

NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

ATT: TO WHOM IT MAY CONCERN

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: 21 Bridge Street, Kayamandi, Stellenbosch Division

Application Property Number: Erf 1440

Applicant: WJ studio – Willem van Zyl
willem@wstudio.co.za
+27 (0)84 209 7370

Owner: FITC
marius@fitc.co.za

Application Reference: LU/14938 (TP110/2022)

Application Type: APPLICATION FOR CONSENT USE AND PERMANENT DEPARTURE

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015 for **consent use** in order to use the ground floor (314m²) of an existing building as a business premises (supermarket) on Erf 1440, Kayamandi.

Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipal Land Use Planning Bylaw, promulgated by notice number 354/2015, dated 20 October 2015, for a **permanent departure** for the under provision of 4 parking bays on Erf 1440, Kayamandi.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: <https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;

- o Where relevant demonstrate the undesirable effect that the application will have if approved;
- o Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
- o Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: WJ studio – Willem van Zyl, willem@wjstudio.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **30 March 2023**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at +27 (0)84 209 7370 during normal office hours.

Yours faithfully

Willem van Zyl
WJ studio

KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GETRESEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

ATT: VIR WIE DIT MAG AANGAAN

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom: 21 Brug Straat, Kayamandi, Stellenbosch Division

Aansoek eiendom beskrywing: Erf 1440

Aansoeker: WJ studio – Willem van Zyl
willem@wjstudio.co.za
084 209 7370

Eienaar: FITC
marius@fitc.co.za

Aansoek Verwysing: LU/14938 (TP110/2022)

Tipe Aansoek: AANSOEK VIR VERGUNNINGSGEBRUIK EN PERMANENTE AFWYKING

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoek word gedoen ingevolge Artikel 15(2)(o) van die Munisipaliteit Grondgebruikbeplanning Verordening, afgekondig by kennisgasing nommer 254/2015 gedateer 20 Oktober 2015 vir **vergunninggebruik** ten einde die grondvloer (314m²) van 'n bestaande gebou as 'n besifheidsperseel (supermark) op Erf 1440 Kayamandi.

Aansoek word gedoen ingevolge Artikel 15(2)(b) van die Munisipaliteit Grondgebruikbeplanning Verordening, afgekondig by kennisgasing nommer 254/2015 gedateer 20 Oktober 2015 vir **permanente afwyking** vir die ondervoorsiening van 4 parkeerplekke op Erf 1440 Kayamandi.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.

- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: WJ studio – Willem van Zyl, willem@wjstudio.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **30 Maart 2023**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermeldde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermeldde elektroniese pos adres of telefonies by +27 (0)84 209 7370 gedurende normale kantoor ure.

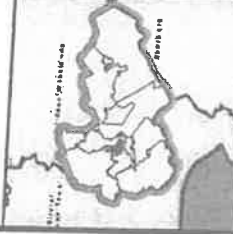
Die uwe

Willem van Zyl
WJ studio

Locality Map of Erf 1440, Kayamandi

SCALE
1:2 256,99

Legend



Stellenbosch Municipality
Planning & Economic Development
Created by: Corporate GIS

