

APPLICATION REVIEW COMMITTEE REGULAR MEETING MINUTES
DLM Conference Room, 3rd Floor, ITC Bldg., Tamuning, Guam
Thursday, April 2, 2026 • 9:31 a.m. to 9:56 a.m.

I. Attendance/Roll Call

Chairperson Cruz called to order the regular meeting of the Application Review Committee for Thursday, April 2, 2026 at 9:31 a.m.

Present were: Chairperson Celine Cruz (DLM), Russell Kanai (DPR), Peter Bautista (GEPA), Christian Benitez (BSP), Rudy Cabana (DPW), Prudencio Aguon (GWA), Planning Staff Theresa Guervara, and Recording Secretary Cristina Gutierrez.

Madam Chair confirmed a quorum for today's meeting and proceeded to the next item on the agenda.

II. Approval of Minutes

Chairperson Cruz before the members are the approval of the ARC Minutes from Thursday, March 5, 2026 and Thursday, December 4, 2026. Members were provided in advance with a draft via email. Madam Chair asked for a motion for action.

Peter Bautista, GEPA made a motion to approve the Minutes of March 5, 2026, and December 4, 2026.

Rudy Cabana, DPW seconds the motion.

Chairperson Cruz accepted the motion made by GEPA and seconded by DPW. There was no discussion, edits, or omissions noted. Madam Chair put the motion to a vote, with all members in favor of approval. **[Motion carried; 5 ayes 0 nays]**

III. New Business

Zone Change

- A. Application No. 2025-56, the Applicant, Modern International, Inc., represented by FC Benavente, Planners, requests a Zone Change from "C" (Commercial) to "M1" (Light Industrial) zone, to allow for the operation of a warehouse in addition to its existing sales and storage of construction equipment and materials, on Lot 2, Tract 295, in the Municipality of Barrigada. Case Planner: Theresa Guevara

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

Felix Benavente explained that the application that is before the committee today is for a zone change request from commercial to light industrial for his client, Modern International Inc. The parcel is located on Lot 2, Tract 295 in Barrigada.

Mr. Benavente provided the following:

Slide 1 – vicinity map of the subject lot. Mr. Benavente pointed out that the location is off Route 16. In the upper right-hand area is the Department of Revenue and Taxation, and the Modern construction warehouse is shown in the middle of the map.

Slide 2 – the surrounding area includes the airport that is zoned heavy industrial, the Department of Revenue and Taxation, a funeral home, a vacant lot across the street, and to the south is Barrigada Heights.

Slide 3 – photo of the subject lot. In the photo is the existing warehouse building, and the property frontage is enclosed with a fence.

Slide 4 – Site Plan of the existing space. Mr. Benavente highlighted the enclosed warehouse building; the other spaces that surround the building are open, unclosed spaces, parking is located in the front, and the property is serviced by water, power, sewer, and paved road.

This concluded Mr. Benavente's presentation, and he was ready to entertain questions from the committee.

Chairperson Cruz thanked Mr. Benavente for his presentation and turned the floor over to the members for comments or questions.

Rudy Cabana, DPW no comments.

Russell Kanai, DPR no questions. Mr. Kanai stated that DPR will have no objection to the application.

Christian Benitez, BSP stated that the proposed use is consistent with the area's land use designation under the Northern/Central Guam Land Use Plan as an industrial designated area. Mr. Benitez inquired what was in the vacant lot.

Felix Benavente responded that he believed it was for outside storage, and there are no structures in the space.

Christian Benitez, BSP asked if there were any plans to manage stormwater.

Felix Benavente explained that when the building was built, the vertical line on the building is called a percolation trench, which was approved several years ago, and this is where the stormwater is stored.

Christian Benitez, BSP asked if the existing stormwater management system has the capacity to manage the increase in stormwater from the development.

Felix Benavente responded that he would imagine so.

Christian Benitez, BSP no other questions.

Chairperson Cruz recognized the presence of GWA, Prudencio Aguon, at the meeting.

Prudencio Aguon, GWA commented that the GWA is in favor of the request and has no issues. The position statement has been prepared and is under management's review.

Peter Bautista, GEPA remarked that he is pleased that the applicant has applied for the zone change to address the activity on the subject lot. The space in the back is currently vacant, and inquired if there are plans to accommodate additional structures or storage for building materials, as stated in the application.

Felix Benavente when the application was initially submitted, the plan was to include retail, warehousing, and storage. Mr. Benavente explained that Modern has been operating in Guam for over thirty years in the construction industry, but realized they did not have time to manage a store. They ran into problems during permitting; it is a warehouse and no retail store. At this time, there are no plans for the space located in the back. There is only storage for construction materials and supplies. There are no toxic chemicals, paint, etc., that are being stored.

Peter Bautista, GEPA it is prime property, along the main road, and it makes sense. It is central, accessible, has sewer, and utilities. Percolation trench was mentioned, and asked if this was open or buried.

