

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

Sir / Madam

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

Application Property Address: corner Drukkers and Papegaairand Road, Stellenbosch, 7600

Application Property Number: Erf 14427, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Marniale Trading (Pty) Ltd – S Kelbrick (contact details: 021 833 2600)

Application Reference: LU/13937

Description of Proposed Development:

- In terms of Section 15.(2)(a) of the Stellenbosch Municipality Planning By-law, 2015 for the rezoning of the subject property from Mixed-Use Zone to Industrial Zone.
- In terms of Section 15.(2)(b) of the Stellenbosch Municipality Planning By-law, 2015 for a permanent departure from the development parameters of the zoning scheme in order to relax the provision of on-site parking requirement.

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\\_portal/planning-notices/land-use-applications-advertisements](https://www.stellenbosch.gov.za/planning_portal/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;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **25 July 2022**.

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 021 861 3800 during normal office hours.

Yours faithfully

**CLIFFORD HEYS  
TV3 PROJECTS (PTY) LTD**

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## **KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR**

Meneer / Dame

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

Adres van aansoek eiendom: hoek van Drukkers en Papegaairandweg, Stellenbosch, 7600

Aansoek eiendom beskrywing: Erf 14427, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Marniale Trading (Pty) Ltd – S Kelbrick (kontak besonderhede: 021 833 2600)

Aansoek Verwysing: LU/13937

Tipe aansoek:

- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(a) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir die hersonering van die eiendom vanaf Gemengde Gebruik Sone na Industriële Sone.
- Aansoek word hiermee gemaak in terme van Afdeling 15.(2)(b) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2015 vir 'n afwyking van die eiendom se parkeer vereistes.

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 tydskedule van die publieke deelname proses by die volgende adres: [[https://www.stellenbosch.gov.za/planning\\_portal/planning-notices/land-use-applications-advertisements](https://www.stellenbosch.gov.za/planning_portal/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: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

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 sluitingsdatum van **25 Julie 2022**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde 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 vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

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Our Reference: 3801-P

8 April 2022

Director: Planning and Development Services  
Stellenbosch Municipality  
Town House  
**7600 STELLENBOSCH**

FIRST FLOOR  
LA GRATITUDE  
OFFICE BUILDING  
97 DORP STREET  
STELLENBOSCH 7600  
TEL 021 861 3800

**Attention: Ms. Louisa Guntz**

Madam

**RE: APPLICATION FOR REZONING AND A PERMANENT DEPARTURE: ERF 14427,  
STELLENBOSCH**

## **1. LAND USE PLANNING APPLICATIONS**

We refer to your pre-submission consultations with the undersigned.

Pertaining to Erf 14427, Stellenbosch – hereafter referred to as the subject property – application is hereby made for:

- In terms of Section 15.(2)(a) of the Stellenbosch Municipality Planning By-law, 2015 for the rezoning of the subject property from Mixed-Use Zone to Industrial Zone.
- In terms of Section 15.(2)(b) of the Stellenbosch Municipality Planning By-law, 2015 for a permanent departure from the development parameters of the zoning scheme in order to relax the provision of on-site parking requirement.

The purpose of these land use planning applications is to establish a motor vehicle repair centre inside the existing commercial building located on the subject property.

## 2. PROPERTY DETAILS

The subject property is located on the corner of Drukkers and Papegaairand Roads, in Stellenbosch central – see Figure 1 below.



*Figure 1: Erf 14427, Stellenbosch*

The subject property is described in the Deed of Transfer No. T70318/2015 as Erf 14427, Stellenbosch. A copy of the title deed is attached hereto.

Marniale Trading (Pty) Ltd is the registered owner of the subject property. A power of attorney is attached hereto.

The subject property is 2 856m<sup>2</sup> in extent.

## 3. TITLE DEED SEARCH

A title deed search was undertaken and there are no title conditions that will restrict the proposed industrial land use. The site was historically zoned and used for industrial purposes. A copy of the title deed is attached hereto.



#### 4. ZONING AND LAND USE

The subject property was historically used for commercial and industrial purposes. There is an old warehouse / factory building located on the subject property (it was used as the British American Tobacco laboratories and cigarette factory) – see Figures 2 and 3 below.



