

**APPLICATION REVIEW COMMITTEE REGULAR MEETING MINUTES**  
**DLM Conference Room, 3<sup>rd</sup> Floor, ITC Bldg., Tamuning, Guam 96913**  
**Thursday, January 15, 2026 • 9:32 a.m. to 10:25 a.m.**

I. Attendance/Roll Call

Chairperson Cruz called to order the regular meeting of the Application Review Committee for Thursday, January 15, 2026, at 9:32 a.m.

Present were: Chairperson Celine Cruz (DLM), Rudy Cabana (DPW), Peter Bautista (GEPA), Christian Benitez (BSP), Jacob Miller (GWA), Albert Padua (GPA), Russell Kanai (DPR), Planning Staff Penmer Gulac, and Sonny Gogue.

Chairperson Cruz confirmed a quorum for today's meeting and moved on to the next item on the agenda.

II. Approval of Minutes

Chairperson Cruz announced that there are no Minutes for approval today. Madam Chair noted for the record that at the last meeting, the Minutes were approved but not distributed for the members' review. Therefore, the motion to approve the Minutes of November 20, 2025, will be ratified at the next ARC meeting.

III. New Business

Zone Variance

- A. Application No. 2025-66, The Applicant, The Cube Inc. c/o Benson Au-Yeung, is requesting a Zone Variance for Sign and Height, for the proposed construction of a 25-foot high, four-sided, 20-foot x 20-foot, static canvas billboard sign, on a portion of Lot 2-NEW-1, Block 1, Tract 192, in the Municipality of Tamuning, in an "M1" (Light Industrial) zone. Case Planner: Penmer Gulac

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

Benson Au-Yeung is before the committee representing The Cube Inc. application. Mr. Au-Yeung commented that The Cube Inc. has been in business for ten years. The current billboard is located in Upper Tumon, as you come up from the Westin Hotel to Marine Corps Drive (intersection).

The current billboard was approved by the GLUC back in 2016 and has been in operation since then, and has endured many typhoons. Mr. Au-Yeung stated that this new billboard will generate tax revenue for the government, increase job opportunities, and it will also serve as a viable advertisement tool for the local businesses.

Mr. Au-Yeung is requesting a Zone Variance for a new sign at a different location with the same benefits for the government and businesses. The billboard will be located at the old Oceanic Lumber across from the Village of Donki on Airport Road.

The size, height, dimensions, and structure will match the previous billboard in Upper Tumon. It will be constructed to withstand typhoon-strength winds, with structural approval by a local engineer and final clearance from Public Works before construction begins. The billboard will not use LED technology; instead, it will feature a canvas display with no lighting directed at oncoming traffic. The frame will be made of aluminum, and the signage will use banner material. Flood lamps will illuminate the sign from below or above. A 40-square-foot banner will also be provided for PSA services.

To close, Mr. Au-Yeung comments that he hopes that the application demonstrates that the request for the new billboard is safe and reasonable, which can merit a zone variance approval. The billboard will not have any impact on the surrounding properties, but will instead beautify and develop the property that will help promote businesses.

Chairperson Cruz turned the floor over to the members for questions or comments for the applicant.

Rudy Cabana, DPW asked if the board would be constructed from aluminum or metal.

Benson Au-Yeung replied that it would be made of aluminum.

Jacob Miller, GWA no comments.

Russell Kanai, DPR stated that they will have no objection to the request.

Albert Padua, GPA inquired if the property was consolidated into one and who the owners of the property were.

Benson Au-Yeung replied that it was only one lot and that it may have been previously consolidated; the Mendiola family owns the property, and they are sub-leasing from them.

Peter Bautista, GEPA the billboard appears that it will be in a right-of-way.

Benson Au-Yeung responded that the billboard sign will be located on private property with a 10-foot setback.

Peter Bautista, GEPA asked if the billboard would be on the side of the Mendiola property or the side of Donki.

Benson Au-Yeung replied that the sign will be located at the corner close to the 76 gas station.

Peter Bautista, GEPA inquired if there would be a line of sight issue and how tall it was under the canvas.