Felix Benavente replied that it was open.

Peter Bautista, GEPA stated that EPA will look into this if a building permit is submitted for review to check if it is sized adequately for the entire property.

Theresa Guevara, Case Planner no comments.

Chairperson Cruz remarked that she was unsure whether the subject lot was located near several multi-family dwellings, and inquired if this was the same company receiving complaints about fabrication work during late evening hours. Chairperson Cruz clarified that this type of activity is permitted on the property, but expressed hope that the applicant remains considerate of the neighboring residential properties and conducts this type of activity during regular hours of operation.

Felix Benavente replied that he will bring this concern to the attention of the applicant.

Chairperson Cruz thanked Mr. Benavente for being present today and moved on to the next item on the agenda.

Zone Variance

- B. Application No. 2025-46, the Applicant, Kehan Zou, represented by CCG Management Consulting Services (Frederic Arceo), requests a Zone Variance for Setback, for an existing single-family residential structure with a front side set-back of 13.20-feet, short 1.80-feet from the required 15-feet, on Lot 9-2, Block 3, Tract 19312, in the Municipality of Ordot & Chalan Pago, in an "R1" (One Family Dwelling) zone.
Case Planner: Theresa Guevara

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

Frederico Arceo stated that he is before the committee representing his client for a zone variance for a setback application. The project is located on Lot 9-2, Block 3, Tract 19312 in Chalan Pago & Ordot. The setback is on an existing single-family residential structure as identified in the retracement survey sketch that shows the front yard side, fronting a 40-foot right of way, property line with a 13.20-foot setback, short 1.20 feet (sic) from the required 15-foot back setback.

The application is to allow or permit the shortage of 1.20-foot distance (sic) in an R1 zone, and the 1.8 feet minimal which represents the least adjusted distance against the 15-feet as a strict requirement that further allows the current 13.20 feet setback of the residential structure to remain. The request will not greatly impact nor be extremely detrimental to those properties within its immediate vicinity since the use is a single-family dwelling in an R1 zone compatible with the existing residence and surrounding residential neighborhood, and will not interfere with the utilities or drainage, and will still be in compliance with the applicable building and safety requirements.

Mr. Arceo respectfully requests the committee's consideration and any recommendation necessary for the application to move forward. [This concluded Mr. Arceo's presentation]

Chairperson Cruz turned the floor over to the members for questions.

Rudy Cabana, DPW asked how this arrived, not meeting the setback requirements when the contractor was building the structure... did not meet the measurements or was the distance measured from the front (sic).

Frederico Arceo replied that the contractor, in his opinion, was not as accurate as he should have been based on the required setback. Everything was in order and official, the building permit was cleared, but when it came to construction, that's where the default existed.

Rudy Cabana, DPW the building plans were approved by DPW.

Frederico Arceo replied yes.

Russell Kanai, DPR stated that DPR has no objection to the request.

Prudencio Aguon, GWA had no comments.

Christian Benitez, BSP stated that BSP has no objection and will be recommending approval.

Peter Bautista, GEPA appreciated the applicant coming in to fix the issue, and added that he sees this as a typical problem, especially if there are no survey points. Mr. Bautista asked if anything would change as a result of this; is the applicant selling the house.

Frederico Arceo replied yes, and the sale of the house cannot move forward until this issue is resolved.

Theresa Guevara, Case Planner stated that in Mr. Arceo's presentation, he stated that the setback was short 1.20 feet. Ms. Guevara corrected the error and stated that it was short 1.80 feet. The retracement survey states 14.20 feet where it is today, and to meet the 15 feet, the request is for 1.80 feet and not 1.20 feet.

Chairperson Cruz noted that, according to the retracement survey, an automatic gate is currently located within the right-of-way. Madam Chair stated that the gate must be relocated and confirmed that this requirement will be made a condition of approval. She emphasized that nothing may be placed in the right-of-way, because the applicant is claiming land that does not belong to them, and recommended addressing this issue before the application's review by the GLUC, so this does not have to include this as a condition of approval.

Frederico Arceo Mr. Arceo asked the Chairperson to clarify her comments, as he did not understand the request.

Chairperson Cruz reiterated that the automatic gate is encroaching on the right-of-way and needs to be relocated back onto the property.

Frederico Arceo replied that he would inform his client.

Chairperson Cruz thanked Mr. Arceo for his presentation and moved on to the next item on the agenda.

IV. Approval of ARC Agenda

Chairperson Cruz advised the members that there is no agenda for the ARC, Thursday, April 16th meeting, and was unsure if there would be agenda items for the GLUC meeting for April 23rd.

V. Administrative and Miscellaneous Matters

Chairperson Cruz opened the floor for any administrative or miscellaneous matters.

Peter Bautista, GEPA asked to go over the requirements for Summary Zone changes. Mr. Bautista stated that he picked up several applications, and two of the four that he picked up are

past due. He added that should he decide to send the position statement on behalf of the agency, it will be in the same format, from the Administrator to the GLUC Chairperson.

