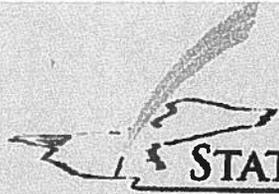


Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

 **BUREAU OF
STATISTICS & PLANS**

SAGAN PLANU SIIIA YAN EMFOTMASION
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3 Fax: (671) 477-1812

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Lorilee T. Crisostomo
Director

JAN 03 2014

1-6-14
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MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: POSITION STATEMENT ON APPLICATION NO. 2014-08; LOT NO.8, TRT. NO. 1141; UKUDU, DEDEDO; NOLI J. AND RITA L. SERRANO; ZONE CHANGE; PROPOSED USE: COMMERCIAL BUILDING FOR OFFICE AND PROFESSIONAL SPACE WITH ACCESSORY MATERIALS STORAGE AND EQUIPMENT PARKING.

The applicants, being represented by Mr. Harry D. Gutierrez, are requesting for a Zone Change from "A" Agricultural to "C" commercial in order to construct a commercial building for their general contracting office and to provide additional professional office space for other activities. The applicants intend to fully operate their general contracting business, and store their materials and equipment on site as well. The subject property is located along Route No. 3 in Ukudu, Dededo and is approximately one and a half a mile northeast of the intersection of Route No. 1 and Route No. 3. The subject site is situated along the entrance to the Ukudo High School, and has an area of approximately 11,225 square meters or 3 acres. The surrounding land uses consist predominantly of scattered single-family residences and the Dos Amantes parcels to the left across Route No. 3. All of the basic infrastructure such as water, power, sewer, telephone and cable are immediately available for the subject property.

The applicant proposes to construct a commercial building to accommodate their general contracting office, and to provide additional professional office space that may be rented or leased, and to provide storage for their materials and parking for their equipment. Landscaping will be provided. The perimeter of the subject property is fenced in entirely.

To justify the zone change, the applicants stated that there is a public necessity and convenience due to its location to single-family developments and the military base. The area will benefit from the convenience and services of a commercial establishment in an area where certain services are not available. Furthermore, it increases employment opportunities and economic activities contribute to the general welfare of the community. The proposed zone change will create a more stable community environment by providing for an orderly development scheme and the full improvements will ensure the general safety and welfare of the adjacent property owners as well.

The Bureau has completed its review of the subject application and has the following comments:

1. The proposal would provide the surrounding community with convenient access to commercial/business/professional activities. Although the closest retail/commercial activity in the area is proposed to be located less than a half a mile southwest of the subject lot along Route No. 3, that

entered 1/27/2014 ES

establishment (BANDBS, INC.) has not been developed at this time. Therefore, the closest existing commercial/retail establishment (Micronesia Mall Complex) is more than a mile away due southwest. The proposed activity will also assist in providing opportunity for employment for residents of the area.

2. The subject area is in the boundary of the Ground Water Protection Zone for the protection of our northern, water lens, therefore the Bureau is concerned that the proposed activities may have a negative impact to water quality. Groundwater is an essential resource for Guam. It is the source for approximately 80% of Guam's drinking water and also contributes to agricultural irrigation. Because of the paramount importance of Guam's water lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our well water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater. Therefore, best management practices are important in the development of this project should the zone change request be approved.
3. The Bureau finds the proposed zone change to be compatible with the proposed Mixed Use designation for the area in the North and Central Guam Land Use Plan. The Mixed Use category primarily focuses on larger commercial centers and corridors, including commercial uses that require large sites and draw customers from throughout the Island. Examples would include but are not limited to department stores, malls, office buildings, medical and other service uses, hotels/motels and restaurants.

The Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare and therefore recommends approval.


LORILEE T. CRISOSTOMO

cc: GEPA
GWA
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GPA

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Eddie Baza Calvo
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Ray Tenorio
Lieutenant Governor

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Lorilee T. Crisostomo
Director

JAN 07 2014

MEMORANDUM

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1/7/14 RPK

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement on **Application No. SZC 2014-06**; Curt and Michelle Cruz; Lot No. 17, Block No. 7; Barrigada; Summary Zone Change; Proposed Use: Residential: residential duplex with future expansion to 4 units.

Pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicants, Mr. and Mrs. Curt and Michelle Cruz, are requesting a summary zone change of Lot No. 17, Block No. 7 in the municipality of Barrigada from an "R-1" Single-family residential to "R-2" multi-family residential. The rezoning of the subject lot will allow for the construction of a 2-storey duplex. In the future, the applicants intend to convert the structure into 4-units for family and for future rentals. The subject lot has an area of 929 square meters, and is served by the basic infrastructure of sewer, power and water. The surrounding land uses consist predominantly of single family residences, some duplexes and multi-family dwellings.

Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns.

1. Should the zone change be approved, the Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and the other residential dwellings as this will help reduce storm water runoff and improve the area aesthetically. It is recommended that native plants be used in the landscaping.
2. Based on our calculations, the applicants meet the parking requirement on-site for the proposed units. There is a possibility of overflow parking, but we feel it would not be a major impact to the neighborhood.
3. The applicants have circulated a petition of support in the surrounding neighborhood, and thus the community is made aware of the plans to rezone for the proposed duplex with future plans for 4-units.

verified
1/27/2014 *RS*

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In light of the points presented in the application, the Bureau finds the proposed summary zone change request to be adequately presented and believes that the rezoning of this lot will not have adverse effects on the surrounding neighborhood. The Bureau therefore recommends approval. Si Yu'os Ma'ase.

01/10/03


LORILEE T. CRISOSTOMO

cc: GEPA
DPR
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GWA

Eddie Baza Calvo
Governor of Guam

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Lieutenant Governor

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*R. Gula
discussing
1/30/14*

Lorilee T. Crisostomo
Director

JAN 24 2014

Memorandum

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

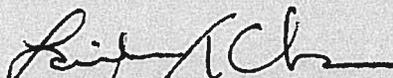
From: Director, Bureau of Statistics and Plans

Subject: Position Statement Application No. 2014-107 Lot No. 5360-R19NEW-4;
Mangilao; Allegro Properties Corporation; Zone Variance: Setback; Proposed
Use: 5-Unit Apartment Building (Existing)

The applicant, Allegro Properties Corporation, represented by Mr. Felix C. Benavente, is requesting a zone variance for the right sideyard setback and rearyard of an existing 5-unit apartment building. The lot is located at the end of Lay Lane behind the Winchell's Donut establishment in the municipality of Mangilao, and has an area of 1,019 square meters.

Per the application package, the applicant is not the original owner. It seems however that when the original owner had the apartments constructed, its placement was in error thereby causing the setback discrepancies. The right side yard is 0'-4" short of the required 8'-0" and the rearyard setback is 0'-2" short of the require 10'-0" setback. The entire apartment building complex perimeter is fenced. The application stated that there is no evidence of visual or material harm to any of the adjacent neighbors. In the Application Review Committee (ARC) meeting, the applicant's representative indicated that the present owner (Allegro Properties Corporation) plans to convert the 5-unit apartment units into condominiums and therefore need to clear the setback discrepancies before moving forward with their plans for the condominium conversion.

The Bureau has completed its review of the zone variance request for setback and finds the use is consistent with the surrounding area. Furthermore, the building was a placement error on the part of the contractor and is minimal. We also believe that the perimeter fence make the setback discrepancies less noticeable to the adjacent neighbors. In view of the above, the Bureau recommends approval.


LORILEE T. CRISOSTOMO

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Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

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Lorilee T. Crisostomo
Director

FEB 03 2014

Memorandum

To: Guam Chief Planner, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement Application No. 2014-11; Lot No. 38, Block No. 1,
Tract No. 232; Sinajana; Jack C. and Barbara S.N. Cruz; Zone Variance:
Minor Setback Variance Program.

*Rec'd 2/4/14
P. Baza
planning Dir*

The applicants, Jack C. and Barbara S.N. Cruz, pursuant to Public Law 27-91, Section No. 2, are requesting a zone variance for front yard and right side setback of their home in Sinajana. The property is a corner lot with two front yards and two side yards. One of the front yard setback is three feet (3'-0") short from the required fifteen feet (15'-0") and the right side yard setback is one foot (1'-0") short from the required eight feet (8'). The application states that the infraction has been in existence since the structure was built in 1972 and the applicants have never received complaints from the neighbors or the public.

The Bureau has completed its review of the subject setback variance request, and we find the use is consistent with the surrounding area. Furthermore, Mr. Roy R. Duenas, the affected neighbor to the right (Lot No. 37, Block No. 1, Tract No. 232), has no objections and is in support of the application as indicated in the January 22, 2014 letter included in the application package. Because of the above-mentioned points, the Bureau recommends approval to the request for a zone variance for setback.


