



Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
Sangguniang Panlungsod ng Muntinlupa



ORDINANCE NO. 2023-050

AN ORDINANCE ON THE GRANT OF ALTERATION OF SERVEQUEST INC., FOR THE PROJECT MILLE CASE RESIDENCES LOCATED AT SUMMIT CIRCLE ROAD, BARANGAY BAYANAN, MUNTINLUPA CITY

Sponsored by: *Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Rachel Katriel Ann C. Arciaga
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Jedidiah R. Presnedi, LPT
Hon. Coun. Ting D. Niefes
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Luvi P. Constantino
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Rodolfo W. Moldez, Jr.
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, to afford the Filipino people the requirements of decent human settlement and to provide them with ample opportunities for improving their quality of life, Presidential Decree No. 957 otherwise known as the decree, **Regulating The Sale Of Subdivision Lots And Condominiums, Providing Penalties For Violations Thereof**, was issued where it likewise prescribed the power of the National Housing Authority on regulating the real estate trade and business and matters regarding the registration of projects.

WHEREAS, with the enactment of Republic Act 7160 or the Local Government Code of 1991, some national government functions were devolved to the Local Government Units, and, by virtue of Executive Order No. 71, the powers of the Housing And Land Use Regulatory Board (HLURB) to approve subdivision plans was delegated to cities and municipalities;

WHEREAS, Section 1 of Executive order 71 cites, "*Cities and municipalities shall heretofore assume the powers of the Housing and Land Use Regulatory Board (HLRB) over the following:*

- (a) *Approval of preliminary as well as final subdivision schemes and development plans of all subdivisions, residential, commercial, industrial and for other purposes of the public and private sectors, in accordance with the provisions of P.D. No. 957 as amended and its implementing standards, rules and regulations concerning approval of subdivision plans."*

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WHEREAS, Executive Order No. 72 Series of 1993, which provides for the preparation and implementation of the comprehensive land use plans of local government units pursuant to the local government code of 1991 and other pertinent laws, states:

"The authority of the HLRB to issue locational clearances for locally-significant projects is hereby devolved to cities and municipalities with comprehensive land use plans reviewed and approved in accordance with this Order. Such cities and municipalities shall likewise be responsible for the institution of other actions in the enforcement of the provisions thereof. For this purpose, they may call on the HLRB and such other NGAs for any legal and technical assistance."

WHEREAS, in 2002, the Sanggunian enacted Ordinance No. 02-047 otherwise known as the **Zoning Ordinance of the City of Muntinlupa** to complement its Comprehensive Land Use Plan. Included in the Zoning Ordinance are, among others, the different Zone Classifications of land within the City's jurisdiction;

WHEREAS, Article X section 1 of Ordinance 02-047 reads, **"All owners/developers shall secure a Locational Clearance from the Zoning Officer or, in case of variances, exceptions and temporary use from the Local Zoning Board of Adjustment, prior to conducting any activity or construction on their property/land;"**

WHEREAS, on November 23, 2020 the Sangguniang Panlungsod enacted Ordinance No. 202-182, granting the request of ServeQuest Inc. (SQI), for **PALC** and **DP** for the project **Mille Case Residences** and the City Zoning Office issued a Development Permit No. 21012501;

WHEREAS, SQI, on the request of Barangay Bayanan where the project is located, submitted its application for **Alteration** of its Plan for the same project to give way to a two-meter Right of Way;

WHEREAS, the proposed passage right of way will be able to serve more of the people's neighbouring communities including the student-population of Barangay Bayanan Elementary School;

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WHEREAS, the Right of Way herein contemplated will be better executed by the alteration of Plan where one of the five (5) buildings, amply described as **Building Uno**, must be constructed beyond its original location;

WHEREAS, the Alteration has the following computation with alteration for Building Uno:

| Land Area Computation Alteration Building Uno | |
|--|-----------------|
| | Alteration Plan |
| Land Area | 1,146.06 |
| 2.0 meters wide Right-Of-Way (ROW) | 373.92 |
| Total Building Area | 2,707.90 |
| Saleable Area | 2,542.80 |
| Number of Units | 88.00 |
| Residential | 88.00 |
| Commercial | -0- |
| Non-Saleable/common | 165.10 |
| Typical Floor Area/Unit | 25.00 |

WHEREAS, the owners of the land where the project is being constructed is willing and amenable to the idea that the **Right-Of-Way (ROW)** may be donated to the City;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the **10th Sangguniang Panlungsod of Muntinlupa**, in session assembled that:

SECTION 1. The **Alteration** is hereby granted to ServeQuest Inc. (SQI) for its project Mille Case Residences located at Summit Circle Road, Barangay Bayanan, Muntinlupa City.

