

Messages & Communications Doc. No. 38GL-26-1985 through 1994.

From 38th Committee On Rules <committeeonrules@guamlegislature.gov>
Date Fri 2/27/2026 9:44 AM
To Guam Legislature Clerks <clerks@guamlegislature.gov>
Cc Frank Blas Jr. <speakerblas@guamlegislature.gov>

5 attachments (9 MB)

22726COMM Doc. No. 38GL-26-1985.pdf; 22726COMM Doc. No. 38GL-26-1991.pdf; 22726COMM Doc. No. 38GL-26-1992.pdf; 22726COMM Doc. No. 38GL-26-1993.pdf; 22726COMM Doc. No. 38GL-26-1994.pdf;

Håfa Adai Clerks Office,

Please see attached, **Messages & Communications Doc. No. 38GL-26-1985 through 1994** for processing:

✓	38GL-26-1985	Guam Memorial Hospital Authority	Notification of Temporary Assignment or Detail – Luis Q. Micalat Jr., Management Analyst IV, 02/02/26.
✓	38GL-26-1986	Guam Environmental Protection Agency	Board Meeting Packet for February 19, 2026.
✓	38GL-26-1987	Guam Land Use Commission	Board Meeting Packet for February 27, 2025, March 13, 2025 and April 10, 2025*
✓	38GL-26-1988	Guam Land Use Commission	Board Meeting Packet for June 12, 2025, July 10, 2025, July 24, 2025 and August 14, 2025*
✓	38GL-26-1989	Guam Land Use Commission	Board Meeting Packet for September 11, 2025*
✓	38GL-26-1990	Guam Land Use Commission	Board Meeting Packet for October 9, 2025 and October 23, 2025*
✓	38GL-26-1991	Guam Land Use Commission	Board Meeting Packet for January 8, 2026*
✓	38GL-26-1992	Guam Preservation Trust	Financial Statement for January 31, 2026*
✓	38GL-26-1993	Guam Solid Waste Authority	Unaudited Revenues and Expenditures Report for the month of January 2026*
✓	38GL-26-1994	Office of Public Accountability - Guam	Acting Administrator Designation of Vincent Duenas, for the Office of Public Accountability from February 26, 2026 to March 6, 2026*

Please retrieve Doc. No. 38GL-26-1986 through 1990 from link below:

[Messages & Communications Physical Scanned Copy - Google Drive](#)

Kindly reply to this email



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

38th Guam Legislature

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Messages and Communications 38GL-26-1989*

2 messages

Speaker Frank Blas Jr., <speakerblas@guamlegislature.gov>
To: 38th Committee On Rules <committeeonrules@guamlegislature.gov>, Sabrina Salas Matanane <office.senatorbri@guamlegislature.gov>

Thu, Feb 26, 2026 at 11:34 AM

Håfa Adai,

Please see attached M&C Doc, No. 38GL-26-1989

38GL-26-1989	Guam Land Use Commission	Board Meeting Packet for September 11, 2025*
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Si Yu'os Ma'åse'

Bernice Rivera

Administrative Assistant



Office of Speaker Frank F. Blas, Jr.

I Mina'trentai Ocho na Liheslaturan Guåhan 38th Guam Legislature

Guam Congress Building, 163 Chalan Santo Papa, Hagatña

(671)969-6456

speakerblas@guamlegislature.gov

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38GL-26-1989.pdf

GLUC SEP112025.pdf

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cristina.gutierrez@land.guam.gov
sent you GLUC SEP112025.pdf

1 item, 37.5 MB in total · Expires on 28 February, 2026

GLUC SEP112025.pdf

Hafa Adai,

Last GLUC meeting minutes for FY2025.

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Best regards,

Cristina

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1 item

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38th Committee On Rules <committeeonrules@guamlegislature.gov>
To: "Speaker Frank Blas Jr." <speakerblas@guamlegislature.gov>

Thu, Feb 26, 2026 at 2:20 PM

Håfa Adai,

Received, and thank you.



Si Yu'os ma'åse',

Marie Crisostomo

Committee on Rules Assistant

COMMITTEE ON RULES

Vice Speaker V. Anthony Ada, Chairperson

I Mina'trentai Ocho Na Liheslaturan Guåhan

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38 Guam Legislature
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2/26/26, 11:24 AM

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Guam Legislature Mail - M. Cristina sent you GLUC SEP112025.pdf via WeTransfer



Speaker Frank Blas Jr. <speakerblas@guamlegislature.gov>

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1 message

WeTransfer <noreply@wetransfer.com>
Reply-To: cristina.gutierrez@land.guam.gov
To: speakerblas@guamlegislature.gov

Wed, Feb 25, 2026 at 1:08 PM

Doc Type: 38GL-26-1989
OFFICE OF THE SPEAKER
FRANK F. BLAS, JR.

February 25, 2026

Time: 1:08 PM

Received: *FB*



cristina.gutierrez@land.guam.gov
sent you GLUC SEP112025.pdf

1 item, 37.5 MB in total · Expires on 28 February, 2026

GLUC SEP112025.pdf

Hafa Adai,

Last GLUC meeting minutes for FY2025.

Best regards,

Cristina

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1 item

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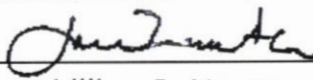
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GUAM LAND USE COMMISSION MEETING MINUTES



Department of Land Management
ITC Building, Tamuning, Guam
DLM Conference Room, 3rd Floor ITC Bldg.
Tamuning, Guam 96913



Thursday, September 11, 2025
1:32 p.m. to 2:43 p.m.



38GL-26-1989
Messages and Communications

RECEIVED
COMMITTEE ON RULES
February 26, 2026

11:34 a.m.
Marie Crisostomo

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, September 11, 2025 • 1:32 p.m. to 2:43 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson
Mr. Ronald C. Pangilinan, Vice Chairman
Ms. Leilani R. Flores, Commissioner
Mr. Joseph A. Rios, Commissioner

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary
Mr. N. Lee Miller, Jr., Legal Counsel
Ms. Celine L. Cruz, Chief Planner
Mr. Penmer Gulac, Planner IV
Ms. Theresa Guevara, Planner II
Mr. Kyle Meno, T. Network Coordinator
Ms. Cristina Gutierrez, Recording Secretary

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION Attendance Sheet

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

Date of Meeting: Thursday, September 11, 2025

Time of Meeting: GLUC: 1:32pm GSPC:

<input checked="" type="checkbox"/>	GLUC	<input type="checkbox"/>	GSPC
<input checked="" type="checkbox"/>	Regular	<input type="checkbox"/>	Regular
<input type="checkbox"/>	Special	<input type="checkbox"/>	Special
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	Quorum
<input type="checkbox"/>	No-Quorum	<input type="checkbox"/>	No-Quorum


COMMISSION MEMBERS

SIGNATURE

Chairwoman Anita B. Enriquez



Vice Chairman Ronald C. Pangilinan



Commissioner Leilani R. Flores



Commissioner Gerald P. Yingling

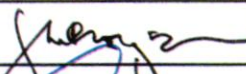


Commissioner Joseph A. Rios



STAFF

Joseph M. Borja, Executive Secretary




Rossana San Miguel Tiston, Deputy Director



Lee Miller, Assistant Attorney General



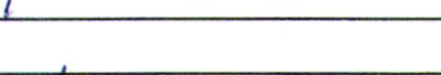
Celine L. Cruz, Chief Planner



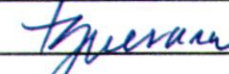
Frank Taitano, Planner IV



Penmer Gulac, Planner IV



M. Grace Vergara, Planner IV



Sonny Gogue, Planner III



Theresa Guevara, Planner II



Edward Sanchez, Planner I



M. Cristina Gutierrez, Recording Secretary



Kyle P.D. Meno, T. Network Coordinator



ADJOURNMENT GLUC: 2:42pm GSPC:
GLUC Form 19 - GLUC Commission Attendance Sheet



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Ronald C. Pangilinan
Commissioner Leilani R. Flores

Commissioner Gerald P. Yingling
Commissioner Joseph A. Rios

Joseph M. Borja, Executive Secretary
N. Lee Miller, Jr., Legal Counsel (OAG)

AGENDA - Corrected

Thursday, September 11, 2025 at 1:30 p.m.

Department of Land Management Conference Room

3rd Floor ITC Bldg., Tamuning, GU 96913

[As advertised in the Guam Daily Post – September 4th, 2025 & September 9th, 2025]

Livestreamed on YouTube at Guam Department of Land Management Channel

- I. **Notation of Attendance/Roll Call** [] Quorum [] No Quorum
- II. **Approval of Minutes**
 - GLUC Regular Meeting Minutes of Thursday, August 14, 2025
- III. **Old or Unfinished Business [None]**
- IV. **New Business**

Zone Change

- A. Application No. 2020-18, the Applicant CPI Investments (Guam) Inc., represented by FC Benavente, Planners, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "R2" (Multiple Dwelling) zone, for the proposed development of townhouse units, on Lots 7024-4-2B; 7024-4-2C; 7024-4-3A; and, Lot 7024-4-3B, in the Municipality of Yigo. Case Planner: Celine Cruz
- B. Application No. 2024-63, the Applicant, PIDC Guam, Inc., represented by TG Engineers, PC, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "C" (Commercial) zone, for the proposed construction and operation of a hardware store, on Lot 20-1-1NEW, in the Municipality of Santa Rita-Sumai. Case Planner: Penmer Gulac
- C. Application No. 2024-64, the Applicant, PIDC Guam, Inc., represented by TG Engineers, PC, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "M1" (Light Industrial) zone, for the continued operation of a construction laying yard, equipment staging, and construction facility, on Lot 238-1-B, in the Municipality of Santa Rita-Sumai. Case Planner: Penmer Gulac

Zone Variance

- D. Application No. 2024-53, the Applicant, ERC Trading Incorporated represented by TG Engineers, PC; is requesting a Zone Variance, to allow the use of an existing structure for indoor storage of hardware goods and materials, on Lot 5372-2-R1, in the Municipality of Mangilao, in a "R-2" (Multi Dwelling) Zone. Case Planner: Theresa Guevara

V. **Administrative & Miscellaneous Matters**

VI. **Adjournment**

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, September 11, 2025 • 1:32 p.m. to 2:43 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913

As advertised in the Guam Daily Post on September 4, 2025 & September 9, 2025
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance/Roll Call

Chairperson Enriquez called the regular meeting of the Guam Land Use Commission for Thursday, September 11, 2025, to order at 1:32 p.m.

Present were: Chairperson Anita Enriquez, Vice Chairman Ronald Pangilinan, Commissioner Leilani Flores, Commissioner Joseph Rios, Executive Secretary Joseph Borja, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Penmer Gulac, Theresa Guevara, Kyle Meno, and Recording Secretary Cristina Gutierrez.

[Excused: Commissioner Gerald Yingling, Deputy Director Rosanna Tiston]

Madam Chair Enriquez welcomed newly appointed Commissioner Joseph Rios to the GLUC and confirmed a quorum. Today's meeting is being livestreamed on YouTube/Guam Department of Land Management channel.

II. Approval of Minutes

Chairperson Enriquez before the members, is the approval of the GLUC Minutes of Thursday, August 14, 2025. The members have been given a draft in advance via email for their review. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve the Minutes of Thursday, August 14, 2025.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. There were no discussions, errors, edits, or omissions noted. Madam Chair put the motion to a vote, with all members in favor of approval.

[Motion carried, the Minutes of Thursday, August 14, 2025, was approved with a vote of 4 ayes and 0 nays.]

III. Old or Unfinished Business [None noted]

IV. New Business

Zone Change

- A. Application No. 2020-18, the Applicant, CPI Investment (Guam) Inc., represented by FC Benavente, Planners, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "R2" (Multiple Family) zone, for the proposed development of townhouse units, on Lots 7024-4-2B, 2024-4-2C, 2024-4-3A, and 2024-4-3B, in the Municipality of Yigo.
Case Planner: Celine Cruz

Chairperson Enriquez welcomed the applicant's representative to the meeting, asked them to state their name for the record, and to proceed with their presentation.

Felix Benavente, representing CPI (Guam) Inc., stated that he is before the Commission to request approval of an application to rezone four lots from the "A" zone to the "R2" zone, located in Yigo. Mr. Benavente had a presentation on the monitor for the Commission.

Slide 1 – the lot is located in Yigo. Mr. Benavente explained the benchmark locations; the bottom left corner is the McDonald's intersection, and further down is Perez Acres. The property can be accessed through a subdivision that is located directly behind Perez Acres. This road would be one of the access roads to the property.

Slide 2 – the slide is an aerial map showing the location of the proposed CPI-GI subdivision. There are seven lots in the proposed subdivision. The seven lots comprise a subdivision that they are in the process of putting together. Four of the seven lots are what is in front of the Commission for rezoning to "R2." The three lots located on the upper portion are zoned "R1."

Slide 3 – is the zoning map for Yigo. The yellow indicates the existing R1-zone, and the green shows the existing A-zone that will be rezoned to "R2."

Slide 4 – is the site plan. The proposed subdivision will have 132 single-family homes and 42 townhouse units, as shown in the orange shaded area of the slide. The green shaded area will be for multi-family units and the community center. The subdivision will be a mix of multi-family townhouses and single-family houses with a community center in the middle.

Slide 5 – existing zoning within a 1000-foot radius of the proposed lots to be rezoned.

Slide 6 – the purpose of the zone change is to allow for 133 single family lots with an average size of 5,520 square feet, 42 townhouse units, 10 open space for mini-parks, rain garden and native plant preserve, full improvements of water, power, sewer, paves roads, sidewalks, curbs and gutters, fire hydrants, streetlights, stormwater retention ponding basin and landscaping. A community center will be provided with a school bus shelter and a future Mass Transit Bus Stop out towards Marine Corps Drive.

Slide 7 – tentative engineering drawing for the proposed subdivision.

Slide 8 – conceptual rendering of the proposed subdivision. The multi-family area will be in the lower portion (4 lots), and the rest of the property is already zoned "R1."

Slide 9 – Mr. Benavente explained that the zone change from "A" to "R2" is compatible with the existing residential nature of the adjacent and neighborhood developments as they exist. This proposed mixed community allows residents to select residential choices with a built-in recreation center and opportunities for safe walking and other exercise. The immediate vicinity of the property is already subdivided and is predominantly in residential use and not agricultural use.

This concluded Mr. Benavente's presentation, and he was prepared to answer questions from the Commission.

Chairperson Enriquez thanked Mr. Benavente for his presentation and turned the floor over to the members for questions. **[None noted from the Commissioners]**

Madam Chair asked if this would be a gated community.

Felix Benavente replied that there are no plans for a gated community, and it is all public rights-of-way.

Chairperson Enriquez asked what the targeted market was for the subdivision, whether it was to sell, rent, or provide affordable homes.

Felix Benavente replied that the lot sizes are a little over 5,000 square feet and about the size of a Kaiser home lot. The applicant wants to maximize the number of units that can be built on the property, and at this time, the target is 133 houses and 42 townhouse units. Depending on the results of the environmental baseline and archeological surveys, and the amount of land for stormwater retention, the number of houses could go down.

Chairperson Enriquez mentioned that the Commission recently approved a development where the homes are intended to start at \$900,000. And she posed the question because she feels that it is related to capacity when they are targeted towards lower-income families, where there is a tendency for multiple families living in a relatively small unit, and the concern with regard to capacity for sewer, water, etc.

There were no additional questions or comments from the Commissioners. Madam Chair turned the floor over to the staff for their staff report.

Celine Cruz, Chief Planner read a summary of the staff report dated September 28, 2025. Chief Planner Cruz corrected the lot numbers that were noted on the agenda to Lots 7024-4-2B, 7024-4-2C, 7024-4-3A, and 7024-4-3B.

Chairperson Enriquez noted the correction on the agenda.

Celine Cruz, Chief Planner the applicant, CPI Investment Guam Incorporated, requests a zone change from "A" zone to "R2" zone for the proposed development of townhouse units on the subject properties. The property is located in Yigo, east of Route 1, and generally at a midpoint between Perez Acres and the DL Perez Elementary School, and continued with the application's chronological facts.

Chief Planner continued with the staff analysis to address public necessity, public convenience, and general welfare. As to public necessity, there is documented demand for additional housing in northern Guam, particularly near Andersen Air Force Base, where both military and civilian

employees seek housing. As to convenience, the site's proximity to AAFB, village services, and commercial areas along Route 1 make it a convenient location for new housing. As for general welfare, residential growth in this location can contribute to the general welfare by strengthening the local economy and broadening the housing supply.

Planning Staff recommends approval of the proposed zone change to "R2", subject to the applicant's full compliance with all ARC recommendations, conditions, and requirements as outlined in their official position statements. Chief Planner Cruz noted that as part of the staff report, attachments to the report include supplemental information, ARC position statements, and Yigo MPC Resolution. **[For full content/context of the staff report, see the attached report]**

[Attachment A – Staff Report dated September 8, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions. [There were no questions noted from the Commissioners.]

Madam Chair observed that, based on the chronology of facts, the application stemmed from January 2020, the beginning of COVID, and the public hearing was held in 2021, and asked about the timeline.

Celine Cruz, Chief Planner in response to Madam Chair's query, Chief Planner Cruz explained that previous public hearings related to this application, conducted under the former Mayor of Yigo, and the resolution issued by the Yigo Municipal Planning Council, could not be used because the hearings did not comply with the Open Government Law requirements. It was only when the new Mayor took office and held another public hearing that the Commission was able to entertain this application.

Felix Benavente mentioned that the application was initiated during the COVID pandemic.

Chairperson Enriquez there were no further questions. Madam Chair opened the floor for public comment on the application that is before the Commission.

Public Comment [None]

Chairperson Enriquez noted that there were no public comments, closed the public comment period. There was no further discussion from the Commissioners; Madam Chair was ready to entertain a motion for action for Application No. 2020-18.

Vice Chairman Pangilinan made a motion to approve Application No. 2020-18, as long as the applicant adheres to the conditions and recommendations stated in the September 8, 2025, staff report.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan, seconded by Commissioner Flores. There was no discussion on the motion. Madam Chair put the motion to a vote as presented with conditions, with all members in favor of approval. **[Motion carried; motion to approve was passed unanimously with a vote of 4 ayes and 0 nays]**

Zone Change

- B. Application No. 2024-63, the Applicant, PIDC Guam, Inc., represented by TG Engineers, PC, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "C" (Commercial) zone, for the proposed construction and operation of a hardware store, on Lot 20-1-1NEW, in the Municipality of Santa Rita-Sumai. Case Planner: Penmer Gulac

Chairperson Enriquez welcomed the applicant's representative, asked them to state their name for the record, and to proceed with their presentation.

Marvin Aguilar Mr. Aguilar is representing TG Engineers for their client, PIDC Guam, Inc., who is the property owner of Lot 201-1-2NEW in Santa Rita-Sumai. Mr. Aguilar provided a slide presentation for the members.

Slide – 1 Purpose; the application is a request for a zone change from agricultural to commercial zone.

Slide – 2 General location; the subject lot, at approximately 500 feet, will bring you to the Namo Bridge, and the other landmark is Inn on the Bay. Across the street from the subject lot are all Naval Base properties.

Slide 3 – the property was zoned agricultural through the Ancestors Land process. The properties were acquired by the federal government before 1966, before the zoning code. The properties were returned to the government without a zoning designation. P.L. 31-198 designated all returned lands as agricultural.

Slide 4 – Property Attributes; the area contains 21,330 square meters or 5.27 acres. The proposed use is for the construction and operation of the Ace Hardware store franchise. Power, water, and sewer are available, and public access is provided throughout the different boundaries of the property.

This concluded Mr. Aguilar's presentation, and he was prepared to answer questions from the members.

Chairperson Enriquez opened the floor to the members for questions. There were no questions from the Commissioners, Madam Chair turned the floor over to the Chief Planner for their report.

Celine Cruz, Chief Planner read the summarized staff report dated September 4, 2025, for Application No. 2024-63. This is a zone change request for Lot 20-1-1NEW in the municipality of Santa Rita-Sumai. The applicant, PIDC Guam Inc., is requesting a zone change from "A" to "C" zone to construct and operate a hardware store on the subject lot.

The property is located west and fronting the Hagat and Umatac highway, and south, fronting the access road (shoreline drive) to the U.S. Naval Base back gate near the old Rizal Beach. Chief Planner provided the field description of the subject property. The lot area is 1,932 square meters or just under ½ an acre. surrounding land uses, and the application's chronological facts.

Chief Planner Cruz addressed the zone change criteria of public necessity, public convenience, and general welfare. As to public necessity, the requested zone change to commercial fulfills a public necessity for this area, which is increasingly transitioning towards commercial development to accommodate a growing population in Santa Rita and Hagat along Route 2A.

Convenience – the proposed zone change will provide the public with convenient access to much-needed retail, hardware, and other commercial goods and services. Rezoning will also allow the owner to establish permitted accessory uses and store inventory on-site, as well as support other service-related commercial activities.

General Welfare – the proposed rezoning and development will safeguard the general public, neighboring properties, and the environment by remaining consistent with the existing commercial uses and related activities in the area. The property owner will also take measures to minimize impacts to the surrounding community and environment.

The public hearing conducted by Land Management was generally well-received.

To conclude, Planning Staff recommends approval of the application, subject to the applicant's full compliance with all recommendations, conditions, and requirements set forth by the Application Review Committee in its official statement. [For full content/context, refer to the attached report]

[Attachment B – Staff Report dated September 5, 2025]

Chairperson Enriquez inquired about the size of the subject lot.

Chief Planner Cruz corrected the area size to 21,330 square meters.

Chairperson Enriquez noted that a correction was needed on the staff report dated September 4, 2025. The lot area should read 21,330 square meters or 5.27 acres. Madam Chair turned the floor over to the Commissioners for questions for the Chief Planner. Noting none, opened the floor for public comment for Application No. 2024-63.

Public Comment [None]

Chairperson Enriquez there were no public comments noted. The public comment period was closed. Madam Chair was ready to entertain a motion for action for Application No. 2024-63.

Commissioner Flores made a motion to approve Application No. 2024-63 based on the recommendations stated in the September 4, 2025, staff report.

Vice Chairman Pangilinan seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Flores. There was no discussion on the motion; Madam Chair put the motion to a vote, with all Commissioners in favor of approval. **[Motion passed unanimously with a vote of 4 ayes and 0 nays.]**

Zone Change

- C. Application No. 2024-64, the Applicant, PIDC Guam, Inc., represented by TG Engineers, PC, is requesting a Zone Change from "A" (Agricultural/Rural) zone to "M1" (Light Industrial) zone, for the continued operation of a construction laying yard, equipment staging, and construction facility, on Lot 238-1-B, in the Municipality of Santa Rita-Sumai. Case Planner: Penmer Gulac

Chairperson Enriquez welcomed the applicant's representative to the table, asked them to state their name for the record, and to proceed with their presentation.

Marvin Aguilar clarified that the slides to be presented to the Commission are similar to the previous application. Both properties were purchased by PIDC from the Bordallo family.

