

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON AUGUST 8, 2017 AT THE SANGGUNIANG SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe, Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo	Councilor
Hon. Glenn M. Aldover,	“
Hon. Hamilton G. Blanco,	“
Hon. Sergie Rex M. Atienza,	“
Hon. Oliver Z. Macatangay,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Julian B. Villena,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Nestor E. Dimacuha,	“
Hon. Angelito Dondon A. Dimacuha,	ABC-Rep.

ABSENT:

Hon. Alyssa Renee A. Cruz,	Councilor
Hon. Armando C. Lazarte,	“
Hon. Nelson J. Chavez,	“

“On motion of Councilor Villena seconded by Councilor Nestor Dimacuha, the following Resolution was Adopted:

RESOLUTION NO. 222 S. 2017

**APPROVING THE APPLICATION FOR PRELIMINARY APPROVAL/
LOCATIONAL CLEARANCE AND DEVELOPMENT PERMIT OF SUN
VIEW PROPERTY VENTURES, INC.**

WHEREAS, submitted to the Sangguniang Panlungsod is the Application for Preliminary Approval/Locational Clearance and Development Permit of Sun View Property Ventures, Inc. for residential subdivision project named Green Heights Subdivision to be located in Barangay Dumuclay, Batangas City;

WHEREAS, there is no legal impediment for the approval of the application;

NOW THEREFORE, be it resolved as it is hereby resolved by the Sangguniang Panlungsod in session assembled to approve as it hereby approves the aforesaid application subject to strict compliance with the conditions provided in the Evaluation Report of the City Planning and Development Office which is hereby made integral part of this Resolution.

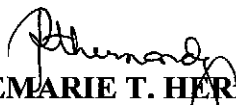
UNANIMOUSLY APPROVED.”

Continuation of Resolution No. 222 S. 2017


**APPROVING THE APPLICATION FOR PRELIMINARY APPROVAL/
LOCATIONAL CLEARANCE AND DEVELOPMENT PERMIT OF SUN
VIEW PROPERTY VENTURES, INC.**

SPONSOR : COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT
LAND USE AND ZONING


I hereby certify that the foregoing Resolution No. 222 S. 2017 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on August 8, 2017.


ROSEMARIE T. HERNANDEZ
Board Secretary IV
Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

ODT/RTH/ystingchuy...



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

COMMITTEE REPORT

TO : The Honorable Presiding Officer
And Members of the Sangguniang Panlungsod

FROM : The Committee on Environment, Urban Development,
Land Use and Zoning

SUBJECT : Application for Preliminary Approval/Locational
Clearance and Development Permit of Sun View
Property Ventures, Inc. for a Proposed Residential
Subdivision Project named Green Heights Subdivision
to be located at Barangay Dumuclay, Batangas City

Referred to the Committee on Environment, Urban Development, Land Use and Zoning is the application of Sun View Property Ventures, Inc. for its proposed residential subdivision named Green Heights Subdivision to be located at Barangay Dumuclay, Batangas City, for preliminary approval/locational clearance and development permit. The Committee held its hearing on July 7, 2017. In attendance are: Councilor Dela Roca, Chairman; Councilors Atienza, Lazarte and Villena, members; Vice Mayor Berberabe, Jr. and other Sangguniang Panlungsod Councilors Aldover, Macatangay, Nestor Dimacuha and Chavez. Other representatives present are Engineer Marajas of City Engineer's Office; Ms. Delia Licarte of City Planning and Development Office; Ms. Charmaine Landicho of ENRO; Mr. Arturo Alido and Mr. Lucio Tan of Sun View and Mr. Jayson Mendoza of FSDC.

The proposed residential subdivision consists a total area of approximately 45,305 square meters with 314 saleable lots. The project will sell lots only.

RECOMMENDATIONS:

In view of the foregoing, the Committee recommends:

1. The approval of the application for Preliminary Approval/Locational Clearance and Development Permit of Sun View Property Ventures, Inc. for a Residential Subdivision Project named Green Heights Subdivision subject to the compliance with the recommendation stated in the Evaluation Report of the City Planning and Development Office which is hereby made integral part of this Committee Report.



