


GOVERNMENT OF GUAM – Department of Land Management
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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, April 10, 2025
1:30 p.m. to 2:23 p.m.

GUAM LAND USE COMMISSION MEETING
Department of Land Management, 3rd Floor ITC Building, Tamuning
DLM Conference Room
Thursday, April 10, 2025 • 1:30 p.m. to 2:23 p.m.

MEMBERS PRESENT:

Ms. Anita B. Enriquez, Chairperson

Ms. Leilani R. Flores, Commissioner

Mr. Ronald C. Pangilinan, Commissioner

PLANNING STAFF PRESENT:

Mr. Joseph M. Borja, Executive Secretary

Ms. Rossana S.M. Tiston, Deputy Director

Mr. N. Lee Miller, Jr., Legal Counsel

Ms. Celine L. Cruz, Chief Planner

Mr. Frank Taitano, Planner IV

Ms. Sonny Gogue, Planner III

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, April 10, 2025

Time of Meeting: GLUC: 1:30pm 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

 4/10/25

Nonito Blas, Jr., Vice Chairman

 4/10/25

Commissioner Leilani R. Flores

 4/10/25

Commissioner Ronald C. Pangillinan

Commissioner (Vacant)

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




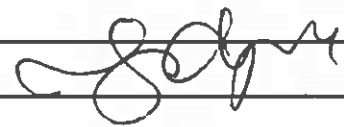
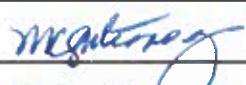
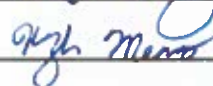
Sonny Gogue, Planner III

Theresa Guevara, Planner II

Edward Sanchez, Planner I

M. Cristina Gutierrez, Recording Secretary

Kyle P.D Meno, T. Network Coordinator

 4/10/25
 4/10/25



 4/10/25

ADJOURNMENT

GLUC: 2:00pm GSPC:

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

2723 pm

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

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

[illegible]

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Thursday, April 10, 2025 • 1:30 p.m. to 2:23 p.m.
Department of Land Management Conference Room
3rd Floor, ITC Bldg., Tamuning, Guam 96913
[As advertised in the Guam Daily Post on April 3rd and April 8th, 2025]
Livestreamed on YouTube/Guam Department of Land Management Channel

I. Notation of Attendance

Chairperson Enriquez called to order the regular meeting of the Guam Land Use Commission for Thursday, April 10, 2025, at 1:30 p.m.

Present were: Chairperson Anita Enriquez, Commissioner Leilani Flores, Commissioner Ronald Pangilinan, Deputy Director Rosanna Tiston, Legal Counsel Lee Miller, Chief Planner Celine Cruz, Planning Staff Frank Taitano, Sonny Gogue, Kyle Meno and Recording Secretary Cristina Gutierrez.

[Excused: Executive Secretary Joseph Borja]

Madam Chair confirmed a quorum, and announced that today's meeting was being livestreamed on YouTube at Guam Department of Land Management's channel.

II. Approval of Minutes

Chairperson Enriquez before the members today, is the approval of the Minutes from the last GLUC meeting from Thursday, March 13, 2025. Madam Chair noted that the members were provided with the draft in advance via email, and they have been reviewed. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve the Minutes of March 13, 2025.

Chairperson Enriquez accepted the motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Pangilinan. There was no discussion on the motion, errors, or omissions, Madam Chair put the motion to a vote with all members in favor of approval.

[Motion carried with a vote of 3 ayes, and 0 nays; Minutes of March 13, 2025 were approved]

III. Old or Unfinished Business [None noted.]

IV. New Business

Conditional Use

- A Application No. 2024-30, the Applicant, VG Gozum Construction LLC represented by Daniel D. Swavely, requests a Conditional Use Permit to allow for the operation of a Temporary Workforce Housing Facility within a warehouse, to house up to a maximum of 200 workers, on Lot 5048-4, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

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

Daniel Swavely representing VG Gozum Construction, joined by Kyle Borja. Mr. Swavely remarks that this is another temporary workforce housing facility that remains a popular land use in the Guam land use planning. Mr. Swavely reported that to date, he has completed more than eight facilities, and a few more are in the works. There is still a gap between the number of workforce housing beds and the number of employees for H2 workers on Guam. Mr. Swavely's calculations show that temporary workers are still occupying close to 300 private housing units on Guam with H2 workers, and this is a gap they are working to fill.

This will be VG Gozum's second workforce housing facility, and the Commission previously approved one in the Bello Road area that houses up to a maximum of 200 workers. This new facility is located at Sgambelluri Lane in Upper Tumon.

- Mr. Swavely points out the location of the project site on the vicinity map that was shown on the monitor. The triangle indicated in red points out the location of the site.
- The site is an existing warehouse, and the applicant intends to use about one-third as a warehouse and convert the other two-thirds into workforce housing for a maximum of 200 workers.
- Footprint of the warehouse includes barracks, cafeteria tables, many restrooms, showers, washers and dryers, and several interior recreation facilities, which are required, an internet lounge, a TV lounge, etc.
- On the outside, there are patio benches, barbeque areas, landscaping, egress/ingress, a basketball court, staff parking, and a closed trash receptacle area.
- Mr. Swavely quickly reviewed the process that they had gone through with this application and extended his appreciation to Case Planner Taitano and the staff who had counseled them throughout the process. There are four (4) public hearings for such applications, and they have worked closely with the Municipal Planning Council, which sponsors the public hearings and their regular follow-up meeting. In most cases, for public hearings, they learn issues and concerns from the neighborhood and change the project to address the concerns. They have already accepted the three conditions of approval.
- The first is that they will improve a natural area for a turnaround for emergency vehicles by relocating the perimeter fence to accommodate a turnaround area.
- The second is that there are ten or more abandoned vehicles in a 40-foot right-of-way that the applicant has agreed to remove.
- The third will be to improve the intersection for egress/ingress. The next step is to reach out to the Director of Public Works for approval, and they will work with Public Works on the cost for the improvement.
- Other neighbor benefits: they will upgrade the water line to six inches and place a fire hydrant in the area. GWA is also requiring the applicant to upgrade the wastewater connection, and DPW is requiring them to improve their stormwater retention system.

Mr. Swavely stated that the applicant needs this facility. They have about 250 to 300 employees at present and have petitioned for another 200 workers who are on the way, and are petitioning for another 200 workers. A lot of their work is at Andersen Air Force Base and other Base facilities, to include other businesses on the island.

To conclude, Mr. Swavely comments that the company is growing and asks for the Commission's support in this Conditional Use application.

Chairperson Enriquez turned the floor over to the Commissioners for questions.

Commissioner Flores no comments.

Commissioner Pangilinan no comments.

Chairperson Enriquez turned the floor over to the staff for their report.

Sonny Gogue, Planning read the staff report on behalf of Case Planner Frank Taitano. Ms. Gogue's summarization included the purpose, facts, and application's chronological facts, public hearing results, discussion, and staff analysis to include the site plan, disposal of sewage, access, parking, dimensions of the building, and the impact of the proposed use on adjacent lands, conclusion, staff recommendations and conditions. [For full content/context, see attached report]

Note: In addition to the three conditions on the staff report, Ms. Gogue noted that, at the discretion of the Chief Planner, a fourth condition was added that the TWHF will house a maximum of 200 workers.

[Attachment A – Staff Report dated March 14, 2025]

Chairperson Enriquez turned the floor over to the Commissioners for questions. Noting no questions from Commissioner Flores and Commissioner Pangilinan, Madam Chair opened the floor for public comment.

Public Comment noting no public comment for this application, Madam Chair closed the public comment period and turned the floor over to the applicant's representative for additional comments.

Daniel Swavely remarked that he is always not quite sure what the Planning Staff presents in the staff report. Mr. Swavely is aware that the Commission has a "*Carte Blanche*" approval with ARC recommended conditions.

In this case, there are two agencies' position statements that he is challenging. First is the Bureau of Statistics and Plans concerning several of their conditions of approval, which they have no authority to make such conditions. Mr. Swavely stated that BSP is requiring them to follow guidelines to include one from the Caribbean, etc. Since meeting with Matthew Santos, a revised position statement will be sent, and they have deleted the conditions that the Bureau does not have authority for. He asked that the Commission, in their *Carte Blanche*, of all conditions of approval recommended by ARC except BSP.

The second is from the Department of Agriculture which requires the applicant to do a migratory bird study to ensure that they do not affect migratory flocks in this area. Mr. Swavely stated that this is one of the most developed areas of Guam, and there has been a warehouse at this location

for years, and he could not see how migratory bird studies come into their purview. And another condition is that they replace all of their landscaping with native trees, etc. Mr. Swavely has met with the Director of DoAG who will review the conditions noted on their position statement.

In closing, Mr. Swavely stated that this should be straightened out between the applicant and the regulatory ARC members who just add conditions such as this that they have no authority for or do not pertain to the project. He asked that the Commission's *Carte Blanche* and all ARC position statements, conditions of approval, be the updated statement from BSP, and he will deal with DoAG's statement at the permitting process.

Celine Cruz, Chief Planner reported that Planning has received an updated position statement from BSP, and it is being officially received. Ms. Cruz added that what will be included in the application file is the updated position statement, and when the permit plans are processed, it will be based on the updated statement.

Chairperson Enriquez recognized Case Planner Frank Taitano.

Frank Taitano, Case Planner commented that when the Commission approves an application subject to the conditions of the ARC, the negotiation does not stop, and it continues until the permit is issued. The conditions are reviewed, and the applicant and the government agencies will negotiate or determine, based on the plans and the applicable conditions of their statute, and the conditions of the agencies' approval will be applied to what the Commission has approved, which will always change, and will be monitored by Planning.

[Discussion ensues]

Chairperson Enriquez noted no further discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Flores made a motion to approve Application No. 2024-30 based on the recommendation stated in the March 14, 2025 staff report.

Chairperson Enriquez motion is made by Commissioner Flores and asked for a second.

Celine Cruz, Chief Planner asked that the maker of the motion amend the motion to include the additional condition that states the maximum number of workers of 200.

Commissioner Flores amended her motion to approve the application based on the conditions noted on the March 14, 2025 staff report to include Condition D, that the maximum number of workers to 200.

Chairperson Enriquez accepted the amended motion made by Commissioner Flores and asked for a second.

Commissioner Pangilinan seconds the motion.

Chairperson Enriquez motion is seconded by Commissioner Pangilinan. There was no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval.

[Motion carried with a vote of 3 ayes, and 0 nays; Application No. 2024-30 is approved]

Administrative and Miscellaneous Matters

Horizontal Property Regime

- B. Application No. 1992-56D, the Applicant PIA Marine Condominium Homeowners Association represented by Atty. Terrance Brooks, is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A. Case Planner: Celine Cruz

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

Terrence Brooks [with Mr. Chris Felix, Century 21] Mr. Brooks extended his appreciation to Chief Planner Cruz for assisting with this complicated issue that is before the Commission.