Slide 1 – the request is to rezone Lot 238-1-B, in Santa Rita-Sumai, which is currently zoned agricultural, and the request is to rezone it to a light industrial zone.

Slide 2 – the lot is being used as an existing laying yard and is located along Route 2A. The other landmarks are the Namu Bridge, Inn On The Bay, and the Hyundai subdivision. To the east of the property is the Agat, Santa Rita wastewater treatment plant.

Slide 3 – P.L. 31-198 designated all undesignated returned lands as agricultural to allow property owners to benefit from the entitlements under the zoning law.

Slide 4 – Property Attributes; the area is 51,520 square meters or 12.7 acres. The parcel is currently being used as a staging area, a lay yard area, a cement casting area, and is being used for light industrial activities. Historically, the property was used for light industrial uses by both the federal and local governments. Power, water, and sewer are available, and public access from Route 2A. Mr. Aguilar noted that south of the subject property, the parcel is zoned M2 (Heavy Industrial). [Slides 5 through 8 are several photographs of the property.]

This concluded Mr. Aguilar's presentation.

Chairperson Enriquez turned the floor over to the Commissioners for questions. There were no comments or questions noted from the Commissioners. Madam Chair turned the floor over to the Chief Planner.

Celine Cruz, Chief Planner read the summarized staff report dated September 4, 2025, for Application No. 2024-64. This is a request for a zone change from "A" to "M1" for Lot 238-1-B, in Santa Rita-Sumai. The applicant, PIDC Guam Inc., is requesting the zone change in order to continue use and operation as a construction laying yard and staging area of equipment.

The property is fronting Route 2A and across from the Camp Covington warehouse/logistics center. The site is approximately 1,200 feet north of the Agat Point commercial center, which is zoned M2 and abuts the Namu River flood control channel on the southern border. The lot area is 51,520 square meters or 12.7 acres.

The lot has ongoing light industrial operations, storage of precast concrete construction materials, and has overgrown vegetation on the southern border.

Chief Planner Cruz touched briefly on the surrounding land uses, the application's chronological facts, and addressed the zone change criteria of public necessity, public convenience, and general welfare.

Public Necessity, the proposed zone change to light industrial addresses a demonstrated public necessity, as the surrounding area is transitioning towards more light and heavy industrial activities.

Convenience, rezoning the lot will provide the public and contractors with convenient access to much-needed construction materials and related light industrial services.

General Welfare, the proposed zone change to light industrial will not compromise the protection of the public. The applicant has pledged to minimize environmental and community impacts.

The public hearing conducted by Land Management was generally well-received, and all concerns raised were addressed to the satisfaction of those who attended.

To conclude, Planning Staff recommends approval of the proposed zone change, subject to the applicant's full compliance with all ARC recommendations, conditions, and requirements as outlined in their official position statements. [For full content/context, refer to the attached report]

[Attachment C – Staff Report dated September 4, 2025]

Chairperson Enriquez opened the floor to the Commissioners for questions. There were no comments or questions from the Commissioners. Madam Chair opened the floor for public comments.

Public Comment [None]

Chairperson Enriquez noted that there were no public comments for Application 2024-63, closed the public comment period. There was no additional discussion; Madam Chair was ready to entertain a motion for action.

Vice Chairman Pangilinan made a motion to approve Application No. 2024-64, provided the applicant meets the recommendations and conditions stated in the September 4, 2025, staff report.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Flores. There was no discussion on the application as presented. Madam Chair put the motion to a vote, with all Commissioners in favor of approval. **[Motion passed unanimously with a vote of 4 ayes and 0 nays.]**

Zone Variance

- D. Application No. 2024-53, the Applicant, ERC Trading Incorporated, represented by TG Engineers, PC, is requesting a Zone Variance to allow the use of an existing structure for indoor storage of hardware goods and materials, on Lot 5372-2-R1, in the Municipality of Mangilao, in an "R2" (Multi-Dwelling) zone. Case Planner: Theresa Guevara

Chairperson Enriquez welcomed the applicant's representative to the meeting, asked them to state their name for the record, and to proceed with their presentation.

Marvin Aguilar is representing TG Engineers, PC for their client, ERC Trading Inc. Mr. Aguilar stated that this is for Application No. 2024-53, in the municipality of Mangilao, located on Lot 5372-2-R1. Mr. Aguilar proceeded with this brief presentation

Slide 1 – the request is to utilize an existing structure for the temporary storage of white goods and materials. The property is currently zoned "R2."

Slide 2 – the subject lot is located along Techira Street from University Avenue. Site indicator is between Ron's Diner on the south side of the entrance of Techira Street and the condominium on the north side of the entrance of Techira Street. The subject lot is located directly behind the condominium.

Slide 3 – the structure has been in existence for quite a while, and history behind the building. During their research of the structure, they were advised by UOG's Engineering planning staff, who alluded to the possibility that the facility was built as a satellite gym for the University of Guam before it went into its master plan phase. When the fieldhouse was built, the plan and the agreement with the previous property owner fell through. The image on the left side (displayed on the monitor) was used for some sort of commercial, heavy industrial use, and the image on the right is cleaned up. ERC purchased the property about four years ago with the understanding that the structure could be used as a warehouse, only to discover that it was not in the correct zoning.

The applicant does not want to rezone to M1. The facility will be used for the temporary storage of equipment and materials that they sell at their stores in Barrigada and Dededo.

Slide 4 – image of the external site plan. Dedicated egress/ingress and parking.

Slide 5 – image of the internal layout plan. This was previously used for commercial activities. There is a building within a warehouse; it has two stories, offices, and in the front (south), it appears that there was an accounts receivable counter.

Slide 6 – image of the electrical room. The facility had the fixings of a gym.

Slide 7 – image of additional office/storage area.

Slide 8 – water, power, and public sewer are available. The applicant wants to utilize the variance for a period of 5 years. The owner sees the value of an R2 zone and sees that the property is surrounded by R2 uses, and his actual investment, in about five to six years, is to build apartment units. No personnel will be stationed at this site, and no equipment or materials will be stored outside of the structure. There will be a strict operational plan to be adhered to. They will operate and utilize the facility without any consternation to the neighborhood adjacent to them. The owner will improve the perimeter fencing for security purposes and perform weekly landscaping and maintenance of the property.

This concludes Mr. Aguilar's presentation.

Chairperson Enriquez thanked Mr. Aguilar for his presentation and turned the floor over to the Commissioners for questions. [No questions or comments noted from the Commissioners]

Madam Chair inquired about the intention beyond the five years for apartments, and asked how many units are anticipated.

Marvin Aguilar responded 47 units.

Chairperson Enriquez noted the planned improvement for the perimeter fence and asked if there was an existing fence.

Marvin Aguilar replied, "yes," and added that the north and east side perimeter fence had collapsed and will be repaired.

Chairperson Enriquez there were no additional comments or questions. Madam Chair turned the floor over to the staff for their report.

Celine Cruz, Chief Planner read the summarized staff report dated September 3, 2025, for Application 2024-53. The applicant, ERC Trading Inc., is requesting the approval of a Zone Variance for Use to allow for the use of an existing building for indoor storage of hardware goods and materials. Chief Planner Cruz continued with the location, lot area, field description, surrounding land uses, master plan, community design plan, the application's chronological facts, and public hearing results. The strict application of the zoning law prevents the use of an existing warehouse-like structure for the storage of commercial goods. The property was purchased by

the current owner before learning that there was no record of a Conditional Use permit that was issued to the previous owner.

The exceptional circumstance relates to the current open-bay structure that exists on the property in an "R2" zone. The structure was designed and constructed for indoor sports activities for the University of Guam. Such use was never realized, and the structure was left abandoned. The structure presents an opportunity for the current property owner to temporarily use the structure for storage and staging of commercial goods in a non-impacting manner to support a community-based retail business.

The proposed use will not be materially detrimental to public welfare or injurious to the property, surrounding improvements, and/or neighborhood, since all activities will be contained within the existing converted warehouse, with no employee permanently stationed on-site.

The granting of such variance will not be contrary to the objectives of any part of the Master Plan since the proposed use will be temporary and interim for a period of five years, and the owner's future objective is to develop the property for multi-family use.

Staff has reviewed the applicant's justification and finds that it represents a good-faith effort to address the criteria outlined in Section 61617. Planning Staff recommends approval with conditions. [For full content/context, see attached report]

[Attachment D – Staff Report dated September 3, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions. Madam Chair noted that there were no comments or questions from the Commissioners, opened the floor for public comment.

Public Comment [None]

Chairperson Enriquez noting no public comment, closed the public comment period. Madam Chair was ready to entertain a motion for action.

Vice Chairman Pangilinan made a motion to approve Application No. 2024-53, provided that the applicant meets the recommendations and conditions as stated in the staff report dated September 3, 2025.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Vice Chairman Pangilinan and seconded by Commissioner Flores. There was no discussion noted from the members. Madam Chair put the motion to a vote, with all in favor of approval. **[Motion passed unanimously with a vote of 4 ayes and 0 nays.]**

V. Administrative and Miscellaneous Matters

Chairperson Enriquez turned the floor over to Executive Secretary Borja for additional business or announcements.

Joseph Borja, Executive Secretary announced the swearing in of newly appointed Commissioner Joseph Rios, which augments the Commission's membership.

Chairperson Enriquez welcomed Mr. Rios to the Commission, and is elated that Mr. Rios is committed to providing his service to the Guam Land Use Commission, and when the opportunity arises, to the Guam Hybrid Land Use Commission as well.

Joseph Rios, Commissioner remarked that he is interested in what he will be embarking on and using his experience to work with the Commission.

Chairperson Enriquez turned the floor over to Chief Planner Cruz for the next GLUC meeting date.

Celine Cruz, Chief Planner responded that the next meeting date is Thursday, September 25, 2025. A call-out will be done for the Commission's availability for this meeting.

Joseph Borja, Executive Secretary commented that there were four applications on today's agenda; four applications completed in about one and a half hours, and asked if this was a fair estimate.

Celine Cruz, Chief Planner replied that it was correct. Each application runs about twenty-five minutes per application for the regular GLUC meeting.

Chairperson Enriquez there was no further business for the Commission. Madam Chair moved on to the next item on the agenda, adjournment, and asked for a motion.

VI. Adjournment

Commissioner Flores made a motion to adjourn today's meeting.

Vice Chairman Pangilinan seconds the motion.

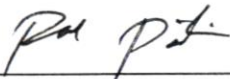
Chairperson Enriquez accepted the motion made by Commissioner Flores and seconded by Vice Chairman Pangilinan. Madam Chair put the motion to a vote, with all members in favor of adjournment. **[Motion passed unanimously with a vote of 4 ayes and 0 nays]**

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

The regular meeting of the Guam Land Use Commission for Thursday, September 11, 2025, was adjourned at 2:43 p.m.

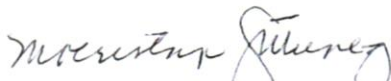
Approved by:

Date approved:



for _____
Anita B. Enriquez, Chairperson
Guam Land Use Commission

Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM



ATTACHMENT A
DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



LOURDES A. LEON GUERRERO
MAGA HĀGA • GOVERNOR

JOSEPH M. BORJA
Director

JOSHUA F. TENORIO
SIGUNDO MAGA LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
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dldir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

September 8, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

SUBJECT: **Staff Report – Application No. 2020-18, Zone Change**
Lots 7024-4-2B, Lot 7024-4-2C, Lot 7024-4-3A, and Lot 7024-4-3B,
Municipality of Yigo, GLUC Meeting; September 11, 2025

1. PURPOSE:

A. Application Summary: The applicant, CPI Investments (Guam), Inc., represented by FC Benavente, Planners, requests for a Zone Change from "A" (Agricultural) to "R2" (Multiple Dwelling) Zone for the proposed development of townhouse units, on Lot 7024-4-2B, Lot 7024-4-2C, Lot 7024-4-3A, and Lot 7024-4-3B, in the municipality of Yigo

B. Legal Authority: Title 21, GCA (Real Property), Chapter 61 (Zoning Law), and Sections 61630-61638, Changes of Zones, and other applicable subsections.

2. FACTS:

A. Location: The property is located in Yigo, east of Route 1, Marine Corps Drive, and generally at a midpoint between Perez Acres and the DL Perez Elementary School. Chalan Nanalao runs along the north perimeter, with Chalan Felix Remedios bisecting the area in a north-south direction.

B. Lot Area:

Lot	Square Meters	Acres
Lot 7024-4-2B	2,036	0.50
Lot 7024-4-2C	3,467	0.86
Lot 7024-4-3A	15,509	3.83
Lot 7024-4-3B	22,967	5.68
Cumulative total:	43,979	10.87

C. Present Zoning: "A" (Rural/Agricultural) Zone

D. Field Description: The property is currently vacant and undeveloped.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2020-18

Page 2 of 3

E. Surrounding Land Uses: Surrounding land uses are primarily single-family residences.

F. Master Plan: Village Center – North and Central Guam Land Use Plan

G. Community Design Plan: Basins/Sinkholes

H. Previous Commission Action: None.

3. APPLICATION CHRONOLOGICAL FACTS:

A. Date Application Accepted: January 13, 2020

B. Date of ARC: February 6, 2020

C. Date of Public Hearing: April 30, 2021

D. Public Hearing Results: In accordance with statutory requirements, a public hearing was conducted by planning staff on April 30, 2021, at the Yigo Senior Citizen Center. The hearing was attended by the applicant's representative and nine (9) members of the public.

Community members in attendance expressed concerns regarding persistent flooding on the subject property and the surrounding area. Testimony revealed that the site has a history of significant flooding during heavy rainfall, and residents expressed apprehension that development of the property could exacerbate existing drainage issues and negatively affect adjacent lands.

In response, the applicant's representative acknowledged the ongoing flooding conditions and indicated that these issues are expected to persist if the property remains undeveloped. The representative further noted that subdivision development would require compliance with established regulations, including site grading, drainage design, stormwater management, and the installation of storm drain systems. These requirements, according to the applicant's representative, would provide an opportunity to address and mitigate the impacts of flooding as part of the project's engineering and construction process.

4. STAFF ANALYSIS:

A Zone change must address the **Public Necessity, Public Convenience, and General Welfare** criteria. Based on the justification submitted by the applicant, our analysis is as follows:

PUBLIC NECESSITY

There is documented demand for additional housing in northern Guam, particularly near Andersen Air Force Base (AAFB), where both military and civilian employees seek housing. The project introduces a higher-density housing option (townhouses), which expands the range of available units and responds directly to public necessity for housing diversity. Staff concurs that this rezoning will contribute to addressing Guam's broader housing needs.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2020-18

Page 3 of 3

CONVENIENCE

The site's proximity to AAFB, village services, and commercial areas along Route 1 makes it a convenient location for new housing. Townhouse development provides an alternative to detached homes, appealing to smaller households and those seeking lower-maintenance living. Public convenience is also supported by the integration of infrastructure and community amenities into a master-planned development rather than piecemeal construction.

GENERAL WELFARE

Residential growth in this location can contribute to the general welfare by strengthening the local economy and broadening the housing supply. Upgrades to utilities and roads, when required as subdivision improvements, can also benefit the wider community. Staff notes, however, that potential impacts—such as increased traffic, stormwater management, and service demand—must be adequately addressed through the permitting process to ensure that the project advances the general welfare without creating unintended adverse effects.

5. CONCLUSION:

The Application Review Committee members expressed no objections to the requested zone change, subject to conditions. The Yigo Municipal Planning Council (YMPC) likewise raised no objections and expressed support through YMPC Resolution No. 02-25. In compliance with 21 GCA, Chapter 61, Section 61637, an Agricultural Impact Statement was provided by the Director of the Department of Agriculture.

Based on the staff's analysis, the applicant has satisfied the requirements of 21 GCA, Chapter 61, Article 6, Subarticle 3. The proposed zone change is consistent with the intent and provisions of the zoning law and is found to promote public necessity, convenience, and the general welfare.

6. RECOMMENDATION: Planning Staff recommends approval of the proposed zone change to "R2" (Multiple Dwelling) zone, subject to the applicant's full compliance with all ARC recommendations, conditions, and requirements as outlined in their official position statements.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENTS: Supplemental information - Exhibit A
ARC Position Statement Summary
Yigo MPC Resolution No. 02-25

Case Planner: Celine L. Cruz

Exhibit A. Justification

We submit the following justification as required by Law for this Zone Change application.

Zone Change Justification as required by 21 GCA, Chapter 61, Section 61630.

- a. Compatibility of the proposed project with adjacent and neighborhood developments as they exist.

Response: This zone change from "A" to "R-2" within a proposed mixed-use residential subdivision project is entirely compatible with the existing residential nature of adjacent and neighboring developments. The immediate vicinity of the property is already used for residences, and in many places, subdivided and primed for residential use, and not for agricultural uses.

- b. Intentions and purpose of the Zone Change request justifying public necessity, public convenience and general welfare.

Response: This portion of the proposed mixed-use residential project is a result of the property's planned evolution of uses in this area of the Municipality of Yigo. The "necessity" is evident in the existing zoning plan, which sandwiches these properties between existing residential developments and approved, undeveloped subdivision house lots. It is reasonable to conclude that the addition of single-family and multi-family homes to these properties, along with the immediate provision of complete and available infrastructure improvements, is a necessary "public good," especially given the nature and extent of the immense housing shortage that presently exists on Guam. The "public convenience" is enhanced in the creation and availability of a newly planned and fully improved residential community with quality of life benefits, available to all island residents; and the "general welfare" of the people of Guam is evident in the availability of jobs during and after construction, generation of additional property tax revenues, new residences, and spillover community benefits including the upgrading of the roads, water, stormwater, and wastewater system and the provision of recreation facilities.

**YIGO MUNICIPAL PLANNING COUNCIL (YMPC)
REGULAR MONTHLY MEETING**



Resolution No. 02-25

Introduced by:

Frances S. Lizama, Chairwoman
Pedro S. Blas, Vice Chairman

Members:

Lawrence J.M. Alcairo
Robert J.L. Barcinas
Gregorio P. Calvo
Joseph B. Cruz, Jr.
Elizabeth C. Flickinger
Peter B. Frias
Jack E. Hattig III
Jonathan F. McDermott
Norma L. Salas
Peter J. Santos
Geraldynn B. Tennessen
Venido S. Torres

Relative to the Yigo Municipal Planning Council (YMPC) reviewing GLUC Application No. 2020-18, Zone Change from "A" to "R-2", Lot 7024-4-2B, Lot 7024-4-2C, Lot 7024-4-3A, and Lot 7024-4-3B, located in Yigo, for applicant C.P.I. Investments (Guam) Inc.

1 **BE IT RESOLVED BY THE YIGO MUNICIPAL PLANNING**
2 **COUNCIL (YMPC):**

1 **WHEREAS**, the applicant is requesting a zone change from “A”
2 (Agriculture) to an “R-2” (Multi-Family Dwelling), encompassing four (4)
3 lots in the Municipality of Yigo, east of Marine Corps Drive, at a midpoint
4 between Perez Acres and Daniel L. Perez Elementary School; and

5 **WHEREAS**, the said lots will be developed which will include water,
6 wastewater, power, landline telephone service, and cable
7 connection/conduits, solid waste disposal service by a private collection
8 company, paved streets with curbs, sidewalks, street lights, fire hydrants,
9 full service, and innovative community and learning center, which will be
10 provided for the residents and guests by the C.P.I. Investments (Guam) Inc.;
11 and

12 **WHEREAS**, said lots are surrounded by many residential
13 developments, the intended use under the proposed zone change is
14 consistent with the future land uses in this planning area, and would
15 contribute to providing more affordable homes; and

16 **WHEREAS**, the Department of Land Management conducted a Public
17 Hearing on May 2, 2023, 6:00 pm at the Yigo Senior Citizens Center; and

18 **WHEREAS**, the Yigo Municipal Planning Council (YMPC) conducted
19 the First YMPC Public Hearing for this application on Wednesday, April 9,
20 2025, 5:05 pm at the Yigo Senior Citizens Center, and the Second YMPC
21 Public Hearing on Wednesday, April 9, 2025, 6:10 pm at the Yigo Senior
22 Citizens Center; now therefore, be it

23 **RESOLVED**, that the Yigo Municipal Planning Council (YMPC) have
24 no objections and support the Zone Change, Application No. 2020-18, Lot
25 7024-4-2B, Lot 7024-4-2C, Lot 7024-4-3A, and Lot 7024-4-3B, for applicant
26 C.P.I. Investments (Guam) Inc.; and be it further

1 **RESOLVED**, that the Chairwoman certify, and the YMPC Secretary
2 attest to, the adoption hereof, and that copies of the same be thereafter
3 transmitted to the Department of Land Management Planning Division.

**DULY AND REGULARLY ADOPTED BY THE YIGO MUNICIPAL
PLANNING COUNCIL (YMPC) ON THE 9TH DAY OF APRIL 2025.**



FRANCES S. LIZAMA
Chairwoman



GERALYNN B. TENNESSEN
YMPC Secretary



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



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LOURDES A. LEON GUERRERO
MAGA HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA LÅHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

September 5, 2025

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairperson, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
Zone Change, Application No. 2020-18

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management.

DEPARTMENT OF LAND MANAGEMENT (DLM): Planning staff recommends approval of the Zone Change with the following conditions:

The applicant shall comply with all applicable ARC conditions and requirements as stipulated in their Official Position Statements.

DEPARTMENT OF PUBLIC WORKS (DPW):
DPW has cited conditions that the applicant must comply with.

GUAM WATERWORKS AUTHORITY (GWA):
GWA is in favor of the zone change with conditions for compliance with GWA's requirements.

GUAM POWER AUTHORITY (GPA):
GPA has no objection to the request, subject to the conditions cited in the position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):
The agency cited their concerns for the application related to Stormwater and Erosion Control and Water and Wastewater, and reminds the applicant to comply with applicable environmental laws and regulations administered by GEPA.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change, Application No. 2020-18
Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR):

The agency has no objections to the zone change; however, it requests that documentation of identification efforts for the presence or absence of said resources is provided with permit applications.

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau recommends that the application be approved. In addition, the applicant must comply with applicable conditions as noted in their official position statement.

DEPARTMENT OF AGRICULTURE (DOAG):

The Department is in support of the zone change; however, the landowner must submit a biological survey for the subject area when applying for a DPW clearing and grading and/or building permit.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM FIRE DEPARTMENT (GFD):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES (DPH&SS):

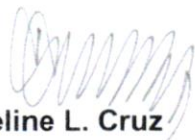
Ex-Officio, non-voting member, not required to submit a Position Statement.

GUAM DEPARTMENT OF EDUCATION (GDOE):

Ex-Officio, non-voting member, not required to submit a Position Statement.

DEPARTMENT OF CHAMORRO AFFAIRS (DCA):

Ex-Officio, non-voting member, not required to submit a Position Statement.



