

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK**Geagte Meneer/Mevrou**

AANSOEKTIPE: VERGUNNINGSGEBRUIK AANSOEK OP ERF 4163 STELLENBOSCH om toe te laat vir 'n gedeelte van die bestaande gebou om as 'n Drankwinkel gebruik te word om voorsiening te maak vir die verkoop van alkohol vir verbruik buite die perseel.

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

Adres van aansoek eiendom: **Hoek van Church en Bird Straat.**
 Aansoek eiendom beskrywing: **Erf 4163 Stellenbosch**
 Aansoeker: **ARCH Town Planners (Pty) Ltd: (Marike Bolz)**
 Eienaar: **Le Grand Domaine Enotecca**
 Aansoek Verwysing: **TP 487/2023**

Besonderhede van die grondgebruiksaansoek:

Arch Town Planners (Edms.) Bpk. doen hiermee ampelik, ingevolge Artikel 15(2)(a) van die Stellenbosch Munisipaliteit Grondgebruik verordening, 2023 (hierna na verwys as 'die Verordening') aansoek om Vergunnings gebruik om toe te laat vir 'n gedeelte van die bestaande gebou om as 'n Drankwinkel gebruik te word om voorsiening te maak vir die verkoop van alkohol vir verbruik buite die perseel.

Informeel is die aansoek om toe te laat dat gaste wat die wyn by die restaurant geniet het, wyn te kan koop om weg te neem.

Kennis word hiermee gegee in terme van die voorskryfte 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/documents/planning-notices/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet 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 terme van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: **Marike Bolz marike@archtownplanners.co.za**. Deur 'n beswaar, kommentaar of verhoë 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 **(23 February)**

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by **(072 480 5838)** gedurende normale kantoorure.

Die uwe

Marike Bolz

NOTICE OF LAND DEVELOPMENT APPLICATION**Dear Sir/Mam**

APPLICATION TYPE: CONSENT USE APPLICATION ON ERF 4163 STELLENBOSCH to allow for a portion of the building to be used as a liquor store to allow for the sale of alcohol for off-site consumption.

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

Application Property Address: **Corner of Church and Bird Street**
 Application Property Number: **Erf 4163 Stellenbosch**
 Applicant: **ARCH Town Planners (Pty) Ltd: (Marike Bolz)**
 Owner: **Le Grand Domaine Enotecca**
 Application Reference: **TP 487/2023**

Description of land development proposal:

Arch Town Planners (Pty) Ltd formally applies in terms of Section 15(2)(0) of the Stellenbosch Municipality's Land Use Planning By-Law, 2023 for a Consent Use for liquor store in order to allow an off-site consumption of liquor from the portion of the existing building (existing restaurant ± 105m2).

Informally the application is to allow the restaurant to sell the wine sold by the restaurant to clients that enjoyed the wine and would like to take a bottle of wine home.

Notice is hereby given in terms of the provisions 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 must 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. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: **Marike Bolz marike@archtownplanners.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 **(23 February)**

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 **(072 480 5838)** during normal office hours.

Yours faithfully

Marike Bolz

CONSENT USE APPLICATION

ERF 4163 STELLENBOSCH
Le Grand Domaine

CORNER OF CHURCH AND BIRD STREET



AUGUST 2023

**SUBMITTED TO:
STELLENBOSCH MUNICIPALITY**

PREPARED AND SUBMITTED BY:



Postal Address: 2ND Floor, Bakkershuis
152 Dorp Street
Stellenbosch, 7600

Mobile: +27 (0)72 480 5838

Email: marike@archtownplanners.co.za

Website: www.archtownplanners.co.za

Table of Contents

1.	INTRODUCTION	3
1.1	Background Information.....	3
1.2	Planning Brief	3
1.3	Applications to Stellenbosch Municipality	3
2.	APPLICATION SITE DESCRIPTION.....	3
2.1	Ownership Details and Title Deed.....	3
2.2	Title Deed	4
2.3	Locality and Context	4
2.4	Current Land Uses.....	5
2.5	Zoning.....	5
3.	DEVELOPMENT PROPOSAL	7
4.	MOTIVATION	7
4.1	Motivation for Consent Use Application	7
4.2	Motivation in terms of Section 65(1) of the By-Law.....	7
5.	CONCLUSION.....	10