Benson Au-Yeung replied that the canvas is 20x20 and the bottom is approximately 5 feet, for a total of 25 feet in height.

Peter Bautista, GEPA the sign will not block oncoming sight onto Marine Corps Drive.

Benson Au-Yeung replied that the billboard is not close to Marine Corps Drive.

Chairperson Cruz clarified that the distance of the lot from the gas station is approximately 200 feet from Marine Corps Drive.

Christian Benitez, BSP had no comments or questions.

Penmer Gulac, Case Planner commended Mr. Au-Yeung for submitting the required documents and erecting the billboard signage at the subject parcel. Mr. Gulac added that the applicant should coordinate with DPW on the clearing of vegetation for better visibility of the proposed billboard and continue to work with the agencies for the timely submittal of their position statements.

Chairperson Cruz commented that the sign will be at the corner of the old Oceanic Lumber property, and inquired if the dimensions of the sign would not change because of the existing six-foot high fence.

Benson Au-Yeung responded that he has spoken to the owners, and the fence will be modified.

Chairperson Cruz remarked that in the presentation, there was discussion on the lighting of the sign and about uplighting as well. Madam Chair commented that there is lighting coming from above at the current location and asked what determined the type of lighting to be used.

Benson Au-Yeung replied that it will more than likely be from the bottom up.

[Discussion ensues]

Chairperson Cruz inquired how often they conduct inspections and maintenance of the site.

Benson Au-Yeung remarked that graphics are changed every quarter, and that is when maintenance of the structure is conducted.

Chairperson Cruz it was mentioned about public service announcements. The 40 square feet that is being proposed to be allocated for this service, Madam Chair asked if this would be within the existing 20 x 20 area.

Benson Au-Yeung it would be at the front of the structure within the five-foot area and will be visible.

Chairperson Cruz asked if there were any plans for the former Ocean Lumber structure.

Benson Au-Yeung replied that there are plans for the property to be converted to a self-storage business.

Next item on the agenda –

- B. Application No. 2026-02, the Applicant, YuYao Lin, represented by Frank C. Roberto, requests a Zone Change from “C” (Commercial) zone to “M1” (Light Industrial) zone, for the proposed construction of commercial buildings and warehouses, on Lot 5311-11 and Lot 5311-R11, in the Municipality of Dededo. Case Planner: Penmer Gulac

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.

Frank Roberto the location of the property is almost directly across and within 1000 feet of Ukudu High School, and approximately 300 to 500 feet south of the commercial zone activities. It is also within 750-foot radius of M1 zoned properties.

The application submitted for review includes all the information and justification for the proposed rezoning and development of the subject lots, and the applicant hopes that the information in the application gives the members a better insight into the intentions of the owner. Infrastructure to include water, power, and public sewer is fronting the property. The site and size of the lots can accommodate commercial buildings, warehouse structures, and accessory structures for any retail, wholesale, or commercial activities. Adequate parking will be available, a ponding basin for run-offs will be on site, and all agency permitting requirements will be adhered to.

The proposed development will support the military buildup by providing commercial space for warehousing, service shops, etc., job opportunities, and it is compatible with the existing commercial and light industrial activities.

Members were informed that the developer has hired a licensed surveyor to consolidate the two subject lots, and they will be submitting a supplemental revised development site plan to address the sewer easement that traverses under the lots. The required billboard signage has been placed on the property.

This concluded Mr. Roberto's presentation.

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

Rudy Cabana, DPW no comments.

Jacob Miller, GWA confirmed that sewer is available and asked that the developer coordinate with their office to discuss the design phase before the building permit application is submitted.

Russell Kanai, DPR stated that they had no objection to the request. Mr. Kanai added that during the permitting process, they will conduct a site inspection of the property.

Albert Padua, GPA asked that a load capacity for the proposed development be submitted to their office. Mr. Padua inquired about the consolidation of the lots.

Chairperson Cruz explained that if the consolidation map is approved during the process, it will be brought before the Guam Land Use Commission and presented with the subject lots as noted in the application. The Commission will be requested to acknowledge the new lot number, and the Notice of Action will state the consolidated lot number.

