ORDINANCE NO. 13-018

AN ORDINANCE GRANTING THE REQUEST OF VISTA RESIDENCES, INC., (FORMERLY POLAR MINES REALTY VENTURES, INC.) FOR THE ALTERATION OF PLAN OF ITS PROJECT PRESIDIO AT BRITTANY BAY SUBDIVISION/CONDOMINIUM LOCATED AT BARANGAY SUCAT, CITY OF MUNTINLUPA.

Sponsored by: Hon. Coun. Rafael T. Sevilla
                  Hon. Coun. Stephanie G. Teves
                  Hon. Coun. Louisito A. Arciaga
                  Hon. Coun. Luvi P. Constantino
                  Hon. Coun. Engr. Neptali S. Santiago
                  Hon. Coun. Vergel C. Ulanday
                  Hon. Coun. Robert A. Abas
                  Hon. Coun. Robert P. Baes

WHEREAS, the 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 Panlungsod has the power to process and approve land use and zoning within its jurisdiction";

WHEREAS, City Ordinance No. 91-39 grants the Sangguniang Panlungsod the power to approve subdivision plans;

WHEREAS, the VISTA RESIDENCES, INC., (FORMERLY POLAR MINES REALTY VENTURES, INC.) is applying for an Alteration of Side Development Plan of its project Presidio at Brittany Subdivision/Condominium located at Barangay Sucat, Muntinlupa City;

WHEREAS, on June 17, 2004 the Sangguniang Panlungsod approved Ordinance No. 04-138 granting the Preliminary Approval and Locational Clearance (PALC) and Development Permit of the subdivision plan of Polar Mines Realty Ventures, Inc. for its Presidio at Brittany Bay Subdivision/Condominium project located at Sucat, Muntinlupa City;

WHEREAS, the reclassification of the Master Development Plan of Presidio Subdivision/Condominium was approved by the City Council on October 14, 2004 by virtue of Ordinance No. 04-014;
WHEREAS, the alteration of site development plan of the said project was approved by the City Council on April 11, 2011 by virtue of Ordinance No. 11-047;

WHEREAS, the original total area of the said project before the alteration is 68,306 square meters.

WHEREAS, the total area to be altered is 44,243.00 square meters containing 2.3 lots;

WHEREAS, the following reasons for the alteration of the said project is to introduce Commercial Development for the convenience of Homeowners and to strategically re-aligned roads in connection to the proposed Master Development Plan that will provide accessibility to public and homeowners;

WHEREAS, on September 17, 2012 the Barangay Council of Sucat approved Resolution No 12-024, which “interposes no objection” to the alteration of plan of Presidio at Brittany Bay Subdivision/Condominium located at Barangay Sucat, Muntinlupa City.

WHEREAS, after evaluating the necessary documents submitted by Vista Residences, Inc. (formerly Polar Mines Realty Ventures, Inc.) and based on the recommendation of the City Zoning Administrator the application for Alteration of Site Development Plan of its project Presidio at Brittany Bay Subdivision/Condominium is hereby approved, subject to the terms and conditions under this ordinance;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panlungsod of Muntinlupa in session duly assembled that:

SECTION 1. The lots to be altered as shown in the proposed Alteration of Site Development Plan are the following: Block 1, Lot 1, 2, 3, 4, 5 and 6; Block 2, Lot 1, 2 & 3; Block 10, Block 2A, Lot 2; and the road lots of Presidio at Brittany Subdivision/Condominium located at Sucat, Muntinlupa City.

SECTION 2. The areas subject to Alteration of Plan has not been sold and has not yet been developed.

SECTION 3. The areas will be subdivided into lots and to be altered from residential area to Commercial area.

SECTION 4. The existing Homeowner’s Association interposes no objection to the alteration of plan of Presidio at Brittany Bay Subdivision/Condominium.
**SECTION 5.** The land data of the original Site Development Plan are as follows:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>AREA</th>
<th>G. YIELD</th>
<th>N. YIELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross area</td>
<td>68,306.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excluded Area</td>
<td>1,561.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Developable Area</td>
<td>66,745.00</td>
<td></td>
<td>97.71%</td>
</tr>
<tr>
<td>Saleable</td>
<td>42,642.00</td>
<td>62.43%</td>
<td>63.89%</td>
</tr>
<tr>
<td><strong>Non Saleable Area:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>6,442.00</td>
<td>9.43%</td>
<td>9.65%</td>
</tr>
<tr>
<td>Road</td>
<td>17,661.00</td>
<td>25.86%</td>
<td>26.46%</td>
</tr>
</tbody>
</table>

**SECTION 6.** The land data of the proposed Alteration Site Development Plan are as follows:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>AREA</th>
<th>G. YIELD</th>
<th>N. YIELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross area</td>
<td>46,371.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Developable Area</td>
<td>46,371.00</td>
<td></td>
<td>100.00%</td>
</tr>
<tr>
<td>Saleable</td>
<td>27,744.00</td>
<td>59.83%</td>
<td>59.83%</td>
</tr>
<tr>
<td><strong>Non Saleable Area:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>3,493.00</td>
<td>7.53%</td>
<td>12.41%</td>
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<tr>
<td>Road</td>
<td>15,134.00</td>
<td>32.64%</td>
<td>32.64%</td>
</tr>
</tbody>
</table>

**SECTION 7.** The final approval of application for alteration of Site Development Plan by the applicant/developer is hereby issued subject to the completion/submission of other required documents setforth by the City Zoning Administration Office and other national or local agencies/offices/departments.

ENACTED, by 7th Sangguniang Panglungsod of Muntinlupa this 24th day of October 2013, on its 2nd Special Session.

CONCURRED:

**DISTRICT 1:**

COUN. ATTY. RAUL R. CORRO  
Member

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

COUN. STEPHANIE G. TEVES  
Member

COUN. LOUISITO A. ARCIAGA  
Member
I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary
Sangguniang Panglungsod

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ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: OCT 25 2013

Norie/7th SP