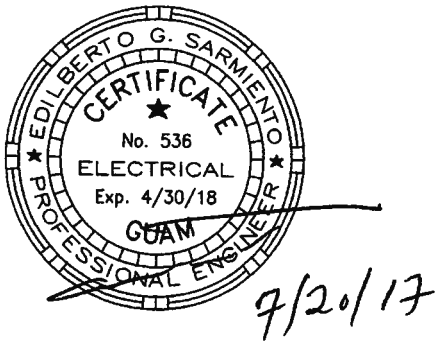
†Ratio of storage tank capacity to probable maximum demand/h. Storage capacity may be reduced where an unlimited supply of steam is available from a central street steam system or large boiler plant.

Source: ASPE.

Doc. No. 34GL-18-2682.

ELECTRICAL CALCULATION

PROPOSED 3-STOREY, 33-UNIT APARTMENT
TUMON, GUAM



7/20/17

PREPARED BY: EDILBERTO G. SARMIENTO

ELECTRICAL CALCULATIONS

33 UNITS APARTMENT

1. BUILDING 1 - 15 UNITS

A. SINGLE DWELLING UNIT-UNIT "A"

1. GENERAL LIGHTING AND RECEPTACLE 1,507 SF X 3VA/SF	= 4,521 VA
2. SMALL APPLIANCES 1,500VA X 2	= 3,000 VA
3. RANGE HOOD FAN	= 500 VA
4. REFRIGERATOR	= 1,200 VA
5. WASHING MACHINE	= 1,500 VA
6. DRYER	= 5,000 VA
7. DISPOSER	= 1,000 VA
8. ELECTRIC WATER HEATER	= 4,500 VA
9. RANGE	= 10,500 VA
10. ACCU'S/FCU'S	= 7,980 VA
TOTAL	39,701 VA

FIRST 10,000 VA @ 100% DF		= 10,000 VA
REMAINDER 21,721 VA @ 40% DF		= 8,688 VA
ACCU'S/FCU'S @ 100 % DF		= 7,980 VA
	TOTAL	26,668 VA

I = 26,668/208 = 128.2 AMP

USE 150 AMP, 120/208V, 1 PHASE, 3 W PANEL

B. SINGLE DWELLING UNIT-UNIT "C"

1. GENERAL LIGHTING AND RECEPTACLE 1,488SF X 3VA/SF	= 4,464 VA
2. SMALL APPLIANCES 1,500VA X 2	= 3,000 VA
3. RANGE HOOD FAN	= 500 VA
4. REFRIGERATOR	= 1,200 VA
5. WASHING MACHINE	= 1,500 VA
6. DRYER	= 5,000 VA
7. DISPOSER	= 1,000 VA
8. ELECTRIC WATER HEATER	= 4,500 VA
9. RANGE	= 10,500 VA
10. ACCU'S/FCU'S 1,295 VA X 8VA/SF	= 7,770 VA
TOTAL	39,434 VA

FIRST 10,000 VA @ 100% DF		= 10,000 VA
REMAINDER 21,664 VA @ 40% DF		= 8,666 VA
ACCU'S/FCU'S @ 100 % DF		= 7,770 VA
	TOTAL	26,436 VA