Annexures

- Annexure A: Application Form
- Annexure B: Power of Attorney
- Annexure C: Title Deed
- Annexure D: Site Development Plan
- Annexure E: Surveyed Plan

1. INTRODUCTION

1.1 Background Information

Erf 4163 Stellenbosch (hereafter referred to as 'the application site'), is situated on the corner of Church and Bird streets in Stellenbosch, with a number of existing buildings on the erf. The majority of buildings on the site are used for tourist related activities such as restaurants and wine bars, of which Le Grande Domaine is one. Currently, patrons of the *Le Grande Domaine* merely taste wines at the establishment. It is required of them to leave the wine bar and buy the wine that they have enjoyed at either a liquor store or on the relevant wine farm itself. It is the intention of the owner of the application site to allow for guests of *Le Grande Domaine* to be able to buy the wine that they have enjoyed, directly from the establishment. Therefore, the *Le Grande Domaine* requires land use approval to allow for off-site consumption of liquor as well.

1.2 Planning Brief

In light of the above information, *Arch Town Planners (Pty) Ltd* has been appointed by the owner of the application site to prepare and submit the required land use application to the Stellenbosch Municipality - Please refer to the attached Power of Attorney (**Annexure B**).

1.3 Applications to Stellenbosch Municipality

Arch Town Planners (Pty) Ltd hereby officially applies, in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use By-Law, 2015 (hereafter referred to as 'the By-Law') for:

- **Consent Use** to allow for a portion of the existing building (Le Grande Domain wine bar) to be used as a *Liquor Store* to allow for the sale of alcohol for off-site consumption.

This report serves as motivation for the above-mentioned application. The official application form is attached to this report as **Annexure A**.

2. APPLICATION SITE DESCRIPTION

2.1 Ownership Details and Title Deed

Application Site Details	Ownership	Erf Size	Title Deed	Restrictive Title Deed Conditions Applicable
Erf 4163 Stellenbosch	Marleo Investments PTY LTD	736.6m ²	T. 36986/2021 See attached as: Annexure C	N/A

Table 1 Application Site Details

2.2 Title Deed

Please refer the attached title deed for confirmation that here are no restrictive title deed conditions relevant to this application – See **Annexure C** for a copy of the Title Deed.

2.3 Locality and Context

Please refer to Figures 1 -3 for the locality and aerial view of the application site. The erf is situated in the historical town centre of Stellenbosch, on the corner of Church and Bird street, with the Le Grand Domaine facing Church street.