Mr. Brooks explained that the original PIA Marine Condominium consisted of one-half condominiums and one-half hotel. The one-half that was condominium made a 100-percent ownership for half of the building. When the other apartments were converted from a hotel to condominiums, another 100 percent was given to them. They had hoped to consolidate into one condominium with the percentage of ownership divided up into 100; however, Guam Law requires that a consensus of all the homeowners and mortgage holders agree, which was an impossible task.

In working with Chief Planner Cruz, they devised a plan to separate the two 100-percent ownerships into a Phase I and a Phase II. This way, they will be able to keep the ownership interests the same and at the same time allow the condominium to operate under a single HPR and not two separate HPRs.

This request was submitted to solve these issues. Other issues include the commercial space that was not included in the original HPR, and it has been formally recognized as commercial units. Another issue was that there were two units (an office and a gym) in the hotel space when it was converted into condominiums, which were overlooked, and those units have since been converted to condominiums. The updated HPR will show Phase I and Phase II, which have full 100-percent ownership and addresses the commercial units and ownership issues. The condominium will now be operated under one Homeowners Association, which will operate all the condominium units.

Mr. Brooks is asking for the Commission's approval and is prepared to answer any questions from the Commission.

Chairperson Enriquez turned the floor over to the Commissioners for questions.

Commissioner Pangilinan has no questions or comments.

Commissioner Flores has no questions or comments.

Chairperson Enriquez asked if there were restaurants in any of the commercial spaces and if they were managed by the HOA.

Terrence Brooks responded that he believed there was, and that the commercial spaces were owned by the developer, Guam Yamnaol Inc., who continues to pay the utilities and common area fees for the spaces.

Chairperson Enriquez turned the floor over to Chief Planner Cruz for the staff report.

Celine Cruz, Chief Planner read the Commission Brief for Application No. 1992-56D. The applicant is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building.

The applicant intends to consolidate the two HPRs into one HPR, divided into two phases; convert the common area of the existing gym and office into two units to be included into Phase II; update the relationship between the HOA and the developer; remove references to the hotel; formally describe the commercial units within the building; and, formalize the homeowners' previous agreement to operate the condominium under a single HOA. [For full content/context, refer to the attached Brief.]

[Attachment B – Commission Brief dated April 3, 2025]

To conclude, Chief Planner Cruz reported that Planning Staff finds that pursuant to the Hotel Property Act, the request as presented is in good form and context, and therefore recommends approval of the request.

Chairperson Enriquez turned the floor over to the Commissioners for questions [None noted]. Madam Chair asked if this was the first time the Commission had addressed this particular type of application.

Celine Cruz replied that she believed it was, and added that Ladera Towers went through something similar with their HPR, where they withdrew the original HPR and reapplied a few years later. It was withdrawn due to issues between the commercial spaces and the residential spaces. This application is different in the sense that the HOA has incorporated a lot of the basic elements of what is required for an HPR into one single document.

Chairperson Enriquez commented that her only recollection was with Oka Towers, where multiple units were owned by a corporation back in the 80s/90s.

[Discussion ensues]

Chairperson Enriquez opened the floor for public comment on the application before the Commission.

Public Comment [Noting no public comment, Madam Chair closed the public comment period for this application.]

Chairperson Enriquez turned the floor over to the Commissioners and asked for a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 1992-56D based on the April 3, 2025 report and its recommendation.

Commissioner Flores seconds the motion.

Chairperson Enriquez accepted the motion made by Commissioner Pangilinan and seconded by Commissioner Flores. There was no discussion on the motion. Madam Chair put the motion to a vote with all in favor of approval. **[Motion carried with a vote of 3 ayes and 0 nays]**

Conditional Use Renewals

- C. Application No. 2011-09G, the Applicant, Fargo Pacific Inc. represented by Kyle M. Borja, is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5161-1-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone. Case Planner: Frank Taitano

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

Kyle Borja is representing Fargo Pacific Inc. for their 7th annual TWHF renewal for FY2025/2026. Mr. Borja reported that the FPI Village has been in operation for eight years and currently houses 50 workers with a maximum capacity of 90 workers. Fargo currently has twelve active construction contracts for which the workers are authorized, and all the elements of the initial approval of the TWHF are currently functional and permitted.

Chairperson Enriquez turned the floor over to the members for questions. None noted from Commissioner Pangilinan and Commissioner Flores, Madam Chair turned the floor over to staff for their report.

Celine Cruz, Chief Planner reads the Commission Brief dated March 26, 2025. Ms. Cruz reported that the applicant submits its seventh renewal request for its TWHF that is located in Harmon. The facility is to accommodate 648 workers in three fully contained dormitory structures to be constructed in three phases, with a single dormitory structure to be built in each phase.

Phase I will include a single, three-story workers' dormitory structure, access roads, staff and guests, bus parking and delivery truck parking areas, basketball courts, barbeque picnic area, future expansion site, and a security office structure. Phase IA and IB will have 216 occupants, with Phase IA at 54 to 108 occupants and Phase IB at 108 to 162 occupants. To date, only Phase I has been developed.

The applicant, in the submission of this renewal request, states that presently, they have a total of 50 temporary workers on site and submits a copy of the dormitory, sanitary permits, site plan, and photos of the complex. [For full report, please see attachment]

In conclusion, Chief Planner Cruz stated that they have reviewed the applicant's request and, in line with their finding, that the elements of the TWHF as approved by the Commission on February 9, 2017, are still intact, and, recommends the Commission's favorable review of the request with conditions.

[Attachment C – Staff Report dated March 26, 2025]

Chairperson Enriquez questions for staff. Noting no questions from Commissioner Flores and Commissioner Pangilinan, Madam Chair opened the floor for public comment.

Public Comment [Madam Chair noted that there was no public comment, closed the public comment period.]

Chairperson Enriquez there was no further discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2011-09G based on the recommendation as noted in the March 26, 2025 Memorandum.

Commissioner Flores seconds the motion.

Chairperson Enriquez confirms and accepts the motion made by Commissioner Pangilinan and Commissioner Flores. There was no discussion on the motion, Chairperson Enriquez put the motion to a vote with all in favor of approval. **[Motion carried with a vote of 3 ayes and 0 nays]**

- D. Application No. 2000-12J, the Applicant, Reliable Builders, Inc. represented by Kyle M. Borja; is requesting an annual renewal request of a Conditional Use Permit to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

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

Kyle Borja is representing Reliable Builders, Inc. for their tenth annual renewal for its TWHF for FY2025/2026. Reliable Builders has been in operation for fourteen years and currently houses 75 workers and anticipates an increase of 50 workers, bringing the total to 125 by December 2025. Reliable Builders has a maximum capacity of 153 workers at its TWHF, has five active construction projects for which these workers are authorized for and all elements of the initially approved TWHF are functional and permitted.

Chairperson Enriquez turned the floor over to the Commissioners for questions. Madam Chair, Commissioner Flores, and Commissioner Pangilinan had no questions and turned the floor over to the Chief Planner for their report.

Celine Cruz, Chief Planner reads the Commission Brief dated March 26, 2025. Ms. Cruz reported that the applicant, Reliable Builders Inc., submits its tenth annual renewal request to allow for the continued operation of its TWHF to house up to 211 workers, which is located in Tamuning.

The facility is a fully contained, is a thirty-six symmetrical three-bedroom residential units' community to include existing elements for sleeping, restroom and shower facilities, laundry, cooking, security, including fire/medical emergency response capability, recreational facilities, transportation services, stormwater retention system, landscaping, and a 6-foot high perimeter fence.

The applicant, in its annual renewal package, provides a copy of the approved site plan, DPHSS workers' dormitory and sanitary permits, and photos of the complex.

The Planning Staff reported that the applicant continues to coordinate with the permitting agencies and recommends a favorable Commission review of their request with conditions. [For full content/context, please refer to the attached report.]

[Attachment D – Staff Report dated March 26, 2025]

Chairperson Enriquez turned the floor over to the members for questions [none noted] Chairperson Enriquez observed that, looking at the site photos, the compound is very nice

Noting no further comments, opened the floor for public comment.

Public Comment [None noted, Chairperson Enriquez closed the public comment period.]

Chairperson Enriquez there was no additional discussion. Madam Chair was ready to entertain a motion for action.

Commissioner Pangilinan made a motion to approve Application No. 2000- 12J based on the recommendation as noted in the March 26, 2025 Memorandum.

Commissioner Flores seconds the motion.

Chairperson Enriquez confirms and accepts the motion made by Commissioner Pangilinan and seconded by Commissioner Flores. There was no discussion on the motion, Madam Chair put the motion to a vote with all in favor of approval. **[Motion carried with a vote of 3 ayes and 0 nays; request was approved]**

Madam Chair Enriquez turned the floor over to Deputy Director Tiston for additional business or announcements for the Commission.

Rossana Tiston, Deputy Director commented that she had no additional business or announcements for the Commission.

Chairperson Enriquez turned the floor over to Chief Planner Cruz for information on the next GLUC meeting and asked for the availability of the Commissioners to determine a quorum.

Celine Cruz, Chief Planner reported that at this time, Planning was not tracking any applications for the next meeting that is scheduled for Thursday, April 24, 2025; however, she will email the members if that should change.

Chairperson Enriquez acknowledged that the Legislature has voted and confirmed the nomination of Mr. Gerald Yingling to serve on the Guam Land Use Commission.

Celine Cruz informed the Commission that Mr. Yingling is scheduled to be sworn in on April 11th, 2:00 p.m. at the Governor's Conference Room. Ms. Cruz added that the staff has prepared a welcome binder and will obtain his contact information to be included in the Commission's email distribution.

Chairperson Enriquez assumed that he would join the Commission at the next scheduled meeting, to which Ms. Cruz replied, "Yes."

There was no further business for the Commission, Madam Chair asked for a motion to adjourn.

V. Adjournment

Commissioner Flores motioned to adjourn today's meeting

Commissioner Pangilinan seconds the motion

Chairperson Enriquez accepts the motion made by Commissioner Flores and seconded by Commissioner Pangilinan. Madam Chair put the motion to a vote with all in favor of adjournment.

The regular meeting of the Guam Land Use Commission for Thursday, April 10, 2025 adjourned at 2:23 p.m.

