

**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 FEBRUARY 13, 2018 AT THE SANGGUNIAN SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Glenn M. Aldover,	“
Hon. Sergie Rex M. Atienza,	“
Hon. Hamilton G. Blanco,	“
Hon. Alyssa Renee A. Cruz,	“
Hon. Oliver Z. Macatangay,	“
Hon. Armando C. Lazarte,	“
Hon. Julian B. Villena,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Nestor E. Dimacuha,	“
Hon. Nelson J. Chavez,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.

ABSENT:

Hon. Karlos Emmanjuel A. Buted,	Councilor
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“On motion of Councilor Dela Roca seconded by Councilor Villena, the following Resolution was Adopted:

RESOLUTION NO. 48 S. 2018

**APPROVING THE APPLICATION FOR ALTERATION OF A PORTION
OF THE SUBDIVISION PLAN OF MERCEDES HOMES LOCATED
AT BARANGAY SORO-SORO ILAYA, BATANGAS CITY**

WHEREAS, the ASTRA REALTY CORPORATION is applying for the approval of the alteration of a portion of the subdivision plan of its project Mercedes Homes to be located in Soro-soro Ilaya, Batangas City.

WHEREAS, the application was duly endorsed to the Sangguniang Panlungsod by the City Mayor after evaluation of the City Planning and Development Office, Batangas City;

WHEREAS, the alteration of a portion of the subdivision plan was found necessary and compliant with the requirements of law, rules and regulations affecting real estate development and the environment;

NOW THEREFORE, be it resolved as it is hereby **RESOLVED** by the Sangguniang Panlungsod in session assembled, to approve, as it is hereby approved, the Application for Alteration of a portion of the Subdivision Plan of Mercedes Homes;

RESOLVED FURTHER, that the recommendation stated in the Evaluation Report of the City Planning and Development Office be adopted as conditions of this approval and be mandated for the strict compliance by the Applicant Astra Realty Corporation.

Continuation of Resolution No. 48 S. 2018


**APPROVING THE APPLICATION FOR ALTERATION OF A PORTION
OF THE SUBDIVISION PLAN OF MERCEDES HOMES LOCATED
AT BARANGAY SORO-SORO ILAYA, BATANGAS CITY**


RESOLVED FURTHERMORE, that the Evaluation Report of the City Planning and Development Office, hereto annexed as Annex "A", be made integral part of this Resolution.

UNANIMOUSLY APPROVED."

**SPONSOR : COUN. GERARDO A. DELA ROCA
COMMITTEE ON ENVIRONMENT, URBAN
DEVELOPMENT LAND USE AND ZONING**

I hereby certify that the foregoing Resolution No. 48 S. 2018 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on February 13, 2018.


ATTY. IVY AUDREY D. TELEGATOS
Board Secretary I
Sangguniang Panlungsod

NOTED: 
ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:  
EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

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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 Alteration of a Portion of the
Subdivision Plan of Mercedes Homes, located at Sorosoro Ilaya, Batangas City

The Committee held a hearing on January 25, 2018. In attendance are: the undersigned Chairman of the Committee, Councilor Gerardo Dela Roca, and members Councilors Atienza, Lazarte, and Villena, other Sangguniang Panlungsod Councilors Aldover, Blanco, Macatangay, Buted, and N. Dimacuha; Zoning Officer Delia Licarte, City Engineer's Office representative Engr. Amy Untalan, and City ENRO Charmaine Landicho, and representatives of the applicant: Engr. Jimmy Castillo and James Mujer.

This application is for the alteration of a **portion** of the approved subdivision plan of the Mercedes Homes located at Brgy. Sorosoro Ilaya, Batangas City. The residential subdivision is owned by Astra Realty Corporation.

The residential subdivision has an approved locational/zoning clearance granted by the Batangas City Government in 2012 and has in fact been selling residential lots. The alteration became necessary as a result of the increased demand for house model "Manor" over the house model "Villas". The representative engineer of the applicant explained this purpose or necessity. In sum, the alteration is in order to convert some saleable lots to road lots and open space, to increase the area of saleable lots in another area, to transfer portion of Block 8 (Lots 1 to 69, all odd numbers) and Block 28 to community facility and transfer portion of parks and playground at Block 28 from Phase 4 to Phase 3.

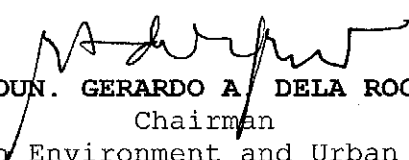
The City Planning and Development Office, thru its Zoning Division, submitted an Evaluation Report to the Sangguniang Panlungsod containing the recommendations of the said Office and which are made integral part of this Committee Report (Annex "A").