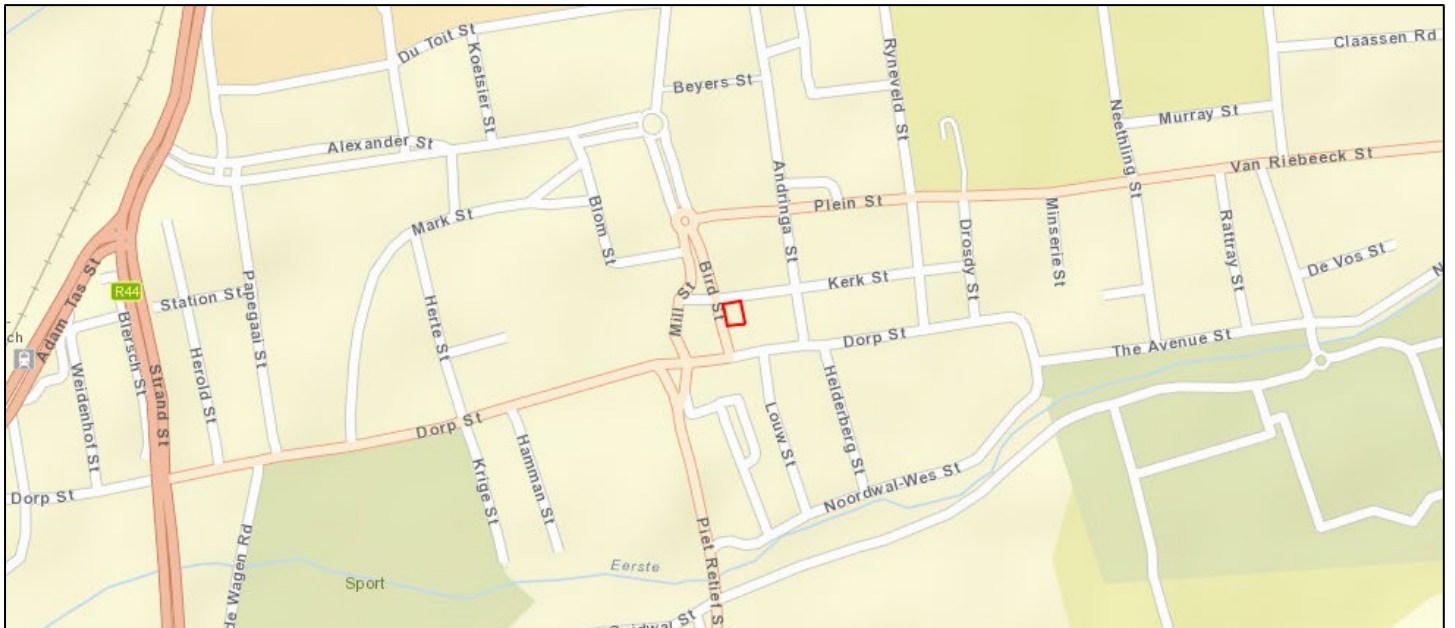


Figure 1 Locality of Application Site



Figure 2 Aerial view



Figure 3 Le Grand Domaine (taken from Church Street)

2.4 Current Land Uses

As mentioned, the application site accommodates the *Le Grand Domaine Enoteca* wine bar and restaurant. Le Grande Domaine Enoteca is brand home of Grand Vin de Stellenbosch and Stellenview Wines. An opulent showcase for their handcrafted, premium quality wines, which includes: The Pledge, as well as the internationally awarded Stellenview Wines and its subsidiary labels; Kruger Family Wines, KFK Wines and Cape Five. Having more than thirty wines available side-by-side for tasting and comparison the Enoteca offers visitors a holistic wine experience and insight into the variety of labels that are produced by their wineries. All wines are offered by tasting portion, glass, and bottle. The wine bar stock small amounts of each wine, and guests who wish to purchase wine for off-site consumption has to do so via their online store and the intention of this application is to allow guests to purchase wine from the wine bar to take home.

2.5 Zoning

The zoning of application site is regulated in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019. According to the zoning scheme the site is zoned as **Mixed-Use Zone**. Figure 4, below, is an extract of the Stellenbosch Municipality Zoning Scheme Map, confirming the zoning of the application site.