Approved by:

Date approved:


Anita B. Enriquez, Chairperson
Guam Land Use Commission

6-12-25

Transcribed by:


M. Cristina Gutierrez, Recording Secretary



GUAM LAND USE COMMISSION

Chairperson Anita B. Enriquez
Vice Chairman Nonito V. Blas, Jr.
Commissioner Leilani R. Flores

Commissioner Ronald C. Pangilinan
Commissioner (Vacant)

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

AGENDA

Thursday, April 10, 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 – April 3rd, 2025 & April 8th, 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, March 13, 2025

III. Old or Unfinished Business [None]

IV. New Business

Conditional Use

- A. Application No. 2024-30, the Applicant, VG Gozum Construction LLC represented by Daniel D. Swavely; requests a Conditional Use permit to allow for the operation of a Temporary Workforce Housing Facility within a warehouse, to house up to a maximum of 200 workers, on Lot 5048-4, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

V. Administrative & Miscellaneous Matters

Horizontal Property Regime

- B. Application No. 1992-56D, the Applicant, PIA Marine Condominium Homeowners Association represented by Atty. Terrance Brooks; is requesting to amend its existing HPR for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A.
Case Planner: Celine Cruz

Conditional Use – Renewals

- C. Application No. 2011-09G, the Applicant, Fargo Pacific Inc. represented by Kyle M. Borja; is requesting an annual renewal of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5161-1-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

- D. Application No. 2000-12J, the Applicant, Reliable Builders, Inc. represented by Kyle M. Borja; is requesting an annual renewal request of a Conditional Use Permit, to allow for the continued operation of its Temporary Workforce Housing Facility, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
Case Planner: Frank Taitano

VI. Adjournment

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



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

March 14, 2025

Memorandum

To: Chairperson, Guam Land Use Commission
From: Guam Chief Planner
Subject: Staff Report - Application No. 2024-30, Conditional Use Application

1. PURPOSE:

a. Application Summary: VG Gozum Construction, LLC, represented by Mr. Daniel D. Swavely, is seeking approval for a Conditional Use Permit to establish a Temporary Workforce Housing Facility (TWHF) on Lot 5048-4, Municipality of Tamuning.

b. Legal Authority: This request is made under Title 21, GCA (Real Property), Chapter 61 (Zoning Law), Section 61303 (Conditional Use), and Section 61309(c) (Policy for Workforce Housing Facilities for Temporary Workers).

2. FACTS:

- a. Location:** The property is located at the end of Sgambelluri Lane in Upper Tumon.
- b. Lot Area:** 4,350 square meters (46,823 square feet).
- c. Current Zoning:** "M-1" (Light Industrial) Zone.
- d. Existing Structure:** The site is currently developed with an existing warehouse.
- e. Masterplan:** Mixed Use - North, Central Land Use Plan.
- f. Community Design Plan:** Medium-High Density Urban Residential.

g. **Previous Commission Action:** None.

3. APPLICATION CHRONOLOGICAL FACTS:

- a. **Application Accepted:** May 29, 2024
- b. **ARC Hearing Date:** July 2, 2024
- c. **Public Hearing Results:** January 14, 2025 (**See Attachment "A"**)

Note: A letter of opposition from Grace Russell, dated December 31, 2024, was received in response to the public hearing notification. In addition, concerns were raised regarding Sgambelluri Lane's ability to accommodate emergency vehicles. The applicant has committed to consulting with the Fire Bureau, the Department of Public Works, and the Mayor's Office to address these concerns. They will also present these issues during the Tamuning Municipal Planning Council (TMPC) public hearings.

4. DISCUSSION and STAFF ANALYSIS:

The applicant seeks approval to establish a Temporary Workforce Housing Facility (TWHF) on Lot 5048-4 in Upper Tumon. The property is zoned "M-1" (Light Industrial) and is currently developed with a warehouse.

The TWHF is permitted as a conditional use under Section 61309(c) of Chapter 61, Title 21 GCA, provided the applicant meets the requirements for site plan approval. These requirements include, but are not limited to, sewage disposal, access, parking, structural dimensions, impact on neighboring properties, and any covenants or performance standards necessary for the development.

The Commission must also assess the impact of the proposed facility on public health, safety, and general welfare. Below is a detailed analysis:

SITE PLAN

As shown in Exhibit "4" (Master Plan), the proposed TWHF will be located within an existing warehouse. The facility is designed to house up to 200 workers and will include the following amenities:

- Sleeping quarters, toilet and shower facilities, laundry services, food service, security, medical care, transportation, and both active and passive recreational spaces.

- Additional features include an enclosed solid waste structure, parking for regular vehicles and vans, landscaping, a covered BBQ area, a half-basketball court, and a recreational garden.
- A six-foot perimeter fence and a stormwater mitigation system will also be installed.
- The remaining 7,910.82 square feet of the warehouse will continue to function as a warehouse.

DISPOSAL OF SEWAGE

The facility will be connected to the public sewer system, and the applicant has received a position statement from the Guam Waterworks Authority (GWA) confirming this arrangement.

STRUCTURAL LOCATIONS and DIMENSIONS OF BUILDINGS

The existing warehouse measures 165 feet by 143.66 feet, totaling 23,703.9 square feet. The proposed TWHF will occupy 15,793.08 square feet on the ground floor. A mezzanine of 12,678.88 square feet will be added to the structure, increasing the total size of the TWHF to 28,471.96 square feet. The remaining space of 7,910.82 square feet will remain a warehouse.

ACCESS

Access to the site is provided by Sgambelluri Lane, a 40-foot-wide easement that connects to Marine Corps Drive.

PARKING

The facility will provide five parking spaces, including two for vans, two for cars, and one ADA-compliant space.

IMPACT OF THE PROPOSED USE ON ADJACENT LANDS

The applicant has worked with various government agencies and local entities to address potential impacts on neighboring properties. The following measures have been proposed:

- Water and Sewer Demand: The facility will be connected to the public water and sewer systems. A water and sewer demand analysis has been submitted, and the applicant has received GWA's position statement outlining requirements for water, sewer, and wastewater pre-treatment.
- Power Supply: The Guam Power Authority (GPA) has confirmed that the existing infrastructure is insufficient to support the project. The applicant must meet GPA's infrastructure requirements.

- Health, Safety, and Welfare: The applicant has committed to providing medical services, security, janitorial and landscaping services, food services, and transportation for the residents. A traffic impact analysis has also been submitted. Additionally, the TWHF will include a laundry area and recreational facilities.
- Access for Emergency Vehicles: In response to concerns about Sgambelluri Lane's suitability for emergency vehicles, the applicant has consulted with the Fire Bureau and Department of Public Works. The Tamuning Municipal Planning Council (TMPC) has granted Resolution 2025-002, approving the application with three conditions.
- Stormwater Management: The existing stormwater retention system on site will manage runoff, and landscaping will further reduce heat and runoff while enhancing the aesthetic value of the facility.

ACCOMPANYING COVENANTS THAT MAY INCLUDE PERFORMANCE STANDARDS

The applicant has provided a set of House Rules (Exhibit "7") outlining security and safety practices, including access and exit procedures, and personal conduct codes for residents. Any future amendments to these rules must be incorporated into the Workforce Housing Facility Rules and Regulations.

CONCLUSION

Based on the applicant's compliance with zoning laws, the positive outcome of the public hearing, the TMPC's approval, and feedback from relevant agencies, the proposed use aligns with the community's existing and future land uses. The applicant has committed to ongoing consultations with government agencies to ensure compliance with all requirements.

5. RECOMMENDATION: We recommend **Approval with Conditions** as follows:

- A. The applicant must adhere to the conditions and requirements outlined in the ARC permitting agencies' official position statements.
- B. The initial approval shall be granted for 24 months, subject to annual renewal in accordance with Section 61309(c)(4)(B)(i) of Title 21 GCA.
- C. The applicant must comply with the conditions outlined in the TMPC Resolution 2025-002.



Celine L. Cruz

CASE PLANNER: F. TAITANO

Attachments: ARC Memo to GLUC Members
Public Hearing Minutes
TMPC Resolution No. 2025-002

PUBLIC HEARING MINUTES
Tuesday, January 14, 2025, 6:00 p.m.
Tamuning Senior Center

APPLICATION NO. 2024-30

APPLICATION TYPE: Conditional Use

APPLICANT/ REPRESENTATIVES: VG Gozum Construction/ Daniel D. Swavely

LOT: 5048-4

CALLED TO ORDER: 6:07 p.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, Daniel D. Swavely for his presentation. After his presentation, the applicant's representatives responded to the following public attendee's questions and concerns.

1. Vice Mayor Albert Toves: For the existing warehouse, will the infrastructure impact the neighborhood?

Dan Swavely: They have conditions imposed from the ARC members, for example we would need to upgrade to connect to a 6-inch water line and put in a new fire hydrant. The current waste water size is undersized and GWA is requiring us to increase the wastewater line. It will be upgraded and accommodated on either Route 16 or via Route 1. There will be no storm water run-off.

2. Vice Mayor Albert Toves: There's been complaints from the neighbors in that area about the warehouses having no storm drains. Those complains include the infrastructure problems.

Dan Swavely: It's a conditional of approval. The permit will not be signed unless Gozum complies with the ARC conditions. A beneficial occupancy permit will not be issued.

3. Vice Mayor Albert Toves: There will be a problem if the storm drain will not be addressed.

Dan Swavely: The neighborhood will definitely benefit from the infrastructure improvements. The minimum water line is always 6 inches, so this will be an upgrade.

4. Dan Tinsay: Where is the site? Did you do a traffic impact study? Sgambelluri Road is narrow.

Dan Swavely: Yes, the traffic and water impact studies have been done.

5. Dan Tinsay: Will there be buses transporting the workers?

Dan Swavely: Hopefully not buses. Maybe the 12 or 16 passenger vans.

6. Dan Tinsay: Sgambelluri Road is very narrow. How will the bus turn around?

Dan Swavely: It will definitely not be buses. It will be passenger vans.

7. Dan Tinsay: What are the work hours? 7-12?

Public Hearing Minutes: CU 2024-30

Page 2 of 3

Dan Swavely: The work schedule isn't certain yet. Usually there will be vendors who will provide meals and snacks. Practicality with the meals and logistics will probably be 8 am or 8:30 am.

8. Dan Tinsay: You don't anticipate any improvements on Sgambelluri Road?

Dan Swavely: No, there was no condition for that?

9. Albert Manibusan: Are there any plans to connect through Sunrise Road?

Dan Swavely: The rear area is private land. No plans yet.

10. Dan Tinsay: What's the top off or occupancy for the number of workers?

Dan Swavely: It depends on the contract. You need a contract first before the workers arrive.

11. Dan Tinsay: What is the timeline of the project? 2026?

Dan Swavely: Possibly. The design can't start until the GLUC approves the application. The design takes an estimated 60 days.

12. Albert Manibusan: What is temporary? As in 8-10 years for the warehouse?

Dan Swavely: Temporary for the temporary workforce housing facility. After the workers and the contract, the building will revert back to a warehouse.

13. Albert Manibusan: There's only one way in and one way out. Did GFD see this project?

Dan Swavely: GFD saw the application.

14. Albert Manibusan: You changed from commercial to warehouse. There's a single house nearby and across the warehouse. I'm just concerned about the safety. GFD only has one way in and one way out. How will the fire truck or medic fit and pass through?

Dan Swavely: (explained the layout and site plan of the site and indicated the possible location for the fire hydrant).

15. Albert Manibusan: How are you widening the road? Will the land be taken from the neighbors?

Dan Swavely: The road is already 44 feet wide. The road or easement won't be widened but the pavement will be widened.

16. Albert Manibusan: I just want GFD to see if it's ok for that access.

Dan Swavely: I will take it to GFD for their review and if they approve it or prove conditions.