LORILEE T. CRISOSTOMO

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor



BUREAU OF STATISTICS & PLANS

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Lorilee T. Crisostomo
Director

FEB 17 2014

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FEB 16, 2014
BUM [Signature]

MEMORANDUM

TO: Chairperson, Guam Land Use Commission

VIA: Executive Secretary, Department of Land Management

FROM: Director, Bureau of Statistics and Plans

SUBJECT: Position Statement on Application No. 2013-39; Lot Nos. 5038 NEW-1 and 5038 NEW-R2; Ukudu, Dededo; Zone Variance: Height; Proposed Use: Aggregate Processing and Batching Facility.

The applicant, Mariana Stones Corporation, represented by W.B. Flores and Associates, requests a zone variance for height for several structures which are integral components of the proposed aggregate processing and batching facility. The proposed facility will provide additional resources for the construction on Guam, and it will benefit our local community by creating new job opportunities. The project lots are located adjacent to the Ukudu Workforce Village and are primarily surrounded by undeveloped land due north, east and south. The said parcels have an area of 47,389 square meters and 15,568 square meters respectively, and are zoned (M-1) Light-Industrial. Furthermore, the proposed activity is compatible with the surrounding area and the existing zone. The allowable height for structures in this zone is 30 feet. The storage towers or silos attached to the batching plant are the highest proposed structures at approximately 85 feet from ground level. The application indicates there are a total of 12 structure needing height variances.

The Bureau of Statistics and Plans (BSP) has completed its review of the zone variance application for height and recommends approval. However, BSP would like to recommend the following conditions be considered:

1. The subject site is in the boundary of the Ground Water Protection Zone for the protection of our Northern Guam Lens. BSP is concerned that the proposed activities may have a negative impact to water quality as groundwater is an essential resource for Guam. It is the source for approximately 80% of Guam's drinking water and also contributes to agricultural irrigation. Because of the paramount importance of the northern

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lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our well water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater. We are always concerned with potential nonpoint source pollution issues as a result of the impervious surfaces and with regard to wastewater, and the cumulative and secondary impacts of heavy equipment involved in this operation, as well as the on-site fuel storage with regard to the potential for petroleum, oils and lubricant leaks onto the bare ground. Though there are proposed ponding and infiltration basins, BSP suggests the applicant design the area to incorporate bio-retention islands and to provide additional landscaping in order to divert and filter storm water runoff prior to entering the ponding basins and making its way down into the water table and/or the shore. BSP further suggests that the applicant coordinate with the Guam Environmental Protection Agency (GEPA) for the storm water management matters, best management practices and permit requirements and with the Department of Agriculture for assistance on the types of plants, trees and shrubs that can tolerate the north/central Guam environment.

2. The applicant works with the Guam Fire Department (GFD) to ensure that the existing and proposed access to the subject establishment is sufficient and acceptable for emergency vehicles in the event of fire or an emergency.


LORILEE T. CRISOSTOMO

cc: GEPA
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Eddie Baza Calvo
Governor of Guam

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Lorilee T. Crisostomo
Director

FEB 24 2014

MEMORANDUM

To: Chairperson, Guam Land Use Commission
Via: Executive Secretary, Department of Land Management
From: Director, Bureau of Statistics and Plans
Subject: Position Statement on **Application No. SZC 2014-13**; Ulrica C. Perez and Pacifico Fojas; Lot No. 239-4-1; Santa Rita; Summary Zone Change; Proposed Use: Residential: Two residential duplexes - Existing

2-24-14
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Pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicants, Ulrica C. Perez and Pacifico Fojas, are requesting a summary zone change of Lot No. 239-4-1 in the municipality of Santa Rita from an "R-1" Single-family residential to "R-2" multi-family residential. The rezoning of the subject lot will bring the two existing duplexes into zoning compliance. The 4-units are intended for their children and for future rentals. The subject lot has an area of 1000 square meters, and is served by the basic infrastructure of sewer, power and water. The surrounding land uses consist predominantly of single family residences, some duplexes, four unit and six unit apartments and multi-family dwellings.

Based on our review of the subject application as submitted, the Bureau of Statistics and Plans (BSP) provides the following comments and/or concerns:

1. Should the zone change be approved, BSP recommends that there are measures to ensure that the property will be landscaped to provide a buffer between the subject lot and the other residential dwellings as this will help reduce storm water runoff and improve the area aesthetically. In addition, it is recommended that native plants be used in the landscaping.
2. Based on our calculations, the applicants meet the parking requirement on-site for the proposed units. There is a possibility of overflow parking, but we feel it would not be a major impact to the neighborhood.

In light of the points presented in the application, BSP finds the proposed summary zone change request to be adequately presented and believes that the rezoning of this lot will not have adverse effects on the surrounding neighborhood. Therefore, BSP recommends approval. Si Yu'os Ma'ase.