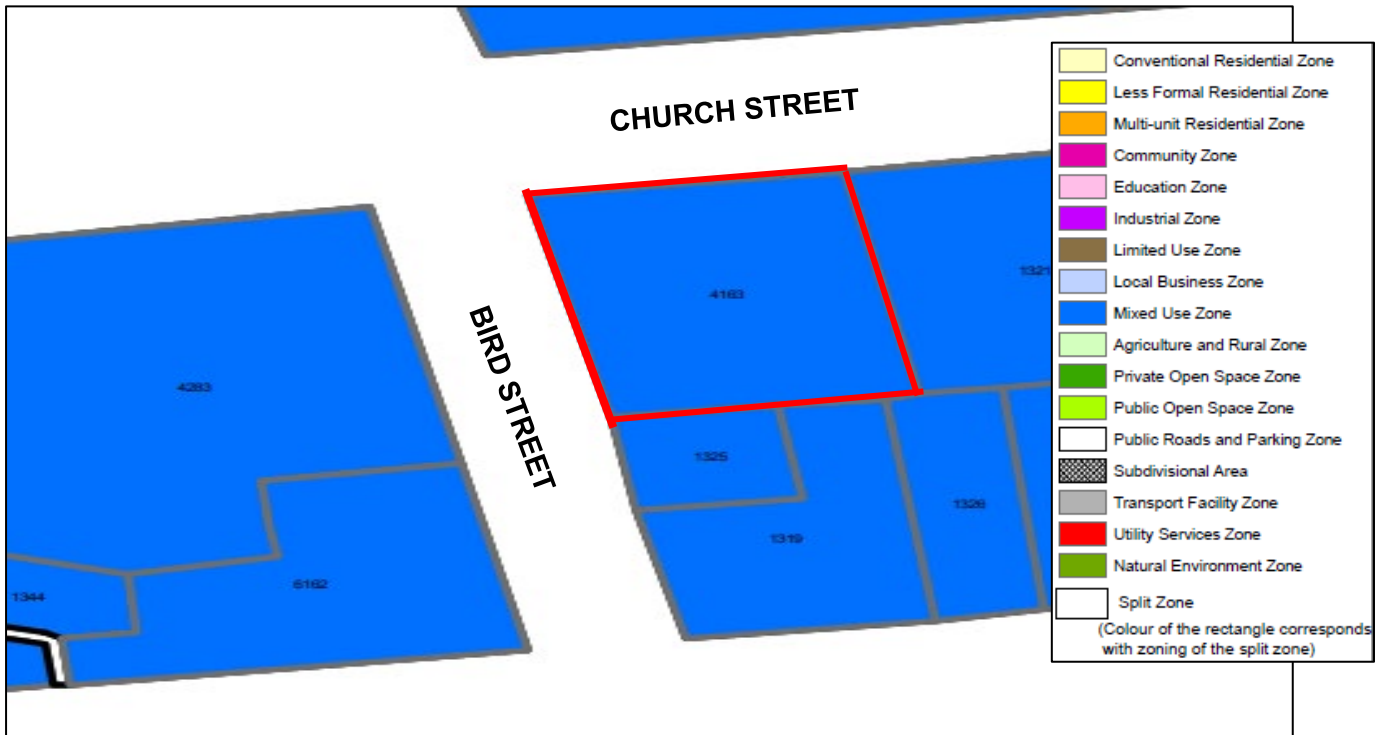


Figure 4 Extract of the Zoning Map

Mixed-Use Zoned properties is subject to the land use rights, as identified in Table 2 below, in terms of the Zoning Scheme.

ZONING	PRIMARY USE RIGHT	ADDITIONAL USE RIGHT	CONSENT USE RIGHT
MIXED USE ZONING	<ul style="list-style-type: none"> • Commune; • Business premises (including shops, markets, restaurants, office); • Clinic; • Community residential building; • Extramural facility; • Flats; • Guest house; • Hostel; • Hotel; • Occasional use (one event/year); • Plant nursery; • Public institution; • Public parking area; • Private Road; • Tourist dwelling unit; • Tourist accommodation establishment; • Welfare institution 	None	<ul style="list-style-type: none"> • Adult Entertainment; • Builders yard; • Commercial gymnasium; • Conference facility; • Day care; • Filling station; • Freestanding base telecommunication station; • Funeral parlour; • Gambling place; • Helicopter landing pad; • Hospital; Indoor sport; • Liquor Store; • Motor vehicle fitment centre; • Motor showroom; • Occasional use (> one event/year); • Parking garage; • Place of assembly; • Place of education; • Place of entertainment;

			<ul style="list-style-type: none"> • Renewable energy structure; • Rooftop base telecommunication station; • Tertiary educational institution; • Warehouse
--	--	--	--

Table 2 Summary of Land Uses

3. DEVELOPMENT PROPOSAL

As mentioned above, guests of *Le Grande Domaine* are required to leave the establishment and buy the wine that they have tasted at the restaurant and wine bar, at either a conventional liquor store or the relevant wine farm itself. It is proposed to sell wine for off-site consumption from the restaurant area, with a total coverage of approximately 105m². This will allow for patrons of the *Le Grande Domaine* to buy the liquor that they have enjoyed at the wine bar for home consumption.

It is important to note that the use of this space identified, although classified in terms of the Zoning Scheme as a Liquor Store, will not be a conventional liquor store. This classification of the space is required to enable customers to purchase alcoholic beverages that they have enjoyed during a tasting at the *Le Grande Domaine*. The proposed use lends itself more towards that of a tourist facility, but due to the fact that the wines will not be produced on the application site, it needs to be classified as a liquor store.

In terms of development rules, the application site will remain for the use of a Business Premises. Therefore, the parking provisions currently applicable to the application site, will remain in place.

No further applications, other than the consent use application, is therefor required.