Republic of the Philippines
BATANGAS CITY

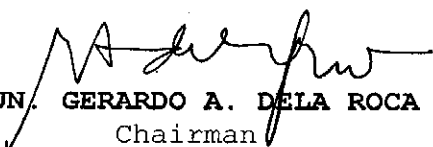
Office of the Sangguniang Panlungsod

Tel. No. 723-2175

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2. The adoption of this Committee Report .
3. Approval of the resolution hereto attached.

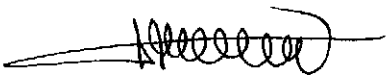
Respectfully submitted, August 8, 2017.


COUN. GERARDO A. DELA ROCA
Chairman

Committee on Environment and Urban Development
Land Use and Zoning


COUN. SERGIO REX M. ATIENZA
Member


COUN. ALYSSA RENEE A. CRUZ
Member


COUN. JULIAN B. VILLENA
Member


COUN. ARMANDO C. LAZARTE
Member



Republic of the Philippines
Batangas City
City Planning and Development Office
City Hall Complex, P. Burgos Street, Batangas City 4200
Tel. Nos.: (043) 723-1832 (telefax) / 773-6100 loc. 2090 & 2092 (CPDC) /
2093 (ACPDC) / 2091 (Admin. Division) / 2094 (Zoning Division)
email add: cpdobatangacity@yahoo.com

EVALUATION REPORT

NAME OF PROJECT : **GREEN HEIGHTS SUBDIVISION**

NAME OF APPLICANT : **MR. LUCIO N. TAN**
President – Sun View Property Ventures, Inc.

ADDRESS / Tel. No. : **Mahabang Parang, Batangas City**
(043) 702 - 1856

NAME OF DEVELOPER : **SUN VIEW PROPERTY VENTURES, INC.**

ADDRESS / TEL. NO. : **Mahabang Parang, Batangas City**
(043) 702 - 1856

NAME OF AUTHORIZED REPRESENTATIVE : **MR. LUCIO N. TAN**

ADDRESS/TEL. NO. : **Brgy. Mahabang Parang, Batangas City**
(043) 702 - 1856

CONTACT PERSON : **MR. ARTHUR ALIDO**

ADDRESS/TEL. NO. : **Nueva Villa Subdivision, Brgy. Alangilan,**
Batangas City / 0998 – 076 - 9830

TYPE OF PROJECT : **RESIDENTIAL SUBDIVISION**
Under BP 220 – Economic and Socialized
Housing – Lots Only

LOCATION OF PROJECT : **Brgy. Dumuclay, Batangas City**

TOTAL LAND AREA : **Approximately 45, 305 sq.m.**

NUMBER OF SALEABLE LOTS : **314 LOTS**

RIGHT OVERLAND : **JOINT VENTURE AGREEMENT (JVA)**

LANDOWNERS

MR. WILBERT C. TAN; MS. LILIAN C. TAN;
MR. FAN SHEK FUNG and MS. TAN YUK
WAH
TCT No. T – 37932
AREA= 34,113 sq.m.

TCT NO. T. 37931
AREA= 11,192 sq.m.

PROJECT DEVELOPMENT COST : **Php 47, 569,250.00**

PROJECT CLASSIFICATION : **RESIDENTIAL SUBDIVISION**
under BP 220 (lots only)

SITE ZONING CLASSIFICATION : **GENERAL DEVELOPMENT ZONE -2**
(GDZ -2)

SUBJECT : Applications for Preliminary Approval/Locational Clearance and Development Permit of Mr. Lucio N. Tan, President of Sun View Property Ventures, Inc. for a proposed Residential Subdivision Project under BP 220 – Lots only , named Green Heights Subdivision to be located in Brgy. Dumuclay, Batangas City

A. DESCRIPTION OF THE PROJECT SITE

The project site is located in Sitio Silangan, Barangay Dumuclay, Batangas City with a total area of approximately 45,305 square meters, which is accessible through a barangay road going to barangay Talumpok Kanluran. It is approximately 8.0 kilometers away from the City Hall, 7.0 kilometers away from SM Shopping Mall and 1.0 kilometer away from Greenwoods South Subdivision

The site has a flat to moderately steep terrain on its northern, western and eastern portions with approximately twenty –five (25) meters wide frontage along a barangay road going to Talumpok Kanluran.

The project site is bounded by the following:

North – Sampaga River

East – creeks and rawland

South – barangay road

West – creeks and rawland

The project site is planted to shrubs, grasses and fruit – bearing trees, such as mango, santol and “sinegwelas”. The dominant existing land uses within the one (1) kilometer radial distance from the project site are residential, commercial, resort, agricultural and pastureland.