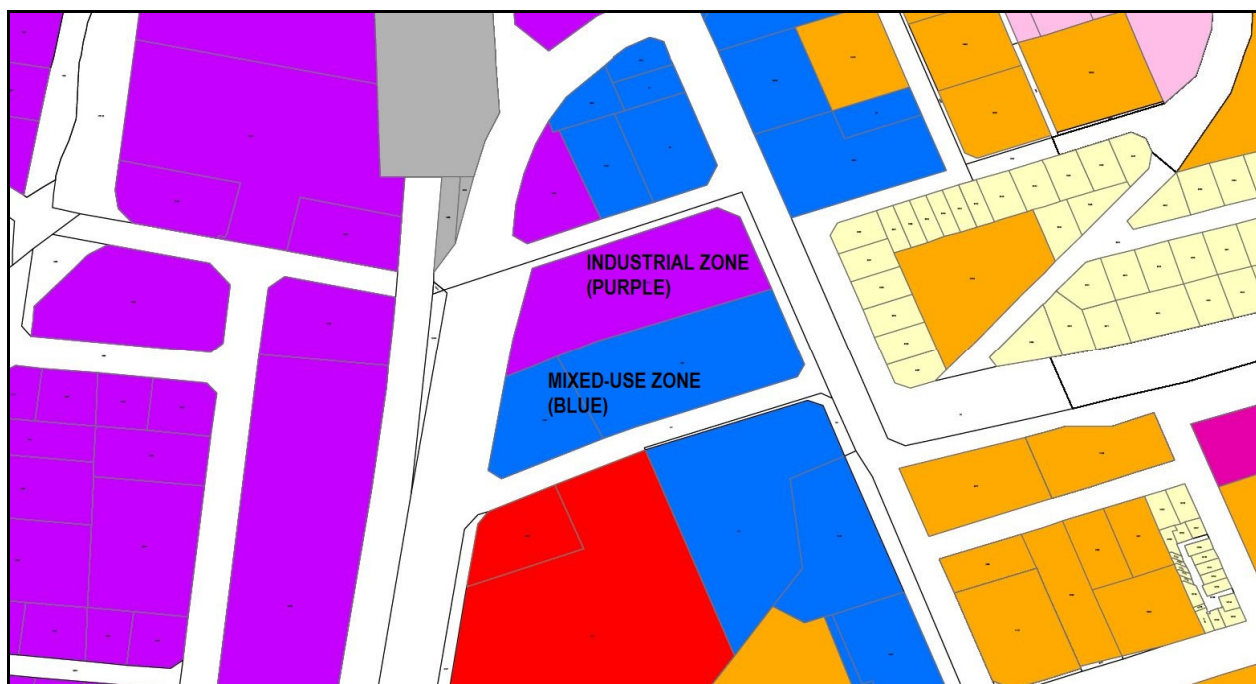
Figure 2: The existing building on Erf 14427, Stellenbosch



Figure 3: Street view of Erf 14427, Stellenbosch







*Figure 5: Extract of the Stellenbosch Municipality's Zoning Map (2019)*

We have subsequently been informed by the municipal planners (at our pre-submission consultation) that in order for the landowner to re-establish an industrial land use on the subject property, the subject property will first have to be rezoned back to the subject property's historic Industrial Zone; hence our rezoning application.

## **5. DEVELOPMENT PROPOSAL**

The landowner wishes to establish a motor vehicle repair centre inside the existing commercial building located on the subject property. A motor vehicle repair centre is a primary use i.t.o. the proposed Industrial Zone; hence our rezoning application of the subject property from Mixed-Use Zone to Industrial Zone.

The existing commercial building has a gross building area (GBA) of  $\pm 1\,314\text{m}^2$ , a gross lettable area (GLA) of  $\pm 1\,117\text{m}^2$ , and a coverage of  $\pm 46\%$ . A site plan is attached hereto showing the existing building that will house the proposed industrial facility.

Final building plans will be submitted to the Stellenbosch Municipality for approval, for any possible changes (internal or external) to accommodate the proposed industrial land use.

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## 6. MOTIVATION FOR REZONING TO INDUSTRIAL ZONE

Application is made for the rezoning of the subject property from Mixed-Use Zone to Industrial Zone in order to establish a motor vehicle repair centre inside the existing commercial building located on the subject property. The rezoning application is motivated as follows (in order to illustrate need and desirability):

- Historic zoning and land use

As explained above, the subject property was historically used (and zoned) for industrial purposes. With this land use planning application this historic industrial zoning will be re-established.

- Compatibility with the surrounding area

The subject property is surrounded by similar industrial land uses, such as NTT Mastercars Stellenbosch used car dealership, Suzuki Stellenbosch car dealership, DEKRA Automotive Stellenbosch, Tiger Wheel & Tyre Stellenbosch, etc. The proposed industrial land use will therefore be compatible with the area.

- Positive economic impact

The proposed industrial development will create numerous new employment opportunities and will have a positive impact on the local economy.

- Impact on engineering services

The proposed rezoning – back to the subject property’s historic industrial zone – will not have a negative impact on the town’s bulk infrastructure. Furthermore, since the property did have an industrial zoning and land use, the payment of any development charges (DCs) will not be necessary.

## 7. MOTIVATION FOR THE RELAXATION OF THE PARKING REQUIREMENT

Application is made for a permanent departure from the development parameters of the zoning scheme in order to relax the provision of on-site parking requirement (i.e. to provide 29 parking bays in lieu of 45 parking bays).

The existing commercial building has a  $\pm 1\ 314\text{m}^2$  GBA and a  $\pm 1\ 117\text{m}^2$  GLA. However, regardless of the on-site parking requirements for a commercial building of 4 bays per  $100\text{m}^2$  GLA, there are currently only 29 on-site parking bays (in lieu of the required  $\pm 45$  parking bays).