4. MOTIVATION

4.1 Motivation for Consent Use Application

As mentioned under Section 3 above, the applied for *Liquor Store* will not be a conventional liquor store. The proposed use will allow for the existing customers of the *Le Grande Domaine* to buy the alcoholic beverages that they have tasted at the establishment. The approval of this application will not result in the establishment to be run as a conventional liquor store for everyday alcoholic purchases. This will not necessarily result in an increase in the number of customers for the establishment, but rather increase the services/products available to a very specific target market (existing costumers).

It is therefore argued that the approval of the proposed application will have no material effect on the existing status quo for the application site. This includes traffic to and from the application site, parking requirements and municipal services.

4.2 Motivation in terms of Section 65(1) of the By-Law

Section 65(1) of the By-law sets out certain criteria which needs be met in consideration of an application by the decision-making authorities. In line with this section, Table 3, below, sets out the criteria and assesses the application accordingly:

Section 65(1) Criteria	Assessment of Proposal
a. Application submitted in terms of the By-law.	The application is submitted in terms of Sections 15(2)(o) of the By-law.
b. Procedure followed in terms of processing the application	To be decided. All relevant and required documentation are attached to this application and motivation.
c. Desirability of land use	<p>It is argued that the proposed use will not have a significant impact on the surrounding property owners. The proposal will only allow for the sale of alcohol for off-site consumption whereas the current approvals allow only for on-site consumption.</p> <p>It is further argued that in providing patrons the opportunity to purchase the alcohol that they have experienced will stimulate economic activity on the property.</p>
d. Comment in response to public participation.	The application to be advertised in accordance with the Stellenbosch Municipality's requirements.
e. Applicants response to comments received.	To be submitted as part of the Portfolio of Evidence upon conclusion of the Public Participation Process.
f. Investigations in terms of other laws.	Not Applicable.
g. Written assessment by planner.	To be done by the Stellenbosch Municipality.
h. Impact on municipal engineering services.	None
i. The IDP and SDF	<p>The Stellenbosch Municipality Spatial Development Framework states that Stellenbosch is one of South Africa's premier tourist destinations. Situated in the heart of the Cape Winelands, it is no coincidence that Stellenbosch is the home of exceptional wines and liquors. The production, distribution and selling of these wines and liquors contribute largely to work opportunities and economic growth within the Municipal Area. According to the SDF, 20% of the Stellenbosch Municipality's GDP comprises of wholesale, retail, catering and accommodation sectors. These sectors also contribute 24.4% to the workforce (in 2016).</p> <p>It is argued that the approval of this application will contribute to ensuring growth and economic sustainability within this sector.</p>
j. IDP and SDF of district Municipality.	In line with this applicable plan and framework.
k. IDP and SDF of local Municipality	Discussed and addressed under i and j, above.
l. Applicable structure plans	N/A
m. Applicable policies for decision making	Aligned.
n. Provincial spatial development framework	The application is in line with the Municipal and District SDF and IDP, which is informed by the provincial IDP and SDF which all promotes densification. Thus, the application is in line with the provincial SDF.
o. Regional spatial development framework.	N/A

p. National policies, norms, and criteria.	N/A
q. Section 42 of the Spatial Planning and Land Use Act	The application is considerate towards the requirement and provisions of Section 42 of the Spatial Planning and Land Use Management Act.
r. Chapter VI of the Land Use Planning Act	<p><u>Spatial Justice:</u> Aligned. The proposal includes an opportunity economic activation on the application site which is situated within the Stellenbosch Central Business District.</p> <p><u>Spatial Sustainability:</u> Aligned. The proposal complies with this principle by ensuring that the proposed use will create a more diverse land use on the application site.</p> <p><u>Efficiency:</u> Aligned. This application entails the utilisation of existing infrastructure on an optimal level. The proposal will allow for the efficient utilisation of land.</p> <p><u>Good Administration:</u> The approval of this application will be in the best interest of the Stellenbosch Municipality.</p> <p><u>Spatial Resilience:</u> Through the approval of this application, there will be no negative impact on the surrounding area; nor would there be any additional risk to the resilience of human residents in the area.</p>
s. Applicable provisions of the Zoning Scheme	As discussed, the proposed development is in line with the provisions of the Zoning Scheme.