I = 26,436/208 = 127.1 AMP

USE 150 AMP, 120/208V, 1 PHASE, 3 W PANEL

C. BUILDING 1 TOTAL DEMAND LOAD-15 UNITS

UNIT "A" @ 39,701 VA X 12 UNITS		= 476,412 VA
UNIT "C" @ 39,434 VA X 3 UNITS		= 118,302 VA
	TOTAL	594,714 VA

D. COMMON & CARPORT PANEL "CP" - DEMAND LOAD

1. PARKING LIGHTING		= 3,850 VA
2. FIRE ALARM CONTROL PANEL		= 1,000 VA
3. RECEPTACLES		= 1,000 VA
	TOTAL	5,850 VA

I = 5,850/208 = 28.1 AMP

USE 50 AMP, 120/208V, 1 PHASE, 3 W PANEL

E. USING OPTIONAL CALUCLATIONS TABLE 220-84 THE DEMAND FACTOR FOR 15 UNIT IS 40%

1. TOTAL DEMAND LOAD 15 UNITS @ 594,714 VA X 40% = 237,886
2. COMMON PANEL "CP" @ 5,850

F. BUILDING 1 TOTAL DEMAND LOAD

1. 15 DWELLING UNITS		= 237,886 VA
2. COMMON PANEL "CP"		= 5,850 VA
	TOTAL	243,736 VA

I = 243,736/360 = 677 AMP

USE 700 AMP, 120/208V, 3 PHASE, 4W MAIN BREAKER

2. BUILDING 2-18 UNITS

A. SINGLE DWELLING UNIT-UNIT "A"

1. GENERAL LIGHTING AND RECEPTACLE 1,507 SF X 3VA/SF	= 4,521 VA
2. SMALL APPLIANCES 1,500VA X 2	= 3,000 VA
3. RANGE HOOD FAN	= 500 VA
4. REFRIGERATOR	= 1,200 VA
5. WASHING MACHINE	= 1,500 VA
6. DRYER	= 5,000 VA
7. DISPOSER	= 1,000 VA
8. ELECTRIC WATER HEATER	= 4,500 VA
9. RANGE	= 10,500 VA
10. ACCU'S/FCU'S	= 7,980 VA
TOTAL	39,701 VA

FIRST 10,000 VA @ 100% DF	= 10,000 VA
REMAINDER 21,721 VA @ 40% DF	= 8,688 VA
ACCU'S/FCU'S @ 100 % DF	= 7,980 VA
TOTAL	26,668 VA

I = 26,668/208 = 128.2 AMP

USE 150 AMP, 120/208V, 1 PHASE, 3 W PANEL

B. SINGLE DWELLING UNIT-UNIT "C"

1. GENERAL LIGHTING AND RECEPTACLE 1,528 SF X 3VA/SF	= 4,586 VA
2. SMALL APPLIANCES 1,500VA X 2	= 3,000 VA
3. RANGE HOOD FAN	= 500 VA
4. REFRIGERATOR	= 1,200 VA
5. WASHING MACHINE	= 1,500 VA
6. DRYER	= 5,000 VA
7. DISPOSER	= 1,000 VA
8. ELECTRIC WATER HEATER	= 4,500 VA
9. RANGE	= 10,500 VA
10. ACCU'S/FCU'S 1,390 VA X 8VA/SF	= 8,340 VA
TOTAL	40,124 VA

FIRST 10,000 VA @ 100% DF	= 10,000 VA
REMAINDER 21,784 VA @ 40% DF	= 8,714 VA
ACCU'S/FCU'S @ 100 % DF	= 8,340 VA
TOTAL	27,054 VA