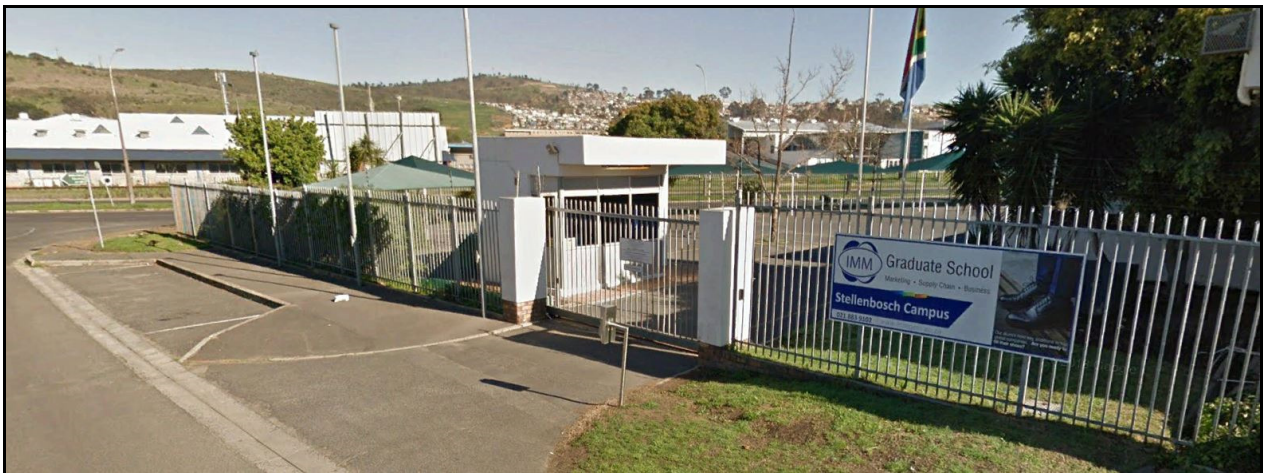
The parking requirement for an industrial land use is only 1.5 bays per  $100\text{m}^2$  GLA, which will require a minimum of  $\pm 17$  on-site parking bays. However, a motor vehicle repair centre must provide on-site parking at 4 bays per service bay plus 4 bays per  $100\text{m}^2$  GLA (which is similar to a commercial building's on-site parking requirement).

In other words, the proposed industrial land use will also require  $\pm 45$  on-site parking bays. However, only 29 bays are provided on-site (hence our application for a permanent departure from the development parameters).

It is our opinion that the existing 29 parking bays will be enough for the proposed vehicle repair centre, because:

- The commercial building and 29 parking bays already exist on site. This application's purpose is to only permit the use of this commercial building as a vehicle repair centre (in lieu of a permissible business premises).
- The proposed industrial facility is not a shop that will require parking for customers. Customers will drop off their vehicles (by appointment). These vehicles will then be moved to the designated repair bays inside the building.
- Once the vehicle has been repaired, it will be collected by the customer (again by appointment). In other words, customers will not actively use the 29 parking bays.

- The 29 parking bays will predominantly be used by employees.
- Numerous additional (but informal) parking bays will be provided inside the building for repairs and washing of the vehicles.
- Access to the subject property will be controlled – see Figure 6 below. This means that parking will be controlled on-site, and it will not spill over onto the public road.



*Figure 6: Access control to the subject property*

The application for the relaxation of the on-site parking requirement is deemed to be desirable as sufficient and controlled parking (formal and informal) will be provided on-site for the proposed facility.

## 8. LIST OF SUPPORTING DOCUMENTS

Find attached hereto the following supporting documents:

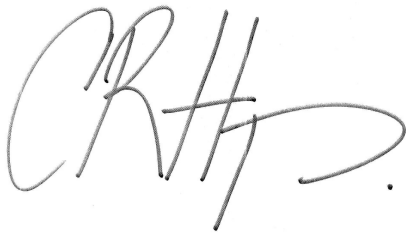
- **Section A:** Land Use Planning Application Form
- **Section B:** Power of Attorney
- **Section C:** Title Deed and SG Diagram
- **Section D:** Locality Plan and Site Plan
- **Section E:** Zoning Certificate

## 9. CONCLUSION

The purpose of these land use planning applications is to obtain the Stellenbosch Municipality's planning approval for the rezoning of Erf 14427, Stellenbosch from Mixed-Use Zone back to Industrial Zone to establish a motor vehicle repair centre. The proposed development will not adversely affect any group or person, we deem it to be desirable, and we respectfully request the applications be granted.

We trust the information provided will suffice in processing the land use planning application. However, feel free to contact the undersigned at 021 861 3800 or [clifford@tv3.co.za](mailto:clifford@tv3.co.za) if you have any queries or require any additional information in order to process the application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', with a long horizontal flourish extending to the right.

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**