RECOMMENDATIONS:

Considering the foregoing, the Committee recommends:

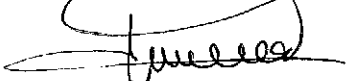
1. To adopt the Committee Report.
2. To approve the Application for Alteration of a Portion of the Subdivision Plan of Mercedes Homes, located at Soro-soro Ilaya, Batangas City.
3. To approve the attached Resolution.


Respectfully submitted, February 13, 2018.


COUN. GERARDO A. DELA ROCA
Chairman

Committee on Environment and Urban Development
Land Use and Zoning


COUN. SERGIO REX M. ATIENZA
Member


COUN. JULIAN B. VILLENA
Member


COUN. ALYSSA RENEE A. CRUZ
Member


COUN. ARMANDO C. LAZARTE
Member



"ANNEX A"

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: cpdobatangascity@yahoo.com

EVALUATION REPORT

NAME OF SUBDIVISION : MERCEDES HOMES

NAME OF APPLICANT : ASTRA REALTY CORPORATION
By: Ms. Nora A. Bitong
Chairman & President

ADDRESS/TELEPHONE NUMBER : Jannov Plaza Building 3 # 2295 Pasong Tamo Extension, Makati City, Metro Manila

NAME OF DEVELOPER : ASTRA REALTY CORPORATION

ADDRESS : Jannov Plaza Building 3 # 2295 Pasong Tamo Extension, Makati City, Metro Manila

NAME OF AUTHORIZED REPRESENTATIVE : Engr. Jimmy Castillo: Project Engineer
ASTRA REALTY CORPORATION

ADDRESS/CEL. NUMBER : Mercedes Homes, Sorosoro Ilaya, Batangas City / 0917 - 728 - 6845

TYPE OF PROJECT : Residential Subdivision under BP 220 - with Housing Component (Economic and Socialized Housing Project).

LOCATION OF PROJECT : Brgy. Sorosoro Ilaya, Batangas City

PROJECT AREA : Approx. 199,312 square meters (19.9321 hectares)

NUMBER OF SALEABLE LOTS : 2, 527 Units

AFFECTED AREA : 8, 996 Square Meters

RIGHT OVERLAND : Owner - (Please refer to the attached copies of Transfer Certificate of Title for 110 Lots)

PROJECT DEVELOPMENT COST : **Php 319,000,000.00**

PROJECT CLASSIFICATION : Residential subdivision under BP 220 with Housing Component (Economic & Socialized Housing Project)

SITE ZONING CLASSIFICATION : Agro - Industrial Development Zone (AIDZ)

SUBJECT : Application for Alteration of Approved Subdivision Plan of portion of Mercedes Homes Subdivision of the Astra Realty Corporation located at Barangay Sorosoro Ilaya, this city which was earlier granted a Preliminary Approval / Locational Clearance and Development Permit on July 11, 2012 from saleable lots to road lot and open space, increase the area of saleable lots, transfer portion of Block 8 (Lots 1 to 69 all odds numbers) and Block 2 Phase 4 and change portion of parks and playground at Block 28 to community facility and transfer portion of parks and playground at Block 28 from Phase 4 to Phase 3.

PURPOSE FOR THE ALTERATION OF SUBDIVISION PLAN

The purpose for the alteration of the approved subdivision plan is because the market for Manor unit is increasing in demand than the Villas unit.

I. EVALUATION OF SUBDIVISION PLAN

A. Approved Subdivision Plan of Mercedes Homes

1. Land Allocation	Area	Percentage
Project Gross Area	199,312 sq.m.	100 %
a. Saleable Area	126,410 sq.m.	63.42 %
b. Non – Saleable Area		
b.1 Parks & Playground	6,984 sq.m.	3.5 %
b.2 Community Facility	1,990 sq.m.	1.0 %
b.3 Road Area	63,302 sq.m.	31.76 %
Saleable Lots	2, 257 units	
Density	126 lots/ha.	

B. Altered Subdivision Plan of a Portion of Mercedes Homes (Phase 3 & Phase 4) with Housing Component under BP 220

A. Mercedes Homes (Phase 4)

Land Allocation	Area	Percentage
Saleable Area	33,830	62.573 %
Roads	17, 791	32.907 %
Parks & Playground	1,894	3.503 %
Community Facility	<u>550</u>	<u>1.017 %</u>
Total Project Area	54,065 sq.m.	100.00 %
Saleable Lot	610 lots	
Density	112.83 lots/has.	