Celine L. Cruz

Attachments: ARC Position statements
Cc: Executive Secretary, GLUC



Department of Agriculture
Dipattamenton Agrikottura
163 Dairy Road, Mangilao, Guam 96913



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Chelsa Muña-Brecht
Director
Adrian Cruz
Deputy Director

MEMORANDUM

RECEIVED
3/9/21 89

To: Joseph Borja, **Director**
Department of Land Management

Attn: **Executive Secretary**,
Guam Land Use Commission

From: Chelsa Muña-Brecht, Director *CM*

Date: February 24, 2021

Subject: **“Agricultural and Environmental Position Statement” for “Zone Change from A to R-2”, Application 2020-18 for Lot 7024-4-2B, 7024-4-2C, 7024-3A, and 7024-3B, located in Yigo (CPI Investments Guam Inc.)**



Hafa Adai!

The Department of Agriculture (DOAG) has reviewed Application 2020-18 for a “Zone Change from ~~R-1~~ to R-2” for Lots 7024-4-2B, 7024-4-2C, 7024-4-3A, and 7024-4-3B, all located in Yigo.

Following is the position statement provided by DOAG, under the agency’s authorities:

1. A portion of the subject areas require clearing for the proposed single story 5-unit multi-family residence. The landowner must obtain a biological survey prior submitting DPW clearing and grading, and/or building permits.
2. The Yellow bittern (*Ixobrychus sinensis*), protected under the Migratory Bird Treaty Act, and the Micronesian starling (*Aplonis opaca*), protected under the Guam Endangered Species Act is known to occur in the general area of the subject area. Both birds are opportunistic species and adapts well in urban areas.
3. The habitat type at the project site supports eleven plant species that were recently listed by the U.S. Fish and Wildlife Service under the Endangered Species Act. The biological survey must include a detailed vegetation survey of the subject area.

ncp

CM
3-17-21


4. There are no existing critical habitat in and surrounding areas of the subject area.

The Department is in support of the zone change from R-1^A to R-2, however the landowner must submit a biological survey for the subject area when applying for a DPW clearing and grading, and/or building permit, as stated above, to permits@doag.guam.gov and Jeffrey.Quitugua@doag.guam.gov for review and comment.



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låli - Lieutenant Governor


public works
DIPARTAMENTU' NA' CHU' NA' PUBLIKU
VINCENT P. ARRIOLA
Director
JESSE G. GARCIA
Deputy Director

MEMORANDUM

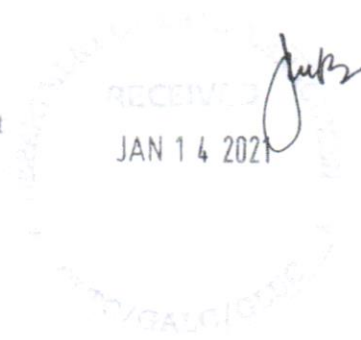
TO: Chairman, Guam Land Use Commission
Director, Department of Land Management
Executive Secretary, Department of Land Management

FROM: Director of Public Works

APPLICANT: CPI Investments (Guam) Inc.

APPLICATION NO.: Zone Change 2020-18

SUBJECT: Agricultural ("A") to Multi Family Dwelling (R-2") Ref: Lot Nos.:
7024-4-2B, 7024-4-2C, 7024-4-3A and 7024-4-3B, Yigo



Hafa Adai! The applicant, CPI Investments (Guam) Inc., plans to develop seven (7) properties located in the Municipality of Yigo. The parcel of three (3) lots are zoned "R-1", and the four (4) remaining parcels are zoned "A". The owner's intent is to develop these properties as mixed use residential subdivision that will allow (84) units of multi-family (townhouse) type, and 114 units for single family lots. The overall total lot area is approximately 43,979 square meters or 473,383 square feet.

The Department of Public Works has completed its review of the subject application provided the following conditions are met:

- Identify the nearest public utilities to the subject lot and incorporate in the site development plan. (See 2nd page for the attached conditions).

The building permit application submission must have a complete set of design drawings with all the engineering disciplines required and must be in conformance to the Zoning Law and Building Regulations, signed by a registered engineer or architect

If you have any questions, please contact Maryrose M. Wilson for the Division of Capital Improvement Projects (CIP- Vertical) @ (671) 646- 3225. Dangkulu na Si Yu'os Ma'ase!

VINCENT P. ARRIOLA

Handwritten initials and date: VM 2-21

APPLICATION NO: 2020-18

The Department of Public Works, (DPW) has completed its review of the subject application and must comply with the following conditions:

- **STORM WATER DISPOSAL**
Storm drainage disposal plan must be shown in detail in the final drawings, to be supported with drainage calculations.
- **TRAFFIC GENERATIONS**
A traffic impact analysis /study must be coordinated with DPW (Division of Highways).
- **PARKING REQUIREMENTS**
Show parking layout and detail of parking stalls (compact, standard and ADA accessible stalls) and must meet the American Disability Act (ADA) requirements.
- **ACCESS ROAD**
The entrance, exit, sidewalks should be wide enough for public access and shall be in conformance with Guam Master Plan. Must be coordinated with DPW.
- **STREETLIGHTS**
The developer shall be responsible for the streetlights and must coordinate with DPW.
- **SETBACK REQUIREMENTS**
Must meet all the setback requirement on all sides.
Front (15'), Rear (10') and for Right and Left side (8'), for each lots.
- **PARKS AND PLAYGROUNDS**
The construction of parks and playgrounds including landscaping must be design in detail and make use of its physical and biological resources which will have a great impact to the environment.
- **SOLID WASTE**
Provide solid waste compositions.
- **TRANSPPORTATION**
To coordinate with DPW, Bus Operations Division for the bus shelter designated location, and must not hinder the entry/ exit public access to the housing area.
- **OTHERS**
Comply with all the Geotechnical requirements related to site preparations.



GUAM WATERWORKS AUTHORITY

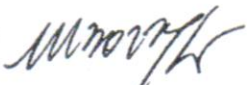
Gloria B. Nelson Public Service Building
688 Route 15, Mangilao, Guam 96913

MEMORANDUM

August 28, 2020

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Rudy Matanane, Municipality of Yigo (yigostaff@gmail.com)

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

SUBJECT: Position Statement on Zone Change Application 2020-18 for Lots 7024-4-2B, -4-2C, -4-3A, -4-3B in the Municipality of Yigo

APPLICANT: CPI Investments (Guam) Inc.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Rural) to "R-2" (Multi-Family) zone to be developed into house lots and townhouse units for residential use and for investors.

This memorandum shall serve as GWA's position statement for the referenced application related to the 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, and at the applicant's expense.

The following comments are conditions for GWA's position in favor of the approval of this application:

1. A construction manager hired by the developer shall oversee water and sewer infrastructure construction. A quality control document containing construction records and pictures shall be provided to GWA, to document construction practices and installed materials. GWA shall be provided with construction schedules, so that inspections may be conducted during construction.
2. 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

GWA Position Statement
Application 2020-18
Applicant: CPI Investments (Guam) Inc.
Page 2 of 3

complete drawings and specifications. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations.

3. 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.
4. 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.

5. 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.
6. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
7. The applicant shall install GWA water meters in the public right of way or easement.
8. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter.
9. New development is subject to water and/or sewer system development charges.
10. Privately-owned water tanks might be limited to a maximum fill rate to avoid adverse impacts to the public water system.

GWA Position Statement
Application 2020-18
Applicant: CPI Investments (Guam) Inc.
Page 3 of 3

11. 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.
12. 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. See GWA for additional industrial wastewater pre-treatment requirements.
13. 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.
14. 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.

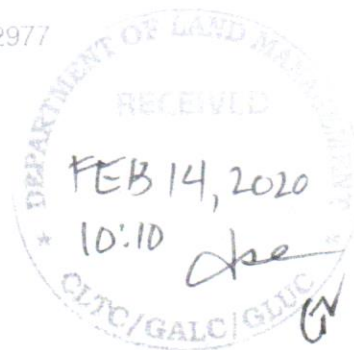
This memorandum shall remain valid for 365 calendar days from the date of this response. Contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#300-6041 or bhess@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

February 10, 2020



MEMORANDUM

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

From: General Manager

Subject: Lots 7024-4-2B -2C/-3A/-3B, Municipality of Yigo, (CPI INVESTMENTS, INC.); Zone Change Application from "A" (Agricultural) to "R-2" (Multi-Family Dwelling) to develop single and multi-family residential houses. **Application No. 2020-18**

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. 272581, 273979, 404279 and 404281.**
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 development on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

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


JOHN M. BENAVENTE, P.E.

ASG/arp

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: CPI INVESTMENTS, INC.
 Location: Lots 7024-4-2B -2C/-3A -3B, Yigo
 Type of Application: Zone Change
 GLUC/GSPC Application No. 2020-18
 Brief Project Description:
 "A" to "R-2" to develop single and multi-family residential houses.

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

2/11/2020
 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 development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

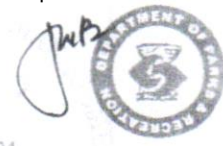
ASG/arp



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetasion
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294 6355, Facsimile (671) 477-2822



FEB 15 2021

Richard Y. Ybanez
Acting Director
Victor R. Villagomez
Acting Deputy Director

In reply refer to:
RC2020-0331

Revised due to requirement by DLM
of Director's signature

January 28, 2020

To: Executive Secretary, Guam Land Use Commission
From: Acting Director, Department of Parks and Recreation
Subject: Zone Change Application from "A" to R-2" for Lots 7024-4-2B, 7024-4-2C,
7024-4-3A, and 7024-4-3B, Yigo, Guam 2020-18

cc
CP

We have reviewed your Zone Change Application on behalf of the owner of the subject projects, CPI Investments (Guam) Inc., to change the subject lots from Zone A, Agricultural zone to Zone R2, multiple dwelling zone, and have the following comments.

The application indicates that construction activities will occur and the presence of archaeological features and historic sites is unknown at this time. The application further states that should cultural resources be encountered, the appropriate mitigation will be followed in accordance with the Department of Parks and Recreation (DPR)-State Historic Preservation Office (SHPO) guidelines.

Pursuant to Section 13985.70 of Public Law 20-151, a Certificate of Approval by the State Historic Preservation Officer (SHPO) must be issued before any action affecting potential historic sites or objects is undertaken. Such permits include, but are not limited to, building, clearing, grading, and foundation permits. Adequate identification of the presence or absence of possible historic sites or objects within the project area must be submitted with any such application that requires Certificate of Approval of the Guam SHPO. These applications will be considered in terms of impacts or effects on historic properties and the appropriate response decided.

We have no objection to the zone change of subject lots. However, ground disturbing activities are proposed in a heavily vegetated area and the presence of possible historic sites within the project area is unknown. Therefore, we request that documentation of the identification efforts for the presence or absence of said resources is provided to our office with all applicable permit applications. Our office will then consider the potential effects of the proposed project and provide an appropriate response.

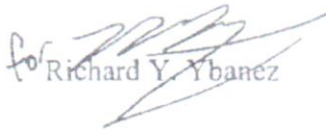
For future Guam Land Use Commission applications, please ensure that the application number contains the acronym GLUC, followed by the numeric sequence (i.e., GLUC 2020-18).

2020-18

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Should you have questions, please contact Mr. John Mark Joseph, State Archaeologist at 475-6339 or by email: johnmark.joseph@dpr.guam.gov.

Sincerely,


for Richard Y. Ybanez

Cc:
Felix C. Benavente, Authorized Representative
Benavente Planners

Lourdes A. Leon Guerrero
Governor of Guam

Joshua F. Tenorio
Lieutenant Governor

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



Tyrone J. Taitano
Director
Matthew C. Santos
Deputy Director

July 15, 2020

MEMORANDUM

TO: Director, Department of Land Management
ATTN: Division of Planning
FROM: Director, Bureau of Statistics and Plans



SUBJECT: **APPLICATION NO.** Zone Change Application 2020-18
LOCATION: Lots 7024-4-2B, 7024-4-2C, 7024-4-3A, and 7024-4-3B
MUNICIPALITY: Yigo
APPLICANT: CPI Investment Guam
PROPOSED USE: Zone Change from "A" Agriculture Zone to "R-2" Multiple Family Dwelling Zone

Buenas yan Håfa Adai! The Bureau of Statistics and Plans (Bureau) has completed its review of the application as mentioned above pursuant to its authorities under 5GCA Ch.1 Article 2 Centralized Planning and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies in accordance with Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement and conditions based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Project Overview

The applicant, CPI Investments (Guam) Inc., is requesting a summary zone change from an "A" (Agriculture) zone to an "R-2" zone (Multi-Family Dwelling) to construct eighty-four (84) multi-family townhouse, one hundred fourteen (114) single-family lots complete with a community center to provide a mixed-use

1228

1 *[Handwritten initials]*

residential subdivision. The property which encompasses four lots is located on Lots 7024-4-2B, 7024-4-2C, 7024-4-3A, and 7024-4-3B with a total of 43,979 square meters, 10.86 acres with 473,383 square feet in the Municipality of Yigo, east of Marine Corps Drive, at a midpoint between Perez Acres and the Daniel Perez Elementary School.

Infrastructure including water, wastewater, power, landline telephone service, and cable connection/conduits will be provided by CPI Investments (Guam) Inc. and connected to existing infrastructure on Route 1, which is approximately 400 feet from development. A private collection company will provide a solid waste disposal service. An internal system of paved streets with curbs, sidewalks, streetlights, fire hydrants, full service, and innovative community and learning center will be provided for the residents and guests. The surrounding land uses include private businesses, family dwellings, and a school.

The Bureau finds that the applicant has complied with the requirements of a zone change and can support the proposed request as presented and further recommends the applicant to submit all required documentation to Land Management to proceed with the summary zone change request.

Landscape Assessment

This property is located in the Northern Watershed. Having an accurate picture of an area's landscape and understanding how that landscape is changing is essential information for any planning effort. Land cover data can help provide that big-picture view. According to NOAA's Coastal Change Analysis Program (CCAP), land cover data from 2011 shows this watershed has changed 9.39%, which is primarily due to increased impervious surfaces.

In terms of development impacts, 29.42% of the Northern Watershed is developed, and 15.05% is impervious. More development means more impervious surfaces, which translates into a higher risk for increased flooding and decreased water quality. Areas with impervious surface rates approaching or exceeding 12 percent to 15 percent will likely experience negative impacts on water quality. Severe degradation can be expected when rates reach 25 percent.

The subject lot appears to be over open space consisting of tropical savannah, with many residential developments surrounding the lot. This project will increase development, impervious surfaces, and will result in a loss of forested areas and natural habitat in the Northern Watershed.

Effects Test Review and Analysis and Conditions

The following goals, objectives, and policies in the North and Central Guam Land Use Plan serve as a basis for BSP's review and provides an opportunity to ensure that future land use decisions and development are made in a manner that represents smart growth and avoids or minimizes environmental impacts.

Land Use: The North and Central Guam Land Use Plan (NCGLUP) is approved as an element of the Guam Comprehensive Development Plan (GCDP). The property is identified as agriculture within a village center in the Future Land Use Map of the NCGLUP:

"The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern that is consistent with additional Chamorro villages and neighborhoods (similar to the urban neighborhoods proposed by the Hagatna Redevelopment Masterplan). Uses may be mixed vertically, such as retail street level, with residential above, or horizontally, with a mix of uses next to each other in separate buildings. This designation applies to the existing Dededo and Yigo villages, on a smaller scale to Mangilao and Barrigada, along with two new areas in the northern part of the Island. Flexibility is encouraged in this category, recognizing that the exact mix and configuration of uses must be responsive to community needs and history. Future implementation may include development standards to ensure the preservation of existing historic structures. Development should occur in a manner that creates a central focal point and supports bicycle and pedestrian linkages to the surrounding area. Although the areas designated as Village Centers may be quite large, they should be developed as a series of individual neighborhoods (0.25-mile radius)."

Discussion: The intended use under the proposed zone change is consistent with the future land uses in this planning area.

Goal H 3. Encourage a variety of housing choices throughout North and Central Guam.

Policy H-9 Provide a requirement or incentives for the inclusion of affordable housing in larger residential developments.

Discussion: By providing at least 15% of housing units built at a price affordable to households earning 80% to 120% of local income adjusted for family size would contribute to providing more affordable homes.

Goal LU 2. Promote sustainable community development.

Policy LU-5 Promote environmental sustainability through a variety of measures. Examples of possible measures include green building design, green spaces in urban areas, green infrastructure, greenway, and conservation lands networks, transit-oriented and transit-ready development, improved networks for walking and wheeling, site design to promote renewable energy use, and other measures.

Discussion: The applicant must consider a green approach in its landscaping design by implementing island bio-retention, permeable parking and walkways, grassed swales, and rain gardens as a means to reduce runoff from the property. These approaches will add significant benefits such as low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride. Guam's land-use laws center on the preservation of all Guam's natural resources and its ecological balance. The limited supply of natural resources on Guam must be carefully maintained for the benefit of present and future generations. Natural resources, including areas that affect sources of drinking water, must be carefully managed and protected. The applicant is required to incorporate sustainable community development as specified in the NCGLUP's **Policy LU-5.**

Goal LU 3. Promote and protect the long-term health, character, and identity of the village communities.

Policy LU-9 Create development standards and practices that recognize and promote existing and desired community character of villages while allowing for innovation and design excellence.

Discussion: While there are no specific development standards outside of the building code and zoning regulations, this policy speaks to the community's desire for the character of the villages. The intended use in this application is consistent with the existing zone or future land use for the area.

Policy LU-12 Establish opportunities for localized services and recreation close to residential neighborhoods.

Discussion: This project will allow for any localized services or recreation close to the adjacent residential property. The applicant has stated it will also construct a community and learning center which will enhance the neighborhood.

Goal NS 1. Use land use categories to protect the natural environment and guide future development.

Policy NS-1 Protect the Northern Aquifer watershed and recharge areas through appropriate land use categories and development standards, including requirements for public sewer infrastructure for all residential subdivisions, low development density for unsewered areas, on-site stormwater disposal, and limiting heavy industrial activities.

Discussion: As impervious surface area increases, so did the risk of flooding and decreased water quality; therefore, to minimize negative impacts, best management practices must be incorporated.

It is noted that the development is still in the proposal stages. The applicant, CPE Investments, Guam Inc., is required to implement best management practices before, during, and after the construction of the family homes and townhomes to control erosion, sediment, and runoff on-site. CPE Investments, Guam Inc. is further advised to consult with Guam Environmental Protection Agency for effective implementation of these practices that may include but are not limited to the following:

1. Install perimeter sediment controls to retain or filter concentrated runoff from disturbed areas to trap or retain sediment before it leaves the construction site.
2. Minimize unnecessary clearing and grading to preserve existing natural areas.
3. Disturbed areas shall be stabilized as soon as feasibly possible after construction.
4. Where feasible, schedule construction during the dry season.

The applicant may refer to the CNMI and Guam Stormwater Management Manual and the 22 Guam Administrative Rules-GEPA Division II-Water Control Chapter 10, Guam Soil Erosion and Sediment Control Regulations.

Goal I 4. Assure a reliable, sustainable water supply for existing and future development while protecting the natural environment.

Policy I-15 Ensure that future development does not lead to contamination of the aquifer

b. Support water conservation programs

c. Implement wellhead protection standards with special emphasis on areas where high-density development is planned, such as village centers, mixed-use, and industrial areas.

Discussion: Wastewater from construction may contain potential pollutants such as cement, sand, and aggregates and will require a wastewater collection and treatment system to capture contaminated process water and stormwater to prevent and minimize contaminated water entering off-site stormwater drains or filtering down to our Northern Guam Lens Aquifer.

In most cases and under ordinary uses associated with R-2 and residential, pre and post-construction BMPs, Low Impact Development (LID), and other green infrastructure technologies can serve as a useful way to manage stormwater and pollutants while recharging the Northern Guam Lens Aquifer and using the LID principles such as preserving and recreating natural landscape features while minimizing the use of impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

Goal T6. Improve safety, circulation, and travel choice for all system users, including automobiles, bicyclists, and pedestrians of all ages and abilities.

Policy T-27 Provide an integrated network of pedestrian and bicycle facilities. Establish implementation priorities for the completion of sidewalks, pathways, bikeways, and trails.

Policy T-28 Require installation of well-connected walking and wheeling facilities in all redevelopment and new development

Discussion: The policies, when implemented, speaks to the community's desire to ensure that all residents of the project have alternate ways to commute all the while respecting the requirements of the special needs population.

Recommendation and Decision

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau believes the applicant provided the necessary justification for the property zone change, and therefore the Bureau recommends the application be approved. In addition, the applicant must comply with the aforementioned requirements incorporating best management practices into the plans and to implement those practices during and after the construction of their project for the protection of Guam's natural resources.

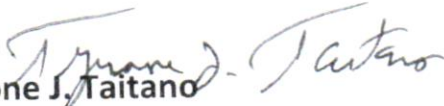
Applicable Conditions

Pursuant to 5GCA Ch.1 Article 2 Section 1204, should this application be approved, the Bureau recommends that the GLUC require the following conditions:

1. Comply with 22 GAR – GEPA Division II – Water Control Chapter 10, Guam Soil Erosion and Sediment Control Regulations
2. Comply with Guam Safe Drinking Water Act, 10 GCA Chapter 53
3. Comply with 21 GCA, Chapter 76 Historical and Archaeological Resources
4. Ensure that at least 15% of housing units are available at the affordable housing rate for Guam.

Please do not hesitate to contact Ms. Lucia Perez, Planner by email at lucia.perez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator at 475-9672 or by email Edwin.reyes@bsp.guam.gov for any questions regarding this matter.

Si Yu'os Ma'ase',

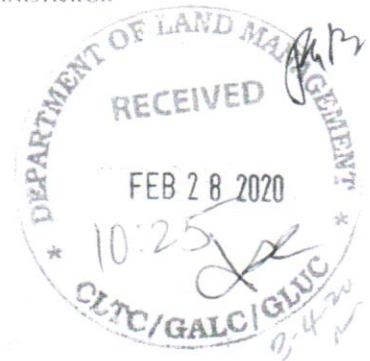

Tyrone J. Taitano
Director

Xc: File 2020-18 CPI Investments (Guam) Inc.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUAHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

FEB 27 2020



Mr. Tae Oh
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. 2020-18, CPI Investments (Guam) Inc. represented by FC Benavente, Planners; request of a Zone Change from “A” (Rural/Agricultural) to “R-2” (Multi Family Dwelling) zone, for the proposed development of townhouse units, on Lots 7024-4-2B; 7024-4-2C; 7024-4-3A and 7024-4-3B in the Municipality of Yigo.

Hafa adai Mr. Oh,

Buenas yan Saluda. The staff of this Agency has reviewed **the application for proposed zone change** and has the following concerns related to the proposal (as reviewed):

A. Stormwater and Erosion Control

1. The developer/ contractor must strictly adhere to all the requirements of the Guam Soil Erosion and Sediment Control Regulations (22 GAR Chapter 10), and must provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02.
2. The proposed development is situated close to residential subdivisions, power plant facilities and numerous commercial establishments along Marine Corps Drive that this project will be easily noticeable during construction phases. It is a must for a project this large that an Environmental Protection Plan (EPP) be prepared and signed by a Professional Engineer pursuant to 22GAR §10104(c)(5)(D) where a focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work site maintenance, and typhoon recovery plans.