B. EVALUATION OF SUBDIVISION PLAN

Evaluation is based on the Minimum Design Standards of BP 220

Total Project Area = 45,305 sq.m.

I. Design Parameters	BP 220 (Economic Housing)	GREEN HEIGHTS SUBDIVISION	%
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1. LAND ALLOCATION

Project Gross Area		45,305 sq.m.	100%
a. Saleable Area	variable	26,988 sq.m.	59.57%
b. Non Saleable Area			
1. Roads Area		13,616 sq.m.	30.05%
2. Legal Easement Area		2,050 sq.m.	4.52%

3. Open space area (parks & playground)	3.5 %	1,586 sq.m.	3.50%
4. Community Facilities	1.0 %	<u>454 sq.m.</u>	1.00%
5. MRF Area		611 sq.m.	1.35 %
Total		18,317 sq.m.	40.43 %
Total Project Area		45,305 sq.m.	100.0 %
SALEABLE LOTS		311 Lots	0.68%
DENSITY		68 lots/ha.	
2. Minimum Lot Area			
2.1. Single Detached	72 sq.m.	72. sq.m.	
2.2. Duplex/ Single Attached	54 sq.m.	67 sq.m.	
2.3. Row house	36 sq.m.	no provision	
3. Minimum Lot Frontage			
3.1 Single Detached			
3.a corner lot	8 m.	8.0 m.	
3.b regular lot	8 m.	8.0 m.	
3.c irregular lot	4 m.	4.0 m.	
3.d interior lot	3 m.	-	
b. Single Attached / Duplex	6 m.	6.0 m.	
c. Row house	4 m.	-	
4. Length of Block	400 m.	248 m.	
5. Road Right - of- Way (ROW)			
5.a Major Road	10 m.	10.0 m.	
5.b Minor Road	6.50 m.	6.5m. - 8.0m.	
6. Road Specification			
6.1 Planting Strip (PS)			
a. 10 m.(major road)	0.8 m	0.80m.	
b. 8 m (minor road)	0.4 m	0.40 m	
c. 6.5 m. (minor road)	optional	no provision	
6.2 Sidewalk (SW)			
a.10 m.(major road)	1.20 m.	1.20 m.	
b. 8 m. (minor road)	0.60 m.	0.7 m.	
c. 6.50 m.(minor road)	0.50 m.	0.75 m.	

7. Road Pavement

a. 10.0 m. (major road)	concrete/ asphalt	concrete - 150 mm thick 3000 PSI concrete pavement with 100 mm thick base course & 100 mm thick compacted sub-base course
b. 8.0 m. (minor road)	concrete/ asphalt	concrete - 150 mm thick 3000 PSI concrete pavement with 100 mm thick base course & 100 mm thick compacted sub-base course
c. 6.5 m. (minor road)	concrete/ asphalt	concrete - 150 mm thick 3000 PSI concrete pavement with 100 mm thick base course & 100 mm thick compacted sub-base course
d. sidewalk	macadam	concrete - 100 mm thick 2500 PSI concrete sidewalk with 100 mm sub-base
8. Water Supply	Centralized water system or connect to public water system	Provision of deep well with elevated water tank
9. Power Supply	power service in the locality	to be served by MERALCO
10. Fire Hydrant	250 meters (max. spacing)	8 units fire hydrants
11. Drainage System	underground	underground using a drainage pipe size of 12 inches diameter, 15 inches diameter and 18 inches diameter
12. Drainage Outfall (stormwater)	Existing drainage system provided by the government or existing nearest creek and river	Sampaga River and a creek
13. Sewage Disposal System	Individual septic tank	Individual septic tank
14. Garbage Disposal	Provide sanitary and efficient collection and disposal system whether independ- dently or in conjunc-	Per the submitted Solid Waste Management Plan, the developer will designate areas site collection points for solid wastes and will prepare guidelines for collection and

	tion with the local government collection and disposal service	transport of domestic solid wastes by the accredited haulers and will provide material recovery facility (MRF) within the project site for wastes segregation in compliance with RA 9003.
15. Setback at the main road	3.0 meters in depth by 5.0 meters in length at both sides of the subd. entrance	Provide 3.0 meters in depth by 5.0 meters in length at both sides of the subdivision entrance along the existing barangay road