B. Mercedes Homes (Phase 3)

Land Allocation	Area Sq.m.	Percentage
Saleable Area	25,702	65.341 %
Roads	11,687	29.711 %

Parks and Playground	1,530	3.89 %
Community Facility	<u>416</u>	<u>1.058 %</u>
Total Project Area	39,335	100.00%
Saleable Lots	590 Lots	
Density	150 Lots / has.	
Affected Area	: 8, 996 sq.m.	
a. Road Area	: 796 sq.m.	
	From Saleable Lots of Block 5 to Road Lot	
	Lot 45 - 40 sq.m.	
	Lot 44 - 40 sq.m.	
	Lot 43 - 18 sq.m.	
	Lot 46 - 26 sq.m.	
	Lot 76 - 85 sq.m.	
	Lot 75 - 39 sq.m.	
	Lot 77 - <u>30 sq.m.</u>	
	278 sq.m.	
	From Saleable Lots of Block 6 to Road Lot	
	Lot 31 - 40 sq.m.	
	Lot 32 - 40 sq.m.	
	Lot 29 - 29 sq.m.	
	Lot 30 - 51 sq.m.	
	Lot 33 - 55 sq.m.	
	Lot 34 - <u>55 sq.m.</u>	
	270 sq.m.	
	From Saleable Lots of Block 7 to Road Lot	
	Lot 31 - 40 sq.m.	
	Lot 32 - 40 sq.m.	
	Lot 29 - 35 sq.m.	
	Lot 30 - 35 sq.m.	
	Lot 33 - 49 sq.m.	
	Lot 34 - <u>49 sq.m.</u>	
	248 sq.m.	
Road Area	278 + 270 + 248	
	= 796 sq.m.	
b. Open Space	121 sq.m.	
	From Saleable Lots of Block 5 to Open Sapce	
	Lot 75 - 47 sq.m.	
	Lot 77 - <u>74 sq.m.</u>	
	121 sq.m.	

C. Parks and Playground at Block 28 for Phase 4

P/P = 1, 847 sq.m. [from P/P at Block 28 with an area of 3, 173 sq.m.]

P/P = (Open Space at Blk 5) = 47 sq.m.

Total Area of Parks / Playground = 1,847 sq.m. + 47 sq.m.
For Phase 4 = 1,894 sq.m. (which is 3.503 % of 54, 065 sq.m.,
the total project area of Phase 4)

D. Community Facility at Block 28 for Phase 4 = 550 sq.m. (which is 1.017 % of 54,065 sq.m., the total project area of Phase 4)

E. Parks and Playground at Block 28 for Phase 3 = 1, 326 sq.m. (from P/P at Blk. 28 with an area of 3, 173 sq.m)

P/P (opens space at Blk. 5 for Phase 3) = 112 sq.m.

P/P (open space at Blk 1 for Phase 3) = 147 sq.m.

Total Area of Parks / Playground = 1,326 sq.m.+ 112 sq.m.=147 sq.m.
1,495 sq.m. (which is 3.80 % of 39, 335 sq.m.
the total project area of Phase 3)

F. Community Facility at Blk 28 for Phase 3 = 416 sq.m. (which is 1.017 % of 39, 335 sq.m.
the total project area of Phase 3)

G. Block 8

The thirty five (35) lots from Block 8, which are Lot 1 to Lot 69, all odd numbers with a total area of 1,481 square meters will be transferred from Phase 3 to Phase 4.

H. Block 24

The forty four (44) lots from Block 24, which are Lot 1 to Lot 87, all odd numbers with a total area of 1,881 square meters will be transferred from Phase 3 to Phase 4.

I. Saleable Lots with additional lot areas.

	Approved Area	Altered Area
1. Block 5		
Lot 47	40 sq.m.	54 sq.m.
Lot 42	<u>60 sq.m.</u>	<u>82 sq.m.</u>
	100 sq.m.	163 sq.m.
2. Block 6		
Lot 27	40 sq.m.	51 sq.m.
Lot 28	40 sq.m.	51 sq.m.
Lot 35	60 sq.m.	65 sq.m.
Lot 36	<u>60 sq.m.</u>	<u>65 sq.m.</u>
	200 sq.m.	232 sq.m.
3. Block 7		
Lot 27	40 sq.m.	45 sq.m.
Lot 28	40 sq.m.	45 sq.m.
Lot 35	60 sq.m.	71 sq.m.
Lot 36	<u>60 sq.m.</u>	<u>71 sq.m.</u>
	200 sq.m.	232 sq.m.