*cc
mef*

B. Water & Wastewater

1. The proposed development is located within the designated groundwater Protection Zone (GPZ) of Northern Guam, and must be connected to adequate public sewer. Pursuant to the Guam Water Quality Standards, 22 GAR §5101(c)(1)(A) and (B), high density residential development should not occur within the GPZ without adequate public sewer infrastructure. The applicant is responsible for working with the Guam Waterworks Authority to determine the adequacy of public sewer and water service, and for installing any improvements necessary to properly service the proposed development.
2. Within the 28-acre proposed housing development is an existing Guam Waterworks Authority's sewage pump station facility. The developer is hereby advised that site drainage system design must prevent runoff from draining into facility.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.

If you have any questions, please feel free to contact Mr. Walter Leon Guerrero, Administrator, at walter.leonguerrero@epa.guam.gov or at (671) 300-4751/52. For technical questions, you may also contact CDR Brian Bearden, P.E., BCEE, Chief Engineer at brian.bearden@epa.guam.gov or 300-4779.

Dangkolu na si Yu'us ma'åse'.

Senseramente,



WALTER S. LEON GUERRERO
Administrator

cc: Mr. Joseph M. Borja
Executive Secretary
Department of Land Management



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
Director

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
Deputy Director

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Website:
<http://dlm.guam.gov>

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

September 4, 2025

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
SUBJECT: **Staff Report – Application No. 2024-63, Zone Change**
Lot 20-1-1NEW, Municipality of Santa Rita-Sumai;
GLUC Meeting; September 11, 2025

1. PURPOSE:

A. Application Summary: The Applicant/Owner PIDC Guam, Inc., represented by TG Engineers, PC, requests a Zone Change from "A" (Agricultural) to "C" (Commercial) Zone to construct and operate a hardware store, on Lot 20-1-1NEW, Municipality of Santa Rita-Sumai.

B. Legal Authority: Title 21, GCA (Real Property), Chapter 61 (Zoning Law), and Sections 61630-61637, Changes of Zones and applicable subsections.

2. FACTS:

A. Location: The property is located west and fronting Route No. 2A (Agat-Umatac Highway), and south and fronting the access road (shoreline drive) to US Naval Base, Guam back gate, near old Rizal Beach. The site is also approximately 600 feet north of Inn on the Bay commercial/residential complex, and (Agat Point Commercial Complex (M1 Zone) (See VIC MAP ATTACHMENT).

B. Lot Area: 1,932.57 square meters or 20,802.01 square feet or (1/2+ acre).

C. Present Zoning: "A" (Agricultural) Zone; Returned Federal Excess Land

D. Field Description: The subject lot is triangular in shape, vacant, and overgrown with large trees and other vegetation. The topography is fairly flat and gradually slopes toward Route No. 2A (Agat-Umatac Highway) on the southern boundary property line.

Continuation of Memorandum

RE: Staff Report – Zone Change, Application No. 2024-63

Page 2 of 4

E. Surrounding Land Uses: US Naval Base Guam, military installation on the north, northwest, and northeast, a civilian-operated materials yard and concrete precast operations (contract with military, and former military (US Navy) maintenance repair depot, under Camp Covington), and was utilized by Department of Public Works/GovGuam School Bus Satellite parking. There are commercial activities, apartments south of the Namu River Bridge, located in Commercial and Heavy-Industrial zones (M2). There is a small park on the west along the beach area (Apaca Point), which is operated by the U.S. National Park Service, all within 500 to 1,000-foot radius of the subject lot.

F. Master Plan: Not Determined – Refer to the Community Design Plan (Agat-Santa Rita Map 2);

G. Community Design Plan: Projected Land Use Year 2000; Urban Residential, the area is designated to be Low Density; the current land uses are mixed uses of commercial and light industrial activities, close proximity (within 500 feet) to military installation (US Naval Base Guam, and Hagat Village)

H. Previous Commission Action: None.

3. APPLICATION CHRONOLOGICAL FACTS:

A. Date Application Accepted: December 6, 2024

B. Date of ARC: January 2, 2025

C. Date of Public Hearing: May 13, 2025 Public Hearing Results: The required public hearing conducted by planning staff was held at 6:00 pm, May 13, 2025 at the Santa Rita – Sumai, Senior Citizen/ Community Center (**See Attachment- A**)

D. MPC Hearings: Two (2) Municipal hearings were conducted the Santa Rita – Sumai , Senior Citizen/ Community Center (**See Attachment- B**), MPC Resolution

4. STAFF ANALYSIS:

A Zone change must address Public Necessity, Public Convenience and General Welfare criteria. Our analysis is as follows:

PUBLIC NECESSITY

The requested zone change to “Commercial” fulfills a public necessity for the area, which is increasingly transitioning toward commercial development to accommodate a growing population in Santa Rita-Sumai and Hágat (Agat) along Route No. 2A. With the ongoing military build-up expected to continue, the proposed uses and activities will provide the community with essential commercial and retail services for years to come. Demand for retail, restaurants, food catering/contracting services, and other specialized services will increase as the population grows. Establishing this type of commercial activity will meet the needs of the civilian, military, and private sectors for goods and services offered by the proposed business establishment.

CONVENIENCE

The proposed zone change for the subject lot will provide the public with convenient access to much-needed retail, hardware, and other commercial goods and services. Rezoning will also allow the owners to establish permitted accessory uses and store inventory on-site, as well as support other service-related commercial activities.

The site is ideally situated near the populated areas of Santa Rita-Sumai and Hagat and is only minutes away from other central and southern villages. It will also be convenient for serving military clients and families residing on the base. The development is compatible with and complementary to surrounding land uses, serving as an extension of nearby commercial zones located along the Namu River and Route No. 2A (Agat-Umatac Highway). The subject lot's prime location makes it well-suited for retailing commercial goods and providing related accessory activities, strategically positioned to serve and benefit the immediate community.

GENERAL WELFARE

The proposed rezoning and development will safeguard the general public, neighboring properties, and the environment by remaining consistent with existing commercial uses and related activities in the area. The applicants have committed to complying with all permitting requirements and conditions imposed by the Land Use Commission and other government agencies. They will also take measures to minimize impacts on the surrounding community and environment.

Development of the site will generate local employment opportunities and contribute positively to the island's economy. The rezoning will allow the establishment of a hardware outlet, providing goods and services to the public and surrounding communities. The site is compatible with existing land uses nearby, including schools, multi-family residences, the Hagat commercial district, and Naval Base Guam residential housing. Its proximity to Apra View Military Housing in Apra Heights/Santa Rita-Sumai further supports its suitability.

There will be no significant impacts on the surrounding area, as the site will be landscaped and designed for ease of access. Improvements such as parking, solid waste disposal, drainage, landscaping, and fencing will be properly maintained by the owners. The proposed commercial zone change will support orderly commercial development, providing goods and services that enhance the community's quality of life without compromising the general welfare of the public.

Although located near existing commercial activities to the south, the proposed development will not negatively affect adjacent properties. The applicants have assured that the site will be well-managed, landscaped, and designed to contain all stormwater runoff on-site. Noise, lighting, and traffic impacts are expected to be minimal and manageable.

PUBLIC HEARING OUTCOME

The municipal public hearing conducted by the Department of Land Management was generally well-received by attendees. Historically, the site was used as a military contractor's yard after the 1950s, served as a temporary typhoon debris site, and has remained overgrown since Typhoon Omar in 1993. At the hearing, all concerns regarding the rezoning were addressed and deemed acceptable. No immediate or adjacent property owners were present, and no major objections were raised. The Application Review Committee (ARC) agencies also reported no objections to the proposal.

CONCLUSION

Based on the foregoing findings of public necessity, convenience, and general welfare, and given the absence of major objections from the public or government agencies, it is the position of the Department of Land Management Planning Staff that the Guam Land Use Commission consider this application for favorable action.

6. RECOMMENDATION:

Planning Staff recommends approval of the application, subject to the applicant's full compliance with all recommendations, conditions, and requirements set forth by the Application Review Committee (ARC) in its official position statement.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENTS

Case Planner: Penmer C. Gulac

ATTACHMENT – A

LAND MANAGEMENT PUBLIC HEARING RESULTS OF May 13, 2025

Ref: Staff Report - Application No. 2024-63 Zone Change, Lot 20-1NEW-1, Santa Rita-Sumai

The required public hearing was held at the Santa Rita-Sumai Mayor's Office / Community Center on May 13, 2025, at 6:05 P.M. Present were, the Case Planner, Mr. Marvin Aguilar, Applicant's Rep, Mayor Dale Alvarez, a few distant neighbors and lotowners. Ms. Celine L. Cruz, DLM Chief Planner & Planning staff. A total of 11 persons were in attendance.

The Case Planner presented the proposed project and then turned the application topic to Mr. Marvin Aguilar (Rep), he highlighted details of the application and clients intentions; discussed the time frame of the application process, and activities of the site and area of developments near the site.

Public comments and concerns that were noted are as follows:

Mr. Ricardo Santos, (Distant Neighbor and MPC Member):

He wanted to state that concerning if any wetlands on site (were back filled by military years ago), and that the land is not feasible for agricultural purposes (returned military/federal excess land). The site is ideal for commercial complex, related activities. Ensure the applicants/owners provide ponding basins and designed accordingly to properly address the surface water runoffs and will flow towards the basins on site.

Mr. Marvin Aguilar (applicant representative) response:

Mr. Aguilar first explained in detail the zone change application, its current uses as noted on the application...that the site will be well maintained , clean, landscaped to provide designs concepts for a commercial outlet , with three possible egress and ingress on site.. provide internal traffic circulation, parking, and on site drainage infrastructure to address flood potential impacts due to storm surges with strategically placed ponding basins.. A fence will be erected for security on some structures, some trees will be planted trees to buffer some noise, maintenance storm run-offs within the site by a special drainage/catchment (French Drain) , etc. Access to and from the site, traffic circulation, and parking plan will re-assessed for safer interior activities within the site. Additionally, the owners and their staff and consultants will be working with the Mayor for any other municipal requirements, as well as government agencies on this application on their requirements and conditions that will be complied with, and will hire more local employees. This new site development will continue to create new jobs in the community.

Mr. Ricardo Santos, (Distant Neighbor and MPC Member):

He asked if the area fronting Route No. 2A be backfilled as there is deep ditch and dangerous.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

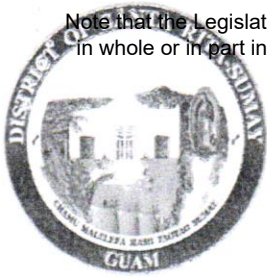
NOTICE TO REZONE

PUBLIC NOTICE

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

APPLICATION DESCRIPTION: APPLICATION NO: 2024-063, CHANGE OF ZONE
OWNER: PIDC GUAM, INC.
DEVELOPER: PIDC GUAM, INC.
LOT, MUNICIPALITY: LOT 20-1NEW-1, MUNICIPALITY OF SANTA RITA (FORMERLY AGAT)
PROPOSED ZONE CHANGE: FROM "A" (AGRICULTURAL) TO "C" (COMMERCIAL)

PUBLIC HEARING:	DATE:	TIME:	PLACE:
GLUC MEETING:	<u>SEPT 11, 2025</u>	<u>1:30 PM</u>	<u>3rd Flr. ITC Bldg. DLM CONF. ROOM</u>

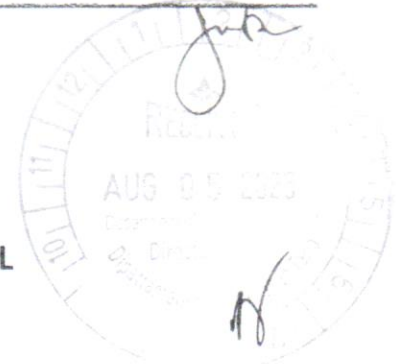


OFFICE OF THE MAYOR
MUNICIPALITY OF SANTA RITA-SUMAI

Honorable Mayor
DALE C. P. ALVAREZ

Ufisinan Mahot

183 A.B. Won Pat Lane, Santa Rita, Guam 96915



SANTA RITA-SUMAI MUNICIPAL PLANNING COUNCIL

RESOLUTION NO. 2025-01

INTRODUCED BY:

Dale C.P. Alvarez, Chairperson	Joshua T. Borja	Frances Candoleta
Johnny R. Cruz, Jr.	Barbara Cruz	Eileen Santos
Justin Santos	Ronnie Sablan, Jr.	Hill Junior Leon Guerrero

Relative to the Santa Rita-Sumai Municipal Planning Council supporting the Zone Change Application No. 2024-63 for Lot 20-1-1NEW from "A" Agriculture Zone to "C" Commercial Zone, Municipality of Santa Rita-Sumai, Guam.

WHEREAS, a Guam Land Use Commission (GLUC) Zone Change Application No. 2024-63 from "A" to "C" has been filed for Lot 20-1-1NEW owned by PIDC Guam, Inc., a 21,330 square meter property along Route 2A; and

WHEREAS, this proposed commercial development will construct and operate a hardware store under its franchise, ACE Hardware Store; and

WHEREAS, the proposed development of Lot 20-1-1NEW meets zoning law regulations for height, density, setbacks, and parking. No variances are being requested for this project; and

WHEREAS, a legally-noticed Santa Rita-Sumai municipal public hearing regarding the Application No. 2024-63 was conducted by the Guam Department of Land Management on May 13, 2025, during which public testimony was heard; and

WHEREAS, the Commercial development project was deliberated by the Santa Rita-Sumai Municipal Planning Council at a legally-noticed, regularly scheduled hearing on June 25, 2025, after which questions and answers ensued; and

WHEREAS, this request for a change of zone was publicized on the Guam Post, a newspaper in general circulation on June 18, 2025, and June 23, 2025, in accordance with the Open Government Law. Public notice was also posted on the Government of Guam Public Notices Portal on June 18, 2025, and June 23, 2025; and

RECEIVED
8/4/25
DLM / Planning Division



Phone: 671-565-2514/4301/4304/4337
Fax: 671-565-3222
Email: srsmo.main@gmail.com
Doc. No. 38GL-26-1989.*



P. Pen
8/8/25

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

WHEREAS, the S anta Rita-Sumai Municipal Planning Council, by majority vote, supports the zone change application based on the following conditions offered by the developer/property owner, PIDC Guam, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the S anta Rita-Sumai Municipal Planning Council concurs with the zone change request, and be it further

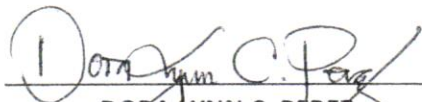
RESOLVED, that all Application Review Committee (ARC) utility agency recommendations for approval shall be robustly enforced; and be it further

RESOLVED, that the developer submit an annual written development progress report to the S anta Rita-Sumai Municipal Planning Council, including information about infrastructure upgrades associated with the development.

DULY AND REGULARLY ADOPTED ON THE 25th DAY OF JUNE, 2025.



DALE C.P. ALVAREZ. CHAIRMAN
S ANTA RITA-SUMAI MUNICIPAL PLANNING COUNCIL



DORA LYNN C. PEREZ
ADMINISTRATIVE ASSISTANT, S ANTA RITA-SUMAI



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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LOURDES A. LEON GUERRERO
MAGA HAGA GOVERNOR

JOSEPH M. BORJA
Director

Mailing Address:
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Hagatña, GU 96932

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI
LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
Deputy Director

September 4, 2025

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairperson, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
Zone Change, Application No. 2024-63

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the 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 of the application, subject to the applicant's full compliance with all recommendations, conditions, and requirements set forth by the Application Review Committee (ARC) in its official position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

The Department of Public Works (DPW) has no objection to the request and recommends Approval with stated conditions and recommendations.

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the application and is in favor of the approval with conditions for compliance with GWA's Service Requirements.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the conditions applicable.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEP):

The agency supports the approval, with conditions noted relevant to adhering to stormwater management and connection to public sewer, and adhering to environmental laws.

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Telephone:
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Facsimile:
671-649-5383

SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change, Application No. 2024-63
Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR):

The agency has no objections and supports the approval of the application.

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau states they recommend approval with conditions noted applicable to the management of stormwater runoffs and other comments noted.

DEPARTMENT OF AGRICULTURE (DoAg):

Agriculture has reviewed the application and does not oppose the application. recommends the development of a Bio Security Plan, and to coordinate with DoAG's other conditions and recommendations noted.

GUAM ECONOMIC DEVELOPMENT & COMMERCE AUTHORITY (GEDCA):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES (DPH&SS):

No Position Statement has been received as of the date of this Memorandum.

GUAM FIRE DEPARTMENT (GFD):

No Position Statement has been received as of the date of this Memorandum.

GUAM DEPARTMENT OF EDUCATION (GDOE):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

No Position Statement has been received as of the date of this Memorandum.



Celine L. Cruz

Attachments: ARC Position statements
Cc: Executive Secretary, GLUC



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Lahi • Lieutenant Governor



VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDELETA, JR.
Deputy Director

29 JAN 2025

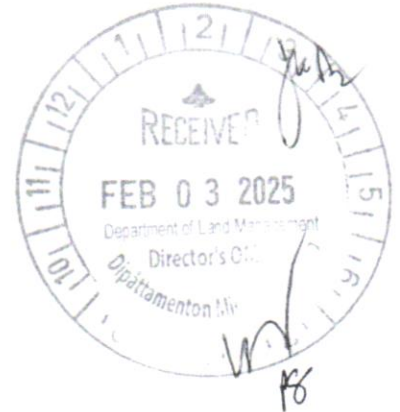
MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairman, Guam Land Use Commission
Chairperson

FROM: Director

APPLICANT: PDIC, Guam

SUBJECT: **Application No. 2024-63**
Zone Change "A" to "C"
Lot No. 238-1-B



Applicant is requesting a zone change from Agricultural to Commercial on Lot 20-1-1-NEW. The property is located along Route 2a, 2, and Apaka Point Road that provide an immediate southbound route to the rear gate of Naval Base Guam. The Triangle Lot with 3 rights of way easement will serve as a boundary to the rear gate of Naval Base. The lot area is approximately 21,330 square meters or 229,559.29 square feet. The owner's intent is to construct and operate a franchise warehouse hardware.

Department of Public Works recommends approval for this zone change request subject to the following conditions:

The site plan submitted as part of your application needs a revision to include the following:

- a) To provide accessible parking space for American Disability Act (ADA) requirement.
- b) To provide a total percentage of building footprint for the proposed development.
- c) To submit calculations for the proposed ponding basin.

Should you have any questions, please contact the Division of Capital Improvement Projects (CIP) at (671) 646-3224 or (671) 646-3189.

VINCENT P. ARRIOLA

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2-12-25
[Signature]

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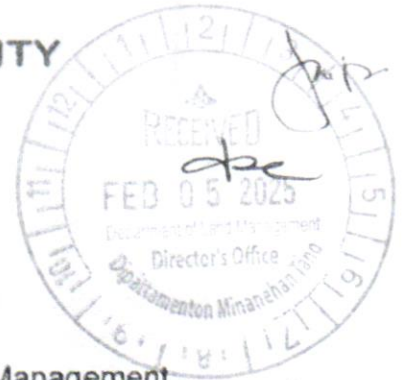
DLM / Planning Division

NEI



GUAM WATERWORKS AUTHORITY

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

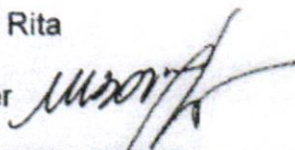


MEMORANDUM

January 14, 2025

TO: Joseph Borja, Acting Director, Department of Land Management

CC: Mayor Dale Alvarez, Municipality of Santa Rita

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

SUBJECT: Position Statement on Zone Change Application 2024-63 for Lot 20-1-1NEW in the Municipality of Santa Rita

APPLICANT: PDIC Guam, Inc.

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agriculture) to "C" (Commercial) zone for the proposed construction of a hardware store.

This memorandum shall serve as GWA's position statement for the PDIC Guam, Inc. application related to the availability of water and sewer infrastructure to serve 238-1-B 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.

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 signed and stamped by a Professional Engineer licensed in Guam. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements. If a development will be served by a septic tank/leaching field system, then the system must be approved by the Guam Environmental Protection Agency.

*TD-Per
CMM
2-12-25*

RECEIVED
By Cristina at 8:55 am, Feb 05, 2025

GWA Position Statement
Application 2024-63
Applicant: PDIC Guam, Inc.
Page 2 of 3

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss 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 phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
3. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole 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. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
5. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
6. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter in accordance with GWA standards.
7. New development is subject to water and/or sewer system development charges.
8. 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. See GWA for additional industrial wastewater pre-treatment requirements.
9. 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.

GWA Position Statement
Application 2024-63
Applicant: PDIC Guam, Inc.
Page 3 of 3

10. 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 memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Prudencio Aguon, Acting GWA Permits and New Area Development Supervisor (#671-300-6065 or prudencio@guamwaterworks.org) for water and sewer system standards or additional information.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977



January 14, 2025

MEMORANDUM

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

From: General Manager

Subject: **Lot 20-I-1NEW**, Municipality of Santa Rita (Formerly Agat), (**PIDC Guam, Inc. c/o TG Engineers, PC**); Zone Change Application to rezone the subject lot from "A" (Rural-Agriculture) to "C" (Commercial) zone.
Application No. ZC 2024-63

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.
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 development 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

JOHN M. BENAVENTE, P.E.

To: Pen
2-13-25

ASG/app

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant **PIDC Guam, Inc. c/o TG Engineers, PC**
Location: **Lot 20-1-1NEW**, Municipality of Santa Rita (Formerly Agat)
Type of Application: **Zone Change**
GLUC/GSPC Application No. **SZC 2024-63**
Brief Project Description: To rezone the subject lot from "A" (Rural-Agriculture) to "C" (Commercial) zone.

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

1/15/2025

Date

Comments:
No additional Load was submitted by the applicant. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/app



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture
Dipattamenton Agrikottura
163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director

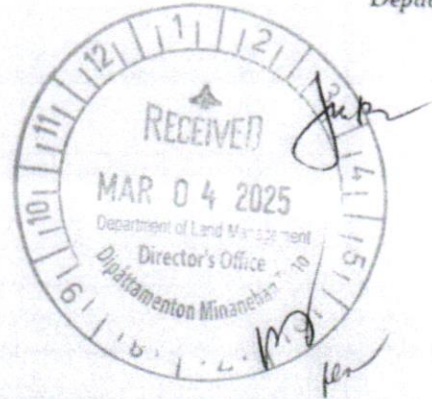
To: Joseph Borja, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muna
Digitally signed by Chelsa D. Muna
Date: 2025.02.28 12:43:34 +10'00'

Date: February 28, 2025

Subject: Agriculture Impact Statement for Application 2024-63. PIDC Guam, Inc. c/o TG Engineers, PC for "Zone Change" from "A" to "C" zone for Lot 20-1-1NEW, located along Santa Rita Drive, Santa Rita



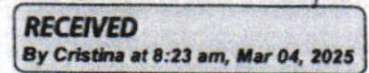
The Department of Agriculture (DOAG) has reviewed Application 2024-63 requesting for certification to rezone Lot 20-1-1NEW from Rural-Agriculture (A) zone to Commercial (C) zone, located along Santa Rita Drive, Santa Rita, Guam. The purpose to rezone is to build a hardware store. The project area is vacant and undeveloped with mixed-vegetation.