Peter Bautista, GEPA the subject lot is located over the aquifer, the groundwater protection zone. Mr. Bautista acknowledged that he has reviewed the schematics for the proposed consolidated lots and development for light industry warehouses and commercial activities. Being that the lots are over the ground protection zone, even with sewer, the run-off will have to be contained within the property. And because it is a large parcel, it will trigger the need for a biological assessment to determine the presence of native and protected species.

Mr. Bautista asked what the relationship was with the school in terms of access in and out of the subject lots.

Frank Roberto responded that the property is located across the street from the school.

[Discussion ensues on the location]

Peter Bautista, GEPA stated that they will submit their position statement addressing their concerns.

Christian Benitez, BSP had no comments or questions for the applicant. Any concerns will be addressed in their position statement.

Penmer Gulac, Case Planner verified that the billboard notice is on site. The developer should continue to work with the surveyor to complete the consolidation of the lots and to submit the supplemental information on the revised site development plan.

Chairperson Cruz commented that when the amended site plan is submitted, Madam Chair emphasized the need to address access to the property. It must be determined whether the main access will be from Route 3 or within the interior roadway, and considering that this is a corner lot, it needs to be identified. Additionally, the plans indicate there is a loading dock for one of the warehouses, and while the other warehouses have parking spaces located in front of the

structures, Madam Chair asked where the entrances to the warehouses were. She pointed out that the parking plan needs to be updated to address these concerns, including specifying the number of parking spaces available. She recognizes that this is a zone change request and the plans are conceptual, but what needs to be displayed on the site plan is that what is being proposed to be developed can accommodate all of the other requirements of law. Warehouses involve shipping containers and other large vehicles; the site plan looks tight and suggests that they review the building codes to ensure that there is adequate space for emergency vehicle access.

[Discussion ensues on access, and the need for a traffic impact access study]

#### IV. Approval of ARC Agenda

Chairperson Cruz for the ARC agenda for February 5, 2026, there are currently no agenda items for review; and, there is a GLUC meeting for January 22, 2026, and the agenda has been published.

#### V. Administrative and Miscellaneous Matters

Chairperson Cruz commented that many of the ARC members attended the workshop that was recently held. Madam Chair extended her appreciation to the Bureau of Statistics and Plans for hosting this workshop. It was a good opportunity to understand the agencies' mandates and assisting with the partnership with agencies moving forward.

Madam Chair addressed the discussion regarding P.L. 38-74 that addresses expediting reviews of zone changes that were going to be availing of affordable housing tax credits. In line with this, there were two recommendations in terms of the path to be taken. The first recommendation was to request that, through the reporting requirement in the law, the intent of the public law is very similar to the intent of the summary zone change law. There is a need for an amendment to the law to frame it more towards a summary zone change that will include the affordable housing elements that were necessary, and to adjust the timelines to give agencies more time, similar to what is under the summary zone change law. The other recommendation was to have the committee work on rules to comply with P.L. 38-74.

Madam Chair remarked that after having thought about this matter, made a motion for the committee to support the first recommendation, which is to request the Legislature to consider amending the law so that it aligns more with the summary zone change program within those timelines, and adding in the element for affordable housing.

Albert Padua, GPA seconded the motion.

Chairperson Cruz turned the floor over to the members for discussion on the motion.

Rudy Cabana, DPW asked if this would be a consolidation of the tax and the summary zone change.

Chairperson Cruz the Legislature passed a law that created a new type of fast-track rezoning for developers wanting to zone change parcels for the development and construction of affordable housing units. The timelines are very unrealistic, and the process is unclear as it is laid out in the law. The law states that Land Management will develop rules through the administrative adjudication process, but this process in itself takes at least three to four months.

Chairperson Cruz will introduce, at the next ARC meeting, a resolution from the ARC supporting what it is that Land Management is asking the Legislature to do.

[Lengthy discussion ensues]

After the discussion, Madam Chair put the motion to a vote, with all members in favor of approving the preparation of a report supporting a request to align P.L. 38-74 more with the summary zone change program to include the affordable housing element.