Chairperson Cruz replied that it should be addressed to the Director of Land Management for summary zone changes. Madam Chair added that late submittals of position statements will be accepted; if the application has not been processed completely, since Planning waits for the MPC resolutions to be submitted.

Peter Bautista, GEPA stated that summary zone changes really mean subdivisions.

Chairperson Cruz replied no, and explained that summary zone changes can be from A zone to R1 zone, R1 zone to R2 zone, or A zone to R2 zone, and the approvals are under the discretion of the Director of Land Management. The application goes through the ARC, and conditions noted in the agency's position statements are included as conditions of approval for the summary zone change if approval is recommended.

[Discussion ensues]

Chairperson Cruz there was nothing further for today's meeting. Madam Chair asked for a motion to adjourn today's meeting.

VI. Adjournment

Russell Kanai, DPR made a motion to adjourn today's meeting.

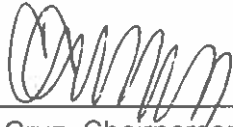
Christian Benitez, BSP seconds the motion.

Chairperson Cruz accepted the motion made by DPR and seconded by BSP. Madam Chair put the motion to a vote, with all members in favor of adjournment. **[Motion carried, 6 ayes]**

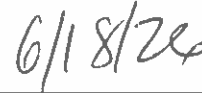
The regular meeting of the Application Review Committee for Thursday, April 2, 2026 was adjourned at 9:56 a.m.

Approved by:

Date approved:



Celine L. Cruz, Chairperson
Application Review Committee



Transcribed by:



M. Cristina Gutierrez, Recording Secretary
Planning Division, DLM

APPLICATION REVIEW COMMITTEE

Committee Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

MEETING: Regular Thursday, April 2, 2026 Special _____

Time: 9:30 AM Adjournment: 9:56 AM

MEMBER	STATUS	SIGN IN (Please Print)
1 DLM, Guam Chief Planner	(Chairperson)	
2 DPW/CIP	(Member)	
3 Guam EPA	(Member)	Peter P. Cruz
4 Bureau of Statistics & Plans	(Member)	Christian Benitez
Bureau of Statistics & Plans	(Member)	
5 Department of Agriculture	(Member)	
6 Guam Waterworks Authority	(Member)	Prudencio Aguirre / Aguirre
Guam Waterworks Authority	(Member)	
7 Guam Power Authority	(Member)	
8 Department of Parks & Recreation-HPO	(Member)	Russell Kandi
9 Joint Regional Marianas	(Ex-Officio member)	
10 Department of Chamorro Affairs	(Ex-Officio Member)	
11 Guam Fire Department	(Ex-Officio Member)	
12 Department of Public Health & Social Services	(Ex-Officio Member)	
13 Guam Public School System	(Ex-Officio Member)	
14 Guam Economic Development Authority	(Ex-Officio Member)	

DLM Staff

Joseph M. Borja, Director _____

Rossana S.M. Tiston, Deputy Director _____

Celine Cruz, Chief Planner _____

Frank Taitano, Planner IV _____

Penmer Gulac, Planner IV _____

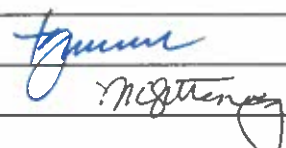
M. Grace Vergara, Planner IV _____

Sonega Gogue, Planner III _____

Theresa D. Guevara, Planner II _____

M. Cristina Gutierrez, WPS II _____

Lorna Macaranas, Admin. Assistant _____





Application Review Committee

Guam Land Use Commission/Guam Seashore Protection Commission
Department of Land Management

AGENDA

Thursday, April 2, 2026, at 9:30 a.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – April 2, 2026

Day #30 – May 2, 2026

I. Attendance

Roll Call

[] Quorum

[] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes, Thursday, March 5, 2026
- ARC Regular Meeting Minutes, Thursday, December 4, 2025

III. New Business

Zone Change

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Case Planner: Theresa Guevara

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Case Planner: Theresa Guevara

IV. Approval of ARC Agenda

A. ARC Regular Meeting, Thursday, April 16, 2026 [No Agenda]

B. GLUC Regular Hearing, Thursday, April 23, 2026 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



GUAM LAND USE COMMISSION

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

Commissioner Gerald P. Yingling
Commissioner Joseph A. Rios

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

AGENDA - TENTATIVE

Thursday, April 23, 2026 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 16, 2026 & April 21, 2026]

Livestreamed on YouTube at the Guam Department of Land Management Channel

- I. Notation of Attendance/Roll Call [] Quorum [] No Quorum
- II. Approval of Minutes
 - GLUC Regular Minutes – Thursday, April 9, 2026
- III. Old or Unfinished Business [None]
- IV. New Business
- V. Administrative & Miscellaneous Matters
- VI. Adjournment