I = 27,054/208 = 130 AMP

USE 150 AMP, 120/208V, 1 PHASE, 3 W PANEL

C. BUILDING 1 TOTAL DEMAND LOAD-18 UNITS

UNIT "A" @ 39,701 VA X 15 UNITS		= 595,515 VA
UNIT "C" @ 40,124 VA X 3 UNITS		= 120,372 VA
	TOTAL	715,887 VA

USING OPTIONAL CALCULATIONS TABLE 220-84 THE DEMAND FACTOR FOR 18 UNITS IS 38%

TOTAL DEMAND LOAD 12 UNITS @ 715,889 VA X 38% = 272,037 VA

COMMON PANEL

PARKING/CARPORT LIGHTING		= 4,280 VA
RECEPTACLES		= 1,000 VA
	TOTAL	5,280 VA

TOTAL BUILDING 2 REMAIN LOAD

18 UNITS		= 272,037 VA
COMMON PANEL		= 5,280 VA
	TOTAL REMAIN LOAD	281, 603 VA

I = 281,603/360 = 282 AMP

USE 800 AMP, 3 SETS, 500KMIL

D. GRAND TOTAL DEMAND LOAD FOR 33 UNITS DWELLING UNIT

1. BUILDING 1, 15 UNITS	=	594,716 VA
2. BUILDING 2, 18 UNITS	=	715,887 VA
TOTAL		1,310,601 VA

E. USING OPTIONAL CALCULATIONS TABLE 220-84 THE DEMAND FACTOR FOR 33 UNITS IS 31%

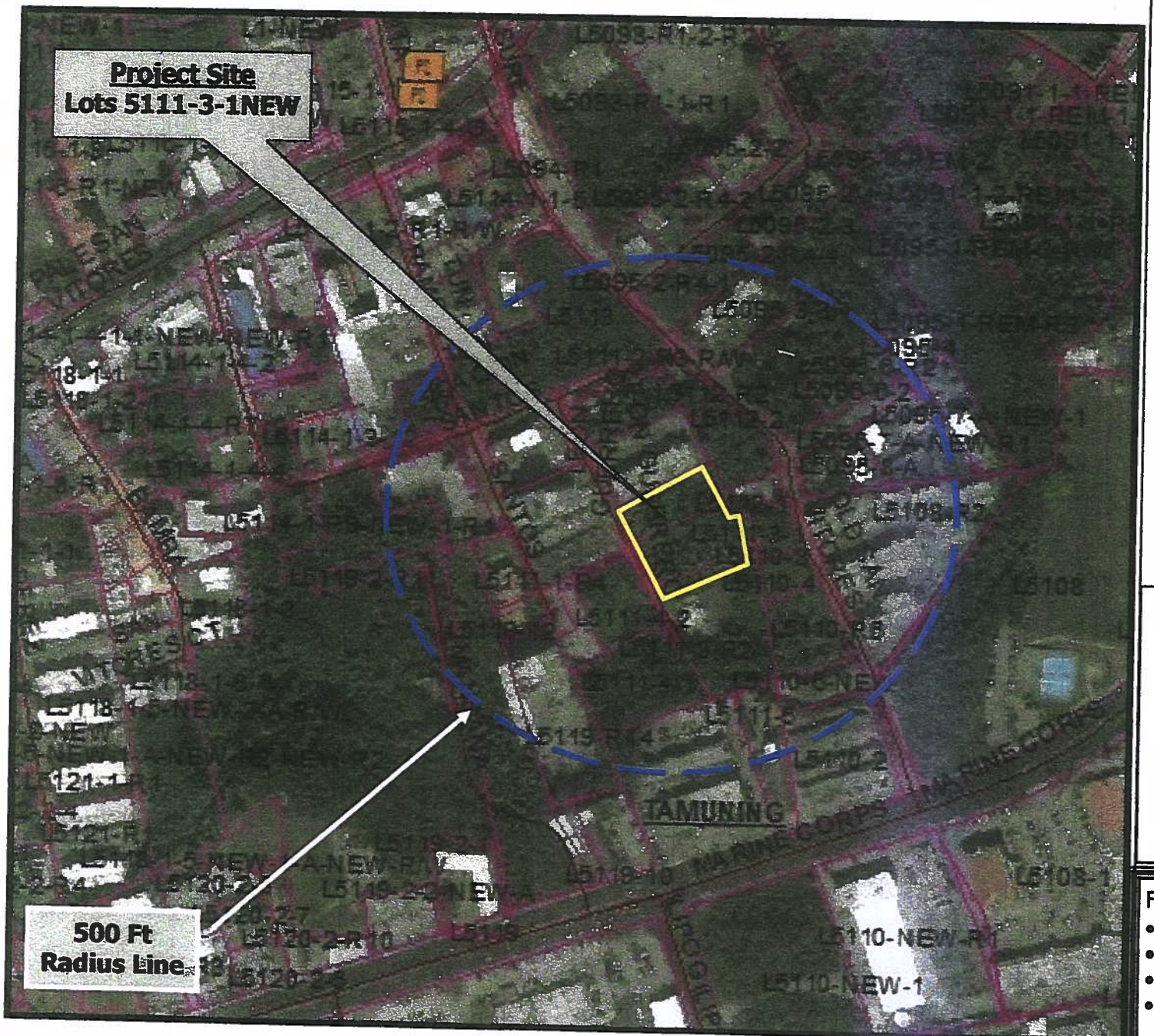
33 UNITS @ 1,310,601 VA X 31% = 406,286 VA

