



Sangguniang Panglungsod

ORDINANCE NO. 13-117

AN ORDINANCE GRANTING THE REQUEST OF SOUTH MANSFIELD COLLEGE FOR THE ZONE RE-CLASSIFICATION OF THE LAND FROM MEDIUM DENSITY RESIDENTIAL ZONE (R-2) TO INSTITUTIONAL ZONE (I-Z) LOCATED AT ROMAN CRUZ AVENUE, SOLDIERS HILLS VILLAGE, BARANGAY PUTATAN, MUNTINLUPA CITY.

Muntinlupa

Sponsored by: **Hon. Coun. Robert A. Abas**
 Co-Sponsored: **Hon. Coun. Margarita Amythyst Patdu-Labios, MD**
Hon. Coun. Bal Niefes
Hon. Coun. Alexander B. Diaz
Hon. Coun. Ringo A. Teves
Hon. Coun. Luvi P. Constantino
Hon. Coun. Engr. Neptali S. Santiago
Hon. Coun. Joselito V. Arevalo
Hon. Coun. Robert P. Baes
Hon. Coun. Elmer S. Espeleta
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Adorado P. San Pedro

WHEREAS, Executive Order No. 71 and Republic Act No.7160 otherwise known as the New Local Government Code of 1991, states that, **"the power of the Housing and Land Use Regulatory Board (HLURB) to grant preliminary approval and subdivision plans of all subdivisions has been transferred to the Local Government Units";**

WHEREAS, under the said New Local Government Code of 1991, specifically Section 458 (2)(x), it states that, **"the Sangguniang Panglungsod has the power to process and approve land use and zoning within its jurisdiction";**

WHEREAS, Section 3(s) of Ordinance No. 02-047, states that, **"An R-2 zone or district is a medium-density residential zone, characterized by 21 to 65 dwelling units per hectare or by medium density housing with the usual community ancillary uses and support facilities designed for the needs of a barangay scale.**

"The following are the allowable construction/uses:

h) Nursery, kindergarten, and elementary schools, provided that these will not exceed 12 classrooms."

WHEREAS, Section 9(b) of Ordinance No. 02-047, states that, **"use regulation in Institutional Zone (IZ), an IZ district is an institutional zone characterized by government as well as institutional and social services for the entire community and characterized further by specialized government agencies providing institutional and social services for the region or the country as a whole.**

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In the IZ zone, only the following uses shall be allowed:

- a) xxx
- b) **College, Universities, Professional Business Schools, Vocational and Trade Schools, Technical Schools and other institutions of higher learning."**

WHEREAS, a parcel of land containing an area of 3,600 square meters more or less covered by TCT No. 13140, 13139 located at Block Deep South (from Caltex to South Superhighway) Roman Cruz Avenue, Soldiers Hills, Barangay Putatan, Muntinlupa City is classified as Medium Density Residential Zone (R-2) under City Ordinance No. 02-047;

WHEREAS, the administrator of South Mansfield College with office address at South Mansfield College, Roman Cruz, Avenue, Soldiers Hills Village, Barangay Putatan, Muntinlupa City represented by its President Marl V. Fernal was applying for a Locational Clearance;

WHEREAS, Ms. Celsa D. Alojado has sent a letter of application with attached pertinent documents before the Office of the City Zoning Administrator for the purpose of construction of five storey school building at Roman Cruz Avenue, Soldiers Hills Village, Barangay Putatan, Muntinlupa City;

WHEREAS, on January 21, 2013, after thorough evaluation of all the documents submitted before the Zoning Office, Engr., Eduardo Bautista, denied the South Mansfield College application on the proposed project site in as much as the said site is classified as **Medium Density Residential Zone (R-2)** pursuant to Ordinance No. 02-047;

WHEREAS, on January 23, 2013, South Mansfield College, has sent another letter acknowledging the receipt of the letter-denial from the Zoning Office and reiterating its intension to put up five storey school building on the said property;

WHEREAS, as per recommendation/opinion of the Local Zoning Board of Adjustments and Appeals (LZBAA), the application of South Mansfield College for Locational Clearance be endorsed to the City Council for **land reclassification**;

WHEREAS, on January 11, 2013 the Sangguniang Barangay of Putatan has issued Barangay Permit/Clearance for the said purposed;

WHEREAS, on January 17, 2013 the Soldiers Hills Village Homeowners Association, Inc., issued village certification for building permit and renovation to South Mansfield College;

WHEREAS, the reclassification of the said land is intended as a site of South Mansfield College and other institutional *and social services for the entire community*;

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WHEREAS, after evaluating the necessary documents submitted by South Mansfield College, and based on the recommendation of the City Zoning Administrator the application for a zone reclassification of the land from **Medium Density Residential Zone (R-2)** to **Institutional Zone (I-Z)** for its five (5) storey school building *is hereby approved*, subject to the terms and conditions under Ordinance No. 02-047;

NOW THEREFORE BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 6th Sangguniang Panglungsod in session assembled that:

SECTION 1. This ordinance hereby grants the request of South Mansfield College, for a zone reclassification of the land from *Medium Density Residential Zone (R-2)* to *Institutional Zone (I-Z)* located at Roman Cruz Avenue, Soldiers Hills Village, Barangay Putatan, Muntinlupa City.

SECTION 2. The zone classification of the Block Deep South of Roman Cruz Avenue (from Caltex to South Super Highway) *is hereby reclassified* from *Medium Density Residential Zone (R-2)* to *Institutional Zone (I-Z)*.

SECTION 3. The applicant shall abide the requirements setforth under the National Building Code of the Philippines;

ENACTED, by the 6th Sangguniang Panlungsod this 25th day of March, 2013, on its 113th Regular Session.

CONCURRED:

DISTRICT I:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. BAL NIEFES
Member

COUN. ALEXANDER B. DIAZ
Member

COUN. RINGO A. TEVES
Member

DISTRICT II:

COUN. LUVI P. CONSTANTINO
Member

COUN. ROBERT A. ABAS
Member

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. JOSELITO V. AREVALO
Member

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COUN. ROBERT P. BAES
Member

COUN. ELMER S. ESPELETA
Member


COUN. RAFAEL T. SEVILLA
Member


COUN. VERGEL C. ULANDAY
Member


COUN. ADORADO P. SAN PEDRO
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

COUN. ATTY. RAUL R. CORRO
Member

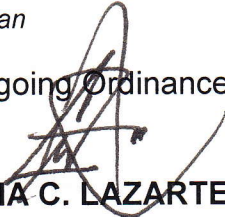
COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member


COUN. DAN HUBERT A. BARLIS
Member


COUN. ALLEN F. AMPAYA
Member

COUN. EULOGIO DS. DIOKO, II
Sectoral Representative
President
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ALDRIN L. SAN PEDRO
City Mayor

Date: APR 2 2013


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