**Motion carried with a vote of 7 ayes, 0 nays.**

#### VI. Adjournment

Motion to adjourn today's meeting was made by GEPA and seconded by DPR. Madam Chair put the motion to a vote, with all members in favor to adjourn.

The regular meeting of the Application Review Committee for Thursday, January 15, 2026, at 10:25 a.m.

Approved by:

Date approved:



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Celine L. Cruz, Chairperson  
Application Review Committee



Transcribed by:

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M. Cristina Gutierrez, Recording Secretary  
Planning Division, DLM

\*\*Note: I, M. Cristina Gutierrez, was not present for this meeting. Minutes were transcribed with the materials provided.\*\*

# 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, January 15, 2026  Special \_\_\_\_\_  
 Time: 9:32 Am Adjournment: 10:01 Am

MEMBER	STATUS	SIGN IN (Please Print)
1 DLM, Guam Chief Planner	(Chairperson)	
2 DPW/CIP	(Member)	<u>R.P. Cabana</u>
3 Guam EPA	(Member)	<u>Peter P. Bautista</u>
4 Bureau of Statistics & Plans	(Member)	<u>Christian Benitez</u>
Bureau of Statistics & Plans	(Member)	
5 Department of Agriculture	(Member)	
6 Guam Waterworks Authority	(Member)	<u>Jacob Miller</u>
Guam Waterworks Authority	(Member)	
7 Guam Power Authority	(Member)	<u>ALBERT P. RANGEL JR</u>
8 Department of Parks & Recreation-HPO	(Member)	<u>Russell Kanai</u>
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 [Signature]

Frank Taitano, Planner IV [Signature]

Penmer Gulac, Planner IV \_\_\_\_\_

M. Grace Vergara, Planner IV [Signature]

Sonega Gogue, Planner III \_\_\_\_\_

Theresa D. Guevara, Planner II \_\_\_\_\_

Edward Sanchez, Planner I \_\_\_\_\_

M. Cristina Gutierrez, WPS II \_\_\_\_\_





## Application Review Committee

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

# AGENDA

Thursday, January 15, 2026, at 9:30 a.m.

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

### TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – January 15, 2026

Day #30 – February 15, 2026

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I. Attendance

Roll Call [ ] Quorum [ ] No Quorum

II. Approval of Minutes

- ARC Regular Meeting Minutes – None

III. New Business

A. Application No. 2025-66, The Applicant, The Cube Inc. c/o Benson Au-Yeung, is requesting a Zone Variance for Sign and Height, for the proposed construction of a four-sided, 20-foot x 20-foot, 25-foot high static canvas billboard sign, on a portion of Lot 2-NEW-1, Block 1, Tract 192, in the Municipality of Tamuning, in an "M1" (Light Industrial) zone.

Case Planner: Penmer Gulac

B. Application No. 2026-02, The Applicant, YuYao Lin, represented by Frank C. Roberto, requests a Zone Change from "C" (Commercial) zone to "M1" (Light Industrial) zone, for the proposed construction of commercial buildings and warehouses, on Lot 5311-11 and Lot 5311-R11, in the Municipality of Dededo.

Case Planner: Penmer Gulac

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, February 5, 2026 [Tentative]
- B. GLUC Regular Hearing, Thursday, January 22, 2026 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



# Application Review Committee

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

## AGENDA

Thursday, February 5, 2026, at 9:30 a.m.

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

### TIMELINE FOR APPLICATION ON THIS AGENDA

Day #1 – February 5, 2026

Day #30 – March 5, 2026

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I. Attendance

Roll Call [ ] Quorum [ ] No Quorum

II. Approval of Minutes

- None

III. New Business

Conditional Use

- A. Application No. 2025-79, the Applicant, Korando Corporation represented by Daniel D. Swavely; requests a Conditional Use Permit to allow for the conversion of an existing two-story apartment structure for use as a Temporary Workforce Housing Facility, to house a maximum of 34 workers, and for the proposed construction of a two-story Temporary Workforce Housing Facility to house up to a maximum of 64 workers, on Lot 5166-8-1 and Lot 5166-8-R1, in the Municipality of Tamuning, in an "M1" (Light Industrial) zone.  
Case Planner: Frank Taitano/Celine Cruz
- B. Application No. 2025-68, the Applicant, HSPOW Overseas Development represented by Daniel D. Swavely; requests a Conditional Use Permit for the development and operation of a Temporary Workforce Housing Facility, to house a maximum of 600 workers, on Lot 7-R1, Block 1, Tract 221, in the Municipality of Barrigada.  
Case Planner: Frank Taitano/Celine Cruz