17. Vice Mayor Albert Toves: Is it possible to provide an alternative emergency exit?

Dan Swavely: If any private land owners will allow it. There's a possibility if the private landowners are willing. There's also a hundred cul-de-sacs that are also one way in and one way out.

18. Vice Mayor Albert Toves: Well, that's for residential, this will project will be for a commercial warehouse.

Public Hearing Minutes: CU 2024-30
Page 3 of 3

Dan Swavely: If the neighboring land owners are willing to negotiate, it's possible.

19. Albert Manibusan: If you do connect to Sunrise Road, it's still a narrow road. If you pass, you have to stop and let the other cars pass. What about the south side at the blue roof (end of Sgambelluri Road).

20. Dan Tinsay: Is Sgambelluri a public road?

Dan Swavely: Yes, it's a public access and utility road.

21. Dan Tinsay: It's a narrow road for the vans and trash etc.

Dan Swavely: An option is to flare out but from Wendy's, but that's private land. We're willing to work with the neighbors for improvement. I'm willing to work with DPW and GFD but I'd like intervention from the Mayor's Office.

22. Chief Planner Celine Cruz explained the housing for temporary workers in housing arrangements such as apartments, condos, or single-family homes and the purpose of the conditional use application to allow the temporary workers to be contained in one location in a temporary workforce housing facility rather than occupying separate housing and being spread out.

23. Vice Mayor Albert Toves: The change of occupancy instead of a warehouse to multiple dwelling for temporary workers. The infrastructure just needs to be in place. If there is a backup or outage, there will be a war.

Dan Swavely: The infrastructure will be improved. The occupancy permit will be withheld unless the infrastructure will be improved. .

MEETING ADJOURNED: 6:58 p.m.

December 31, 2024

Guam Chief Planner
Chairperson, GLUC or Executive
Secretary, GLUC
c/o Dept. of Land Management
Land Planning Division



Dear Ms. Cruz:

I, Grace Russell, I am a property owner next to Lot 5048-4, Municipality of Tamuning.

Recently, I received a notice of a proposal to obtain a conditional use for Lot 5048-4 Temporary Workforce Housing Facility (TWHF) on said property to house approximately 200 workers.

For personal and economic reasons, I strongly opposed this proposal.

Sincerely,


GRACE RUSSELL



TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2025 - 002

Melissa S. Akimoto
John T. Brown
Antonio R. Charlauros
Michael G. Lastste

Rosanne U. Lastmoza
Albert T. Marubusan
William D. Nault
Gregory D. Perez

Faustino P. Punzalan
Dean J. Taitague
Dante V. A. Tinsay
Chair Mayor Louise C. Rivera
VM Vice Chair Albert M. Torres



Relative to
A Resolution of the Tamuning-Tumon-Harmon Municipal Planning Council, Territory of Guam,
Recommending Approval with Conditions for the VG Gozum
Temporary Workforce Housing Facility at Sgambelluri Lane, Upper Tumon
GLUC Application No. 2024-30

BE IT RESOLVED BY THE MUNICIPAL PLANNING COUNCIL OF TAMUNING-TUMON-HARMON:

WHEREAS, the Department of Land Management conducted a duly-noticed public hearing for GLUC Application No. 2024-30 on January 14, 2025; and

WHEREAS, the Tamuning-Tumon-Harmon Municipal Planning Council conducted a duly-noticed public hearing for GLUC Application No. 2024-30 on February 06 and on March 06, 2025; and

WHEREAS, the Tamuning-Tumon-Harmon Municipal Planning Council convened its duly-noticed Regular monthly meeting on Thursday, March 6 during which agenda item IX, Old Business, #2 called for discussion and a vote for a Resolution regarding GLUC Application No. 2024-30; and

WHEREAS, at that Regular Meeting the Council discussed GLUC Application No. 2024-30 and three conditions, namely:

- a. That VG Gozum provide for a turn-around, acceptable to the Guam Fire Department, for GFD vehicles at the end of Sgambelluri Lane, such turn-around to utilize available Sgambelluri Lane ROW plus a portion of the VG Gozum parking lot, as necessary; and
- b. That VG Gozum be responsible for removal of the abandoned vehicles along Sgambelluri Lane; and
- c. That VG Gozum continue to coordinate with the DPW Rights-of-Way Division to widen the ingress and egress at the intersection between Sgambelluri Lane and Marine Corps Drive, as may be permitted within the Marine Corps Drive right-of-way.

TAMUNING MUNICIPAL PLANNING COUNCIL
Regular Monthly Meeting
Resolution No. 2025 - 002



NOW, THEREFORE, BE IT RESOLVED, that the Tamuning-Tumon-Harmon Municipal Planning Council voted unanimously to recommend approval of GLUC Application No. 2024-30 with the above three Conditions of Approval.

DULY AND REGULARLY ADOPTED ON THE 06th DAY OF MARCH, 2025.

LOUISE C. RIVERA
Mayor and Chair

ALBERT M. TOVES
Vice Mayor and Co-Chair

DANILO V.A. TINSAY
MPC Member and Council Secretary

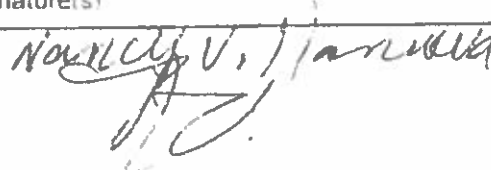
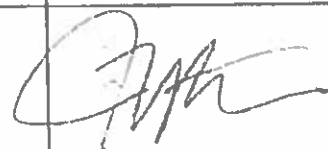
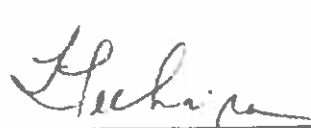

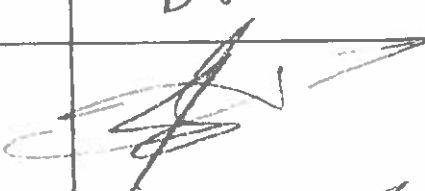
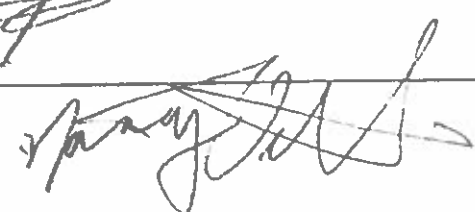


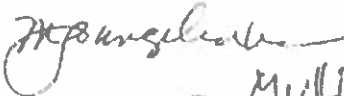

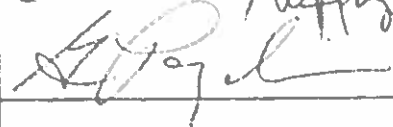



To Chairperson, Guam Land Use Commission, Guam Department of Land Management
From Property Owners of Techaira Street, Magat, Mangilao, Guam

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.

Sincerely,

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

176 Techaira Street	Ragotz ^{a/24/25}
177 Techaira Street	
184 Techaira Street	  
190 Techaira Street	
195 Techaira Street	
197 Techaira Street	 GLORIA R. HUGHES
201A Techaira Street	
201 Techaira Street	
192 Techaira Street	Carlos M Cruz Jr February 19, 2025 

199 Techaira st.

208 Techaira Street	Victoria L. Concepcion <i>Victoria L. Concepcion</i>
218 Techaira Street	
220 Techaira Street	



DIPATTAMENTON 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

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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

March 14, 2025

Memorandum

To: Guam Land Use Commission (GLUC) Members
From: Chairperson, Application Review Committee (ARC)
Subject: Summary of Positions Submitted by ARC
Re: Application No. 2024-30 (Conditional Use)

Listed below is the compilation of positions taken by the various ARC member agencies as submitted to the Planning Division, Department of Land Management. Conditions as imposed by the ARC member agencies, if any, are listed on their attached position statement.

DEPARTMENT OF LAND MANAGEMENT (DLM):

DLM recommends approval with the following conditions:

- A.** That the applicant adhere to the ARC permitting agencies' conditions and requirements stipulated on their official position statement; and,
- B.** That this initial approval shall be Twenty-Four (24) Months and therefore shall be renewed annually pursuant to Section 61309 (c)(4)(B)(i), Chapter 61, Title 21 GCA.

DEPARTMENT OF PARKS AND RECREATION (DPR):

DPR will have no objections to the approval of the Conditional Use application.

GUAM POWER AUTHORITY (GPA):

GPA has no objection to the request, subject to the conditions on their position statement.

DEPARTMENT OF AGRICULTURE (DoAg):

DoAg does not oppose the request of the Conditional Use application, subject to the conditions on their position statement.

Memo to GLUC Members

Ref: ARC Position Statements - Application No. 2024-30

March 14, 2025

Page 2 of 2

BUREAU OF STATISTICS AND PLANS (BSP):

BSP recommends approval of the Conditional Use application based on the aforementioned conditions on their position statement.

GUAM WATERWORKS AUTHORITY (GWA):

GWA supports the Conditional Use permit, subject to the conditions on their position statement.

GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA):

GEPA approves the application with conditions as stated on their position statement.

DEPARTMENT OF PUBLIC WORKS (DPW):

DPW has no objection to the request, subject to the conditions on their position statement.

GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA):

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

GUAM FIRE DEPARTMENT (GFD):

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

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

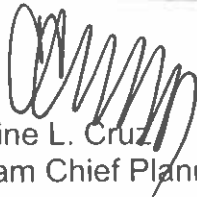
Ex-Officio, non-voting member, not required to submit Position Statement.

GUAM PUBLIC SCHOOL SYSTEM (GPSS):

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

DEPARTMENT OF CHAMORRO AFFAIRS (DoCA):

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



Celine L. Cruz
Guam Chief Planner

Attachments: ARC Position statements

CC: Executive Secretary, GLUC



GUAM WATERWORKS AUTHORITY

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

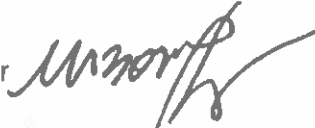


MEMORANDUM

August 30, 2024

TO: Joseph Borja, Director, Department of Land Management

CC: Mayor Melissa B. Savares, Municipality of Dededo
(melissa.savares@gmail.com)

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

SUBJECT: Position Statement on Conditional Use Application 2024-30 for Lot 5048-4 in the Municipality of Dededo

APPLICANT: VG Gozum Construction LLC

The Guam Waterworks Authority (GWA) has reviewed the applicant's request for a Conditional Use Permit to develop a Temporary Workforce Housing Facility for 200 workers, and storage proposed within the existing warehouse on an M-1 zoned property.

This memorandum shall serve as GWA's position statement for the Conditional Use application related to the availability of water and sewer infrastructure to serve the Dededo 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 GWA account number 2462502712 for the subject project is currently classified as Commercial I with meter number 7006163, was opened on March 11, 2024. With the proposed Temporary Workforce Housing Facility for 200 workers and storage proposed within the existing warehouse, the classification will change to Commercial II, which includes establishments with higher water demand.

