

**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 MAY 23, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

| | |
|--|-------------------|
| Hon. Alyssa Renee A. Cruz, | Presiding Officer |
| Hon. Hamilton G. Blanco, | Councilor |
| Hon. Karlos Emmanjuel A. Buted, | ” |
| Hon. Nestor E. Dimacuha, | ” |
| Hon. Oliver Z. Macatangay, | ” |
| Hon. Armando C. Lazarte, | ” |
| Hon. Nelson J. Chavez, | ” |
| Hon. Jose Jonash Luis F. Tolentino, | ” |
| Hon. Isidra “Ched” M. Atienza, | ” |
| Hon. Lorenzo A. Gamboa, Jr., | ” |
| Hon. Michael C. Villena, | ” |
| Hon. Angelito Dondon A. Dimacuha, | (ABC-Rep.) |
| Hon. Marjorie A. Manalo, | (SK-Rep.) |
| | |
| Hon. Andrea Loise F. Macaraig, (O.B.) | Councilor |
| Hon. Zester Carlo M. Hernandez, (O.B.) | ” |

“On motion of Councilor Lazarte seconded by Councilor Gamboa, the following Resolution was Adopted:

RESOLUTION NO. 22-212 S. 2023

**A RESOLUTION APPROVING THE APPLICATION FOR LOCATIONAL
CLEARANCE OF ETERNAL CREMATORY CORPORATION FOR THE PROPOSED
COLUMBARIUM/CRYPT PROJECT TO BE LOCATED IN ETERNAL GARDENS
MEMORIAL PARK (EXPANSION), BARANGAY BALAGTAS, BATANGAS CITY**

WHEREAS, Eternal Crematory Corporation applied for locational clearance for the proposed columbarium/crypt project to be located in Eternal Gardens Memorial Park (Expansion), Barangay Balagtas, Batangas City;

WHEREAS, the proponent has submitted the necessary pertinent documents and requirements for the approval of its application;

WHEREAS, all necessary permits and documentation shall be provided by the proponent, including but not limited to landscape and “As Built Plan” in support to the project structure, a Memorandum of Agreement (MOA) by and between the proponent and the host Barangay, City Environmental Certificate (CEC) from the City ENRO and compliance to the conditions and recommendations as enumerated in the evaluation report of the City Planning and Development Office (CPDO) of Batangas City;

Continuation of Resolution No. 22-212 S. 2023

A RESOLUTION APPROVING THE APPLICATION FOR LOCATIONAL CLEARANCE OF ETERNAL CREMATORY CORPORATION FOR THE PROPOSED COLUMBARIUM/CRYPT PROJECT TO BE LOCATED IN ETERNAL GARDENS MEMORIAL PARK (EXPANSION), BARANGAY BALAGTAS, BATANGAS CITY

WHEREAS, all applicable requirements of all concerned government agencies and applicable provisions of existing laws and city ordinances shall be complied with including Environmental Code of Batangas City, Ordinance No. 20, S. 2018 (An Ordinance Establishing Sewage and Septage Management for the City of Batangas), Sanitation Code of the Philippines (PD 856), RA 9275 (Clean Water Act of 2004), RA 8749 (Philippine Clean Air Act), RA 9513 (Renewable Energy Act of 2008);

WHEREAS, non-compliance with the provisions and conditions stipulated herein shall be sufficient ground or basis for revocation of the issuance of this decision;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Sangguniang Panlungsod in session assembled, to approve as it hereby approves the Application for Locational Clearance of Eternal Crematory Corporation for the Proposed Columbarium/Crypt Project to be located in Eternal Gardens Memorial Park (Expansion), Barangay Balagtas, Batangas City.

UNANIMOUSLY APPROVED."

AUTHORS : COUN. ARMANDO C. LAZARTE
 COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT
 LAND USE AND ZONING

COUN. LORENZO A. GAMBOA, JR.
 COMMITTEE ON ENGINEERING AND PUBLIC WORKS

I hereby certify that the foregoing Resolution No. 22-212 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on May 23, 2023.