C. EVALUATION OF FACTS

1. The project site for the proposed residential subdivision project under BP 220 lots only is located within the designated General Development Zone -2 (GDZ -2) per the Batangas City Zoning Ordinance, wherein the abovesaid project is an allowed use.
2. The Sangguniang Barangay of Dumuclay, this city adopted Barangay Resolution Number 21 series of 2016 – allowing the development of the 4.60 hectares property owned by the Sunview Property Venture, Inc. into a residential subdivision project under BP 220 – lots only on November 27, 2016..
3. The abovesaid project had been issued Preliminary Approval/Locational Clearance (PALC) and Development Permit (DP) by the city government on May 28, 2008 wherein the conditions set forth on the Preliminary Approval/Locational Clearance (PALC) and Development Permit (DP) issued are as follows:
 - The Preliminary Approval/Locational Clearance (PALC) shall be considered automatically revoked if the project is not commenced within one (1) year from the date of this decision.
 - A Development Permit shall be valid only for a period of three (3) years from the date of issuance and can be revoked if no physical development is introduced within the same period.
4. Ocular inspection of the project site was conducted by the zoning inspectors from the City Planning and Development Office on December 6, 2016 and it was found out that the proponent/developer did not introduce or start any development activity within the project site, after the issuance of Preliminary Approval / Locational Clearance (PALC) and Development Permit (DP)
5. The former developer of the abovementioned project is the First Frontier Realty Ventures, Inc. represented by its President, Mr. Lucio Tan with address at 3rd floor Jaicon Bldg., Evangelista Street, Batangas City.
6. The Department of Environment and Natural Resources – Environmental Management Bureau (DENR – EMB) CALABARZON Region issued Environmental Compliance Certificate (ECC) for the development of two (2) parcels of land covered by TCT Nos. T – 37931 & T – 37932 with an area of 45, 305 square meters on March 8, 2006.
7. The Department of Agrarian Reform Region IV- A CALABARZON granted Land Use Conversion Clearance from agricultural to residential (socialized housing) of the project site consisting of two (2) parcels of land covered by TCT Nos. T – 37932 & T – 37931 with a total area of 4. 5305 hectares
8. Based on the Geological Hazard Assesment Report for the site of the proposed residential subdivision project under BP 220 lots only, the proposed project is located within a region of active geologic environment. There are active faults, volcano and localized landslides that might pose potential geologic hazards in the proposed project site.

9. The distance of the project site to the identified generators of potential geologic hazards are as follows:

- | | |
|---|--|
| a. Marikina Valley Fault Line | 35 km |
| b. Lubang Fault Line | 40 km |
| c. Philippine Fault Zone (Infanta Fault) | 70 km |
| d. Philippine Trench | 500 km |
| e. Manila Trench | 200 km |
| f. Taal Volcano | 25 km |
| g. Mount Banoy | 12 km |
| h. Localized landslides | along the river banks of the Sampaga River at the northern and western boundaries of the project site. |
| i. Mabini & Tingloy Fault | 18 km |

10. Based on Section 18 of Republic Act No. 7279, the 20 % compliance for socialized housing project of the Green Heights Subdivision is 9,061 square meters.

RECOMMENDATIONS

The applications for Preliminary Approval / Locational Clearance (PALC) and Development Permit (DP) for a residential subdivision project under BP 220 – lot only, named Green Heights Subdivision to be located in barangay Dumuclay, Batangas City is being considered for appropriate action subject to the following conditions:

1. The applicable requirements of all concerned government agencies and applicable provisions of the existing laws and city ordinances shall be complied with;
2. No expansion, alteration and /or improvement shall be introduced in the project site without prior clearance from the city government;
3. Any misrepresentation, false statements or allegations material to the issuance of this decision shall be sufficient ground or basis for its revocation;
4. The proponent/developer shall submit the approved subdivision plans to the Land Management Bureau (LMB) and the Land Registration Authority (LRA) for verification and approval of the field survey returns. Said plans together with the verification/approval document shall be submitted to the Housing and Land Use Regulatory Board (HLURB) as requirements in the application for a Certificate of Registration of the subdivision and the issuance of License to Sell.
5. The proponent / developer shall secure Certificate of Registration and License to Sell from the Housing and Land Use Regulatory Board prior to the actual selling of subdivision lots. Certified photocopies of which must be furnished to the City Government of Batangas through the City Planning and Development Office;
6. Areas allocated for open spaces and amenities are non – saleable and the use of said areas shall be indicated in the plan and be annotated in the title.
7. The proponent shall comply with the provisions of City Ordinance No. 8 Series of 1994, otherwise known as “Providing Priority in Employment or Work to Qualified Barangay Residents”;
8. The proponent/developer including lot buyers/homeowners shall comply with the applicable provisions of the Batangas City Environment Code of 2010;