The following is the position statement provided by DOAG under the agency's authorities:

1. Division of Aquatic and Wildlife Resources (DAWR):

- a. A biological survey for Lot 20-1-1NEW must be submitted to DOAG with the Clearing and Grading and/or Building Permit Application. DOAG will review the survey and provide recommendations to avoid or minimize impacts on biological resources that occur, or may occur, in the project area.
- b. Conservation measures must be developed for protected species, such as Mariana Fruit Bat, Yellow Bittern, Micronesian Starling, Guam Tree Snail, federally listed native orchids, and other species of concern, fauna and flora, that may occur. Conservation measures must address avoiding and minimizing impacts to these species and must be included in the biological survey report.
- c. Eco-friendly development must be incorporated in the plans to minimize impacts on the environment and natural resources. Examples include, but are not limited to, the use of native plants for landscaping, shielded light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.

Handwritten note: to: Pen, 3-12-25



- d. Landowner and the contractor conducting the Biological Survey Report must consult with DAWR to discuss the methodology and findings of the survey and determine conservation measures that best address impacts on natural resources.

2. Biosecurity Division:

- a. A biosecurity plan must be developed and approved by DOAG before any work begins. Once approved, the biosecurity plan must be implemented during the development phase to ensure that the prevention of the spread and introduction of Little Fire Ants (LFA) and other noxious species that could affect residents in the area.
- b. Landowner and their contractor must consult with the Biosecurity Division.

3. Forestry and Soil Resource Division (FSRD):

- a. A stormwater plan must be submitted for review to mitigate runoff, flooding, and erosion. Percolation rates at stormwater collection and drainage area must be sufficient to prevent migratory bird species and moorhen from inhabiting the pond during the wet season. If the landowner intends to create a habitat for these species, consultation with DOAG is required.
- b. Biological Survey Report must identify vegetation on the project lot. Upon reviewing the findings, FSRD will notify the landowner of culturally valued, protected, and rare plants that may require seed collection for nursery inventory, for use in conservation areas or reforestation projects on the island.

4. Agricultural Development Services (ADS):

- a. To address food security on the island, between six to eight inches of topsoil must be reserved and provided for agricultural farming activities. The nutrient-rich soil is needed for native plant seedlings, seasonal crops, and fruit trees. Reserving the topsoil for this purpose will be beneficial to the community. The landowner may donate to senior citizen centers on Guam, non-profit organizations, University of Guam Triton Farm, or community gardens.
- b. Vegetation clearing on the project site will occur. To prevent the loss of agricultural resources, the landowner and contractor must consider mulching cleared vegetation to provide the community, non-profit organizations, and those involved in native plant landscaping. Mulch protects soil from erosion, conserves water, suppresses weeds, and acts as a barrier to landscape gardens.

The Department of Agriculture does not oppose the requested zone change from A to C, however, the landowner is required to address the conditions outlined above. DOAG is available to discuss the proposed development in more detail. DOAG reserves the right to reconsider its decision on the application if the landowner fails to meet these conditions before the Guam Land Use Commission meeting for approval. If you have any questions or concerns, please send inquiries to permits@doag.guam.gov.



BUREAU OF STATISTICS AND PLANS

Sagan Planu Saha Yan Emfofmasion



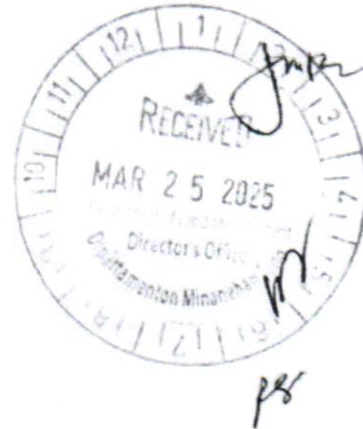
January 30, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-63 Zone Change
Lot Number: Lot 20-1-INEW
Municipality: Santa Rita
Applicant: PIDC Guam Inc.
Proposed Use: "C" Commercial



Buenas yan Håfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, PIDC Guam Inc., is submitting a Zone Change application to rezone the subject lot from A "Agricultural" zone to C "Commercial" zone in order to construct and operate a hardware store. The subject lot is located in the municipality of Santa Rita and contains a total of 21,330 square meters or approximately 5.27 acres. Power, water, and sewer is available and will be connected to the property.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990). Note: In past publications, this article was entitled "Centralized Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978).
<https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM
Mail: P.O. Box 2950 Hagatña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov

CS

2 | Application No. 2024-63 Zone Change PIDC Guam Inc.

The subject lot is located along Route 2, Santa Rita Drive. The immediate surrounding area consists of vacant undeveloped land, beach shoreline to the east of the subject lot, and the mouth of Namu River between the subject lot and some commercial operations and a apartment complex south of the subject lot, and a light industrial use in the construction laying yard and construction facility east of the subject lot.

The subject lot is located in an area that was previously federal land and therefore not given a land use designation under Guam's Land Use Districting Maps. However, when the basic lot was returned to the original landowners, the lot was designated as Agricultural Zone, with the original landowner and all subsequent landowners given the option to apply for a higher zone designation by applying with the Department of Land Management Planning Division, and processing their zone change through the existing statutes, rules, regulations, procedures, and policies to obtain approval for their zone change request.¹

The proposed use is not compatible within the current Agricultural Zone.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located on the Agat Watershed. This project will contribute to the overall development rate of the Agat Watershed. According to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 13.9%.²

Regarding development impacts, as of 2015 land cover data, 28.45% of the Agat Watershed was developed, and 15.73% comprises impervious surfaces.³ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises of overgrown scrub and grassland. The requested zone change will allow for construction that is expected to result in conversion of existing vegetated land cover into impervious surface from the building footprint and use of concrete pavement.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

¹ 21 GCA, CH 61 Article 2, § 61217

² National Oceanic and Atmospheric Administration, Office for Coastal Management, "C-CAP Land Cover Atlas" Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover, Charleston, SC; NOAA Office for Coastal Management. Accessed January 2025 at <https://coast.noaa.gov/ccapatlas>

³ Ibid

3) Application No. 2024-63 Zone Change PUDC Guam Inc.

Agricultural Lands Policy: Critical agricultural lands shall be preserved and maintained for agricultural use.⁴

Determination of Effects: No

An assessment on the soil composition within the subject lot was conducted and determined that the area is not considered critical agricultural land.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.

Determination of Effects: Yes

The proposed zone change will allow for construction on the subject lot, which has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) to minimize dust and air pollution such as fugitive particulate matter emissions from ground-disturbing activity and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.⁵

Determination of Effects: Yes

The proposed development will contribute to the cumulative negative impact to the water quality within the Agat Watershed and the waters adjacent to the neighboring shoreline.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual⁶ Standards and implement Island Best Management Practices specifications in any future improvements to the property. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁰ and 2)

⁴ Guam Land-Use Policies, Executive Order 78-37 (1978)

<https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

⁵ Guam Land-Use Policies, Executive Order 78-37 (1978), 3.

⁶ Ibid.

¹⁰ Horsley Witten Group, CNMI and Guam Stormwater Management Manual Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam, (2006) Volume 1.

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2.

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹¹ Center for Watershed Protection & Horsley Witten Group, Inc. Island Stormwater Practice Design Specifications A Supplement to the 2006 CNMI & Guam Stormwater Design Manual Prepared for NOAA Coral Reef

Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency (2010).

https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA_CRCP_project1906_island_swm_specs_supplement_cnmi_guam_design.pdf

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

4 | Application No. 2024-63 Zone Change - PIDC Guam Inc.

Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID¹¹

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the summary zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.



LOLA E. LEON GUERRERO
Director

¹¹ Center for Watershed Protection & Horsley Witten Group, Inc. Stormwater Management in Pacific and Caribbean Islands: A Practitioners Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014): https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA_CRCP_project_1906_Feb2014_IslandBMPGuide_wAppendix.pdf



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHIENSIAŃ PRUTEKSIÓN LINA LA GUAHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR

APR 08 2025



Dr. Anita B. Enriquez
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. 2024-63, the Applicant, PIDC Guam, Inc. represented by TG Engineers, PC; requests a Zone Change from "A" (Rural) to "C" (Commercial) zone; for the proposed construction of a hardware store under its franchise Ace Hardware, on Lot No. 20-1-1NEW, in the Municipality of Santa Rita.

Hafa adai Dr. Enriquez:

Buenas yan Saluda. The staff of this Agency has reviewed the application for the **proposed zone change** and approves with the following conditions:

A. Stormwater and Erosion Control

1. The proposed development must meet all requirements of the Guam Soil Erosion and Sedimentation Control Regulations (22 GAR Chapter 10), and must provide both pre- and post-construction stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual, as implemented by Executive Order No. 2012-02.
- 2 The lot is presently having thick vegetation where clearing and grading work on the property is part of the pre-development activities. Therefore it is a must that for a project this size (Total Area= 5.27 acres) that an Environmental Protection Plan (EPP) be prepared by a professional engineer pursuant to 22GAR §10104 (c) (5) (D) where the focal point and integral part of the EPP is the Erosion Control Plan (ECP). The EPP must include, among others, vegetation, wildlife, fugitive dust control, solid and hazardous waste management and disposal procedures, work sire maintenance and typhoon recovery plan.

Handwritten signature and date: 4-22-25



B. Water & Wastewater

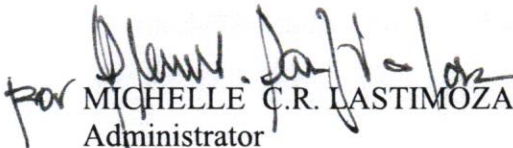
1. Pursuant to 10GCA Chapter 48 §48104 (b), Toilet Facilities and Sewage Disposal, when a public sewer is available, all buildings used for human occupancy, employment or recreation and situated upon land abutting any road, street, or other way or easement in which a public sewer is located, must have suitable toilet facilities installed and connected to the public sewer. It is the Owner's responsibility to coordinate with Guam Waterworks Authority to ensure that the existing water and sewer lines closest to said property supports the proposed development in terms of increased water demand and sewage output.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by Guam Environmental Protection Agency.

If you have any questions, please feel free to contact my staff at the Water Resource Management Program or Water Division Acting Chief Mr. Johnny Abedania at Tel # (671) 588-4796 or (671) 588-4786, respectively.

Dångkolu na si Yu'us ma'åse',

Senseramente,

for 
MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph Borja
Director
Department of Land Management





DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



LOURDES A. LEON GUERRERO
MAGA HĀGA • GOVERNOR

JOSEPH M. BORJA
Director

JOSHUA F. TENORIO
SIGUNDO MAGA LĀHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
Deputy Director

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590 S. Marine Corps Drive
Suite 733 ITC Building
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Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

September 4, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

SUBJECT: Staff Report – Application No. 2024-64, Zone Change
Lot 238-1-B, Municipality of Santa Rita-Sumai;
GLUC Meeting; September 11, 2025

1. PURPOSE:

A. Application Summary: The Applicant/Owner PIDC Guam, Inc., represented by TG Engineers, PC, requests for a Zone Change from “A” (Agricultural) to “M-1” (Light-Industrial) Zone in order to continue use and operations as a construction laying yard and staging area of equipment, on Lot 238-1-B, Municipality of Santa Rita-Sumai.

B. Legal Authority: Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Sections 61630-61637, Changes of Zones and applicable subsections.

2. FACTS:

A. Location: The property is fronting Route No. 2A (Agat-Umatac Highway), and across Camp Covington (US Navy Seabees) warehouse/logistics center, US Naval Base, Guam. This site was also formerly used by the US Navy Seabees, Mobile Repair Unit (Depot) after the Liberation of Guam, and was also a temporary bus satellite parking by Department of Public Works (GovGuam). The site is also approximately 1,200 feet north of Agat Point Commercial Center (M2 Zone), and abuts Namo River Flood Control Channel on the southern border (See VIC MAP ATTACHMENT).

B. Lot Area: 51,520 square meters or 554,556.66 square feet or (12.7 acres).

C. Present Zoning: “A” (Agricultural) Zone; Returned Federal Excess Land

D. Field Description: The subject lot has ongoing light industrial operations, storing of precast concrete construction materials, and with overgrown vegetation on the southern border. The topography is fairly flat and gradually slopes toward its southern border toward Namo River and flood control channel.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2024-64

Page 2 of 4

E. Surrounding Land Uses: US Naval Base Guam, (Camp Covington- Navy Seabees), military installation on the north, northwest, and northeast. There are commercial activities, apartments south of the Namu River Bridge, located in Commercial and Heavy-Industrial zones (M2). There is a small park on the west along the beach area (Apaca Point), which is operated by the U.S. National Park Service, all within a 1,500-foot radius of the subject lot.

F. Master Plan: Not Determined – Refer to the Community Design Plan (Agat-Santa Rita Map 2);

G. Community Design Plan: Projected Land Use Year 2000; Urban Residential, the area is designated to be Low Density; the current land uses are mixed uses of commercial and light industrial activities, close proximity (within 500 feet) to military installation (US Naval Base Guam, and Hagat Village, approximately within 1,800 feet to the south).

H. Previous Commission Action: None.

3. APPLICATION CHRONOLOGICAL FACTS:

A. Date Application Accepted: December 6, 2024

B. Date of ARC: January 2, 2025

C. Date of Public Hearing: May 13, 2025 Public Hearing Results: The required public hearing conducted by planning staff was held at 7:05 pm, May 13, 2025, at the Santa Rita – Sumai, Senior Citizen/ Community Center (**See Attachment- A**)

D. MPC Hearings: Two (2) Municipal hearings were conducted at the Santa Rita – Sumai, Senior Citizen/ Community Center (**See Attachment- B**).

4. STAFF ANALYSIS:

A Zone change must address the Public Necessity, Public Convenience, and General Welfare criteria. Our analysis is as follows:

PUBLIC NECESSITY

The proposed zone change to “Light Industrial” (M1) addresses a demonstrated public necessity, as the surrounding area is transitioning toward more light and heavy industrial activities. This change is needed to accommodate the growing population in the Santa Rita-Sumai and Hågat (Agat) areas along Route No. 2A, as well as the ongoing military build-up, which will create sustained demand for construction materials. The proposed uses will supply essential materials, including precast concrete, to support residential, commercial, and military construction. As the population and development pressures increase, so too will the demand for these materials. Establishing light industrial activity at this site will meet the needs of the public, the private sector, and the military community for construction supplies and related services.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2024-64

Page 3 of 4

CONVENIENCE

Rezoning the subject lot will provide the public and contractors with convenient access to much-needed construction materials and related light industrial services. The rezoning will allow the owners to establish permitted accessory uses and maintain on-site inventory, while also accommodating related light industrial activities.

The site is located near populated areas of Santa Rita-Sumai and Hågat and is easily accessible from central and southern villages. Its proximity to military installations ensures convenience for Department of Defense contractors and military clients. The development is consistent with current land use patterns, serving as an extension of existing Commercial, Light Industrial (M1), and Heavy Industrial (M2) zones located to the south and southeast, along the Namu River and Route No. 2A (Agat-Umatac Highway). The subject lot's prime location makes it well-suited for the retail and wholesale distribution of construction materials, strategically positioned to serve the surrounding community and the military sector.

GENERAL WELFARE

The proposed rezoning and uses are consistent with existing light industrial activities in the area and will not compromise the protection of the public, surrounding properties, or the environment. The applicants have committed to complying with all permitting requirements and conditions imposed by the Land Use Commission and other government agencies. They have also pledged to minimize environmental and community impacts.

Development of the site will create local employment opportunities and contribute to the island's economy. The proposed fabrication and supply of construction materials will directly benefit nearby villages, the Agat commercial district, and Naval Base Guam housing areas, including Apra View Military Housing in Apra Heights/Santa Rita-Sumai.

No significant adverse impacts are anticipated. The site will be landscaped, designed with adequate access, and maintained with improvements such as parking, drainage, solid waste facilities, landscaping, and fencing. Noise, lighting, and traffic impacts on abutting neighbors are expected to be minimal. Applicants have further committed to installing perimeter fencing, maintaining proper landscaping, and containing all stormwater runoff on-site.

PUBLIC HEARING OUTCOME

The municipal public hearing conducted by the Department of Land Management was generally well-received. The site has historically supported industrial and government uses, including:

- U.S. Navy Seabees Mobile Repair Unit (Depot) for equipment repairs;
- Department of Public Works bus satellite parking; and
- Current operations as a concrete yard with contracts for U.S. Navy facilities improvements.

All concerns raised at the hearing were addressed to the satisfaction of attendees. No abutting property owners were present, and no objections were received. Additionally, no objections were raised by the Application Review Committee (ARC) agencies.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Continuation of Memorandum

RE: Staff Report – Zone Change - Application No. 2024-64

Page 4 of 4

CONCLUSION

Based on findings of public necessity, convenience, and general welfare, and given the positive outcome of the municipal public hearing and the absence of ARC objections, Planning Staff recommends that the Guam Land Use Commission approve the proposed zone change to Light Industrial (M1), subject to the applicant's full compliance with all ARC recommendations, conditions, and requirements as set forth in their official position statement.

6. **RECOMMENDATION:** Planning Staff recommends approval of the proposed zone change to Light Industrial (M1), subject to the applicant's full compliance with all ARC recommendations, conditions, and requirements as outlined in their official position statements.



CELINE L. CRUZ
Guam Chief Planner

ATTACHMENTS

Case Planner: Penmer C. Gulac

ATTACHMENT – A

LAND MANAGEMENT PUBLIC HEARING RESULTS OF May 13, 2025

Ref: Staff Report - Application No. 2024-64 Zone Change, Lot 238-1-B, Santa Rita-Sumai

The required public hearing was held at the Santa Rita-Sumai Mayor's Office / Community Center on May 13, 2025, at 7:05 P.M. Present were, the Case Planner, Mr. Marvin Aguilar, Applicant's Rep, Mayor Dale Alvarez, a few distant neighbors and lot owners. Ms. Celine L. Cruz, DLM Chief Planner & Planning staff. A total of 10 persons were in attendance. The Case Planner presented the proposed project and then turned the application topic to Mr. Marvin Aguilar (Rep), who highlighted details of the application and his client's intentions; discussed the time frame of the application process, and activities of the site and area of developments near the site.

Public comments and concerns that were noted are as follows:

Mr. Marvin Aguilar (applicant representative) response:

Mr. Aguilar first explained in detail the zone change application, its current uses as noted on the application...that the site will be well maintained, clean, landscaped to provide designs concepts for industrial operations and related activities. The site has easy access, provides internal traffic circulation, parking, and on-site drainage infrastructure to address flood potential impacts due to storm surges with strategically placed ponding basins. A perimeter fence will be erected for security, some trees will be planted to buffer the ongoing operations, maintenance of storm run-offs within the site by a special drainage/catchment (French Drain), etc. Access to and from the site, traffic circulation, and parking plan will re-assessed for safer interior activities within the site. Additionally, the owners and their staff and consultants will be working with the Mayor for any other municipal requirements, as well as government agencies on this application on their requirements and conditions that will be complied with, and that the owners will hire more local employees. This light industrial site development will continue to create new jobs in the community.

Mr. Ricardo Santos, (Distant Neighbor and MPC Member):

He just wanted to state that concerning if any wetlands on site, or abutting lots (were back filled by military years ago by the military), and that the land is not feasible for agricultural purposes and was classified (returned military/federal excess land). The site is ideal for light industrial uses only and related activities. He further recommended to ensure the applicants/owners provide ponding basins and designed accordingly to properly address the surface water runoffs and will flow towards the ponding basins on site and consult with government agencies for permitting requirements.

Mr. Marvin Aguilar (applicant representative) response:

Yes, that part of the development plan, and we will work with the owners to adhere to all permitting requirements.

Planning Staff Summary of Public Hearing:

After discussion on rezoning and information given by the consultant, and clarification of the uses, the attendees were satisfied with answers on issues, and in support the rezoning of the subject lot. There were no major concerns and other issues that needed more clarification.

Informed those in attendance that the Application Review Committee (ARC) had no objections on the application. The next hearing will be with the Guam Land Use Commission (GLUC), ITC Building, and will be announced in the newspaper 10 days prior to the hearing date and time.

The hearing was adjourned at 7:30 p.m.

Penmer Gulac

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

NOTICE TO REZONE

PUBLIC NOTICE

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

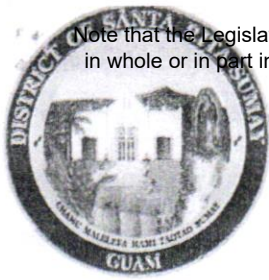
APPLICATION DESCRIPTION: APPLICATION NO: 2024-064, CHANGE OF ZONE
OWNER: PIDC GUAM, INC.
DEVELOPER: PIDC GUAM, INC.
LOT, MUNICIPALITY: LOT 238-1-B, MUNICIPALITY OF SANTA RITA (FORMERLY AGAT)
PROPOSED ZONE CHANGE: FROM "A" (AGRICULTURAL) TO "M-1" (LIGHT-INDUSTRIAL)

PUBLIC HEARING:
GLUC MEETING:

DATE: MAY 13, 2025
SEPT. 11, 2025

TIME: 6:00 PM
1:30 PM

PLACE: SANTA RITA COMMUNITY CENTER
33rd Fk. ITC Bldg. 2nd Floor



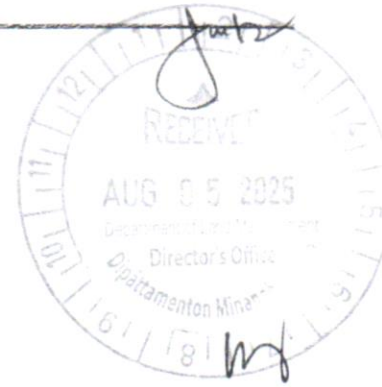
Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

OFFICE OF THE MAYOR
MUNICIPALITY OF SANTA RITA-SUMAI

Honorable Mayor
DALE C. P. ALVAREZ

Ufisinan Mahot

183 A.B. Won Pat Lane, Santa Rita, Guam 96915



SANTA RITA-SUMAI MUNICIPAL PLANNING COUNCIL

RESOLUTION NO. 2025-02

INTRODUCED BY:

Dale C.P. Alvarez, Chairperson	Joshua T. Borja	Frances Candoleta
Johnny R. Cruz, Jr.	Barbara Cruz	Eileen Santos
Justin Santos	Ronnie Sablan, Jr.	Hill Junior Leon Guerrero

Relative to the Santa Rita-Sumai Municipal Planning Council supporting the Zone Change Application No. 2024-64 for Lot 238-1-B from "A" Agriculture Zone to "M1" Light Industrial Zone, Municipality of Santa Rita-Sumai, Guam.