GWA provides water service to the existing structure. However, the existing warehouse is verified to be connected to a septic tank even though public sewer is located approximately 145 feet away on Sunrise Street to the south and 325 feet away on Tulip Street to the east. GWA supports the conditional use permit with the following conditions:

T. Froull
CMM
11-27-24

1. 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.
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 must include water and sewer design calculations, along with complete drawings and specifications signed and stamped by a Professional Engineer licensed in Guam. Design calculations should cover proposed water demand, including fire-flow, and sewer production, adhering to GWA standards and requirements.
3. Water System: The subject property is currently connected to GWA's existing water system via a 1-1/2-inch meter located on Sunrise Street. Per GWA regulations the meter must be relocated to Sgambelluri Street, within the right of way in front of project lot 5048-4, and upgraded to a larger meter if necessary to meet the project's increased water demand. Additionally, a new 6-inch lateral water line must be installed, extending from the project lot along Sgambelluri Street to connect to an existing 6-inch water main approximately 150 feet from the intersection of Sgambelluri Street and Marine Drive.
4. If off-site water and sewer infrastructure improvements are installed by the applicant, 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 expense of the applicant. GWA's approval of the occupancy permit application will be contingent upon the completion of offsite utility improvements.

Regarding the sewer system, the existing warehouse on the property is currently connected to a septic tank. However, due to the anticipated higher wastewater demand from the proposed development, the system must be connected to the public sewer in compliance with the regulations outlined in 22 GAR – GEPA DIV. V - CONNECTION TO PUBLIC SEWER REGULATIONS. Specifically, Regulation §25109(a)(2) mandates that existing buildings, including commercial businesses, must connect to the public sewer if they are less than 200 feet away and are remodeled or extended in a manner that increases sewage flow.

5. The applicant shall install GWA water meters and sewer cleanouts for government use in the public right of way or easement, in accordance with GWA standards. If existing sewer cleanouts are present, they were not visible on the public right-of-way fronting the subject lot. If the applicant requests that GWA service the portion of the sewer lateral located on the public right-of-way, then the applicant will be responsible for identifying the location of any existing cleanouts on the public right-of-way or installing sewer cleanouts in accordance with GWA standards and requirements.

Regarding the water meter, please indicate in your design plans if the current water meter will be used as the master meter for the proposed development. If you are planning to modify or install new meters, these changes should be reflected in your plans and calculations.

6. The applicant 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.
7. 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.
8. Currently, there is no fire hydrant along Sgambelluri Street, so it is specifically recommended to install a wet barrel fire hydrant near the project warehouse. This, along with the installation of a fire hydrant or tank/pump system at the proposed development on Lot 5048-4, is strongly recommended to enhance fire safety. Given the expected occupancy of 200 people, these measures will ensure compliance with local regulations, address safety concerns, and safeguard the well-being of all occupants during emergencies.
9. Backflow prevention devices are required for non-residential activities, or when a development will be served by a master meter in accordance with GWA standards.
10. New development is subject to water and/or sewer system development charges.
11. 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.
12. 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.

13. 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 Brian Hess, P.E., GWA Permits and New Area Development Supervisor (#671-300-6041 or bhess@guamwaterworks.org) for water and sewer system standards or additional information.

**BUREAU OF
STATISTICS AND PLANS**
Sagan Planu Siha Yan Emfotmasion

August 2, 2024

Memorandum

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

From: Director, Bureau of Statistics and Plans

Subject: Application No. 2024-30 Conditional Use
Location: Lot 5048-4
Municipality: Tamuning
Applicant: VG Gozum Construction LLC
Proposed Use: Temporary Workforce Housing Facility



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, VG Gozum Construction LLC, is submitting a Conditional Use application to allow for the construction of a Temporary Workforce Housing Facility (TWHF) within the M-1 "Light Industrial" zoned subject lot. The subject property is located within the municipality of Tamuning and contains a land area of 4,350 square meters or approximately 1 acre. The TWHF is proposed to house a maximum of 200 workers within an existing warehouse structure. The applicant intends for the TWHF to occupy 2/3 of the warehouse. The remainder of the warehouse will remain to be used as a warehouse. The structure will be reverted in-whole to a warehouse, after the workforce housing accommodations are no longer needed. Power, water, and sewer are directly available and connected.

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-content/uploads/2017/01/EO-78-37-Guam-Land-Use-Policies.pdf>

To: [Handwritten signature]
[Handwritten signature]
8-13

Planning Considerations and Constraints

A. Surrounding Zone and Land Use Characterization

The subject lot is located on Sgambelluri Lane, behind Wendy's in Upper Tumon. Land use within the immediate surrounding area comprises a mix of single family and multi-family residences, commercial and light industrial activities, and some undeveloped land.

The subject lot is located in a "Commercial"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. "Commercial lands are those designated primarily for retail businesses and services located near arterials or major transportation centers. Examples of such uses may include major retail uses, large office developments, medical and other service uses, and a mix of other commercial uses that serve the island. Non-commercial uses should be discouraged except for public facilities that are compatible with the surrounding area. Commercial areas may include mixed use development, including residential where appropriate."⁵

As the Zoning Law restricts the development and operation of TWHF to only M1 properties, and the proposed conditional use conforms with the zoning law, the proposed TWHF is appropriate for the mixed use development that may be included in the commercial designated areas under the NCGLUP.

B. Geographical Landscape Assessment Based on Watershed

The subject lot is in the Northern Watershed and above the Northern Guam Lens Aquifer. According to the National Oceanic and Atmospheric Administration's Coastal Change Analysis Program (CCAP) land cover data, the surface area of this watershed has changed by 12.11% from 2005 to 2015.⁶

Regarding development impacts, as of 2015 land cover data, 30.6% of the watershed was developed, and 15.78% comprised 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 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.

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.

⁴ Public Law 30-224 §, Section 4 (2010). https://guamlegislature.com/Public_Laws_30th_PL_1_2010-2014/20SB11/20No_20462-10/20462-11.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). 2-2

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 July 2024 at <https://coast.noaa.gov/ccapatlas/>

⁷ Ibid

Land cover within the subject lot is impervious surface from the existing structure occupying the majority of the area and the remainder of the lot being concrete pavement. The proposed development is not expected to change the existing landscape as the proposed TWHF will be within the existing warehouse structure.

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:

Sustainable Community Development: Policy LU-5 works to “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.”⁸

Determination of Effects: Yes

The proposed development would allow for the applicant to incorporate some of the aforementioned sustainable measures into the design and construction of the project.

Condition: The applicant must incorporate green building concepts and sustainable community designs in the design and construction phase of the project. Incorporate the use of alternative power sources, such as solar powered street lights, water heating, and air-conditioning, and other uses of renewable power sources.

Condition: The applicant must replicate the native forests through propagation and outplanting throughout open spaces of the property. The applicant must coordinate with the Guam Department of Agriculture for the use of preferred native tree species.

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.⁹

Determination of Effects: Yes

The proposed development has the potential to adversely impact air quality.

Condition: Incorporate Best Management Practices (BMPs) during any future construction 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.

⁸ ICF International. North and Central Guam Land Use Plan (2009) 2-5

⁹ Guam Land-Use Policies, Executive Order 78-37 (1978): 3.

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.¹⁰

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.¹¹

Policy NS-17 “Protect groundwater recharge areas and stream conservation areas from urban and saltwater contamination using the following approaches:

- e. Use of green street design principles, which emphasize low maintenance, stormwater management, aquifer recharge, beautification, and neighborhood collaboration and pride;
- f. Limit building and parking footprints and use alternative surface/paving designs to reduce thermal pollution, promote groundwater recharge, and preserve space for landscaping;
- g. Use of percolation ponds and other low maintenance systems on large-scale development sites overlying recharge areas. Require that large scale and regional stormwater management plans and designs do not result in the transfer or movement of water from immediate area recharge to sub-basins. There should be no new nonpoint or point source pollution discharges as part of this redevelopment.”¹²

Determination of Effects: Yes

Stormwater and wastewater from the site will contribute to the cumulative negative impact on the water quality within the Northern Watershed and the Northern Guam Lens Aquifer.

Condition: The applicant shall ensure to coordinate with GWA to ensure the existing sewer infrastructure or any required improvements are adequate to serve the significant increase of use from the TWHF. The applicant must comply with CNMI and Guam Stormwater Management Manual¹³ standards and implement Island Best Management Practices specifications. Concepts, design and performance standards can be found in the GCMP publications 1) Island Stormwater Practice Design Specifications Manual¹⁴ and 2) Stormwater Management in Pacific and Caribbean Islands: A Practitioner’s Guide to Implementing LID¹⁵.

Determination

¹⁰ Ibid

¹¹ ICF International North and Central Guam Land Use Plan. (2009) 5-2

¹² Ibid, 5-5

¹³ 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-content/uploads/2020/07/StormwaterManual-Volume1-Final.pdf> Volume 2: <https://bsp.guam.gov/wp-content/uploads/2020/07/StormwaterManual-Volume2-Final.pdf>

¹⁴ 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/project/1906-island_swm_specs_supplement_cnmi_guam_design.pdf

¹⁵ 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

Pursuant to Executive Order 96-26, Appendix A § 700 (g), the Bureau hereby recommends approval of the conditional use 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'.

A handwritten signature in black ink, appearing to read 'Matthew C. Santos', with a stylized flourish at the end.

MATTHEW C. SANTOS
Acting Director



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

Date: June 12, 2024

Subject: Position Statement for "Conditional Use," Application 2024-30, for a Warehouse and Temporary Workforce Housing Facility in a Light Industrial (M-1) zone on Lot 5048-4, located along Sgambelluri Lane, Upper Tumon (VG Gozum Construction LLC)



Digitally signed by Chelsa D. Muña
Date: 2024.06.12 16:20:21
+1000

The Department of Agriculture (DOAG) reviewed Application 2024-30 for a "Conditional Use" on Lot 5048-4 along Sgambelluri Lane, Upper Tumon, to allow for 2/3rds of the existing warehouse to be used as a temporary workforce housing facility for a maximum of 200 workers on the 46,823 square feet property. The subject lot is M-1 zone, with existing structure.

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

1. Biosecurity:

A biosecurity plan must be developed and implemented. Biosecurity plan must address avoidance and management of the spread of the Little Fire Ants and other noxious species that impacts the ecosystem, economy, and agriculture. VG Gozum Construction and their contractor must consult with DOAG's Biosecurity Division (biosecurity@doag.guam.gov) to finalize an effective plan to manage invasive species on the subject lot and preventing the spread of unwanted pests.

2. Aquatic and Wildlife Resources:

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.

Conservation Measures for the Construction, Operations, and Maintenance on Lot 5048-4 must be developed and implemented to prevent impacts and/or off set impacts to these protected species. VG Gozum Construction (and their contractor/s) must consult with DOAG's 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.

Frank
CMM
6/14/24

RECEIVED
By Cristina at 10:52 am, Jun 14, 2024

9

3. Animal Health:

With the ongoing challenges of stray animals on Guam, DOAG's Animal Health Division may be reached at quarantine@doag.guam.gov to provide preventative measures and guidance addressing pets and stray animals on the property.