Date: 2022/1/20/6

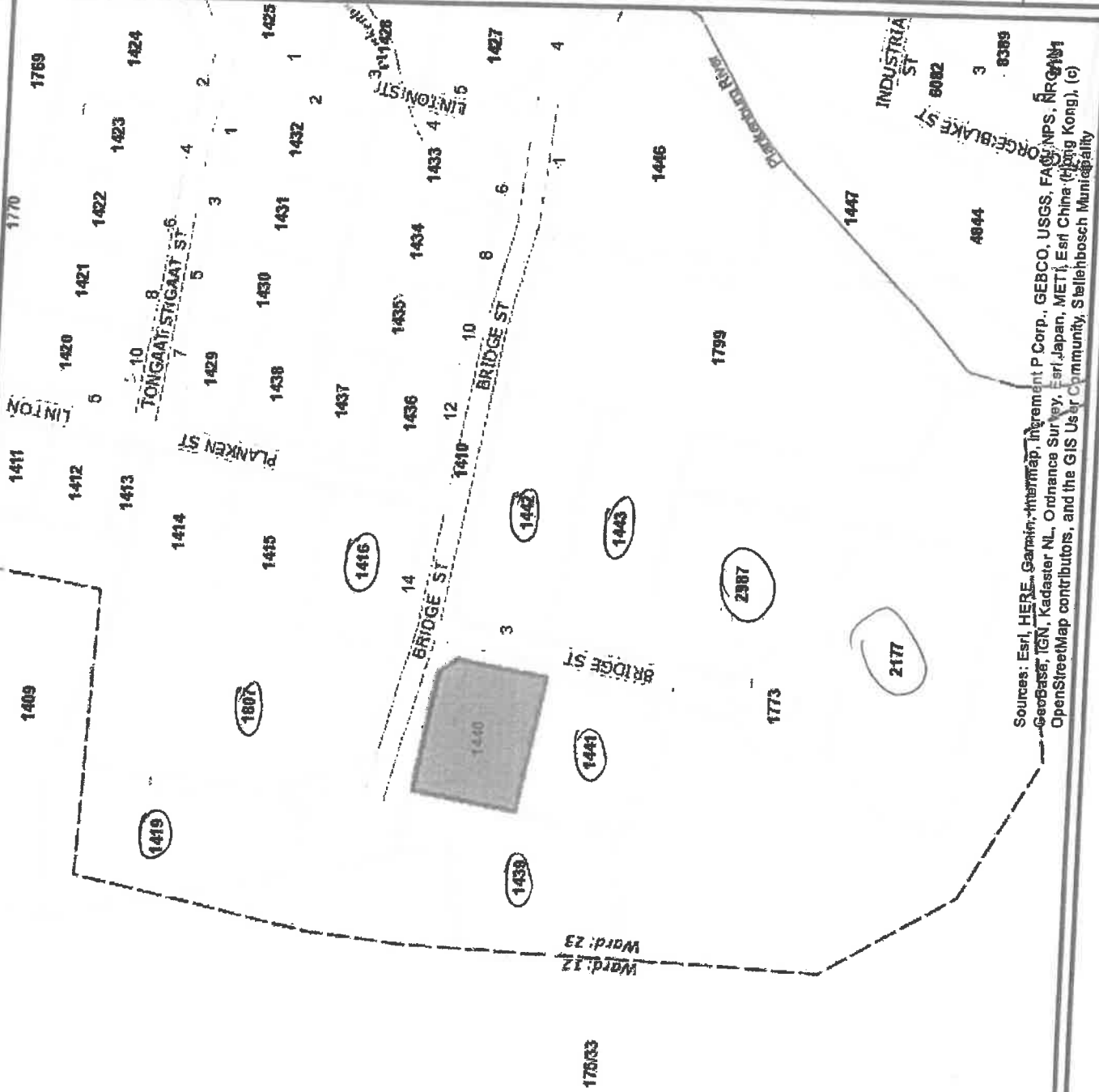


Author: Stellenbosch Municipality



Stellenbosch Municipality
Street Address: 71 Peka Street, Stellenbosch, 7600
Tel: 021 898 8838

This map is not intended to be used for legal purposes. It is provided as a guide only. The user should consult the relevant authorities for more information. The user should also be aware that the map is not a substitute for a professional survey or other legal documents.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, NRCAN, GEBCO, IGN, Kadaster NL, Ordnance Survey, Esri, Japan, METI, Esri, China (Hong Kong), Swisstopo, OpenStreetMap contributors, and the GIS User Community, Stellenbosch Municipality

motivation letter

2022/09/21

Proposed consent use and departure application for Erf 1440, 21 Bridge Road, Kayamandi, Stellenbosch.

The proposed consent use and departure application and accompanying SDP will be to allow the development of a retail shop (F1, large shop in terms of SANS 10400-A20) to allow retail trading of perishable and non-perishable products, to the local and surrounding community on the ground floor of the existing building. The current zoning, Industrial Zone, does allow the sale of 'convenience goods' under Chapter 12 - 120 of the Stellenbosch Municipality Zoning Scheme By-Law, 2019, but on a smaller scale than the proposed alterations.

The proposed application will thus consist of the following departures from the Stellenbosch Municipality Zoning Scheme By-Law, 2019:

1. Consent Use application to allow for a Business premises (on the ground floor of the existing building, a total area of 314m².)
2. Departure to deviate from the required 'off-street' parking requirements as set out in Chapter 5 - 33 of SMZS By-Law from 37.44 parking bays required to 34 parking bays provided with a 3.44 parking shortfall.
 - a. The existing Industrial use of the building complies with the original approved Papegaaibaerg Industrial Park scheme at 1 parking per 50m².
 - b. The departure for parking is thus only for the new consent use for a Business premises in the 314m² area as indicated on the drawings, departing from 4 parkings per 100m² as required by the Stellenbosch Municipality Zoning Scheme By-Law, 2019.

The application falls within the current zoning and consent use allowed for the property, fitting with the spatial development and scale in the area.

- Socio-economic impact
 - the proposed development and service provided will increase & facilitate the community's access to a retail shop close to their place of residence. This will reduce traveling cost to alternative areas to obtain fresh produce and food.
 - a bigger retail shop can provide the surrounding community with products at a lower cost than the smaller shops within the residential boundaries.
 - the proposed shop will provide work and be a source of income for the people residing in the community, in close proximity to the proposed retail shop.
- Compatibility with surrounding uses
 - use of the development is in line with a consent use of the zoning. The addition of a shop will address the needs of the residential community in a very close proximity to the proposed development.
- Impact on the on the external engineering services
 - additional impact on the engineering services is foreseen to be small to none. The area is developed as an industrial area for manufacturing and industrial processes. The road infrastructure and water & sanitation infrastructure are presumed to be adequate.
- Impact on safety, health and wellbeing of the surrounding community
 - no impact on the safety of the surrounding community, and the close proximity availability of fresh produce could have a positive impact on the health of the surrounding community.

- Impact on heritage
 - no impact on heritage as the building is less than 60 years old and in a relatively newly established industrial area.
- Impact on biophysical environment
 - no impact on biophysical environment.
- Traffic impacts, parking, access, and other transport related considerations
 - access to the property will remain from the abutting roads. The access for delivery and service vehicles are adequate as the property is located in an industrial area.
 - the proposal does however under provide on the parking requirements as set out by the SMZS By-Law. It must however be noted and taken into consideration that the target market and clientele of the proposed development are members of the community that travel either by foot or make use of public transport, in the form of taxis, to reach the supermarket. Thus the standard guidelines for parking provision are not in line with the requirements of this specific site.

Willem van Zyl
WJ studio