II. EVALUTION OF FACTS

1. Inspection of the project site was conducted on July 10, 2017 and the findings were as follows particularly at Phase 4.
 - a. Site clearing and leveling is on-going
 - b. Road concreting is on – going
 - c. Drainage construction is on – going
 - d. There is no construction of houses in the project site
 - e. Construction of club house is on – going
2. The Barangay Council of Sorosoro Ilaya adopted Resolution No. 7 S. 2017 conforming and approving the alterations of Phase 3 and Phase 4 of the Mercedes Homes;
3. Mercedes Homes had been earlier issued a Preliminary Approval / Locational Clearance (PALC) and Development Permit (DP) under BP 220 by the City Government of Batangas on July 11, 2012;
4. The Phase 3 and Phase 4 of Mercedes Homes had been issued a License to Sell and a Certificate of Registration by the Housing and Land Use Regulatory Board (HLURB) on September 27, 2012;
5. The Environmental Management Bureau – Department of Environment and Natural Resources (EMB – DENR) issued an Environmental Compliance Certificate (ECC) for Mercedes Homes on December 28, 2009.
6. Per evaluation and verification of the submitted proposed alteration of the approved subdivision plan, the project has complied with the requirements of minimum design standards and Implementing Rules and Regulations of BP 220.

RECOMMENDATION

The application for alteration of a portion of the approved subdivision plan of Mercedes Homes owned by Astra Realty Corporation located at barangay Sorosoro Ilaya, Batangas City with the following changes/alterations is being recommended for appropriate action subject to the following conditions:

CHANGES/ALTERATIONS

- a. The seventeen (17) saleable lots to road lot
- b. The two (2) saleable lots to open space
- c. The ten (10) saleable lots of Phase 4 have increased their lot areas
- d. The thirty five (35) lots from Block 8, which are lot 1 to lot 69, all odd numbers with a total area of 1, 481 square meters will be transferred from Phase 3 to Phase 4.
- e. The forty – four (44) lots from Block 24, which are lot 1 to lot 87, all odd numbers with a total area of 1, 881 square meters will be transferred from Phase 3 to Phase 4.
- f. The areas of parks, playground and community facility at Block 28 in Phase 4 will be apportioned as follows:

	Area (sq.m.)	Block	Phase
Parks and Playground	1, 847	28	4
Community Facility	550	28	4
Parks and Playground	1, 326	28	3
Community Facility	416	28	3

CONDITIONS:

1. The applicable requirements of all concerned government agencies and applicable provisions of the existing relevant 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 the decision for the application shall be sufficient grounds or basis for its revocation;
4. The proponent/developer shall secure new License to Sell from the Housing and Land Use Regulatory Board (HLURB) for the altered portion of subdivision plan of Phases 3 & 4;
5. The areas allocated for open spaces and amenities are considered non – saleable spaces and the use of said areas shall be indicated in the plan and be annotated in the title;
6. 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”;
7. The proponent/developer including lot buyers/homeowners shall comply with the applicable provisions of the Environment Code of Batangas City;
8. The proponent / developer shall plant trees and ornamental plants in the provided parks, open spaces, planting strips and easements;
9. The proponent/developer shall pay all the required taxes and fees to be imposed by the city government;
10. The proponent /developer shall secure building permits from the City Engineering Office (CEO) and the zoning/location clearance from the City Planning & Development Office (CPDO), for all buildings and structures to be constructed within the project site prior to their construction;
11. The proponent/developer shall strictly comply with all the conditions stipulated in the Preliminary Approval / Locational Clearance and Development Permit granted by the Sangguniang Panlungsod and the City Mayor;
12. The proponent/developer shall adopt 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 housing construction;
13. Planting strips shall be planted with fast growing/shade trees and ornamental plants in compliance with the required landscaping/greening areas as provided for under BP 220;

14. The proponent/developer shall submit to the City Planning and Development Office (CPDO) a progress report relative to its compliance to the conditions and requirements for the approval of the said project;
15. The proponent shall strictly comply with all the conditions stipulated in the Environmental Compliance Certificate (ECC) and the City Environment Clearance (CEC) issued to the project by the DENR - EMB and the City ENRO respectively;
16. The proponent shall provide a setback from the main public road with a minimum dimension of 3.0 meters in depth and 5.0 meters length at both sides of the subdivision entrance to accommodate loading and unloading of passengers;
17. The developer shall provide at least 2.0 meter high concrete perimeter fence to enclose the project site;
18. The proponent shall provide the required 0.50 meter wide sidewalk along the 6.50 meter wide road indicated in the subdivision plan;
19. The proponent/developer shall allow at any time even without prior notice, authorized city government officials/employees to conduct an on - the - spot inspection and monitoring of all on-going activities being undertaken within the project site;
20. The transfer of ownership of the project carries with it the responsibility of complying with the abovementioned 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;

July 31, 2017

Prepared by :



ALEX M. GONDA
 Zoning Officer I


MICHELLE A. FESTIJO
 Zoning Officer II


ROSELYN G. BERBERABE
 Zoning Officer IV


DELIA M. LICARTE
 Zoning Officer IV

Noted by :


JANUARIO B. GODOY, EnP
 City Planning & Development Coordinator