DOAG does not oppose the request of the "Conditional Use," application 2024-30, however, the landowner must adhere to the conditions listed above, moving forward. If you have any questions or concerns, please contact Mr. Jeffrey Quitugua at Jeffrey.Quitugua@doag.guam.gov or permits@doag.guam.gov.



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

Department of Parks and Recreation
Dipattamenton Plaset yan Dibuetision
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

June 12, 2024

In reply refer to:
RC 2024-0326

Memorandum

To: Director, Department of Land Management

From: Acting Director, Department of Parks and Recreation


Subject: The applicant, VG Gozum Construction LLC propose a Conditional Use on Lot 5048-4 in the Municipality of Tamuning for a warehouse and temporary workforce housing facility. DLM No. 2024-30

We reviewed the subject request for a Conditional Use on Lot 5048-4 in the Municipality of Tamuning for a warehouse and temporary workforce housing facility. DLM No. 2024-30. The subject Lot has an overall size of 1.0 acres.

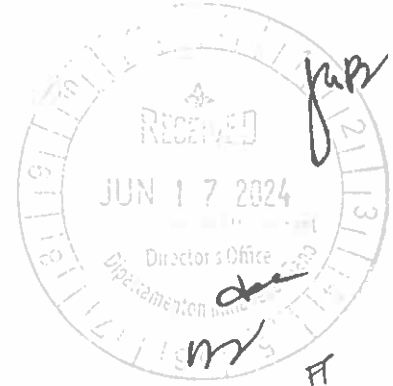
Our office has concluded our review and will have No Objection with the Approval of this Conditional Use application.

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


Patrick O. Lujan
State Historic Preservation Officer



Frank
6-20-24
Cristina

RECEIVED

By Cristina at 10:50 am, Jun 14, 2024

CR



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

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



public works
DEPARTAMENTON CHU'CHO SUPLENGO
VINCENT P. ARRIOLA

Director

LINDA J. IBANEZ

Deputy Director

ERNEST G. CANDOLETA, JR.

Deputy Director

30 JUL 2024

MEMORANDUM

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

FROM: Deputy Director

APPLICANT: VG Gozum Construction LLC
Application No.: 2024-30

SUBJECT: (Zoned M-1) Conditional Use Permit Application for Temporary Workforce Housing Facility, Lot 5048-4, Tamuning, Guam

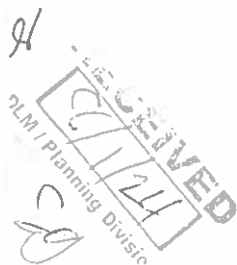


The applicant, is requesting a conditional use permit application for a warehouse and temporary workforce housing facility for additional H2B workers. The intent of this housing is to accommodate the 200 workers arriving in Guam that will augment the construction labor resources. The land is approximately 46,823.00 square feet or 4,350 square meters located in the Municipality of Tamuning.

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

All temporary work force housing conditions for approval shall include the following:

- Approval shall be for initial term of twenty four (24) months, and thereafter and shall be renewed annually.
- Ingress/ egress must be wide enough for incoming/ outgoing vehicles.
- The building to house the H2B workers must ensure their protection, safety and welfare.
- Must comply with all health and safety regulations of the Government of Guam and the OSHA regulations as applicable
- Shall provide onsite storm drainage disposal system design plan to be supported with calculations.
- Must be served by an adequate sanitary system.
- Provide a closet for each occupant (H2 workers) and must have their own key to store their valuables.



To: Frank
8.5.24

- Parking layout and parking stalls (compact, standard, bus parking) and accessible stalls must meet the American Disability Act (ADA) requirements.
- Must include a development plan indicating specific design parameters for sleeping area, toilet/shower facilities, laundry services, food services, security, medical care, transportation services and recreation areas.

NOTE: 1) All housing facilities for temporary workers must comply with Federal and Government of Guam Regulations.
2) Provide a full Traffic Impact Analysis prior to issuance of any DPW Permits for Workforce Housing Applicants.

Should you have any questions, please contact the Division of Capital Improvement Projects @ (671) 646-3131.



ERNEST G. CANDOLETA, JR.
Acting Director



GUAM POWER AUTHORITY

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

June 17, 2024

MEMORANDUM

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

From: General Manager

Subject: Lot 5048-4, Municipality of Tamuning, (VG Gozum Construction LLC); Conditional Use Application for a Warehouse and Temporary Workforce Housing Facility. Application No. 2024-30

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. 57144 & 550558.
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/rt

C8

TU: Frank
6-25-24

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
Applicant: **VG Gozum Construction LLC**
Location: **Lot 5048-4, Tamuning**
Type of Application: **Conditional Use**
GLUC/GSPC Application No. **2024-30**
Brief Project Description:
For a Warehouse and Temporary Workforce Housing Facility.

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.

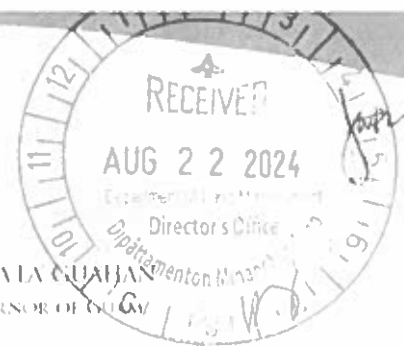

JOHN M. BENAVENTE, P.E.
General Manager

6/21/2024

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.



GUAM ENVIRONMENTAL PROTECTION AGENCY • AÑENSIÓN PROTETSIÓN TINELA GUAHAN
LOURDES A. LEON GUERRERO • GOVERNOR OF GUAM | JOSHUA L. TENORIO • LIEUTENANT GOVERNOR OF GUAM
MICHELLE C. R. LASTIMOSA • ADMINISTRATOR

AUG 20 2024

FR

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. 2024-30, the Applicant, VG Gozum Construction LLC represented by Daniel D. Swavely; requests a Conditional Use Permit, to allow for the operation of a Temporary Workforce Housing Facility (TWHF), to house a maximum of 200 workers on Lot 5048-4, in the Municipality of Tamuning, in an "M-1" (light Industrial) zone.

Hafa adai Dr. Enriquez,

Buenas yan Saluda. The staff of this Agency has reviewed the **application for conditional use permit** and approves the application with the following conditions:

A. Stormwater and Erosion Control

1. The property has an existing warehouse that is planned to be renovated to be used as a Temporary Workforce Housing Facility. The plan is to do all the work inside the existing warehouse to convert into a TWHF. Exterior work is limited to parking lots and minor drainage system as mentioned in the application. However any disturbance to existing ground, the developer/contractor must still adhere to all the requirements, including all necessary permits, 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. For the stormwater disposal, there is the possibility of using an underground infiltrator chambers which considered an Underground Injection Control (UIC) facility. Prior to the application of an Occupancy Permit, Owner must comply with all permit requirement and must obtain a UIC Permit from Guam EPA pursuant to the provisions of 22GAR, Chapter 9, Underground Injection Control Regulations.

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 22GAR §5101 (c) (1) (A) (B), industrial development should not occur within GPZ without



GUAM EPA | 17 3304 Marine Avenue Triyan Barrigada, Guam 96913 1617 | Tel: (671) 300.4751/2 | Fax: (671) 300.4531 | epa.guam.gov
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Cal

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.

2. The TWHF will be provided with a small kitchen facility, therefore, a grease interceptor must be installed in the building's sanitary piping system prior to the disposal of sewage to public sewer.

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.

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.

Dangkolu na si Yu'us ma'åse'.

Senseramente,


MICHELLE C.R. LASTIMOZA
Administrator

cc: Mr. Joseph M. Borja
Director
Department of Land Management





DIPATTAMENTON 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://dln.guam.gov>

E-mail Address:
dlnm@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

April 3, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Application 1992-56D

Pursuant to Title 21 GCA (Real Property), Chapter 45 (Horizontal Property Act). The applicant, PIA Marine, represented by Attorney Terrence Brooks, is requesting to amend its' existing HPR (Horizontal Property Regime) for the PIA Marine Condominium to consolidate two separate, existing HPRs for the same building, on Lot 5089-1-13R-1 and Lot 5089-1-13R-R1, in the Municipality of Tamuning, under HPR No. 85 and HPR No. 85A.

As presented by the applicant, the intent of the submitted First Amended Declaration and Consolidation of HPR Registration Numbers 85 with 102 units and 85A with 100 units, is to;

- A. Consolidate the two HPRs into one HPR divided into two phases (one phase for each existing HPR) with each phase keeping its' original ownership interests with the condominium operation consolidated under a single document.
- B. Convert the common area of the existing gym and office into two units to be included into Phase 2 (85A) increasing the total number of units to 102 and the total number of units under the proposed single HPR to 204 units.
- C. Update the relationship between the Homeowners Association and the Developer, Guam Yamanoi, Inc.
- D. Remove references to the Hotel.

Commission Brief
Re: Application 1992-56D
Date: April 3, 2025
Page 2 of 2

E. Formally describe the Commercial Units within the building. And,

F. Formalize the Homeowners' previous agreement to operate the Condominium under a single Homeowners Association.

As a result of our review of the submitted request package, planning staff finds that, pursuant to the Horizontal Property Act, the request, as presented is in good form and context, and therefore recommend approval of the applicants' request.



Celine L. Cruz
Chief Planner

Case Planner: Celine Cruz
Attachments: 1. Request Package



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

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

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

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

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LAIH • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

March 26, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Annual Renewal - Application No. 2011-09G

1. **PURPOSE:** The applicant, Fargo Pacific, Inc. (FPI) represented by Kyle M. Borja; submits its seventh (7th) annual renewal request for its previously approved Conditional Use Permit for its Temporary Workforce Housing Facility (TWHF), on Lot 5161-1-3 Tract 260, Harmon, Municipality of Tamuning.
2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) Section 61303 (Conditional Use) and Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers), Public Law 31-72 and as a general condition on its Notice of Action, recorded under Document No. 903685.
3. **APPLICATION SUMMARY:**

As conditionally approved by the Commission on April 11, 2024 and shown on the approved Site Plan. The TWHF, as originally approved by the Commission on February 9, 2017, is to accommodate a total of 648 workers in three fully contained dormitory structures to be constructed in three phases with a single dormitory structure to be built in each phase.

Each of the proposed dormitory structures are symmetrical in design to accommodate a total of 216 workers with the first floor containing a kitchen, cafeteria seating room, a small theater/function room, a game room, a library, a lounge, a custodians' office, a clinic, storage rooms and restrooms for both male and female. The second and third floors are to contain the workers' bedrooms, a bathroom, a laundry room, and a lounge area.

Phase one is to include a single, three-story, workers' dormitory structure, access road, staff & guest, bus and delivery truck parking areas, basketball courts, a BBQ & picnic area, a future expansion site, a security office structure, the two existing warehouse structures, a trash bin storage pad and a new trench drain for stormwater disposal and a chain-linked perimeter fence with the entrance/exit gate relocated to J.L. Baker Street from the present Harmon Industrial Park Road location.