WHEREAS, a Guam Land Use Commission (GLUC) Zone Change Application No. 2024-64 from "A" to "M1" has been filed for Lot 238-1-B owned by PIDC Guam, Inc., a 51,5200 square meter property along Route 2A; and

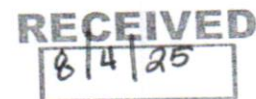
WHEREAS, this proposed purpose is to allow the property owner, PIDC Guam, Inc., to continue use of the property for staging equipment and preparing materials in support of the ongoing military buildup; and

WHEREAS, the proposed development of Lot 238-1-B meets zoning law regulations for height, density, setbacks, and parking. No variances are being requested for this project; and

WHEREAS, a legally-noticed Santa Rita-Sumai municipal public hearing regarding the Application No. 2024-6 was conducted by the Guam Department of Land Management on May 13, 2025, during which public testimony was heard; and

WHEREAS, the Commercial development project was deliberated by the Santa Rita-Sumai Municipal Planning Council at a legally-noticed, regularly scheduled hearing on June 25, 2025, after which questions and answers ensued; and

WHEREAS, this request for a change of zone was publicized on the Guam Post, a newspaper in general circulation, on June 18, 2025, and June 23, 2025, in accordance with the Open Government Law. Public notice was also posted on the Government of Guam Public Notices Portal on June 18, 2025, and June 23, 2025; and



DLM / Planning Division

aa

*Pen
Comm
8/18/25*



Phone: 671-565-2514/4301/4304/4337
Fax: 671-565-3222
Email: srsmo.main@gmail.com



Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

WHEREAS, the Santa Rita-Sumai Municipal Planning Council by majority vote supports the zone change application; and

NOW, THEREFORE, BE IT RESOLVED, that the Santa Rita-Sumai Municipal Planning Council concurs with the zone change request, and be it further

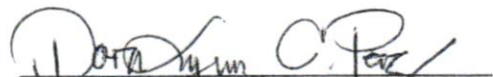
RESOLVED, that all Application Review Committee (ARC) utility agency recommendations for approval shall be robustly enforced; and be it further

RESOLVED, that the developer submit an annual written development progress report to the Santa Rita-Sumai Municipal Planning Council, including information about infrastructure upgrades associated with the development.

DULY AND REGULARLY ADOPTED ON THE 25th DAY OF JUNE, 2025.



DALE C.P. ALVAREZ. CHAIRMAN
SANTA RITA-SUMAI MUNICIPAL PLANNING COUNCIL



DORA LYNN C. PEREZ
ADMINISTRATIVE ASSISTANT, SANTA RITA-SUMAI

SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Change, Application No. 2024-64
Page 2 of 2

DEPARTMENT OF PARKS AND RECREATION (DPR):

The agency has no objections and supports the approval of the application.

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau states they recommend approval with conditions noted applicable to the management of stormwater runoffs and other comments noted.

DEPARTMENT OF AGRICULTURE (DoAg):

Agriculture has reviewed the application and does not oppose the application and has provided the required Agricultural Impact Statement, and recommends development of a Bio Security Plan, and to coordinate with DoAG's other conditions and recommendations noted.

GUAM ECONOMIC DEVELOPMENT & COMMERCE AUTHORITY (GEDCA):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES (DPH&SS):

No Position Statement has been received as of the date of this Memorandum.

GUAM FIRE DEPARTMENT (GFD):

No Position Statement has been received as of the date of this Memorandum.

GUAM DEPARTMENT OF EDUCATION (GDOE):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

No Position Statement has been received as of the date of this Memorandum.



Celine L. Cruz

Attachments: ARC Position statements
Cc: Executive Secretary, GLUC



The Honorable
LOURDES A. LEON GUERRERO
Maga' Håga • Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi • Lieutenant Governor



VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDELETA, JR.
Deputy Director

29 JAN 2025

MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairman, Guam Land Use Commission
Chemperson

FROM: Director, Department of Public Works

APPLICANT: PDIC, Guam

SUBJECT: **Application No. 2024-64**
Zone Change "A" to "M-1"
Lot No. 238-1-B



The applicant is requesting a zone change from agricultural to industrial on the above subject application. The property currently serves as the operations center and continue to use as the staging area for equipment in support of ongoing military build-up. The total lot area is approximately 52,520 square meters or 13 acres in the Municipality of Santa Rita - Sumai.

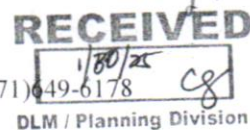
Based on our review, the Department of Public Works recommends approval for this zone change request subject to the following conditions:

- Ingress/ egress must be wide enough for public access.
- Establish mitigation measures for potential operational noise, odor, dust, smoke, gas, fumes, cinders, vibration or water carried waste.

Should you have any questions, please contact the Division of Capital Improvement Projects (CIP) at (671) 646-3224 or (671) 646-3189.

VPA
VINCENT P. ARRIOLA

*TO: Pen
LMM
2-12-25*



CG

GUAM WATERWORKS AUTHORITY

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



MEMORANDUM

January 14, 2025

TO: Joseph Borja, Acting Director, Department of Land Management

CC: Mayor Dale Alvarez, Municipality of Santa Rita

FROM: Miguel C. Bordallo, P.E., General Manager *[Signature]*

SUBJECT: Position Statement on Zone Change Application 2024-64 for Lot 238-1-B in the Municipality of Santa Rita

APPLICANT: PDIC Guam, Inc.

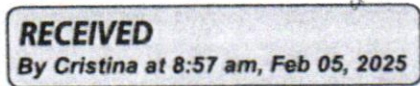
The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a zone change from "A" (Agriculture) to "M1" (Light-Industrial) zone for the proposed development of a construction laying yard and construction facility.

This memorandum shall serve as GWA's position statement for the PDIC Guam, Inc. application related to the availability of water and sewer infrastructure to serve 238-1-B 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.

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 signed and stamped by a Professional Engineer licensed in Guam. Design calculations shall include proposed water demand calculations including fire-flow and sewer production calculations adhering to GWA standards and requirements. If a development will be served by a septic tank/leaching field system, then the system must be approved by the Guam Environmental Protection Agency.

*TR-PEN
Cristina
2-12-25*



GWA Position Statement
Application 2024-64
Applicant: PDIC Guam, Inc.
Page 2 of 3

2. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss 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 phase which are unavailable for use by newly proposed developments. Water and Sewer design shall adhere to GWA standards and requirements.
3. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole 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. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
5. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
6. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter in accordance with GWA standards.
7. New development is subject to water and/or sewer system development charges.
8. 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. See GWA for additional industrial wastewater pre-treatment requirements.
9. 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.

GWA Position Statement
Application 2024-64
Applicant: PDIC Guam, Inc.
Page 3 of 3

10. 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.

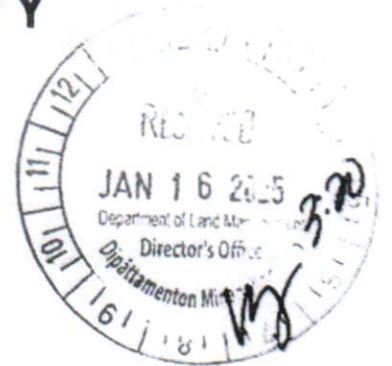
This memorandum shall remain valid for 365 calendar days from the date of this response. Please contact Prudencio Aguon, Acting GWA Permits and New Area Development Supervisor (#671-300-6065 or prudencio@guamwaterworks.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

January 14, 2025



MEMORANDUM

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

From: General Manager

Subject: Lot 238-I-B, Municipality of Santa Rita (Formerly Agat), (PIDC Guam, Inc. c/o TG Engineers, PC); Zone Change Application to rezone the subject lot from "A" (Rural-Agriculture) to "M-1" (Light Industrial) zone. Application No. ZC 2024-64

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 rights to the 7.620 m Navy Utilities easement as shown Document No. 850530.
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 development 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
JOHN M. BENAVENTE, P.E.

JA

ASG/app

*To: Ren
1-22-25*

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant **PIDC Guam, Inc. c/o TG Engineers, PC**
 Location: **Lot 238-1-B Municipality of Santa Rita (Formerly Agat)**
 Type of Application: **Zone Change**
 GLUC/GSPC Application No. **SZC 2024-64**
 Brief Project Description: **To rezone the subject lot from "A" (Rural-Agriculture) to "M-1" (Light Industrial) zone.**

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

1/15/2025

 Date

Comments:
 No additional Load was submitted by the applicant. A system impact assessment may be required to determine the effect of this development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/app



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt Governor

Department of Parks and Recreation
Dipattamenton Plaset yan DibuetSION
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288, Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agaña Heights, Guam 96910
(671) 475-6294/6355, Facsimile (671) 477-2822



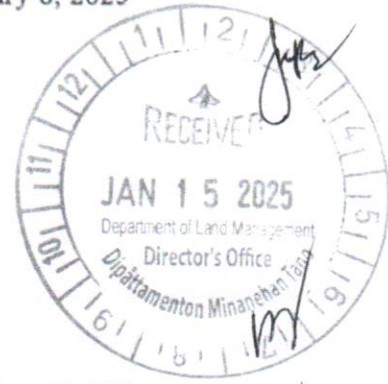
Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

January 8, 2025

In reply refer to:
RC 2025-0101

Memorandum

To: Director, Department of Land Management
From: Director, Department of Parks and Recreation
Subject: Zone Change Application No. 2024-64, Applicant PIDC Guam, Inc. c/o TG Engineering, PC proposed to rezone Lot 238-1-B from "A" (Agriculture) to "M-1" (Light Industrial) zone in order to use the lot as a Construction Laying Yard & Construction Facilities in the Municipality of Santa Rita-Sumay.

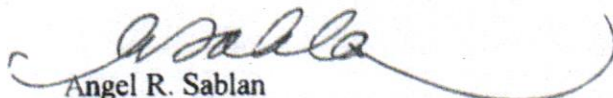



We reviewed the subject Summary Zone Change Application No. 2024-64, Applicant PIDC Guam, Inc. c/o TG Engineering, PC proposed to rezone the subject Lot from "A" (Agriculture) to "M-1" (Light Industrial) zone in order to use the subject lot as a Construction Laying Yard & Construction Facilities in the Municipality of Santa Rita-Sumay.

Our office has concluded our review and will have No Objection to the Approval of this Zone Change Application.

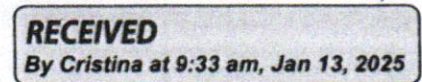
Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,


Angel R. Sablan
Acting


Patrick O. Lujan
State Historic Preservation Officer

*To: Pen
2-13-25*





BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Enfortasion



January 30, 2025

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-64 Zone Change
Lot Number: Lot 238-1-B
Municipality: Santa Rita
Applicant: PIDC Guam Inc.
Proposed Use: "M1" Light Industrial



Buenas yan Háfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, PIDC Guam Inc., is submitting a Zone Change application to rezone the subject lot from A "Agricultural" zone to M1 "Light Industrial" zone in order to bring into zoning conformance the existing construction laying yard and construction facility. The subject lot is located in the municipality of Santa Rita and contains a total of 51,520 square meters or approximately 12.73 acres. Power, water, and sewer is connected to the property.

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

¹ 5 GCA, CH I Article 2, § 1200 *et seq.* (1990) Note: In past publications, this article was entitled "Centralized Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978).
<https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM
Mail. P.O. Box 2950 Hagatña, Guam 96932 Tel. (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov

2 | Application No. 2024-64 Zoning Change PUDC Guam Inc

The subject lot is located along Route 2, Santa Rita Drive. The immediate surrounding area consists of vacant undeveloped land Guam Naval Base and a wastewater treatment facility east of the subject lot.

The subject lot is located in an area that was previously federal land and therefore it was not given a land use designation under Guam's Land Use Districting Maps. However when the basic lot was returned to the original landowners, the lot was designated as Agricultural Zone, despite the previous use of the Navy and the continued use of subsequent owners of the existing construction-laying yard and construction facility. Under Guam Zoning Law, the original landowner and all subsequent landowners are given the option to continue non-conforming uses existing prior to the adoption of Guam zoning Law,³ or to apply for a higher zone designation by applying with the Department of Land Management Planning Division, and processing their zone change through the existing statutes, rules, regulations, procedures, and policies to obtain approval for their zone change request.⁴

Although the proposed use is not compatible within the current Agricultural Zone, the non-conforming uses having existed prior the Guam Zoning Law is justified.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located on the Agat Watershed. This project will contribute to the overall development rate of the watershed. According to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 13.9%.⁵

Regarding development impacts, as of 2015 land cover data, 28.45% of the Agat Watershed was developed, and 15.73% comprises impervious surfaces.⁶ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Land cover within the subject lot comprises mostly of impervious surface from the building footprint and paved areas, with some bare land and areas vegetated with grass and overgrown shrub. The requested zone change is not expected to result in land cover change.

Effects Test and Conditions

³ 21 GCA, CH 61 Article 2, § 61523-61524

⁴ 21 GCA, CH 61 Article 2, § 61217

⁵ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed January 2025 at <https://coast.noaa.gov/ccapAtlas>

⁶ Ibid.

3 | Application No. 2024-64 Zone Change - PIDC Guam Inc.

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Agricultural Lands Policy: Critical agricultural lands shall be preserved and maintained for agricultural use.

Determination of Effects: No

An assessment on the soil composition within the subject lot was conducted and determined that the area is not considered critical agricultural land.

Air-quality Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.⁷

Determination of Effects: Yes

The continued uses of the construction laying yard and construction facility on the subject lot has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) to minimize dust and air pollution such as fugitive particulate matter emissions and from the operation of vehicles and heavy equipment. Ensure that the surrounding neighborhood is not exposed to noxious odors.

Water Quality Policy: Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.⁸

Determination of Effects: Yes

The use of the existing facilities will continue to contribute to the cumulative negative impact to the water quality within the Agat Watershed and the waters of the adjacent shore and river.

Condition: The applicant shall comply with CNMI and Guam Stormwater Management Manual¹⁰ Standards and implement Island Best Management Practices specifications in any future improvements to the property. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹¹ and 2)

⁷ Guam Land-Use Policies, Executive Order 78-37 (1978).

<https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

⁸ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

⁹ Ibid.

¹⁰ Horsely Witten Group. CNMI and Guam Stormwater Management Manual. Prepared for Commonwealth of the Northern Mariana Islands and the Territory of Guam. (2006) Volume 1:

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2:

<https://bsp.guam.gov/wp-bsp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹¹ Center for Watershed Protection & Horsely Witten Group, Inc.. Island Stormwater Practice Design Specifications A Supplement to the 2006 CNMI & Guam Stormwater Design Manual. Prepared for NOAA Coral Reef Conservation Program, Guam Coastal Management Program, and Guam Environmental Protection Agency (2010):

https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA_CRCP_project_1906_island_swmi_specs_supplement_cnmi_guam_design.pdf

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

4 | Application No. 2024-64 Zone Change PIDC Guam Inc.

Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the zone change application based on the above-mentioned conditions. If these conditions are not met by the applicant or not included in the Guam Land Use Commission's Notice of Action, this position statement is to be interpreted as a recommendation for disapproval.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.



LOLA E. LEON GUERRERO
Director

¹³ Center for Watershed Protection & Horsley Witten Group, Inc., Stormwater Management in Pacific and Caribbean Islands: A Practitioner's Guide to Implementing LID. Prepared for NOAA Coral Reef Conservation Program. (2014)
https://www.ncei.noaa.gov/data/oceans/coris/library/NOAA_CRCP_project/1906_Feb2014_IslandBMPGuide_wAppendix.pdf



Louides A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muna
Director
Roy Gamboa
Deputy Director

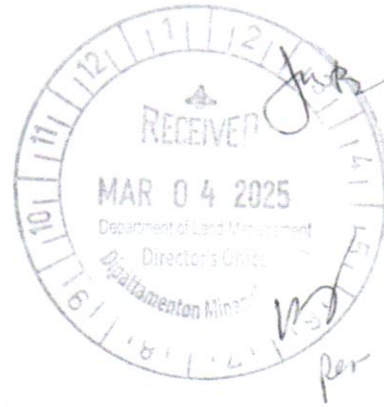
To: **Joseph Borja**, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director Chelsa D. Muna
Digitally signed by Chelsa D. Muna
Date: 2025.02.28
12:42:55 +1000

Date: February 28, 2025

Subject: **Agricultural Impact Statement for Application 2024-64. PIDC Guam, Inc. c/o TG Engineers, PC for "Zone Change" from "A" to "M-1" zone for Lot 238-1-B, located along Santa Rita Drive, Santa Rita**



The Department of Agriculture (DOAG) has reviewed **Application 2024-64** requesting for certification to **rezone Lot 20-1-INEW from Rural-Agriculture (A) zone to Light Industrial (M-1) zone**, located along Santa Rita Drive, Santa Rita, Guam. The purpose to rezone is to use it as a laying yard and construction facility. The project area is currently a laying yard and construction facility.

The following is the position statement provided by DOAG under the agency's authorities:

1. Division of Aquatic and Wildlife Resources (DAWR):

- a. A biological survey for Lot 20-1-INEW must be submitted to DOAG with the Clearing and Grading and/or Building Permit Application. DOAG will review the survey and provide recommendations to avoid or minimize impacts on biological resources that occur, or may occur, in the project area.
- b. Conservation measures must be developed for protected species, such as Mariana Fruit Bat, Yellow Bittern, Micronesia Starling, Guam Tree Snail, federally listed native orchids, and other species of concern, fauna and flora, that may occur. Conservation measures must address avoiding and minimizing impacts to these species and must be included in the biological survey report.
- c. Eco-friendly development must be incorporated in the plans to minimize impacts on the environment and natural resources. Examples include, but are not limited to, the use of native plants for landscaping, shielded light posts, permeable pavers for parking, screened stormwater drains, rain gardens, water catchments, anti-bird strike windows, and green roofs.

*To: Pen
3.12.25*

RECEIVED
By Cristina at 8:24 am, Mar 04, 2025

CG

- d. Landowner and the contractor conducting the Biological Survey Report must consult with DAWR to discuss the methodology and findings of the survey and determine conservation measures that best address impacts on natural resources.

2. Biosecurity Division:

- a. A biosecurity plan must be developed and approved by DOAG before any work begins. Once approved, the biosecurity plan must be implemented during the development phase to ensure that the prevention of the spread and introduction of Little Fire Ants (LFA) and other noxious species that could affect residents in the area.
- b. Landowner and their contractor must consult with the Biosecurity Division.

3. Forestry and Soil Resource Division (FSRD):

- a. A stormwater plan must be submitted for review to mitigate runoff, flooding, and erosion. Percolation rates at stormwater collection and drainage area must be sufficient to prevent migratory bird species and moorhen from inhabiting the pond during the wet season. If the landowner intends to create a habitat for these species, consultation with DOAG is required.
- b. Biological Survey Report must identify vegetation on the project lot. Upon reviewing the findings, FSRD will notify the landowner of culturally valued, protected, and rare plants that may require seed collection for nursery inventory, for use in conservation areas or reforestation projects on the island.

4. Agricultural Development Services (ADS):

- a. To address food security on the island, between six to eight inches of topsoil must be reserved and provided for agricultural farming activities. The nutrient-rich soil is needed for native plant seedlings, seasonal crops, and fruit trees. Reserving the topsoil for this purpose will be beneficial to the community. The landowner may donate to senior citizen centers on Guam, non-profit organizations, University of Guam Triton Farm, or community gardens.
- b. Vegetation clearing on the project site will occur. To prevent the loss of agricultural resources, the landowner and contractor must consider mulching cleared vegetation to provide the community, non-profit organizations, and those involved in native plant landscaping. Mulch protects soil from erosion, conserves water, suppresses weeds, and acts as a barrier to landscape gardens.

The Department of Agriculture does not oppose the requested zone change from A to C, however, the landowner is required to address the conditions outlined above. DOAG is available to discuss the proposed development in more detail. DOAG reserves the right to reconsider its decision on the application if the landowner fails to meet these conditions before the Guam Land Use Commission meeting for approval. If you have any questions or concerns, please send inquiries to permits@doag.guam.gov.

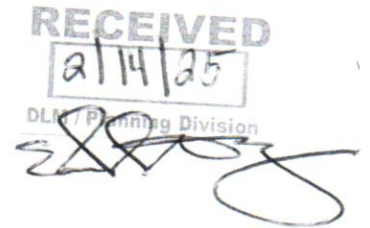


GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSION LINA LA' GUAHAN

LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO • ADMINISTRATOR | MICHELLE C. R. LASTIMOZA • DEPUTY ADMINISTRATOR

FEB 12 2025

Dr. Anita B. Enriquez
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. 2024-64, the Applicant, PIDC Guam, Inc. represented by TG Engineers, PC; requests a **Zone Change from “A” (Rural) to “M-1” (Light Industrial) zone; to allow the continued use of the property for staging equipment and preparation of materials on Lot No. 238-1-B, in the Municipality of Santa Rita.**

Hafa adai Dr. Enriquez:

Buenas yan Saluda. The staff of this Agency has reviewed the application for the **proposed zone change** and approves with the following conditions:

A. Stormwater and Erosion Control

1. The existing lot is currently used as a concrete fabrication and equipment staging yard in support of the on-going military build-up in Guam. Disposal of storm run-off within the property is not clearly defined during ocular site inspection. Owner and /or the contractor using the property must adhere to stormwater controls meeting the requirements of the 2006 CNMI and Guam Stormwater Management Manual as implemented by Executive Order No. 2012-02.

B. Water & Wastewater

1. The proposed continued use of this property, considered as industrial, uses a holding Tank and portable toilet as means for sewer disposal. Pursuant to 10GCA Chapter 48, Toilet Facilities and Sewage Disposal, when a public sewer is available, all buildings used for human occupancy, employment or recreation and situated upon land abutting any road, street, or other way or easement in which a public sewer is located, must have suitable toilet facilities installed and connected to the public sewer. It is the Owner's responsibility to coordinate with Guam Waterworks Authority to ensure that the existing water and sewer lines closest to the subject property supports the proposed continues use in terms of increased water demand and sewage output.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Re: Application Number 2024-64


Page 2 of 2

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by Guam Environmental Protection Agency.

If you have any questions, please feel free to contact my staff at the Water Resource Management Program or Water Division Acting Chief Mr. Johnny Abedania at Tel # (671) 588-4796 or (671) 588-4786, respectively.

Dangkolu na si Yu'us ma'åse',

Senseramente,



MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph Borja
Director
Department of Land Management



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
(Government of Guam)



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

LOURDES A. LEON GUERRERO
MAGA HAGA • GOVERNOR

JOSEPH M. BORJA
DIRECTOR

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

JOSHUA F. TENORIO
SIGUNDO MAGA LAHI • LIEUTENANT GOVERNOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

September 3, 2025

MEMORANDUM

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2024-53

1. **PURPOSE:**

- a. **Application Summary:** The applicant, ERC Trading Incorporated, represented by TG Engineers, PC, is requesting approval of a Zone Variance for Use, to allow for the use of an existing building for indoor storage of hardware goods and materials, on Lot 5372-2-R1, in the municipality Mangilao, in an "R2" (Multiple Dwelling) Zone.
- b. **Legal Authority:** Title 21, Guam Code Annotated, Chapter 61, Variances Section 61616-61623, and other applicable subsections related to Variances.

