

*I Mina'Trentai Dos Na Liheslaturan Guahan*

**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
<b>221-32 (COR)</b>	Dennis G. Rodriguez, Jr.	AN ACT RELATIVE TO RE-ZONING LOT NO. 1106-2NEW, LOCATED IN THE MUNICIPALITY OF MANGILAO, FROM SINGLE-FAMILY RESIDENTIAL ("R-1") TO COMMERCIAL ("C"), FOR PURPOSES OF ESTABLISHING A MEDICAL CLINIC AND HEALTH CARE RELATED COMMERCIAL ACTIVITY.	11/13/13 5:07 p.m	11/14/13	Committee on Appropriations, Public Debt, Legal Affairs, Retirement, Public Parks, Recreation, Historic Preservation, and Land			



## COMMITTEE ON RULES

*I Mina'trentai Dos na Liheslaturan Guåhan* • The 32nd Guam Legislature

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Senator  
Rory J. Respicio  
CHAIRPERSON  
MAJORITY LEADER

November 14, 2013

Senator  
Thomas C. Ada  
VICE CHAIRPERSON  
ASSISTANT MAJORITY LEADER

### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

Senator  
Vicente (Ben) C. Pangelinan  
Member

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

Speaker  
Judith T.P. Won Pat, Ed.D.  
Member

**From: Senator Thomas C. Ada**   
*Acting Chairperson of the Committee on Rules*

Senator  
Dennis G. Rodriguez, Jr.  
Member

**Subject: Referral of Bill No. 221-32(COR)**

Vice-Speaker  
Benjamin J.F. Cruz  
Member

As the Acting Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 221-32(COR)**.

Legislative Secretary  
Tina Rose Muña Barnes  
Member

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Senator  
Frank Blas Aguon, Jr.  
Member

Should you have any questions, please feel free to contact our office at 472-7679.

Senator  
Michael F.Q. San Nicolas  
Member

*Si Yu'os Ma'åse!*

Senator  
V. Anthony Ada  
Member  
MINORITY LEADER

Attachment

Senator  
Aline Yamashita  
Member

**MINA TRENTAI DOS NA LIHESLATURAN GUÅHAN**  
**2013 (FIRST) REGULAR SESSION**

**BILL NO. 221 -32 (COR)**

Introduced by:

**D.G. Rodriguez, Jr.** 

**AN ACT RELATIVE TO RE-ZONING LOT NO.  
1106-2NEW, LOCATED IN THE MUNICIPALITY  
OF MANGILAO, FROM SINGLE-FAMILY  
RESIDENTIAL (“R-1”) TO COMMERCIAL (“C”),  
FOR PURPOSES OF ESTABLISHING A MEDICAL  
CLINIC AND HEALTH CARE RELATED  
COMMERCIAL ACTIVITY.**

2013 NOV 13 PM 5:07



**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the subject Lot No. 1106-2NEW, MUNICIPALITY OF MANGILAO, is presently zoned “R-1” – Single-family residential zone. The subject Lot is fronting Route 10, Mangilao. The property immediately to the northern side of the subject lot, but separated from the lot by a road, is zoned “C” (Commercial), and is being utilized as a commercial retail store (KNS Market). There are other commercial lots in the immediate area, but not necessarily contiguous to the subject Lot. To the east of the subject Lot, separated by Route 10, is another active commercial lot (Champion Sporting).

*I Liheslaturan Guåhan* finds that it is the intent of the owners to utilize the subject lot *solely* for medically related commercial purposes. In consideration of the expanding economy and medical needs of the population of Mangilao, and residents of southern Guam, the utilization of the property for medical services is

1 consistent and appropriate, and the application from its present zone to  
2 Commercial (“C”) would enable the designated property to provide economic  
3 movement developing in the area for a needed private medical facility related  
4 health care service purposes.

5 The municipality of Mangilao has an expanding population base, and is the  
6 site of the Guam Community College and the University of Guam. The  
7 populations health care demands are constantly increasing. A private medical  
8 clinic providing needed medical services to the community would be compatible  
9 with increasing the healthcare demands. Further, residents of the southern &  
10 south-eastern areas of Guam are essentially residing in medically underserved  
11 areas, and this proposed development would place additional medical services  
12 within a much more convenient location, reducing the need to travel to Tamuning  
13 and other central locations.