LORILEE T. CRISOSTOMO

cc: GEPA
DPR
DPW
GWA

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Eddie Baza Calvo
Governor of Guam

BUREAU OF STATISTICS & PLANS

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Lorilee T. Crisostomo
Director

MAR 19 2014

MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

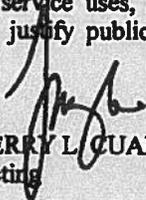
Subject: POSITION STATEMENT ON APPLICATION NO. 2014-12; LOT NO. 2146-1-A-3-1; TAMUNING; ASCENCIO R. AND LETICIA C. VICENTE; ZONE CHANGE; PROPOSED USE: ENGINEERING OFFICE.

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3/20/14 KRB

The applicants, Mr. Ascencio R. and Mrs. Leticia C. Vicente, are requesting for a Zone Change from "R-2" multi-family residential to "C" commercial in order to construct a two-story building for their engineering office, Engineering Partners, Inc. (EPI). The engineering company is an existing company. However, it is their desire to relocate the business to this strategic location for the convenience EPI clients and the general public. The subject property is located along Paz Street and is west of the Guam Premier Outlets and theaters in Tamuning and has an approximate area of 10,000 square feet. Paz Street is a 60 feet wide access easement which connects directly to Chalan San Antonio Road. The surrounding land uses consist predominantly of multi-family dwellings and some scattered single-family dwellings and the Guam Premier Outlet establishment. All of the basic infrastructure such as water, power, sewer, telephone and cable are immediately available for the subject property.

To justify the zone change, the applicants stated that there is a public convenience and necessity due to its strategic location and due to the ongoing and future military construction buildup projects on Guam. The area will benefit from the convenience of an easily accessible engineering establishment where certain services are not available. Furthermore, with regard to the general welfare, the development will provide added employment opportunities and a general increase in the revenue tax rolls for Guam. The proposed zone change will also create a more stable community environment by providing for an orderly development scheme and the full improvements will ensure the general safety and welfare of the adjacent property owners as well.

The Bureau has completed its review of the subject application and finds the proposed zone change to be compatible with the proposed Mixed Use designation for the area in the North and Central Guam Land Use Plan. The Mixed Use category primarily focuses on larger commercial centers and corridors, including commercial uses that require large sites and draw customers from throughout the Island. Examples would include but are not limited to department stores, malls, office buildings, medical and other service uses, hotels/motels and restaurants. The Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare and therefore recommends approval.


TERRY L. CUABO
Acting

cc: GEPA
GWA
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GPA

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Eddie Baza Calvo
Governor of Guam

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Lorlee T. Crisostomo
Director

MAR 19 2014

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3/20/14 RRB

Memorandum

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement Application No. 2013-58; Lot No. 6, Blk. No. 3; Tumon Heights, Tamuning; Natarajan and Subasri Nagarajan; Zone Variance: Setback; Proposed Use: Bambini Day School Center (Child Care Facility) (Existing)

The applicant, Mr. and Mrs. Nagarajan, represented by Mr. Felix C. Benavente, is requesting a zone variance for the left side yard setback and right side yard setback of an existing child daycare facility dba Bambini Day School Center. The subject lot is located off of Tumon Heights Court, at about the midpoint between Tumon Heights Road and Latia Street in upper Tumon, in the vicinity of Ypao Road. The subject lot has an approximate area of 466.31 square meters.

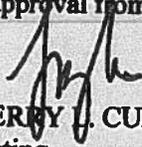
Per the application package, the day school center was established in 2002. Around 2012, the applicants build the encroaching temporary extension on the left side of the main building which eventually was converted to become a permanent area of the establishment to accommodate the growing enrollment. There is also a storage area on the right of the main building which encroaches into the side yard setback. The Zoning Law requires side yard setbacks should be 8 feet on the left and right. However, the subject structure has zero setback on the left side and 4 feet on the right side. The entire day school center perimeter is fenced with the exception of the front. The application stated that there is no evidence of visual or material harm to any of the adjacent neighbors.