ATTY. OLIVA D. TELEGATOS
 Secretary

ATTESTED:


ATTY. ALYSSA RENEE A. CRUZ
 Presiding Officer

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Republic of the Philippines
Province of Batangas
Batangas City
SANGGUNIANG PANLUNGSOD

JOINT COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING
COMMITTEE ON ENGINEERING AND PUBLIC WORKS

COMMITTEE REPORT

DATE : May 16, 2023

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

FROM : Joint Committee on Environment and Urban Development, Land Use and Zoning and Committee on Engineering & Public Works

SUBJECT : Application for Locational Clearance of Eternal Chapel and Mortuary Corporation for the proposed Mortuary/Morgue Project and Application of Eternal Crematory Corporation for the Proposed Columbarium/Crypt Project to be Located in Eternal Gardens Memorial Park (Expansion), Brgy. Balagtas, Batangas City

BACKGROUND

The aforementioned subject was referred to the Joint Committee on Environment and Urban Development, Land Use and Zoning and Committee on Engineering & Public Works during the Regular Session of the Sangguniang Panlungsod held on March 6, 2023 for appropriate action. The Committee Hearing was held on May 9, 2023 at 10:30 in the morning at Sampaguita Farm, Brgy. Sampaga, Batangas City. In attendance were the Chairman and members of the joint committees, Councilors N. Dimacuha, Chavez, Gamboa, Buted, Macatangay, A. Dimacuha, Manalo and Villena. Also present were the Acting Vice Mayor and other Sangguniang Panlungsod members, Councilors Macaraig, Tolentino, and Hernandez. Representatives from other relevant offices also attended; Ms. Marlyn Velasco, Engineering Asst. City ENRO; Ylona Lyn Mariano, City ENRO; Engr. Apolonio L. Calpito, Head, BPD/CEO; Engr. April Grace Adeva, CEO; Architect Anna Ceniza, Processing & Evaluation Head/CEO; Engr. Roselyn Berberabe, Zoning Officer IV/ CPDO; Engr. Edgar Festijo, Asst. CPDC/CPDO; Mrs. Guadalupe Tumaming, Dept. Head/ City Assessor's Office; Engr. Elisha P. Dimayuga, City Health Office; Mr. Leonelle E. Quiño, Sanitation Inspector V, City Health Office. Proponents present were Engr. Niño Sayco, AVP – Project & Development; Ms. Jocelyn Ann Buendia, Branch Manager and Ms. Marizza San Diego, Finance & Admin Officer. Barangay Chairman Minda A. Untiveros of Brgy. Balagtas was also present.

DISCUSSIONS AND OBSERVATIONS

The documents submitted were cautiously scrutinized and the following observations resulted after extensive discussions and deliberation of all present during the Committee Hearing, to wit:

1. The proponent was advised to create an "As Built Plan" in support for the project structure.
2. Proper consultation between the proponent and the concerned agencies should be done prior to the construction of the said structure to avoid confusion.
3. The proponent was advised to secure all the necessary pertinent documents, permits and clearances prior to construction.
4. Copy of the last declarations of all the concerned properties shall be submitted by CPDO to the Sangguniang Panlungsod.



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**JOINT COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING
COMMITTEE ON ENGINEERING AND PUBLIC WORKS**

5. Land use classification should be properly categorized as to residential, commercial and cemetery.
6. The proponent was advised to submit a new plan including the total number of units wherein the said document was then submitted to the committee. The correct project cost including all improvements must be declared to the Sangguniang Panlungsod for tax purposes.
7. There are issues on sanitation with regard to the water treatment. Plans and specifications for the septic tanks and chambers shall conform to the Code of Sanitation of the Philippines.
8. There should be a Memorandum of Agreement specifying all the conditions that the barangay would be benefited and not only the implementation of the Ordinance No. 8, S. 1994 (Ordinance Providing Priority in Employment or Work to Qualified Barangay Residents), and specific Corporate Social Responsibility (CSR) for such obligations and responsibilities to be binding and for transparency purposes. The Memorandum of Agreement (MOA) shall be discussed by the proponent and the barangay and incorporate all the specifics in the resolution. The MOA shall be signed by and between the barangay and the proponent. Copies of which shall be submitted to the Sangguniang Panlungsod ng Batangas prior to the approval of locational clearance as provided for by R.A. 7160, Sec. 33 (Cooperative Undertakings Among Local Government Units).
9. All applicable requirements of all concerned government agencies and applicable provisions of existing laws and city ordinances shall be complied with including Environmental Code of Batangas City, Ordinance No. 20, S. 2018 - An Ordinance Establishing Sewage and Septage Management for the City of Batangas, RA 9275 – Clean Water Act of 2004, RA 8749 – Philippine Clean Air Act, RA 9003 – Ecological Solid Waste Management Act of 2000.
10. All conditions and recommendations stipulated in the Evaluation Report of the City Planning and Development Office of Batangas City shall be adopted in its entirety.