In phase one the applicant proposes to construct the workers' dormitory structure into two sub-phases. Phase 1A and Phase 1B will total 216 occupants with Phase 1A at, 54 to 108 occupants and Phase 1B at 108 to 162 occupants. The continued uncertainty of USCIS approval for H-2B workers requires Fargo Pacific, Inc. to retain this flexibility in TWHF accommodations in order to efficiently serve the approved workers and still be prepared to quickly accommodate additional workers, should they be approved in the near future.

Phase two is the addition of a second, three-story workers dormitory structure.

Phase three is for the elimination of the two existing warehouse buildings and the addition of a third, three-story workers dormitory structure, a volleyball court, and a single-story internet cafe and fitness center structure.

The applicant, in the submission of this renewal request, states, that presently, they have a total of 50 temporary workers residing on-site and submits, a list of contracts they are involved with, a copy of the Dormitory Permit, Sanitary Permit, a Site Plan and photos of the complex.

In addition, the applicant through their representative has also indicated that they are still committed to the approved TWHF development plan and that all the elements of the approved TWHF for sleeping, kitchen, dining, toilet, shower, and laundry services, security including fire/medical emergency response capability, recreational facilities, transportation services, on-site stormwater retention system, landscaping, a six (6) foot high perimeter fence, an in-house set of Rules and Regulations, of the approved TWHF are functionally existing to accommodate the existing 50 temporary workers on site.

On March 25, 2025, the case planner conducted a site visit of the approved TWHF and from an outside-the-fence observation, planning staff finds that the facility is well kept, the basketball element is existing, and landscaping is existing and being well maintained.

Continuation of Commission Brief

Re: Application No. 2011- 09G

Date: March 26, 2025

Page 3 of 3

4. RECOMMENDATION:

We have reviewed the applicant's request and in line with our finding, that the elements of the TWHF as approved by the Commission on February 9, 2017, are still intact and that the applicant has been and will continue to consult with the various Government entities to ensure compliance with their requirements. We recommend a favorable Commission review of the request with the following condition;

1. The applicant continues compliance to the Conditions as specified on the Notice of Action, dated February 10, 2017, filed under Document Number 903685.
2. The TWHF will house a maximum of 648 workers.


Celine L. Cruz

Attachments: (1) Notice of Action dated 2/10/17
(2) Site Development Plan

Case Planner: Frank Taitano

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

File for Record is Instrument No. 903685

On the Year 17 Month 02 Day 28 Time 8:38

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder 

MAY M. CASTRO

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

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

ORIGINAL

NOTICE OF ACTION

February 10, 2017
Date

To: Fargo Pacific Inc.
Represented Daniel D. Swavely
P.O. Box 2494
Agana, Guam 96932

Application No. 2011-09B

The Guam Land Use Commission, at its meeting on February 9, 2017.

 / Approved / Disapproved XX / Approved with Conditions

 / Tabled

Your request on Lot No. 5161-1-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION

Fargo Pacific Inc.

Represented by Daniel D. Swavely

Lot No. 5161-1-3 , Harmon, Municipality of Tamuning

GLUC Meeting of February 9, 2017

Page 2 of 4

Application No. 2011-09B**ZONING**☐ / Zone Change***☒ / Conditional Use☐ / Zone Variance☐ Height☐ Density☐ Setback☐ Use☐ Other (Specify)**SUBDIVISION**☐ / Tentative☐ / Final☐ / Extension of Time☐ / PL 28-126, SECTION
1(A)**NOTE ON ZONE CHANGE**

***Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE☐ / Wetland Permit☐ / Seashore Clearance**HORIZONTAL PROPERTY REGIME**☐ / Preliminary☐ / Final☐ / Supplementary (Specify)**MISCELLANEOUS**☐ / Determination of Policy and/or
Definitions☐ / Other

NOTICE OF ACTION

Fargo Pacific, Inc.

Represented by Daniel D. Swavely

Lot No. 5161-1-3, Harmon, Municipality of Tamuning

GLUC Meeting of February 9, 2017

Page 3 of 4

Application No. 2011-09B

APPLICATION DESCRIPTION: The applicant, Fargo Pacific, Inc., represented by Mr. Daniel D. Swavely is requesting approval of their Conditional Use request for a Temporary Workforce Housing Facility (TWHF) on Lot 5161-1-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission **APPROVED** the applicants request subject to the following conditions;


1. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and,
3. That this initial approval shall be for Twenty Four (24) Months and therefore shall be renewed annually (Per Section 2(4)(A) of Public Law 31-72); and,
4. That there shall be no changes to the approved Conditional Use Permit unless subjected before the ARC review and GLUC approval; and,
5. That when actual operations begin and as new and improved procedures and measures are implemented that these amendments must be incorporated and made a part of the Workforce Housing Facility Rules and Regulations document; and a copy be provided to Planning Division, Department of Land Management.



Marvin Q. Aguilar
Guam Chief Planner

2-20-2017

Date



John Z. Arroyo
Chairman
Guam Land Use Commission

2/20/2017

Date

Case Planner: Frank P. Taitano

Cc: Building Permits Section, DPW

NOTICE OF ACTION

Fargo Pacific, Inc.

Represented by Daniel D. Swavely

Lot 5161-1-3, Harmon, Municipality of Tamuning

GLUC Meeting of February 9, 2017

Page 4 of 4

Application No. 2011-09B

CERTIFICATION OF UNDERSTANDING

I/We _____, DANIEL D. SWAVELEY
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

This requirement shall not apply for application for a Zone Change***

I/We, further AGREE and ACCEPT the conditions above as a part of the Notice of Action and further AGREE TO ANY AND ALL CONDITIONS made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant

Date

Daniel D Swavely 2/27/2017
Signature of Representative Date

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

Applicant

Date

Daniel D Swavely 3/08/2017
Representative Date



HARMON INDUSTRIAL PARK

J. L. BAKER STREET



PHASE 1A
54 TO 108
OCCUPANTS

PHASE 1 = 216
OCCUPANTS

PHASE 1B
108 TO 162
OCCUPANTS

PHASE 2
216 OCCUPANTS

PHASE 3
216 OCCUPANTS

BUS PARKING

SITE DEVELOPMENT PLAN

REVISED - JANUARY 2019

REVISIONS

NO.	DATE	DESCRIPTION
1	1/1/19	INITIAL DESIGN
2	1/1/19	REVISED DESIGN
3	1/1/19	REVISED DESIGN
4	1/1/19	REVISED DESIGN
5	1/1/19	REVISED DESIGN
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DIPATTAMENTON MINANEHAN TÂNO'
(Department of Land Management)
GUBETNAMENTON GUÅHAN
(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:
dlmdir@land.guam.gov

Telephone:
671-649-LAND (5263)

Facsimile:
671-649-5383

LOURDES A. LEON GUERRERO
MAGA'HAGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÁHI • LIEUTENANT GOVERNOR

JOSEPH M. BORJA
DIRECTOR

ROSSANA SAN MIGUEL TISTON
DEPUTY DIRECTOR

March 26, 2025

Memorandum

To: Chairperson, Guam Land Use Commission

From: Guam Chief Planner

Subject: Commission Brief – Request for Annual Renewal - Application No. 2000-12J

1. **PURPOSE:** The applicant, Reliable Builders, Inc., represented by Kyle M. Borja submits its tenth annual renewal request for a Conditional Use Permit, to allow the continued operation of its Temporary Workforce Housing Facility (TWHF), to house up to a maximum of 211 workers, on Lot 5160-6-3, in the Municipality of Tamuning, in an "M-1" (Light Industrial) zone.
2. **LEGAL AUTHORITY:** Title 21, GCA (Real Property), Chapter 61 (Zoning Law) and Section 61303 (Conditional Use) and Section 61309 (c) (Policy for Workforce Housing Facilities for Temporary Workers), Public Law 31-72 and as a general condition on its Notice of Action, recorded under Document No.986660.

3. APPLICATION SUMMARY:

As conditionally approved by the Commission on April 11, 2024 and shown on the approved Site Plan. The TWHF is a fully contained, thirty six (36) symmetrical three-bedroom residential units community to include existing elements for sleeping, toilet and shower facilities, laundry, cooking, security including fire/medical emergency response capability, recreational facilities, transportation services, on site storm water retention system, landscaping, a six (6) foot high perimeter fence and an in-house set of Rules and Regulations that addresses security and safety practices, including other factors such as personnel access and exit procedures and personal/social code of conduct.

The applicant, in its annual renewal request package provides a copy of the approved Site Plan, a copy of DPH&SS Workers Dormitory and Sanitary Permits and photos of the complex.

The applicant also included a statement of compliance, that, all the elements of the approved facility still persist, to include the TWHF's house rules, medical plan, transportation plan, safety and security plan, housing facility management, recreation activities, meals, laundry and landscaping are functionally existing as approved by the Commission. In addition, the on-site social pavilion is still in place and is being use as a Gym and Laundry area, that on site gardening still exists and that, the fire evacuation maps and fire extinguishers are in place in each unit.

On March 25, 2025, case planner conducted a site visit of the approved TWHF and from an outside the fence observation, planning staff finds that the facility is well kept, clean, volleyball/basketball elements are existing, landscaping are in place and maintained, and on-site gardening still exists.

4. RECOMMENDATION:

It is our position that the applicant's continuing coordination with the permitting agencies, finds that the applicant is complying to the conditions imposed; have been and continues to work with the appropriate government entities in adhering to said Agencies requirements and ensuring that best management practices are in place. In line with the above we recommend a favorable Commission review of the request with the following conditions;

1. The applicant continues compliance to the Conditions as specified on the Notice of Action, dated October 14, 2011, filed under Document Number 828333 as amended by Notice of Action dated October 23, 2015, filed under Document Number 887022.
2. The TWHF will house a maximum of 211 workers.


Celine L. Cruz

Attachments:
1. Notice of Actions Dated 10/14/11 and 10/23/15
2. Site Development Plan

Case Planner: Frank Taitano

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

987022

File for Record is Instrument No. _____

On the Year 15 Month 12 Day 22 Time 2:44

DE-OFFICIO

Recording Fee _____ Receipt No. _____

Deputy Recorder JANE T. YAMASAKI
(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

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

COPY

NOTICE OF ACTION

October 23, 2015

Date

To: **Reliable Builders Inc.**
Represented by Daniel D. Swavely
P.O. Box 7536
Tamuning, Guam 96931

Application No. 2000- 12B

The Guam Land Use Commission, at its meeting on October 22, 2015.