SECTION 2. The application for **Alteration** hereby issued shall be effective for a period of one (1) year from the approval of this ordinance, within which period the developer shall commence the development of the project. Non action within one year shall operate as revocation of the granted Alteration;

SECTION 3. Compliance with national laws and local ordinances is mandatory for the PALC and DP to be effective. Consequently, the final approval of the Locational Clearance rests upon the Developer's compliance with the requirements of the pertinent laws and ordinances;

SECTION 4. This Ordinance hereby grants and poses no objection to the request of **ServeQuest Inc.**, for an **Alteration** of the **PALC** and **Subdivision Plan** of its project **Mille Case Residences**, thereby approving all proposed improvements, enhancements and development pursuant to the project.

ENACTED, by the **10th Sangguniang Panlungsod of Muntinlupa** this **27th** day of **February 2023**, on its **34th** Regular Session.

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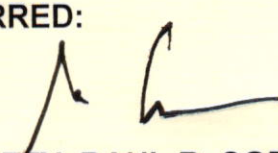
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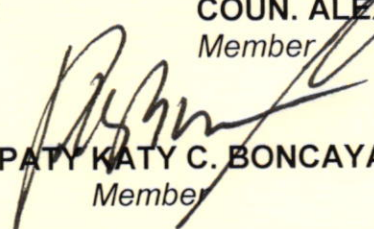
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CONCURRED:

DISTRICT 1:

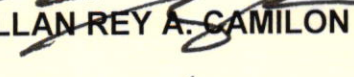

 COUN. ATTY. RAUL R. CORRO
 Member

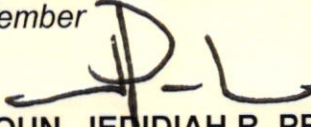

 COUN. ALEXSON V. DIAZ
 Member

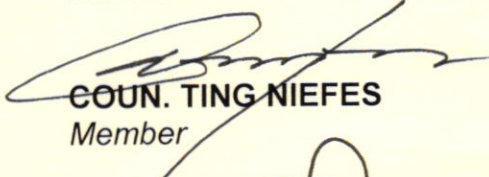

 COUN. PATTY KATY C. BONCAYAO
 Member

COUN. RACHEL KATRIEL ANN C. ARCIAGA
 Member


 COUN. IVEE RHIA A. TADEFA
 Member



 COUN. ALLAN REY A. CAMILON
 Member

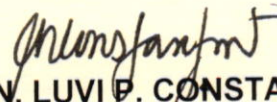

 COUN. JEDIDIAH R. PRESNEDI, LPT
 Member


 COUN. TING NIEFES
 Member

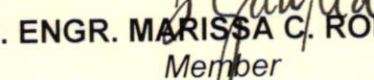
DISTRICT 2:

COUN. MARK LESTER M. BAES
 Member


 COUN. FRANCIS IAN T. BAGATSING
 Member


 COUN. LUVIG P. CONSTANTINO
 Member


 COUN. ENGR. MAMERTO T. SEVILLA, JR.
 Member


 COUN. ENGR. MARISSA C. RONGAVILLA
 Member


 COUN. ENGR. ARLENE D. HILAPO
 Member


 COUN. CORNELIO M. MARTINEZ
 Member


 COUN. RODOLFO W. MOLDEZ, JR.
 Member



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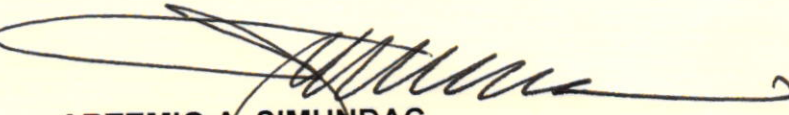
COUN. WALTER A. ARCILLA
 President
 Sectoral Representative
 Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
 President
 Sectoral Representative
 Federation of Sangguniang Kabataan

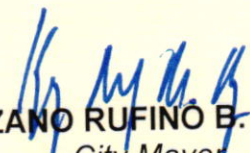
I HEREBY CERTIFY, as to the correctness of the foregoing **Ordinance**

CECILIA C. LAZARTE
 Secretary to the Sanggunian

ATTESTED:


ARTEMIO A. SIMUNDAC
 City Vice-Mayor/Presiding Officer

APPROVED:


ROZZANO RUFINO B. BIAZON
 City Mayor

Date: 03 MAR 2023

Norie/10th SP