Table 3 Assessment of Application in terms of Section 65 of the By-law

5. CONCLUSION

The approval of this application is argued to be favourable, considering the nature of this application, the applicable policies and frameworks of the Stellenbosch Municipality and the legislation in terms of land use regulation. In light of the above information, Council is respectfully requested to favourably consider the application for the following:

In terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use By-Law, 2015 (hereafter referred to as 'the By-Law') for:

- **Consent Use** to allow for a portion of the existing building to be used as a *Liquor Store* to allow for the sale of alcohol for off-site consumption.

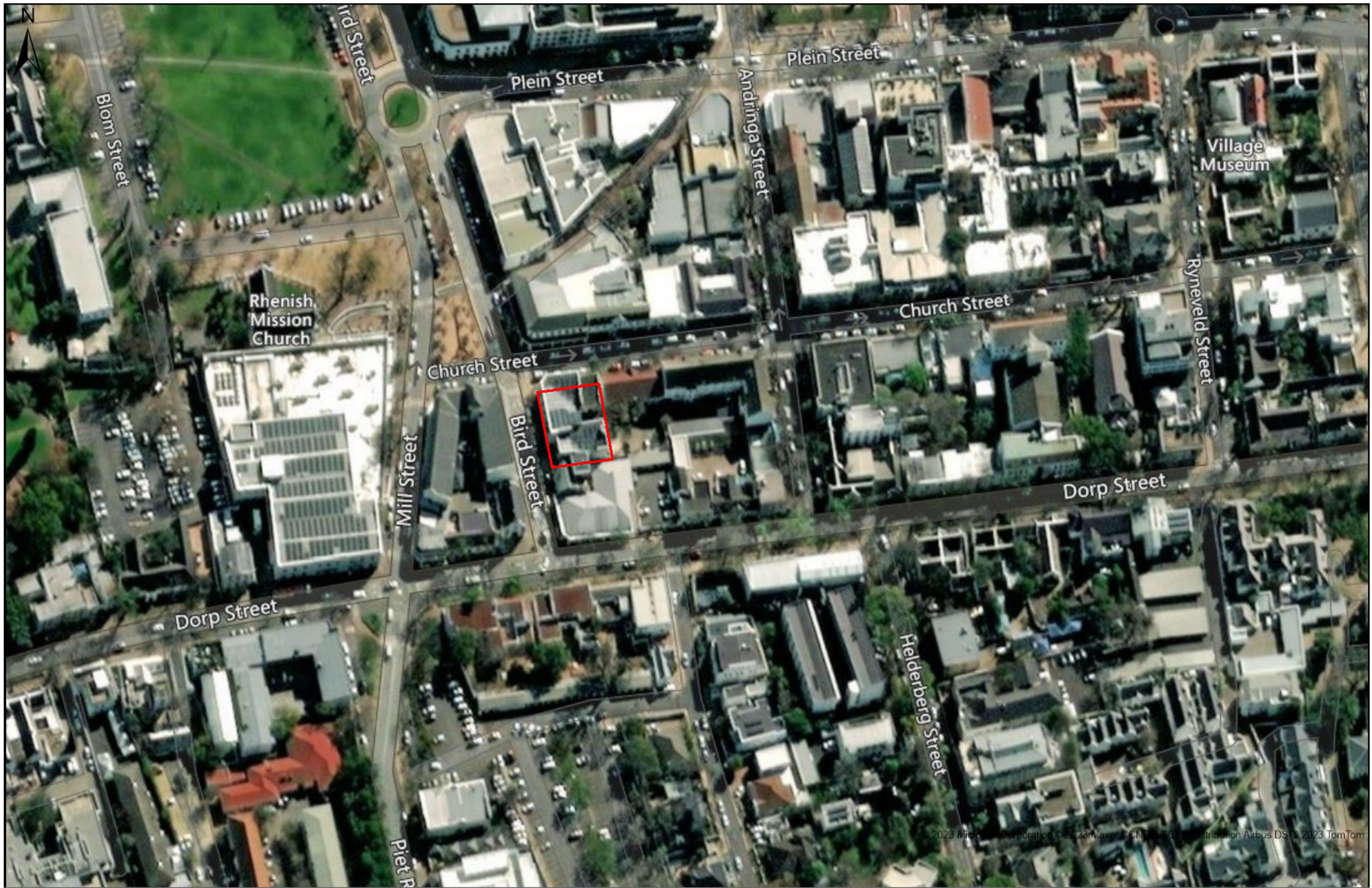
Report compiled by:



Marike Bolz (Director)

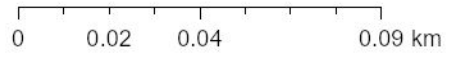
for Arch Town Planners (Pty) Ltd

August 2023

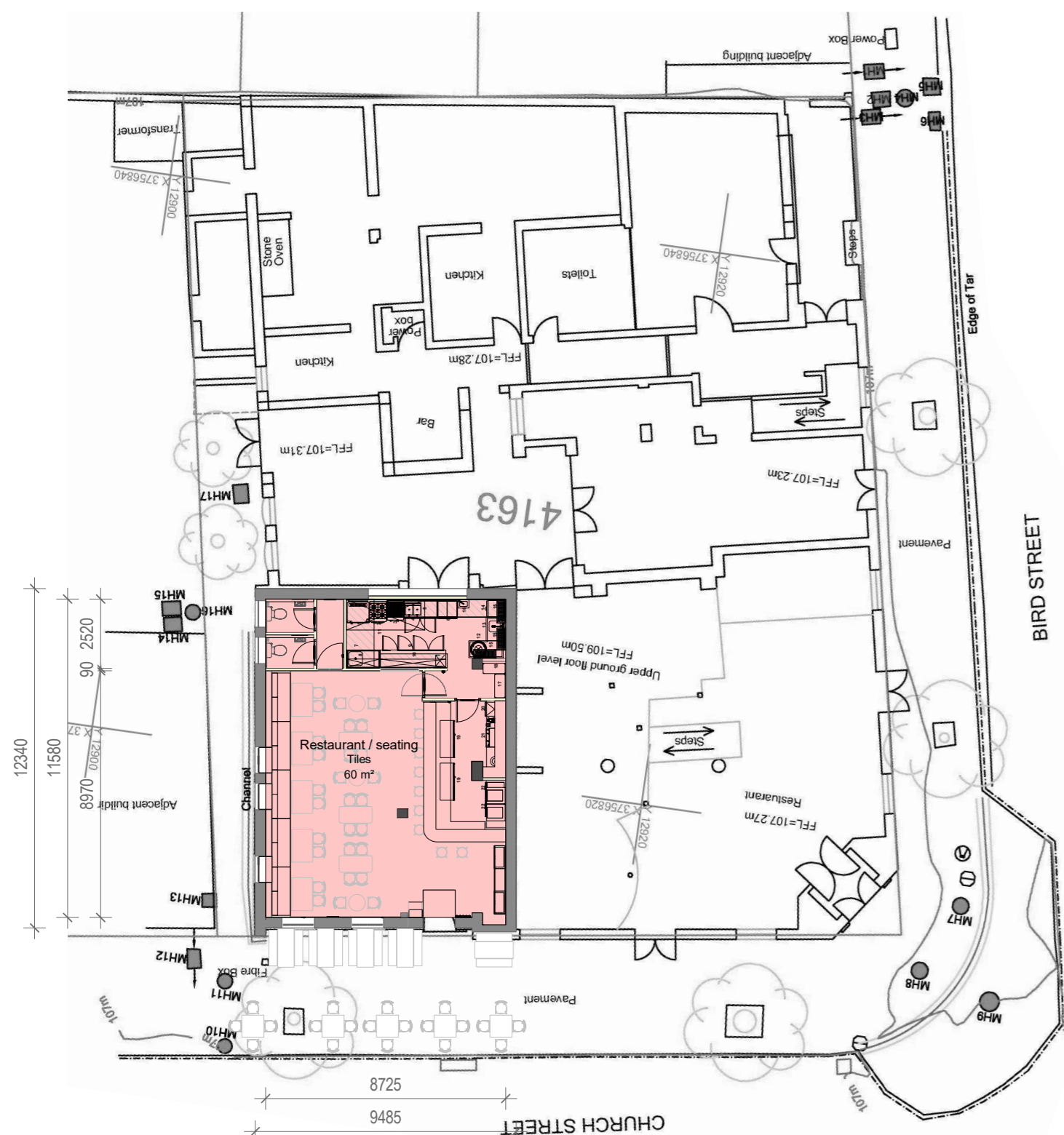


© 2023 Maxar Corporation, © 2023 