XX Approved ____/ Disapproved ____/ Tabled

Your request on Lot No. 5160-6-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 22, 2015

Page 2 of 4

Application No. 2000-12B**ZONING**☐ / Zone Change***

XX/ Conditional Use (Second Annual
Renewal Pursuant to Section 61309(c),
Chapter 61, Title 21, GCA)

☐ / Zone Variance☐ Height☐ Use☐ Density☐ Other (Specify)**SUBDIVISION**☐ / Tentative☐ / Final☐ / Extension of Time☐ / PL 28-126, SECTION
1(A)**NOTE ON ZONE CHANGE**

***Approval by the Guam Land Use Commission of a **ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL** but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE☐ / Wetland Permit☐ / Seashore Clearance**HORIZONTAL PROPERTY REGIME**☐ / Preliminary☐ / Final☐ / Supplementary (Specify)**MISCELLANEOUS**☐ / Determination of Policy and/or
Definitions☐ / Other

NOTICE OF ACTION

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 22, 2015

Page 3 of 4

Application No. 2000-12B

APPLICATION DESCRIPTION: The applicant, Reliable Builders, Inc., Pursuant to Section 61309(c), Chapter 61, Title 21 GCA, submits its Second (2nd) annual renewal request of its Conditional Use Permit Approval for its Temporary Workforce Housing Facility (TWHF) on Lot 5160-6-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission accepts the applicant's Second (2) annual report and approves the renewal of its Conditional Use Permit with the condition that the applicant continues to adhere to the conditions stated in the original NOA issued by the Commission, dated 10/14/2011 (Doc #828333) with the exception of condition no. 5 (6-month status report requirement) with an expiration date of one year from the date of recordation of the NOA issued by the GLUC at its meeting of 10/22/2015.


Marvin Q. Aguilar
Guam Chief Planner

10/23/15
Date


John Z. Arroyo
Acting Chairman
Guam Land Use Commission

12/18/15
Date

Case Planner: Frank P. Taitano

Cc: Building Permits Section, DPW

NOTICE OF ACTION
Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 22, 2015
Page 4 of 4

Application No. 2000-12B

CERTIFICATION OF UNDERSTANDING

I/We _____, DANIEL D. SWAVELY
(Applicant [Please print name]) (Representative [Please print name])

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

This requirement shall not apply for application for a Zone Change***

I/We, further **AGREE** and **ACCEPT** the conditions above as a part of the Notice of Action and further **AGREE TO ANY AND ALL CONDITIONS** made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant

Date

Daniel D. Swavely 12/17/15
Signature of Representative Date

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

Applicant

Date

Daniel D. Swavely 12/23/15
Representative Date

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

File for Record is hereby received by

828333

to the Office of the Clerk of the Commission
DE-OFFICIO

Recording Receipt

(Space above for Recordation)

IMPORTANT NOTICE - READ CAREFULLY

"Pursuant to Section 5 of Executive Order 96-26, the applicant must apply for and receive a building or grading permit for the approved GLUC/GSPC project within one (1) year of the date of Recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire. This requirement shall not apply for application for Zone Change***."

GUAM LAND USE COMMISSION

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

NOTICE OF ACTION

October 14, 2011
Date

To: Reliable Builders Inc.
Represented Daniel D. Swavely
P.O. Box 7536
Tamuning, Guam 96931

Application No. 2000- 12B

The Guam Land Use Commission, at its meeting on October 13, 2011.

 / Approved / Disapproved XX / Approved with Conditions

 / Tabled

Your request on Lot No. 5160-6-3, Harmon, Municipality of Tamuning for a:

NOTICE OF ACTION

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 13, 2011

Page 2 of 4

Application No. 2000-12B

ZONING

☐ Zone Change***

☒ Conditional Use

☐ Zone Variance

☐ Height

☐ Use

☐ Density

☐ Other (Specify)

☐ Setback

☐ TENTATIVE DEVELOPMENT PLAN

SUBDIVISION

☐ Tentative

☐ Final

☐ Extension of Time

☐ PL 28-126, SECTION 1(A)

NOTE ON ZONE CHANGE

***Approval by the Guam Land Use Commission of a ZONE CHANGE DOES NOT CONSTITUTE FINAL APPROVAL but rather a recommendation to the Governor for his approval. Applicant shall be notified upon action taken by the Governor. [Reference 21 GCA (Real Property), Chapter 61(Zoning Law), Section 61634 (Decision by the Commission).]

SEASHORE

☐ Wetland Permit

☐ Seashore Clearance

HORIZONTAL PROPERTY REGIME

☐ Preliminary

☐ Final

☐ Supplementary (Specify)

MISCELLANEOUS

☐ Determination of Policy and/or Definitions

☐ Other (Specify)

NOTICE OF ACTION

Reliable Builders, Inc.

Represented by Daniel D. Swavely

Lot No. 5160-6-3, Harmon, Municipality of Tamuning

GLUC Meeting of October 13, 2011

Page 3 of 4

Application No. 2000-12B

APPLICATION DESCRIPTION: The applicant, Reliable Builders, Inc., represented by Mr. Daniel D. Swavely is requesting approval of their Condition Use request to convert an existing 36-unit townhouse complex into a Temporary Workforce Housing Facility on Lot 5160-6-3, Harmon, Municipality of Tamuning.

COMMISSION DECISION: The Guam Land Use Commission APPROVED the applicants request subject to the following conditions;

1. That the applicant, adhere to the ARC conditions and requirements as stipulated on their official Position Statement; and
2. That when actual operations begin and a new and improved procedures and measures are implemented that these amendments must be incorporated and made a part of the Workforce Housing Facility Rules and Regulations document; and a copy be provided to Planning Division, Department of Land Management.
3. That this initial approval shall be for Twenty Four (24) Months and therefore shall be renewed annually (Per Section 2(4)(A) of Public Law 31-72); and
4. That there shall be no changes to the approved Conditional Use Permit unless subjected before the ARC review and GLUC approval; and
5. That the applicant present to the Guam Land Use Commission a 6 month status report. *Deleted*

See 10/19/2015 Staff rpt. T. Luntiano re Commission of Harmon No. 5.
Marvin Q. Aguilar
Marvin Q. Aguilar
Acting, Guam Chief Planner

10-14-2011
Date

Jay L. Lather
Jay L. Lather
Chairman
Guam Land Use Commission

10-21-11
Date

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

NOTICE OF ACTION
Reliable Builders, Inc.
Represented by Daniel D. Swavely
Lot 5160-6-3, Harmon, Municipality of Tamuning
GLUC Meeting of October 13, 2011
Page 4 of 4

Application No. 2000-12B

CERTIFICATION OF UNDERSTANDING

I/We RELIABLE BUILDERS INC / DANIEL D. SWAVELEY
(Applicant (Please print name)) (Representative (Please print name))

Understand that pursuant to Section 5 of Executive Order 96-26, that a building or grading permit must be obtained for the approved GLUC/GSPC project within one (1) year of the date of recordation of this Notice of Action, otherwise, the approval of the project as granted by the Commission shall expire.

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

This requirement shall not apply for application for a Zone Change***

I/We further AGREE and ACCEPT the conditions above as a part of the Notice of Action and further AGREE TO ANY AND ALL CONDITIONS made a part of and attached to this Notice of Action as mandated by the approval from the Guam Land Use Commission or from the Guam Seashore Protection Commission.

Signature of Applicant

Date

Signature of Representative

Date

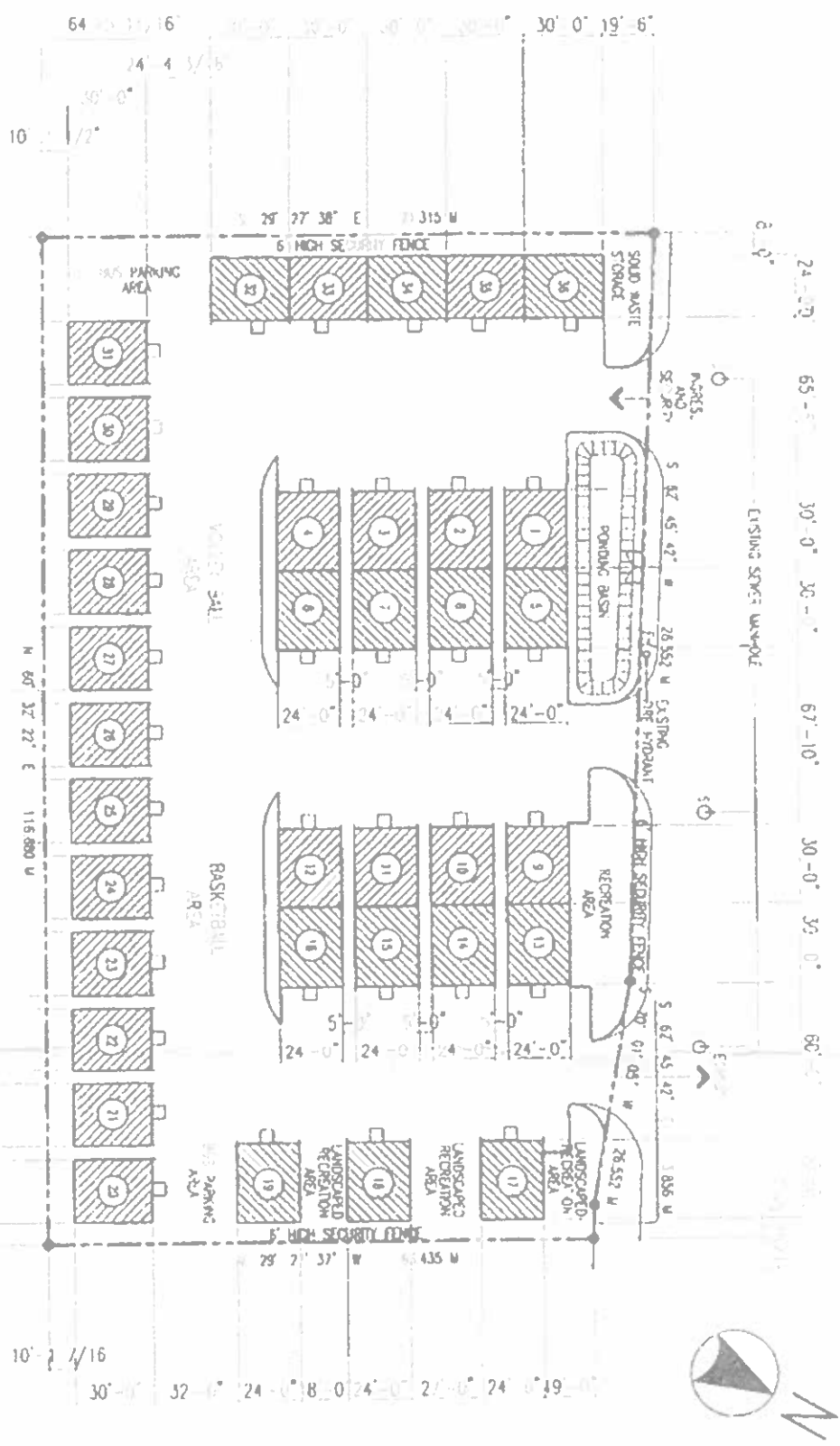
ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Applicant

Date

Representative

Date



SITE DEVELOPMENT PLAN



TYP. 3-BEDROOM UNIT
SCALE 1/8" = 1'-0"

CONDITIONAL USE APPLICATION FOR WORKERS HOUSING
LOT S160-6-3, TAMUNING
RELIABLE BUILDERS VILLAGE