14 Therefore, it is the intent of *I Liheslaturan Guåhan* to support the expanded  
15 use of existing properties in Guam that would provide economic benefits to  
16 property owners, and most importantly positively contribute to the creation of jobs  
17 by way of providing needed medical services t to the community.

18 It is, further, the intent of *I Liheslaturan Guåhan* that the rezoning of Lot  
19 No. 1106-2NEW, MUNICIPALITY OF MANGILAO, be *solely* restricted for any  
20 category of medically related commercial activities.

21 **Section 2. Re-Zoning of Lot No. 1106-2NEW, located in the**  
22 **municipality of Mangilao, from Single Family Residential Zone (“R-1”) to**  
23 **Commercial (“C”).** Lot No. 1106-2NEW, MUNICIPALITY OF MANGILAO  
24 (formerly Municipality of Barrigada), TERRITORY OF GUAM, containing an  
25 area of approximately 172,292 +/- Sq. Ft., is hereby re-zoned from Residential

1 (“R-1”) to Commercial (“C”). The real property map for Lot No. 1106-2NEW,  
2 MUNICIPALITY OF MANGILAO (formerly Municipality of Barrigada), is  
3 hereby incorporated and appended to this Act as EXHIBIT “A”.

4       **Section 3. Commercial Use Restricted for Medically Related**  
5 **Enterprises.** (a) The subject Lot No. 1106-2NEW, MUNICIPALITY OF  
6 MANGILAO (formerly Municipality of Barrigada), zoned “C” pursuant to this  
7 Act, is restricted to medically related commercial activities. For the purposes of  
8 this Act, *medically related commercial activity* shall include, but is not limited to,  
9 doctors office(s), doctors clinic, pharmacy, medical laboratory, radiological,  
10 physical therapy, and similar medically related applications.

11       (b) Commercial utilization of the subject property for any non-medical  
12 related purposes will require a zoning variance for any other intended purposes  
13 *prior* to conducting any other category of commercial activity.

14       **Section 4. Effective Date.** This Act shall become immediately effective  
15 upon enactment.

# EXHIBIT "A"

## LEGEND:

- 4" x 4" CONCRETE MONUMENT FOUND, MARKED RLS / 27
- 4" x 4" CONCRETE MONUMENT FOUND, MARKED RLS / 23
- ⊗ 4" x 4" CONCRETE MONUMENT FOUND, BROKEN TOP
- 4 REBAR WITH PLASTIC CAP FOUND, MARKED RLS / 62
- ⊗ 4 REBAR FOUND, BROKEN CAP
- 4 REBAR WITH YELLOW PLASTIC CAP SET, MARKED PLS / 77

## NOTES:

1. SURVEY WAS BASED ON FOUND PROPERTY CORNERS AS SHOWN.
2. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.
3. BEARINGS AND DISTANCES IN PARENTHESIS ARE RECORD DATA, ALL OTHERS ARE 1993 GRID



1993 GRID  
GRAPHIC SCALE:

100' 50' 25' 0' 100'

SCALE: 1 INCH = 100 FEET

## REFERENCE:

1. CONSOLIDATION & PARCELLING SURVEY OF LOTS 1106-3 & 1106-2, MUNICIPALITY OF BARRIGADA, PREPARED BY RLS / 18.

## CERTIFICATION:

I, VIRGILIO P. OLIVARES, HEREBY CERTIFY THAT THIS SURVEY SKETCH WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT WAS BASED UPON A FIELD SURVEY MADE IN SEPTEMBER 2012.



VIRGILIO P. OLIVARES, P. L. S. # 77

DATE

EXP. DATE: 04/30/2013

## RETRACEMENT SURVEY SKETCH

### OF LOT 1106-2NEW

MUNICIPALITY OF MANGILAO  
(FORMERLY MUNICIPALITY OF BARRIGADA)



V. P. OLIVARES SURVEYING, LLC

CERTIFICATE OF AUTHORIZATION NO. 261  
PROFESSIONAL LAND SURVEYOR NO. 77

P.O. BOX 4740 HAGATNA, GUAM 96932

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