RECOMMENDATIONS:

In accordance with the proceedings and based on the observations by the Joint Committee, the Committee on Environment and Urban Development, Land Use and Zoning and Committee on Engineering & Public Works propose the following recommendations:

1. The adoption of this Committee report.
2. The approval of the Resolution hereto attached.



Republic of the Philippines
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Batangas City
SANGGUNIANG PANLUNGSOD

JOINT COMMITTEE ON ENVIRONMENT AND URBAN DEVELOPMENT, LAND USE AND ZONING
COMMITTEE ON ENGINEERING AND PUBLIC WORKS

Respectfully submitted, May 16, 2023.

HON. ARMANDO C. LAZARTE
Chairman – Committee on Environment and
Urban Development, Land Use and Zoning

HON. LORENZO A. GAMBOA, JR.
Chairman – Committee on Engineering
and Public Works

HON. NESTOR E. DIMACUHA
Member – Committee on Environment and
Urban Development, Land Use and Zoning

HON. KARLOS EMMANJUEL A. BUTED
Member – Committee on Environment and
Urban Development, Land Use and Zoning,
Committee on Engineering and Public Works

HON. JOSE JONASH LUIS F. TOLENTINO
Temporary Member

HON. HAMILTON G. BLANCO
Temporary Member

HON. NELSON J. CHAVEZ
Member – Committee on Environment and
Urban Development, Land Use and Zoning,
Committee on Engineering and Public Works

HON. OLIVER Z. MACATANGAY
Member – Committee on Environment and
Urban Development, Land Use and Zoning,
Committee on Engineering and Public Works

HON. ANGELITO A. DIMACUHA
Member – Committee on Environment and
Urban Development, Land Use and Zoning

HON. ISIDRA M. ATIENZA
Member – Committee on Environment and
Urban Development, Land Use and Zoning

HON. MARJORIE MANALO
Member – Committee on Environment and
Urban Development, Land Use and Zoning



Republic of the Philippines
Batangas City

City Planning and Development Office

City Hall Complex, P. Burgos Street, Batangas City 4200
Tel. Nos.: (043) 723-4146
Email add.: cpdobatangascity@yahoo.com

EVALUATION REPORT February 14, 2023

APPLICATION FOR ZONING/LOCATIONAL CLEARANCE OF ETERNAL CREMATORY CORPORATION FOR THE PROPOSED COLUMBARIUM/CRYPT PROJECT TO BE LOCATED INSIDE THE ETERNAL GARDENS MEMORIAL PARK (EXPANSION) BARANGAY BALAGTAS, BATANGAS CITY

I. PROJECT BRIEF

| | | |
|-----------------------------------|---|---|
| NAME OF APPLICANT | : | ETERNAL CREMATORY CORP. |
| ADDRESS OF APPLICANT | : | 4 th Flr., Dominga Bldg. III, 2113 Chino Roces Ave., Brgy Pio Del Pilar, Makati City |
| NAME OF AUTHORIZED REPRESENTATIVE | : | Mr. Numeriano B. Rodrin President |
| ADDRESS/CONTACT NUMBER | : | 4 th Floor Dominga Bldg. III, 2113 Chino Roces Ave., Brgy. Pio Del Pilar, Makati City 02-8810-0177 |
| NAME OF PROJECT | : | Columbarium and Crypt Project |
| PROJECT LOCATION | : | Km. 100 J.P. Laurel National Highway, Brgy. Balagtas, Batangas City (Inside Eternal Gardens Memorial Park-Expansion) |
| RIGHT OVER LAND | : | Owner/Joint Venture Agreement TCT No. 052-2020000580 (TD No. 0026-05516) |
| PROJECT LAND AREA | : | 8,303 sqm. more or less 0.83 has. |
| PROJECT BUILDING AREA | : | 377 sqm. |
| SALEABLE CRYPTS | : | 1,512 units |
| PROJECT COST | : | Php 1,843,171.00 |
| SITE ZONING CLASSIFICATION | : | Cemetery/Memorial Park Zone (C/MP-Z) |

PROJECT CLASSIFICATION : **COMMERCIAL PROJECT**

II. SITE DESCRIPTION

1. The project site is located inside the Eternal Gardens Memorial Park-Expansion at Barangay Balagtas, Batangas City.
2. The project site has a flat terrain and will utilize the existing right-of-way of the Eternal Gardens Memorial Park Phase I. The existing right-of-way of Beredo Village at the southern boundary leading to the national highway will be used as an exit point during All Saints Day.
3. The project site inside the park is bounded by the following
 - North - road lots, garden lots, family estates and entrance no. 1
 - East - road lots
 - West - lawn lots
 - South - family estates and road lot