Zone Change

- C. Application No. 2026-07, the Applicant, Calvo Enterprises, Inc. represented by Daniel D. Swavely; requests a Zone Change from "A" (Rural/Agricultural) zone to "R2" (Multiple Dwelling) zone, for the proposed construction of a 50 unit apartment complex with amenities, on Lots 7024-1NEW-4-3-1RW, 7024-1NEW-4-3-2, 7024-1NEW-4-3-3, 7024-1NEW-4-3-4, 7024-1NEW-4-3-5, and 7024-1NEW-4-3-R5, in the Municipality of Yigo.  
Case Planner: Sonny Gogue



## **Application Review Committee**

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

IV. Approval of ARC Agenda

- A. ARC Regular Meeting, Thursday, February 19, 2026 [No Agenda]
- B. GLUC Regular Hearing, Thursday, February 26, 2026 [Tentative]

V. Administrative & Miscellaneous Matters

VI. Adjournment



# GUAM LAND USE COMMISSION

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

Commissioner Gerald P. Yingling  
Commissioner Joseph A. Rios

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

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## **AGENDA**

Thursday, January 22, 2026 at 1:30 p.m.

Department of Land Management Conference Room

3<sup>rd</sup> Floor ITC Bldg., Tamuning, GU 96913

*[As advertised in the Guam Daily Post – January 14, 2026 & January 20, 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 - None
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III. **Old or Unfinished Business [None]**

IV. **New Business**

### Zone Change

- A. Application No. 2021-08, the Applicant, Anna B. Lujan, represented by Ronald A. Ayuyu; is requesting for a Zone Change from "PUD" (Planned Unit Development) to "C" (Commercial) zone, for a proposed commercial building with a small retail convenience store, coffee shop and service shops, on Lots 2, 3, 4, 5, and R5, Block 4, Tract 222 and Block 3 REM, Tract 222, in the Municipality of Yona. Case Planner: Celine Cruz
- B. Application No. 2023-07, The Applicant, Jose Luis M. De Vera, represented by Harry Gutierrez and Carlos Untalan; is requesting a Zone Change from "A" (Agricultural) Zone to "C" (Commercial) Zone for a proposed two-story structure with a retail store and duplex, on Lot 1, Block 1, Tract 2913, Increment 3, in the Municipality of Yona.  
Case Planner: Celine Cruz

### Zone Variance

- C. Application No. 2023-03, the Applicants, Michael L. and Yuanzhu Z. Spencer, represented by FC Benavente, Planners; are requesting a Zone Variance for Setback, for the proposed construction of a three-story, four-unit apartment building, with a side-yard setback of 3-feet, short 7-feet from the required 10-feet, on Lot 5078-2-1-3 (Tumon), in the Municipality of Tamuning, in an "H" (Resort-Hotel) zone.  
Case Planner: Sonny Gogue

Tentative Development Plan

- D. Application No. 2022-16, the Applicants, Michael L. and Yuanzhu Z. Spencer, represented by FC Benavente, Planners; are requesting a Tentative Development Plan for the proposed construction of a three-story, four-unit apartment building on Lot 5078-2-1-3 (Tumon), in the Municipality of Tamuning, in an "H" (Resort-Hotel) zone.  
Case Planner: Sonny Gogue

**V. Administrative & Miscellaneous Matters**

PUD Amendment

- E. Application No. 2026-14, the Applicant, ADEX Aerospace Guam LLC, represented by Daniel D. Swavely; requests a Technical Amendment to the Leo Palace Resort Master Plan to temporarily accommodate a space launching vehicle and ground tracking system for 3 years on a portion of Lot 177-4-1-NEW, Tract 2511, in the Municipality of Yona.  
Case Planner: Celine Cruz

**VI. Adjournment**