The Bureau of Statistics and Plans (BSP) has completed its review of the zone variance application for setback and recommends approval. However, BSP would like to recommend the following conditions be considered:

1. BSP believe the use is consistent with the surrounding area and are concerned with the rights of the adjacent landowners. In this case, the affected adjacent landowners are the owners of Lot No. 5, Block No. 3 and Lot 7, Block 3. There is no evidence that the applicants have attempted to inform the owners of the affected lots. There are no indications that the owners have objections or approve the proposed setback variance request. BSP therefore recommends that the applicants obtain written concurrences from the owners of the affected lots or that that applicants garner support from the affected neighbors in the public hearing for this request.
2. Though this is an existing parking lot, BSP still recommends that the parking layout and dimensions be reviewed by the Department of Public Works (DPW) to ensure that the applicant is in conformance with parking requirements. Furthermore, BSP recommends that the applicants work

with DPW to ensure that the patrons and the residents of the area are safe when vehicles are reversing from the establishment's parking lot.

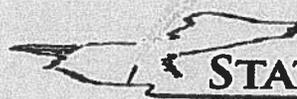
3. BSP recommends the applicants work with the Guam Fire Department (GFD) to ensure that the existing side yard setbacks and access to the rear of the subject establishment are sufficient and acceptable in the event of fire or an emergency.
4. BSP further recommends that any changes to the building's dimensions, horizontally or vertically, will require further review from the ARC and approval from the GLUC.


TERRY I. CUABO
Acting

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Lorilee T. Crisostomo
Director

MAR-19 2014

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3/20/14 KRB

MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: POSITION STATEMENT ON APPLICATION NO. 2014-10; LOT NO. 2320 NEW-2; MANGILAO; WANG SI QUN AND KUI FANG WANG; ZONE CHANGE; PROPOSED USE: RETAIL CONVENIENCE STORE AND OFFICE/COMMERCIAL BUILDING.

The applicants, being represented by Mr. Felix C. Benavente, are requesting for a Zone Change from "R-1" single-family residential to "C" commercial in order to construct a building to accommodate a retail convenience store and office/commercial space. The subject property is located along Route No. 10 in Mangilao and is directly across Pacific Tyre due west. The subject site has over 300 feet of Route 10 frontage, and has an area of approximately 3,868.48 square meters or .95 acres. The surrounding land uses consist predominantly of scattered single-family residences and commercial/retail establishments due east, south east and south west, and some multi-family dwellings nearby. All of the basic infrastructure such as water, power, sewer, telephone and cable are immediately available for the subject property.

The applicants propose to construct a two-story commercial building for a retail convenience store and for office/commercial activities. The perimeter of the subject property is mostly fenced with the exception of a portion on the southern end.

To justify the zone change, the applicants stated that there is a public necessity and convenience due to its location to single-family developments and because most of the retail stores are situated on the opposite side of Route No. 10. The area will also benefit from the convenience and services of a commercial establishment in an area where certain services are not available. Furthermore, it increases employment opportunities and economic activities that will contribute to the general welfare of the community. The proposed zone change will create a more stable community environment by providing for an orderly development scheme and the full improvements will ensure the general safety and welfare of the adjacent property owners as well.

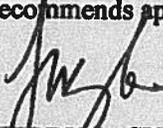
The Bureau has completed its review of the subject application and has the following comments:

1. The proposal would provide the surrounding community with convenient access to commercial, business and/or professional activities. Although there are retail convenience stores nearby, they are located on the opposite side of Route No. 10. Patrons would have to cross the often busy highway to

get to them. The proposed commercial-type activities will also assist in providing opportunity for employment for residents of the area.

2. The subject area is in the boundary of the Ground Water Protection Zone for the protection of our northern, water lens, therefore the Bureau is concerned that the proposed activities may have a negative impact to water quality. Groundwater is an essential resource for Guam. It is the source for approximately 80% of Guam's drinking water and also contributes to agricultural irrigation. Because of the paramount importance of Guam's water lens, which is designated as the sole source aquifer for our drinking water by U.S. Federal recognition, threats to our well water sources must be prevented. The primary goal for protecting groundwater is to safeguard human health and the environment by maintaining the existing high quality of Guam's groundwater. Therefore, best management practices are important in the development of this project should the zone change request be approved.
3. The Bureau finds the proposed zone change to be compatible with the proposed Village Center designation for the area in the North and Central Guam Land Use Plan. The Village Center category is intended to provide flexibility for a compatible mix of residential, commercial, public facility, medical and other service uses, and open space uses at a scale and pattern that is consistent with traditional Chamorro villages and neighborhoods. Although the areas designated as Village Centers may be quite large, they should be developed as a series of individual neighborhoods (0.25-mile radius).

The Bureau finds the proposed zone change request to adequately justify public necessity, public convenience and general welfare. Therefore the Bureau recommends approval.


TERRY L. CUABO
Acting

cc: GEPA
GWA
DPW
DPR
GPA