2. **FACTS:**

- a. **Location:** The property is located off University Drive along Techaira Street in Mangilao. It is approximately 1,600 feet from Route 10 or Vietnam Veterans Memorial Highway.
- b. **Lot Area:** 5,495 square meters or 59,154 square feet
- c. **Present Zoning:** "R2" (Multiple Dwelling) zone.
- d. **Field Description:** There is an existing 5,800 square foot building located on the property, along with several shipping containers and a trailer bed. Surrounding the perimeter of the property is a chain link fence.

Website:
<http://dlm.guam.gov>

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

Continuation of Memorandum

RE: Staff Report – Zone Variance for Use - Application No. 2024-53

Page 2 of 6

- e. **Surrounding Land Uses:** The area along Techaira Street is predominantly developed with single-family dwellings. Within 500 to 1,000 feet, there are also multi-family residences, as well as commercial and institutional facilities including the University of Guam, George Washington High School, and Guam Community College.
- f. **Master Plan:** Village Center (North and Central Guam Land Use Plan)
- g. **Community Design Plan:** Medium – High Density
- h. **Previous Commission Action:** None

3. **APPLICATION CHRONOLOGICAL FACTS:**

- a. **Date Application Accepted:** October 1, 2024
- b. **Date Heard By ARC:** October 17, 2024
- c. **Public Hearing Results:** A public hearing was held on February 19, 2025, at 6:03 P.M. at the Mangilao Community Center. Present were the case planner, planning staff, the applicant's representative, members of the Mangilao Municipal Planning Council, and approximately ten (10) public attendees.

(Note: Public Hearing Minutes are provided in Attachment "A")

4. **Discussion and Staff Analysis** –

The applicant provides the following justification as required by the application:

A. That the strict application of the provisions of this Chapter would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the law.

We provide that the strict application of the zoning law prevents use of an existing warehouse-like structure for storage of commercial goods. A standard Preliminary Title Report had indicated commercial use of the structure was permitted under a Conditional Use Permit that was apparently issued through the Guam Land Use Commission (Commission). However, no records appear to be available to indicate such a permit was issued. Further investigation identified the former property owner had requested the Commission's consideration to issue a use variance to use existing warehouse for commercial purposes, however, no Notice of Action was issued for such purpose and thus, the commercial use of the structure was deemed illegal and non-conforming.

ERC Trading had purchased the property prior to such information and was later advised to secure a Commission approval subject to the requirement of §61616 and §61617 of Guam's zoning code.

Continuation of Memorandum

RE: Staff Report – Zone Variance for Use - Application No. 2024-53

Page 3 of 6

B. That there are exceptional circumstances or conditions applicable to the property or the intended use that do not apply generally to other properties in the same zone.

The exceptional circumstance relates to the current open-bay structure that exists on the property in an “R-2” zone. Although unsubstantiated at this time, the structure was apparently designed and constructed for indoor sports activities for the University of Guam. Such use was never realized, and the structure was left abandoned until its later uses to accommodate a heavy-equipment company. The structure presents an opportunity for the current property owner to temporarily use the structure for storage and staging of commercial goods in a non-impacting manner to support a community-based retail business.

C. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property of improvements in the zone or neighborhood in which the property is located.

The proposed use will not be materially detrimental to public welfare or injurious to the property, surrounding improvements and/or the neighborhood since all activities will be contained within the existing converted warehouse. Most importantly, frequency of use will be limited since ERC maintains two other storage facilities for most of its retail goods. The Mangilao site will serve to store bulky appliances to which is befitting due to its size with no employee permanently stationed on-site.

Improvements to the structure have been limited to repairing post typhoon damages (See Appendix E & F for interior and exterior layouts). Repairs to the structure and removal of ground debris has transformed the property to be visually pleasing. This will be coupled with improving the existing perimeter fence and weekly lawn maintenance to serve as a positive visual attribute to the community. No other structural improvements, either attached or detached, will be added to the exterior of the existing building. If approved, the property owner will institute performance standards of operation and use of the warehouse to ensure loading and off-loading activities will not cause consternation in the surrounding neighborhood. Appendix D provides an operational plan that identifies work activity requirements. From a daily operational perspective, the building will be left secured but unmanned with no permanently stationed employee. Site security will be provided by either having a private security service or remote camera service. Water and power are available with existing connections. With respect to public sewer, services are available along JU Torres Street (aka University Avenue) and throughout the extended 750-foot radius of the subject lot to support the majority multi-family residential development, University of Guam, Guam Community College, and George Washington High School. Albeit certain developments to include the development proposal are currently connected to a septic tank-leaching field waste disposal system. In this respect, the applicant will cede to the recommendations of the Guam Environmental Protection Agency to determine and assert waste disposal service options since density allowances of the property exceeds one (1) acre in size.

Continuation of Memorandum

RE: Staff Report – Zone Variance for Use - Application No. 2024-53

Page 4 of 6

With respect to potential impacts to community infrastructures, paved road infrastructure within 750 feet of the subject lot exists and is serviced by either 50-foot or 40-foot-wide public access & public utilities easements. With respect to traffic, any contribution to traffic behavior along JU Torres Road will be nominal considering traffic is generated by residents in a high-density “R-2” community and further contribution by the three learning institutions: Guam Community College, George Washington High School, and the University of Guam during the school season and peak work hours.

D. That the grant of such variance will not be contrary to the objectives of any part of the Master Plan adopted by the Commission or Legislature.

The granting of such variance will not be contrary to the objectives of any part of the Master Plan since the proposed use will be temporary and interim for a period of five (5) years. The property owner’s future objective is to develop the property for multi-family use, having the option to consider the maximum density allowed of forty-seven (47) apartment units¹. Further, the short-term use of the variance and re-assimilation to high-density land use appears consistent with the North Central Land Use Master Plan where the subject lot appears to fringe if not located in an area the master plan identifies as “Village Center” or The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern that is consistent with traditional Chamorro villages and neighborhoods -similar to the urban neighborhoods proposed by the Hagåtña Redevelopment Masterplan.

E. That, as to Variance(s) from the restrictions of §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 will not interfere with or adversely affect the surrounding property owners or the public’s right of untrammelled use of the beach and its natural beauty.

This caveat is not applicable since the closest beach area is located approximately one (1) mile away in Pago Bay at the Marine Laboratories, University of Guam.

Staff received a letter from property owners of Techaira Street opposing the requested variance, citing that the approval would allow a use beyond what is permissible under the current zoning designation.

Staff has reviewed the applicant’s justification and finds that it represents a good-faith effort to address the criteria outlined in §61617. The justification provides adequate information for the Commission’s consideration of the variance request. Should the Commission act favorably on the application, the conditions of approval identified in the Application Review Committee’s Official Position Statements will serve to address the concerns of permitting agencies, the Techaira Street property owners, and those raised during the municipal public hearing. The request is for a limited 5-year variance, after which the applicant has indicated the intent to redevelop the property in accordance with its current zoning designation.

Continuation of Memorandum

RE: Staff Report – Zone Variance for Use - Application No. 2024-53

Page 5 of 6

The Application Review Committee recommends approval of the request, with the exception of the Bureau of Statistics and Plans, which recommends denial. The Bureau notes that the area is designated as a "Village Center" in the land use plan. While this category is intended to accommodate a compatible mix of uses, the Bureau characterizes the proposed variance as being more closely aligned with an industrial use.

Staff recognizes the Bureau's concern; however, the applicant has requested the variance for a limited five-year term and has indicated a clear intent to redevelop the property in accordance with the existing R-2 zoning designation at the conclusion of that period. From a planning perspective, the temporary variance provides several benefits: it allows the property to be put to productive use in the interim, prevents the structure from remaining vacant and deteriorating, and supports adaptive reuse of an existing facility rather than leaving it underutilized. The proposed interim use also helps reduce blight, maintains the property in an orderly condition, and provides a reasonable transition toward the planned multi-family development consistent with the current zoning designation.

Based on the information provided, together with support of the Mangilao Municipal Planning Council in Resolution No. 2025-02, and subject to the recommended conditions of approval, staff finds that the variance application may be appropriately considered and may be acted upon favorably by the Commission.

5. **Recommendation:** Planning staff recommends approval of the Zone Variance for Use with the following conditions:
- ✓ 1. **The variance approval shall be valid for a period of five (5) years from the date of recordation of the Notice of Action. Any continuation of the use beyond this term shall require the filing and approval of a new variance application with the Guam Land Use Commission; and**
 2. **No additional structures shall be constructed on the property except those expressly permitted under the R2 (Multiple Dwelling) zone designation, in full compliance with applicable zoning and building regulations; and**
 3. **The applicant shall ensure that all storage of materials, equipment, and goods is confined within the existing building. Outdoor storage of any kind is strictly prohibited; and**
 4. **The applicant shall connect the building to the public sewer system prior to any use or occupancy. No use or occupancy of the building shall be permitted until written verification of such connection is provided by the Guam Waterworks Authority and approved by the Department of Land Management; and**

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Continuation of Memorandum

RE Staff Report – Zone Variance for Use - Application No. 2024-53

Page 6 of 6

5. The applicant shall comply with all applicable ARC conditions and requirements as stipulated in their Official Position Statements.



CELINE L. CRUZ
Guam Chief Planner

Attachments: ARC Position Statement Summary
 Public Hearing Minutes – Attachment "A"
 Mangilao MPC Resolution 2025-02
 Letter from Property Owners of Techaira Street, Magat, Mangilao, Guam

Case Planner: Theresa Guevara

Attachment "A"

PUBLIC HEARING MINUTES
Wednesday, February 19, 2025, 6:03 PM
Mangilao Community Center

APPLICATION NO. 2024-53

APPLICATION TYPE: Zone Variance to allow for the use of an existing structure for indoor storage of hardware goods and materials, on a "R-2" (Multi-Family Dwelling) Zone

APPLICANT/REPRESENTATIVES: ERC Trading, Incorporated c/o: TG Engineering

Lot 5372-2-R1, Municipality of Mangilao

CALLED TO ORDER: 6:03P.M.

The meeting was called to order by Planning Staff and after a brief introduction and explanation of the application, the floor was then turned over to the applicant's representative, Marvin Aguilar, for his presentation. After his presentation, the applicant's representative responded to the following public attendee's questions and concern.

Question:

Mayor Allan Ungacta:

Asked, could you explain why ERC Trading Incorporated is applying for a zone variance. The MPC would need to know. What's the purpose. The property was never sanctioned in the past.

Answer:

Marvin Aguilar explained the Zone Variance application and current zoning. The property used to operate as a commercial office.

Question:

If the variance is for 5 years, what happens after the 5 years?

Answer:

Marvin Aguilar: It dies.

Answer:

Celine Cruz: It's possible the applicant could request an extension, but it would have to go through the process to the Guam Land Use Commission,

Answer:

Marvin Aguilar: According to the owner, they only want 5 years.

Question: Okada, are they rezoning the property?

Answer: Marvin No.

Question:

Mayor Allan Ungacta: They're not rezoning. Same zone.

Answer:

Marvin Aguilar: What we know, the owners only want 5 years for storage. We put together for the owner an operational plan. Only the permitted activity will go on.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Question: What happens to the building after 5 years? It used to be an industrial building.

Answer:

Mayor Allan Ungacta: It's only for 5 years' time.

Celine Cruz: DLM staff can recommend to the commission to require a status report as a condition.

Question:

Okada: Who is the authority to enforce the conditions?

Answer:

Celine Cruz: DLM/s enforcement partner is DPW. If there's a violation, DLM can work with DPW.

Question:

Okada: Who will I contact if there is a violation?

Answer:

Celine Cruz: You can contact both DLM or DPW, we work together.

Question:

Simpo Galindez: What about the road being damaged?

Answer:

Mayor Allan Ungacta: There's concerns about the traffic, congestion and foot traffic. We recommend neighborly gestures.

Answer:

Marvin Aguilar: I can relay that information to our client.

Question:

Simpo Galindez: I'm concerned about the daycare, the traffic, the security. I don't want to constantly call GPD for problems. It'll affect the neighborhood.

Answer:

Marvin Aguilar: There will be security.

Question:

Simpo Galindez: Is it higher tax for the land to be rezoned?

Answer:

Marvin Aguilar: Not sure about land tax but this is just for a use variance.

Answer:

Julie Paxton: The tax will go up next year.

Question:

Okada: What is the delivery schedule?

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Answer:

Marvin Aguilar: It won't be a daily occurrence. The trucks will be smaller flatbeds and not tractor trailer trucks.

Question:

Okada: How wide is the ingress/egress?

Answer:

Marvin Aguilar: I believe 40 feet. It's wider than the pavement.

Question: What about the road discussed at the last public hearing?

Answer:

Mayor Allan Ungacta: That was the Public Hearing for the UOG Lab. That road is a federal highway.

Question:

If the application gets approved, does it depreciate our property? What about the application, is it filed through the court?

Answer:

Celine Cruz: The action of the Commission will be a Notice of Action that gets recorded at DLM.

Question:

Okada: Is this like a sunset, approved today but what happens after the sunset in 2030? What happens to the building? It gets removed.

Answer:

Marvin Aguilar: The storage is only for 5 years but the owner wants the zoning as "R2" which he could build 45-unit apartments.

Question:

Okada: Could you go back to the presentation slides, if that a building on the bottom?"

Answer:

Marvin Aguilar: That's the container.

Question:

If this is approved, will the trucks be operating after hours? I like it quiet in that area; I live next door.

Answer:

Marvin Aguilar: The time schedule is based on the shipment at the Port.

Question:

Okada: Can they change the 5 years timeline?

Answer:

Celine Cruz: They could but staff will not recommend it.

Question:

Okada: What about 10 years?

Answer:

Celine Cruz: We wouldn't recommend that to the commission.

Question:

Mayor Allan Ungacta: Can you explain the process with the MPC?

Answer:

Celine Cruz: Explained the MPC Meetings.

Question:

Will all meetings be posted on the sign?

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Answer:

Celine Cruz: Not for the MPC Meeting. These meetings will be in the newspaper, public notice website. The DLM Public Hearing, which is this, is a requirement for the Commission which was posted on the sign and the newspaper as well as certified letters, that was mailed out.

Question:

When is the next meeting?

Answer:

Mayor Allan Ungacta: It's not scheduled yet. You can call our office later for updates.

Mayor Allan Ungacta: Explained the MPC meeting. At the next meeting, could you invite ERC.

Question:

Simpo Galindez: Is the owner here? They should be here.

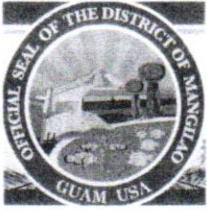
Answer:

Marvin Aguilar: No, we're the representative- TG Engineering's (TG), but I could arrange that.

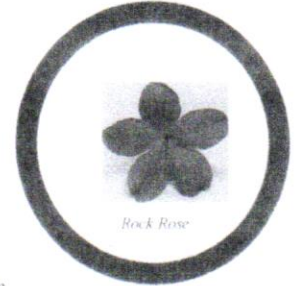
Julie Paxton: ERC is a good local business. They're responsible. They sell quality products.

There being no further questions or concerns and the case planner adjourned the meeting at 6:50 PM.

Theresa Guevara
Case Planner



Office of the Mayor Municipality of Mangilao



P.O. Box 786 Hagatna, Guam 96910 Phone: (671) 734-2163 / 5731 Fax: (671) 734-4130 Email: mangilao96913@gmail.com

Allan RG Ungacta, Mayor

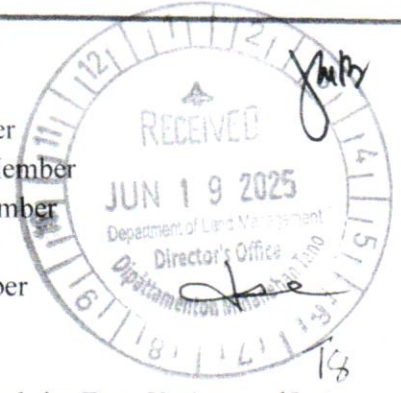
Edward JD Tosco, Vice Mayor

RESOLUTION NUMBER 2025-02

INTRODUCED BY:

Allan R.G. Ungacta, Mayor/Chairman
Dominic G. Muna, Vice Chairman
Rosita D. Tosco, Secretary
Juan A. Aguon, Treasurer
Elizabeth S. Acfalle, Member
Raymond A. Blas, Member

Ben C. Carbullido, Member
Sinforoso C. Galiendez, Member
Arthur R. Q. Mariano, Member
Eric M. Palacios, Member
Darlene N. Taitano, Member



RELATIVE TO supporting Application No. 2024-53 received from ERC Trading, Incorporated, for Zone Variance of Lot 5372-2-R1, to allow for the usage of an existing warehouse for temporary storage of hardware goods and materials; and

BE IT RESOLVED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL:

WHEREAS, the Mangilao Municipal Planning Council plays a vital role in the developments of the community and serves as the governing authority within the respective district that might otherwise be affected by such developments; and

WHEREAS, the formal meeting was called for all Mangilao Municipal Planning Council members, on June 4, 2025; and members reviewed and discussed the request for a zone variance to use an existing warehouse only for storage of white goods and materials on Techaira Street, Mangilao; and

WHEREAS, the Mangilao Municipal Planning Council noted several concerns, ie: traffic flow on UOG Road during peak hours; operational hours so as not to obstruct or cause neighborhood disturbances; infrastructure in place including sewer connection; and

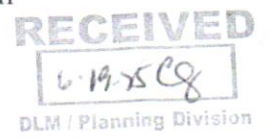
WHEREAS, the Mangilao Municipal Planning Council supports and approves the zone variance request effective immediately and that such change will expire within five (5) years; and be it

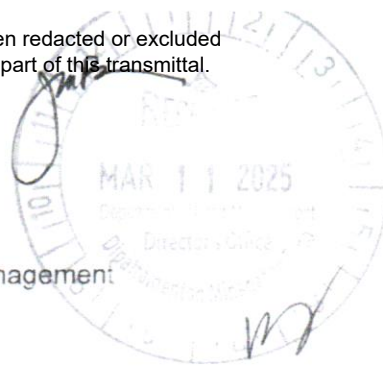
RESOLVED, that the Mayor and Members of the Mangilao Municipal Planning Council certify and the Secretary of the Council attest to, the adoption hereof, and that copies of the same be thereafter transmitted to Mr. Marvin Aguilar, Senior Planner, TG Engineering; Mr. Eric Cepeda, President/Owner and movers of the request; and Honorable Allan R.G Ungacta, Mayor of Mangilao.

DULY AND REGULARLY ADOPTED BY THE MANGILAO MUNICIPAL PLANNING COUNCIL ON THE DAY OF 6/19/ 2025.

Allan R.G. Ungacta, Mayor/Chairman
Mangilao Municipal Planning Council

Rosita D. Tosco, Secretary
Mangilao Municipal Planning Council





To: Chairperson, Guam Land Use Commission, Guam Department of Land Management
From: Property Owners of Techaira Street, Magat, Mangilao, Guam

RE: Application No. 2024-53 for Zoning Variance of Lot 5372-2-R1

We, the below signed property owners of Techaira Street, Magat, Mangilao, Guam, do not support a zoning variance for Lot 5372-2-R1, as requested in Application No. 2024-53. We do not support any use for this lot beyond what is permissible within its current zone, R-2, multi-family dwellings. We encourage the Guam Land Use Commission to rezone the lot R-1, single family dwellings, to ensure the family neighborhood atmosphere of Techaira Street.

Sinsarament:

Address and Property Owner	Signature(s)
128 Techaira Street	
147 Techaira Street	
156 Techaira Street	
158 Techaira Street	
168 Techaira Street	
176A Techaira Street	

To: Theresa


2-17

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

176 Techaira Street	<i>Raydon</i> <i>2/24/25</i>
177 Techaira Street	
184 Techaira Street	<i>M. Gonzalez</i> <i>M. P. P.</i> <i>A. P.</i>
190 Techaira Street	
195 Techaira Street	<i>Lomas M. Techaira</i>
197 Techaira Street	<i>Gloria R. Hughes</i> <i>Gloria R. Hughes</i>
201A Techaira Street	
201 Techaira Street	
192 Techaira Street	Carlos M Cruz Jr February 19, 2025 <i>Cruz</i>

199 Techaira st.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

208 Techaira Street	Victoria L. Concepcion 
218 Techaira Street	
220 Techaira Street	



DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guam)



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

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

Website:
<http://dlm.guam.gov>

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
MAGA HAGA GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA ' LAHI
LIEUTENANT GOVERNOR

JOSEPH M. BORJA
Director

ROSSANA SAN MIGUEL TISTON
Deputy Director

September 4, 2025

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members
FROM: Chairperson, Application Review Committee (ARC)
SUBJECT: Summary of Position Statements by ARC Members
Zone Variance (Use), Application No. 2024-53

Listed below is the compilation of Positions taken by the various ARC member agencies as submitted to the 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 of the Zone Variance for Use with the following conditions:

1. The variance approval shall be valid for a period of five (5) years from the date of recordation of the Notice of Action. Any continuation of the use beyond this term shall require the filing and approval of a new variance application with the Guam Land Use Commission; and
2. No additional structures shall be constructed on the property except those expressly permitted under the R2 (Multiple Dwelling) zone designation, in full compliance with applicable zoning and building regulations; and
3. The applicant shall ensure that all storage of materials, equipment, and goods is confined within the existing building. Outdoor storage of any kind is strictly prohibited; and
4. The applicant shall connect the building to the public sewer system prior to any use or occupancy. No use or occupancy of the building shall be permitted until written verification of such connection is provided by the Guam Waterworks Authority and approved by the Department of Land Management; and
5. The applicant shall comply with all applicable ARC conditions and requirements as stipulated in their Official Position Statements.

SUBJECT: Summary of Position Statements by ARC Members
RE: Zone Variance (Use), Application No. 2024-53
Page 2 of 2

DEPARTMENT OF PUBLIC WORKS (DPW):

The Department of Public Works (DPW) recommends approval with stated conditions.

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the zone use variance with conditions for compliance with GWA's Service Requirements.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the conditions cited in the position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

The agency supports the approval, with conditions noted relevant to adhering to water and wastewater requirements, also adhering to applicable environmental laws and regulations administered by GEPA.

DEPARTMENT OF PARKS AND RECREATION (DPR):

The agency has no objections and supports the approval of the application.

BUREAU OF STATISTICS AND PLANS (BSP):

The Bureau recommends disapproval based on the determination that the proposed use is not compatible with Guam land use policies as noted.

DEPARTMENT OF AGRICULTURE (DOAG):

DOAG does not oppose the request; however, the applicant must adhere to conditions as noted.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF PUBLIC HEALTH and SOCIAL SERVICES (DPH&SS):

No Position Statement has been received as of the date of this Memorandum.