F. GRAND TOTAL DEMAND LOAD

1. 33 UNITS	=	406,280 VA
2. COMMON PANELS	=	11,130 VA
TOTAL		417,410 VA

I = 417,410/360 = 1,159 AMP

USE 4 SETS IF 500 KCMIL MAIN SERVICE ENTRANCE WIRES



NORTH

Graphic Scale

EXHIBIT

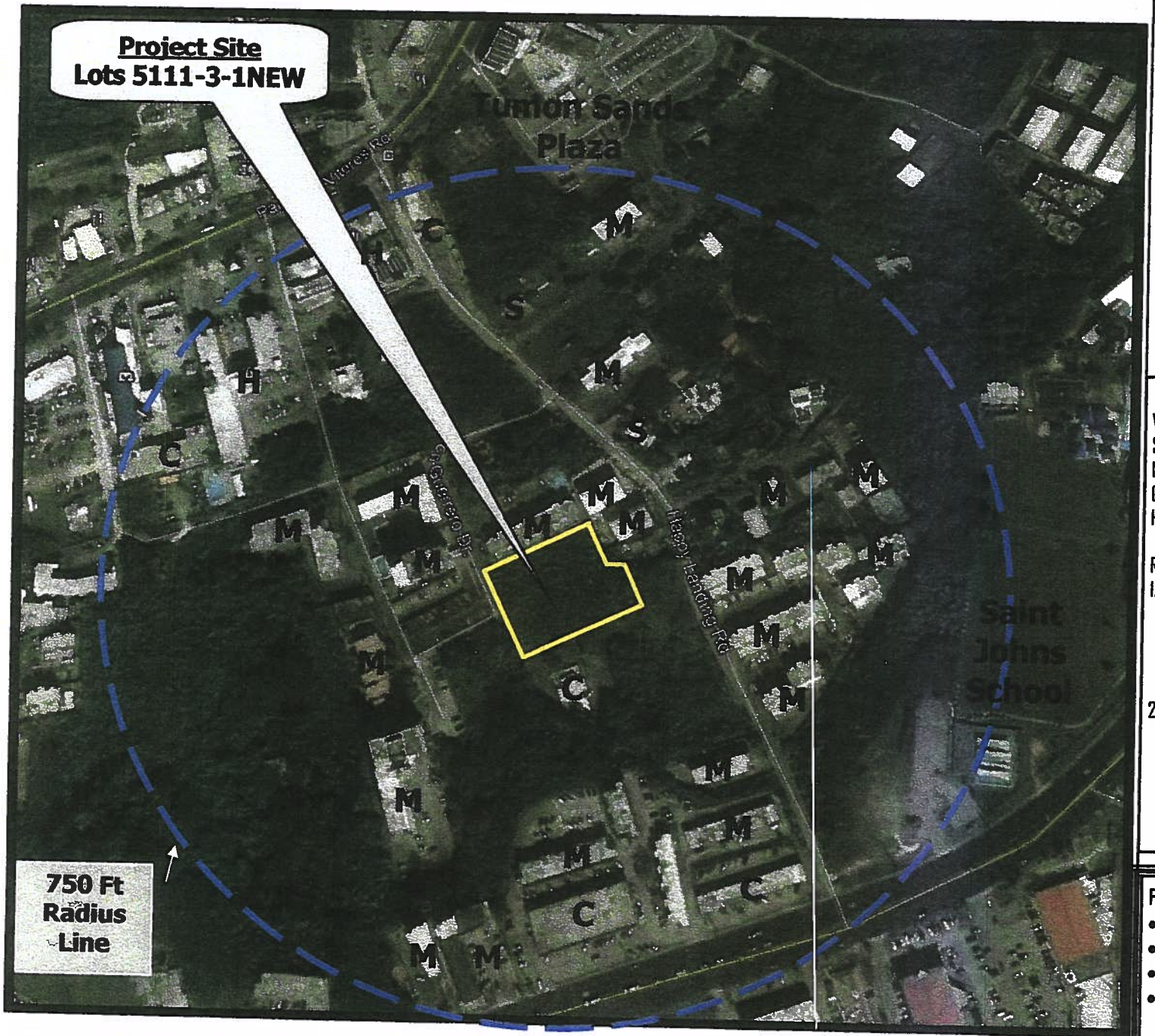
PROPERTY WITHIN
500 FT RADIUS of
Lot 5111-3-1NEW,Tumon
Municipality of Tamuning

NOTES:

FC Benavente, Planners

- Planning,
- Zoning
- Land Development Consulting
- Permitting

127 Bejong Street, Barrigada, Guam 96913
Tel: 671 988-7911 Email: felouben@gmail.com



NORTH
Graphic Scale

LAND USE MAP
EXISTING LAND USE WITHIN 750 FT RADIUS Of Lot 5111-3-1NEW, Tumon Municipality of Tamuning

LAND USE LEGEND

V Vacant
S Single Family Dwelling Unit
M Multi Family Dwelling Unit
C Commercial Use
H Hotel

Road Conditions:

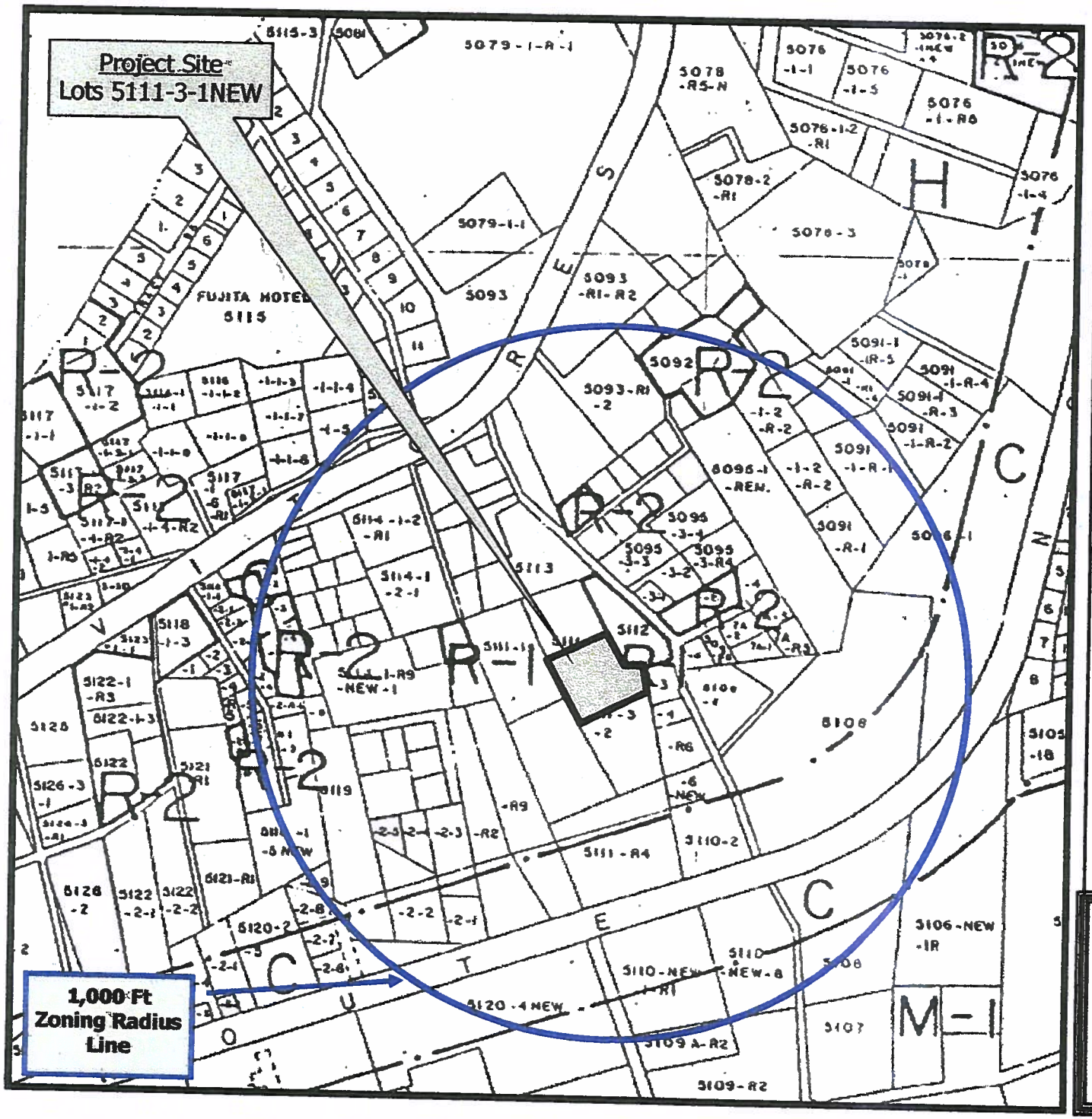
1. **Happy Landing Rd** Is paved, W 2 travel lanes,, W streetlights, fire hydrants. Good condition. Utilities include power, water, sewer, telephone, & cable.
2. **Leon Guerrero Dr.** is paved. W 2 travel lanes. Generall good condition. Utilities include power, water, sewer, telephone, & cable.

FC Benavente, Planners

- Planning,
- Zoning
- Land Development Consulting
- Permitting

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Doc. No. 34GL-18-2682.



Graphic Scale

EXHIBIT
EXISTING ZONING
WITHIN 1,000 FT RADIUS
of
Lot 5111-3-1NEW, Tumon
Municipality of Tamuning

ZONING LEGEND

A Rural Zone
PUD Planned Unit Development
R-1 Single Family Dwelling Zone
R-2 Multiple– Family Dwelling Zone
C Commercial
M-1 Light Industrial
H Hotel

Ref: Dept of Land Management
Official Zoning Map.
Tamuning—Map No. 13

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