9. The proponent / developer shall plant trees and ornamental plants in the provided parks and open spaces, planting strips and easements;
10. The proponent/developer shall pay all the required taxes and fees to be imposed by the city government;
11. The proponent /developer shall secure building permits from the City Engineering Office (CEO) and the zoning/locational clearance from the City Planning & Development Office (CPDO), for all buildings and structures to be constructed within the project site prior to construction;
12. The proponent / developer shall submit to this office the brochures and other forms of advertisements, notices and circulars relative to the sale of the subdivision lots;
13. The proponent /developer shall comply with all the recommendations setforth in the Geological Hazard Assesment Report approved by the Mines and Geosciences Bureau Region IV for the development of the project site and the construction of buildings/structures within the project site;
14. The proponent / developer shall secure clearance / approval of the slope protection plan along the bank of the Sampaga River at the northern & western boundaries of the project site from the City Engineering Office (CEO) / Department of Public Works and Highway (DPWH) prior to the approval of the Preliminary Approved /Locational Clearance (PALC) and Development Permit by the Sangguniang Panglungsod & the City Mayor;
15. The proponent / developer shall secure City Environment Certificate (CEC) from the City Environment and Natural Resources (ENRO) prior to the approval of the PALC /DP by the Sangguniang Panlungsod and the City Mayor.
16. The proponent / developer shall construct slope protection, or rip- rap/retaining wall along the Sampaga River bank at the northern & western boundaries of the project site and at the sides of the existing creeks along the eastern and western boundaries of the project site for protection and prevention against localized landslides;
17. The owner/developer shall strictly comply with all the conditions stipulated in the Environmental Compliance Certificate (ECC) issued for the project;
18. The owner/developer shall provide at least three (3) meters wide easement measured from the existing banks of the Sampaga River along the eastern, northern and western boundaries of the project site to be planted with fast growing shade trees to serve as buffer and protection;
19. The owner /developer shall provide at least three (3) meters wide easement measured from the sides of the existing creeks adjacent to the project site to be planted with fast growing shade trees to serve as buffer and protection;
20. The owner/developer shall construct and maintain all the facilities, features and amenities provided in the subdivision plan to be approved by the city government;
21. The owner /developer shall provide its own water supply system within the entire subdivision project for the use of future occupants/homeowners/lot buyers;
22. The owner / developer shall provide retaining walls or riprap along the side of the creek in the eastern boundary of the project site to protect the area allotted for community facilities;.
23. The owner /developer shall exclude from development all areas that are not buildable, with steep terrain, specifically along the eastern and northern boundaries of the project site. All these areas are not for sale;


24. All structures/buildings to be constructed at the project site shall be in accordance with the rules and regulations and specifications as prescribed by the National Structural Code of the Philippines and / or the National Building Code of the Philippines;
25. Planting strips shall be planted with fast growing/shade trees and ornamental plants in compliance with the required landscaping/greening area as provided for under BP 220;
26. The proponent / developer shall submit to this office a periodic progress report relative to its compliance to the conditions and requirements for the approval of the said project;
27. The proponent/developer shall allow anytime even without prior notice, authorized city government officials/employees to conduct an on - the - spot inspection and monitoring of the on - going activities being undertaken within the project site;
29. The transfer of ownership of the project carries with it the responsibility of complying with the above mentioned conditions, the transfer of which shall be made known to this office through a written notification by herein grantee within fifteen (15) days from such transfer.

June 15, 2017

Prepared by :


MICHELLE A. FESTIJO
Zoning Officer II


ROSELYN G. BERBERABE
Zoning Officer III


DELIA M. LICARTE
Zoning Officer IV

Noted by :

JANUARIO B. GODOY
City Planning & Development Coordinator