GUAM FIRE DEPARTMENT (GFD):

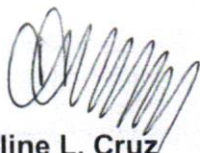
No Position Statement has been received as of the date of this Memorandum.

GUAM DEPARTMENT OF EDUCATION (GDOE):

No Position Statement has been received as of the date of this Memorandum.

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

No Position Statement has been received as of the date of this Memorandum.



Celine L. Cruz

Attachments: ARC Position statements
Cc: Executive Secretary, GLUC



The Honorable
LOURDES A. LEO GUERRERO
Maga' Håga - Governor

The Honorable
JOSHUA F. TENORIO
Sigundo Maga' Låhi - Lieutenant Governor



VINCENT P. ARRIOLA
Director
LINDA J. IBANEZ
Deputy Director
ERNEST G. CANDOLETA, JR.
Deputy Director

MEMORANDUM

TO: Anita B. Enriquez, PhD
Chairman, Guam Land Use Commission

FROM: Director, Department of Public Works

APPLICANT: ERC Trading Guam ✓
Application No. 2024-53

SUBJECT: Zone Variance on an R-2 Zone



The above applicant is requesting a zone variance for temporary use of an existing warehouse structure. The property will be used for warehouse and storage, additional parking and work space. The total lot area 5372-2-R1 is approximately 5,495.66 square meters or 59,154.66 square feet located in the Municipality of Mangilao.

Based on our review, the Department of Public Works recommends approval of this zone variance with the following conditions:

- Applicant shall operate during the hours of 800am – 500pm.
- Establish mitigation measures for potential operational noise

Should you have any questions, please contact the Division of Capital Improvement Projects (CIP) at 671-646-3224 or 671-646-3189.

Vincent P. Arriola

30 DEC 2024

Date: _____

04



GUAM WATERWORKS AUTHORITY

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

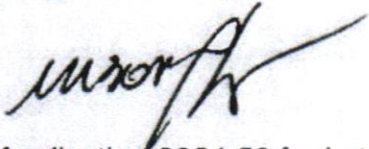


MEMORANDUM

November 6, 2024

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Allan R.G. Ungacta, Municipality of Mangilao
(mayorallan.ungacta@yahoo.com)

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

SUBJECT: Position Statement on Zone Use Variance Application 2024-53 for Lot 5372-2-R1 in the Municipality of Mangilao

APPLICANT: ERC Trading Incorporated

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Zone Use Variance in a "R2" (Multi-Family) zone in an existing warehouse for the proposed use of storage of hardware goods and materials.

This memorandum shall serve as GWA's position statement for the referenced application related to the 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.

Currently, GWA does not provide water service to the existing structure. GWA supports the zone use variance with the following conditions:

1. Prior to renovation or occupancy by a new tenant, the account holder shall inform 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.
2. Prior to renovation or occupancy by a new tenant, the applicant shall meet applicable sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators are required for

Mr. Thouse
11-27-24

RECEIVED
By Cristina at 10:41 am, Nov 22, 2024

GWA Position Statement
Application 2024-53
Applicant: ERC Trading Incorporated
Page 2 of 3

vehicle maintenance activities. Contact the GWA Permits Office for details at permits@guamwaterworks.org.

3. Mixed-use activities in a residential and commercial developments must have separate water meters, as utility rates differ by activity type. The applicant shall apply for a water service account under a commercial classification for the existing warehouse.
4. GWA requires the applicant to coordinate with the GWA Engineering Department at least six months prior to the building permit application submittal to discuss 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. Water and Sewer design shall adhere to GWA standards and requirements.
5. If off-site water and sewer infrastructure improvements are installed by the developer, they will require prior approval from GWA and must meet GWA standards. The proposed off-site water and sewer infrastructure improvements shall be constructed in the public easement or right of way, and shall be subject to inspection by GWA at the sole 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.

6. GWA does not guarantee that water service will meet Guam Fire Department's fire suppression requirements. The applicant is responsible for any onsite or offsite utility improvements needed to meet fire suppression requirements.
7. The applicant shall install GWA water meters and sewer cleanout for government use in the public right of way or easement, in accordance with GWA standards.
8. Backflow prevention devices are required for non-residential activities, swimming pools, or when a development will be served by a master meter in accordance with GWA standards.
9. New development is subject to water and/or sewer system development charges.
10. Certain activities are subject to sewer pre-treatment requirements. Grease traps or interceptors are required for food service establishments. Oil-water separators

GWA Position Statement
Application 2024-53
Applicant: ERC Trading Incorporated
Page 3 of 3

are required for vehicle maintenance activities. See GWA for additional industrial wastewater pre-treatment requirements.

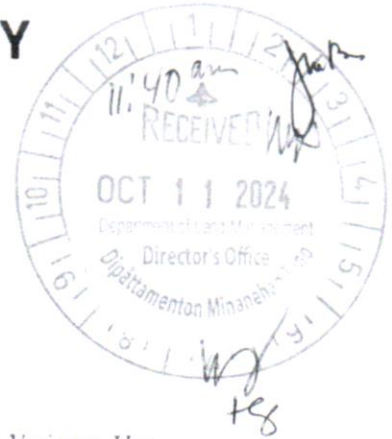
11. Only wastewater shall be discharged to the sanitary sewer system. Stormwater, pool water, and pool backwash water discharge to the sanitary sewer system is prohibited.
12. After a GWA utility service account is opened, the account holder is responsible for informing GWA of onsite activity changes 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 memorandum shall remain valid for 365 calendar days from the date of this response. Contact Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#300-6041 or bhess@guamwaterwork.org) for water and sewer system standards or additional information.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O.BOX 2977 • AGANA, GUAM U.S.A. 96932-2977



October 7, 2024

MEMORANDUM

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

From: General Manager

Subject: Lot 5372-2-R1, Municipality of Mangilao, (ERC Trading Guam); Zone Variance Use Application to comply with Title 21 Guam Code Annotated, Chapter 61, §61616 and §61617 to allow the property owner, ERC Trading Guam to utilize an existing 5,800 square foot warehouse structure for a period of no more than five (5) years. **Application No. 2024-53**


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. 464989.**
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 development on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

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


JOHN M. BENAVENTE, P.E.

ASG/rts

*P: These
COMM
10.14.24*

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**

Applicant: ERC Trading Guam

Location: Lot 5372-2-R1, Mangilao

Type of Application: Zone Variance Use

GLUC/GSPC Application No. 2024-53

Brief Project Description:

To comply with Title 21 Guam Code Annotated, Chapter 61, §61616 and §61617 to allow the property owner, ERC Trading Guam to utilize an existing 5,800 square foot warehouse structure for a period of no more than five (5) years.

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

10/10/2024

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 development on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.

ASG/rts

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetsion
Government of Guam

Director's Office, Parks and Recreation Divisions
#1 Paseo de Susana, Hagåtña, Guam 96910
P.O. Box 2950, Hagåtña, Guam 96932
(671) 475-6288 Facsimile (671) 477-0997
Guam Historic Resources Division
490 Chalan Palasyo, Agana Heights, Guam 96910
(671) 475-6294/6355; Facsimile (671) 477-2822



Angel R. Sablan
Acting Director
Warren Pelletier
Deputy Director

October 4, 2024

In reply refer to:
RC 2025-0004

Memorandum

To: Director, Department of Land Management

From: Director, Department of Parks and Recreation

Subject: Zone Variance (Use) Application No. 2024-53, Applicant ERC Trading Guam proposed to use the lot for temporary storage of hardware goods and materials in an existing warehouse on an "R-2" zone in the Municipality of Mangilao.



We reviewed the subject Summary Variance (Use) Application No. 2024-53, Applicant ERC Trading Guam proposed to use the lot for temporary storage of hardware goods and materials in an existing warehouse on an "R-2" zone in the Municipality of Mangilao. The subject lot is 5495.66 square meters in overall size.

Our office has concluded our review and will have No Objection to the Approval of this Summary Variance (Use) Application.

Should you have any questions, please contact Mr. Logan Myers, Archaeologist at (671) 475-6340 or by email: logan.myers@dpr.guam.gov.

Sincerely,

Angel R. Sablan
Acting Director

Patrick Q. Lujan
State Historic Preservation Officer

*To: Tracee
10/11/24*

RECEIVED
By Cristina at 4:07 pm, Oct 10, 2024



LOLAE. LEON GUERRERO
Director
MATTHEW C. SANTOS
Deputy Director

BUREAU OF STATISTICS AND PLANS

Sagan Planu Siha Yan Emfotmasion



LOURDES A. LEON GUERRERO
Governor of Guam
JOSHUA F. TENORIO
Lieutenant Governor

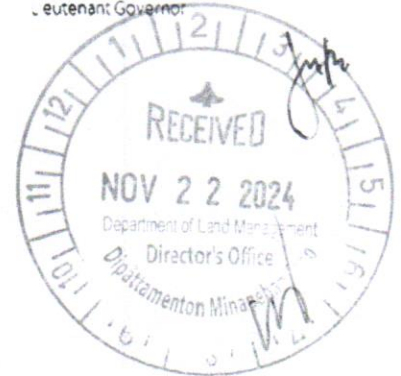
November 19, 2024

Memorandum

To: Director, Department of Land Management
Attn: Division of Planning

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-53 Zone Variance (Use), ERC Trading Guam



Buenas yan Hâfa Adai! I am pleased to inform you that the Bureau of Statistics and Plans (Bureau) has completed its review of the above-mentioned application pursuant to its authorities under 5GCA Ch.1 Article 2 Comprehensive Planning¹ and the Guam Coastal Zone Management Program (GCMP) Enforceable Policies² pursuant to Executive Order 78-37. Moreover, in accordance with Executive Order 96-26, the Bureau hereby submits its position statement based on its professional and technical analysis of effects to statutory authorities under the Bureau's purview.

Application Overview

The applicant, ERC Trading Guam, is submitting a Zone Variance (Use) application to allow for the use of an existing warehouse structure for a period of no more than 5 years for the purpose of storage of hardware goods and materials prior to as needed delivery to ERC retail locations. The property is located in Mangilao, and within an area designated as Village Center under the North and Central Guam Land Use Plan. It is currently zoned "R2" multi-family dwelling, which does not allow such use either outright or with conditions. Water, sewer, and power is existing. The subject lot contains a total area of approximately 5,495 square meters or 1.35 acres. Power, water, and sewer is connected to the property.

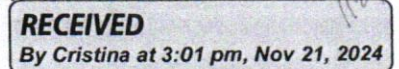
Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

¹ 5 GCA, CH 1 Article 2, § 1200 *et seq.* (1990). Note: In past publications, this article was entitled "Centralized Planning"; however, this manifest error has been corrected and the article reads "Comprehensive Planning" pursuant to P.L. 20-147 (Mar. 21, 1990).

² Guam Land-Use Policies, Executive Order 78-37 (1978). <https://bsp.guam.gov/wp-bsp-content/uploads/2017/01/E.O.-78-37-Guam-Land-Use-Policies.pdf>

BUREAU OF STATISTICS & PLANS - GOVERNMENT OF GUAM
Mail: P.O. Box 2950 Hagåtña, Guam 96932 Tel: (671) 472-4201/3 Fax: (671) 477-1812 Web:
www.BSP.Guam.Gov



The subject lot is located along Techaira Street in Mangilao and shares its east boundary with Lucky Town Apartments. The immediate surrounding area consists of a mix of single-family and multi-family residences, commercial establishments and the University of Guam Campus.

The subject lot is located in a "Village-Center"³ designated land-use area under the North and Central Guam Land Use Plan (NCGLUP). The NCGLUP (PL 30-244),⁴ was adopted as an element of the Guam Comprehensive Development Plan. "The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern that is consistent with traditional Chamorro villages and neighborhoods (similar to the urban neighborhoods proposed by the Hagatna Redevelopment Masterplan). Uses may be mixed vertically, such as retail street level, with residential above, or horizontally, with a mixed of uses next to each other in separate buildings. This designation applies to the existing Dededo and Yigo villages, on a smaller scale to Mangilao and Barrigada, along with two new areas in the northern part of the Island. Flexibility is encouraged in this category, recognizing that the exact mix and configuration of uses must be responsive to community needs and history. Future implementation may include development standards to ensure preservation of existing historic structures. Development should occur in a manner that creates a central focal point and supports bicycle and pedestrian linkages to the surrounding area. Although the areas designated as Village Centers may be quite large, they should be developed as a series of individual neighborhoods (0.25-mile radius)."⁵

Although the Village Center designation is intended to provide for flexibility of compatible mix of uses, the proposed use of the existing structure as a storage warehouse is not compatible within the Village Center designation under the NCGLUP and is only suitable in the Industrial designated areas.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is located on the Pago Watershed and above the Northern Guam Lens Aquifer. This project will contribute to the overall development rate of the Pago Watershed, according to the National Oceanic and Atmospheric Administration's (NOAA) Coastal Change Analysis Program (CCAP) land cover data from 2005 to 2015, the surface area of this watershed has changed by 10.18%.⁶

Regarding development impacts, as of 2015 land cover data, 11.53% of the Pago Watershed was developed, and 5.68% comprises impervious surfaces.⁷ An area is at greater risk of flooding the more an area is developed and levels of impervious surfaces are high. Areas with impervious surface rates will likely experience negative impacts on water quality. Impervious surfaces

³ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam. 2-3

⁴ Public Law 30-224 §, Section 4 (2010). [https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20\(LS\).pdf](https://guamlegislature.com/Public_Laws_30th/P.L.%2030-224%20SBill%20No.%20462-30%20(LS).pdf) Note: The plan was adopted due to inaction by the 90th day of the of the 31st Guam Legislature.

⁵ ICF International. North and Central Guam Land Use Plan. (2009). 2-3

⁶ National Oceanic and Atmospheric Administration, Office for Coastal Management. "C-CAP Land Cover Atlas". Coastal Change Analysis Program (C-CAP) High-Resolution Land Cover. Charleston, SC: NOAA Office for Coastal Management. Accessed November 2024 at <https://coast.noaa.gov/ccapatlas/>

⁷ Ibid.

significantly reduce the water quantity and quality in a watershed. Impervious surface degrades the watershed quality by greatly reducing the stream flow and increasing the stream temperature. They carry huge pollutant loads downstream, causing due harm to aquatic life. Severe degradation can be expected when rates reach 25%. Runoff effects include channeling and loss of beach profile along untreated storm drain outfalls, sediment plumes, algae blooms, noxious odors due to poor water quality, and coral mortality.

Apart from the impervious surface from the building footprint of the existing structure, land cover in the surrounding yard areas of the lot is mostly bare land with some grass vegetation. The applicant does not mention any intent of construction or improvements to the property that would result in land cover change. Therefore, GCMP does not expect any significant impact to the Watershed from the proposed use.

Effects Test and Conditions

Technical analysis of the proposed project was conducted to determine foreseeable effects and compatibility to standards within the following Guam Land-Use Policies:

Land Use: Policy LU-1 (e) under the North and Central Guam Land Use Plan establishes the Village Center category and identifies the aforementioned mix of compatible uses in this land use category.⁸

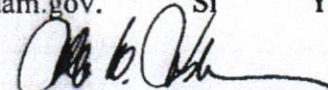
Determination of Effects: Yes

As stated in the above section for surrounding zone and land use characterization, the proposed use of the existing structure as a storage warehouse is not compatible with the Village Center category, and therefore inconsistent with this policy. Although the applicant is only requesting the proposed use of the existing warehouse structure for a period of no more than five years, allowing for the use that is not compatible with the area's future land use designation would directly contradict the intent of the North and Central Guam Land Use Plan and Guam's comprehensive planning initiative which aims to promote a balance of land and natural resource uses for a sustainable future of Guam.

Determination

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends disapproval of the Zone Variance (Use) application based on the determination that the proposed use is not compatible with Guam land use policies as stated above.

Should you have any questions regarding this matter, please do not hesitate to contact Mr. Christian Benitez, Planner, at christianpaul.benitez@bsp.guam.gov or Mr. Edwin Reyes, Coastal Program Administrator, at edwin.reyes@bsp.guam.gov. Si Yu'os Ma'åse'.


LOLA E. LEON GUERRERO
Director

⁸ ICF International. 2009. North and Central Guam Land Use Plan. September. (ICF International #00824.08.) Seattle, WA. Prepared for Bureau of Statistics and Plans—Government of Guam: 2-3



Lourdes A. Leon Guerrero
Governor
Joshua F. Tenorio
Lt. Governor

Department of Agriculture Dipattamenton Agrikottura

163 Dairy Road, Mangilao, Guam 96913



Chelsa Muña
Director
Roy Gamboa
Deputy Director

To: **Joseph Borja**, Director
Department of Land Management

Attn: Executive Secretary
Guam Land Use Commission

From: Chelsa Muña, Director
Chelsa D. Muna
Digitally signed by Chelsa D. Muna
Date: 2024.10.18 08:57:46 +10'00'

Date: October 18, 2024



Subject: Position Statement for "Zone Variance (Use)", Application 2024-53, for Temporary Use of Existing Warehouse Structure for Storage of Hardware (White goods) on a Multi-Family Dwelling (R-2) zone on Lot 5372-2R1, located along Techaira Street, Off University Drive, Mangilao. (ERC Trading Guam)

The Department of Agriculture (DOAG) reviewed Application 2024-53 for a "Conditional Use" on Lot 5372-2-R1 along Techaira Street and off University Drive, Mangilao, to allow for the temporary use (no more than five years) of an existing warehouse structure for white goods (as presented by Mr. Marvin Aguilar, TG Engineers planner). The subject lot is a multi-family dwelling zone (R-2) with a total land area of 59,154.66 square feet. The applicant, ERC Trading, plans to rehabilitate the existing warehouse structure from damages caused by Typhoon Mawar passage in May 2023.

The following is the position statement provided by DOAG, under the agency's authorities:

1. Biosecurity:

ARC application packet contains an Operational Plan on Appendix D. In addition to the Operation Plan, a biosecurity plan must be incorporated and implemented to address any incidental release of potential invasive species that may be stowed in the packaging of the white goods. Biosecurity plan must address avoidance and management of the spread of noxious species that impacts the community, ecosystem, economy, and agriculture. ERC Trading (and contractor), must consult with DOAG Biosecurity Division (biosecurity@doag.guam.gov) to finalize an effective plan to manage invasive species and prevent the spread of unwanted pests on the subject lot.

2. Aquatic and Wildlife Resources:

Micronesian starling and Mariana fruit bat are protected species under the Endangered Species Act. The starling and fruit bat are opportunistic species that have been documented in forested areas in Mangilao.

Migratory birds occur in Guam between August and May annually. These species are protected under the Migratory Bird Treaty Act. Migratory birds are attracted to open greenspace, pavement, wetland, and shoreline habitat for foraging and roosting.

Director's Office (671) 300-7965 | Agricultural Dev. Services (671) 300-7973 | Animal Health (671) 300-7964/6
Aquatic & Wildlife Resources (DAWR) (671) 735-0294 | Forestry & Soil Resources (671) 300-7975/7
Plant Nursery (671) 300-7974 | Biosecurity Division (671) 475-1427 | Pest Hotline (671) 475-7378
Website: doag.guam.gov

REPORT THREATS TO GUAM'S NATURAL RESOURCES (671) 864-TOKA (8652)

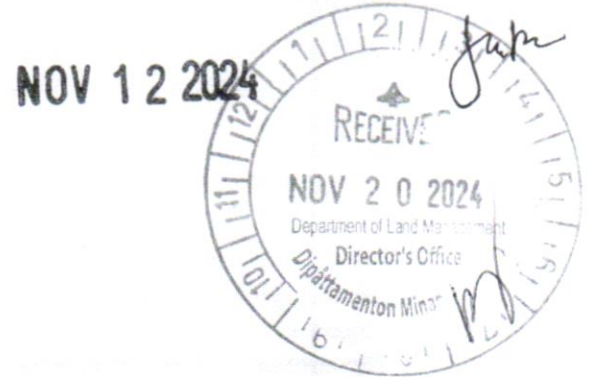
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10-25-24
Received
10-21-24
[Signature]

Conservation Measures for the Operations and Maintenance on Lot 5372-2-R1 must be developed and implemented to prevent impacts and/or off set impacts to these protected species. ERC Trading must consult with DOAG Division of Aquatic and Wildlife Resources (permits@doag.guam.gov) to finalize an effective plan to manage protected species occurrence on the subject lot and adjacent lots that may be impacted.

DOAG does not oppose the request of the "Conditional Use" application 2024-53, however, ERC Trading (and contractor) must adhere to the conditions listed above. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AHENSIAN PRUTEKSIÓN LINA'LA' GUÁHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA F. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOZA • ADMINISTRATOR



Dr. Anita B. Enriquez
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. 2024-53, the Applicant, ERC Trading Incorporated represented by TG Engineers, PC requests a Zone Variance for Use, to allow for the use of an existing building for indoor storage of hardware goods and materials, on Lot 5372-2-R1, in the Municipality of Mangilao, in an "R-2" (Multi Family Dwelling) zone.

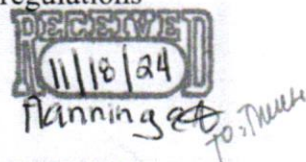
Hafa adai Dr. Enriquez,

Buenas yan Saluda. The staff of this Agency has reviewed the **application for zone variance for use** and approves the application with the following conditions:

A. Water & Wastewater

1. The Owner's future objective, as mentioned in the documents submitted, is to develop the property for multi-family use, having the option to consider the maximum density allowed of forty-seven (47) apartment units.
2. The property is located outside of the designated Groundwater Protection Zone (GPZ) of the Northern Guam Lens Aquifer based on the GIS (Geographical Information System) used by Guam EPA.
3. In consideration of Item 1 and pursuant to 22GAR §5101 (c) (1) (A) (B), industrial development should not occur without adequate public sewer infrastructures, and neither should high density residential development, at more than one dwelling per one half (1/2) acre. The applicant is responsible to consult with Guam Waterworks Authority to determine the adequacy of public sewer and water service available in the area.

In addition to the above concerns, the applicant is reminded that any development proposed for the subject location must comply with all other, relevant environmental laws and regulations administered by the Guam Environmental Protection Agency.



Handwritten initials and date '11-27-24' in the bottom right corner.

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.

Re: Application No. 2024-53

Page 2 of 2

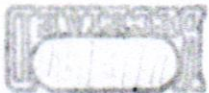
Should you have any question or need additional information, please do not hesitate to contact my staff at Water Resources Management Program or Water Division Acting Chief Engineer Mr. Johnny Abedania Tel No. (671) 300-4796 or (671) 300-4786, respectively.

Dångkolu na si Yu'us ma'åse'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management



GUAM EPA | 17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617 | Tel: (671) 300.4751/2 | Fax: (671) 300.4531 | epa.guam.gov
ALL LIVING THINGS OF THE EARTH ARE ONE • MANUNU TODU I MANIÅALA'

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