III. EVALUATION OF FACTS

1. The abovementioned project site is within the designated Cemetery/Memorial Park Zone (C/MP-Z) as per the Batangas City Integrated Zoning Ordinance CY-2019, an area intended for the interment of the dead and complementary/supplementary funeral establishment, such as:
 - Memorial Parks
 - Cemetery
 - Columbarium
 - Crematorium
 - Ossuary
 - Customary accessory uses such as funeral parlors, crypts, chapels, parks, playgrounds, pocket parks, parkways, promenades, parking, and toilet facilities
2. The Barangay Council of Barangay Balagtas, this city passed Resolution No. 11 Series of 2020 on February 6, 2020 allowing Eternal Crematory Corporation for the construction of Columbarium/Crypts inside the Eternal Gardens Memorial Park-Expansion at Barangay Balagtas, Batangas City.
3. The Punong-Barangay of Barangay Balagtas, Batangas City issued a barangay clearance dated May 16, 2022 interposing no objection to the construction of Columbarium/Crypts inside Eternal Gardens Memorial Park-Expansion, Sitio 1, Barangay Balagtas, Batangas City.
4. The Department of Public Works and Highways (DPWH)- Batangas II, District Engineering Office, Regional Office IV-A, Kumintang Ilaya, Batangas City issued a clearance on November 28, 2019, that the proposed expansion project of Eternal Gardens Memorial Park-Expansion in Barangay Balagtas is outside its twenty (20) meters road-right-of-way (RROW) limit.
5. PrimeWater granted a clearance to the proposed plan of Eternal Crematory Corporation at the expansion project of Eternal Gardens Memorial Park, since the distance of Batangas City Water District (BCWD) Well No.01 from the project site is

one hundred twenty-four (124.0) meters while the minimum distance allowed for the development of a memorial park is about fifty (50.0) meters away from any groundwater source.

- 6 The project through its proponent has secured a Certificate of Non-Coverage (CNC-OL-R4A-2021-09-06793) dated September 4, 2021 from the DENR-EMB for its columbarium/crypts.
- 7 The Certificate of Registration and License to Sell for columbarium/crypt shall be granted by the Department of Human Settlements and Urban Development (DHSUD).

IV. CONDITIONS

The evaluation report with reference to the standard requirements submitted to the Zoning Division of the City Planning and Development Office regarding the application for Zoning/Locational Clearance of Eternal Crematory Corporation for its proposed Columbarium/Crypt in Barangay Balagtas, this city, is being submitted with the endorsement of the Honorable City Mayor to the Sangguniang Panlungsod for appropriate action but not limited to the following considerations:

1. The applicable requirements of all concerned government agencies and applicable provisions of existing laws and city ordinances shall be complied with;
2. No expansion, alteration and/or improvement shall be introduced at the project site without prior clearance and permit from the city government;
3. The proponent shall secure License to Sell and Certificate of Registration from the Department of Human Settlements and Urban Development (DHSUD) prior to the actual selling of columbarium/crypt. Certified true photocopies of License to Sell and Certificate of Registration from the DHSUD must be furnished to the Batangas City Government thru the City Planning and Development Office;
4. The proponent shall secure the required City Environmental Certificate from the City Environment and Natural Resources Office (City ENRO) prior to the start of the proposed project;
5. The proponent shall secure Clearance/Sanitary Permit from the City Health Office (CHO) prior to the operation of the project;
6. The proponent shall strictly comply with the applicable provisions of the Sanitation Code of the Philippines (PD 856) and the Batangas City Environment Code (E-Code), the Water Code and the National Building Code of the Philippines;
7. The proponent shall pay all the required taxes and fees to be imposed by the city government;
8. The proponent shall allow at any time 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;
9. 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

10. The proponent/developer shall maintain the provided access to Persons with Disabilities (PWDs) within the project site in accordance with Batas Pambansa Bilang 344 otherwise known as the Accessibility Law and Republic Act No. 7277 otherwise known as the Magna Carta for Disabled Persons;
11. Any complaint found valid against the construction of the proposed project shall be sufficient ground for the cancellation and termination of this decision/ clearance;
12. The transfer of ownership of the project carries with it the responsibility of complying with all 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;
13. Any misrepresentation, false statement or allegation material to the issuance of the locational clearance for the proposed project shall be sufficient ground or basis for its revocation;
14. By IPSO FACTO the proponent failed to comply with any of the following stipulated in item No. (9) shall be ground for the cancellation or revocation of the approval for zoning/locational clearance.

Prepared by:



MARIE CHARMAINE M. DIMAILIG
Zoning Officer I



ALEX M. GONDA
Zoning Officer II



ROSELYN G. BERBERABE
Zoning Officer IV

Noted by:



GILDA L. GODOY, EnP
City Planning and Development Coordinator