Maxar CNES, © 2023 Airbus DS, © 2023 TomTom

Date created: August 28, 2023

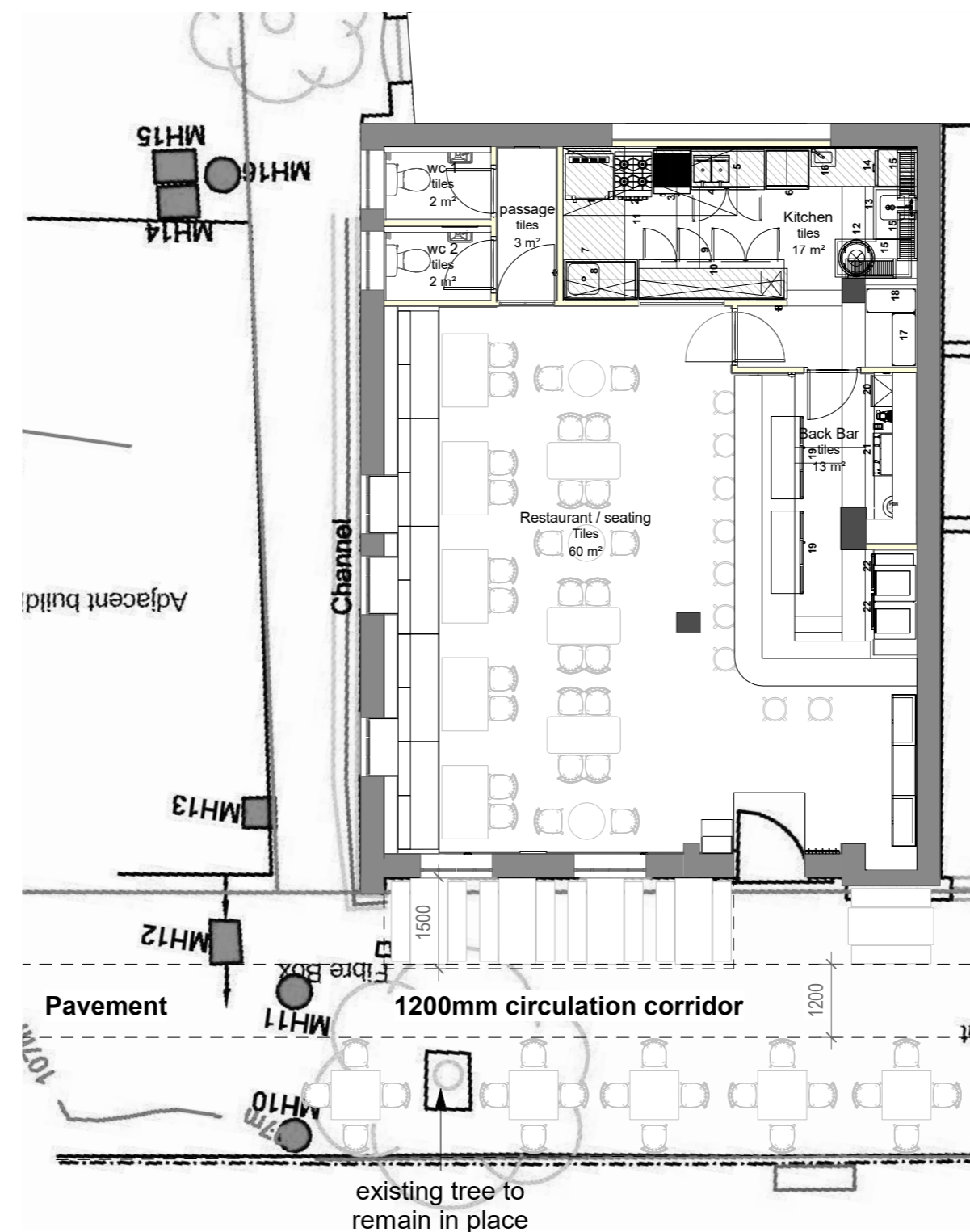


Areas	
Name	Area
Service Area	30 m ²
wc's	7 m ²
Seating	63 m ²



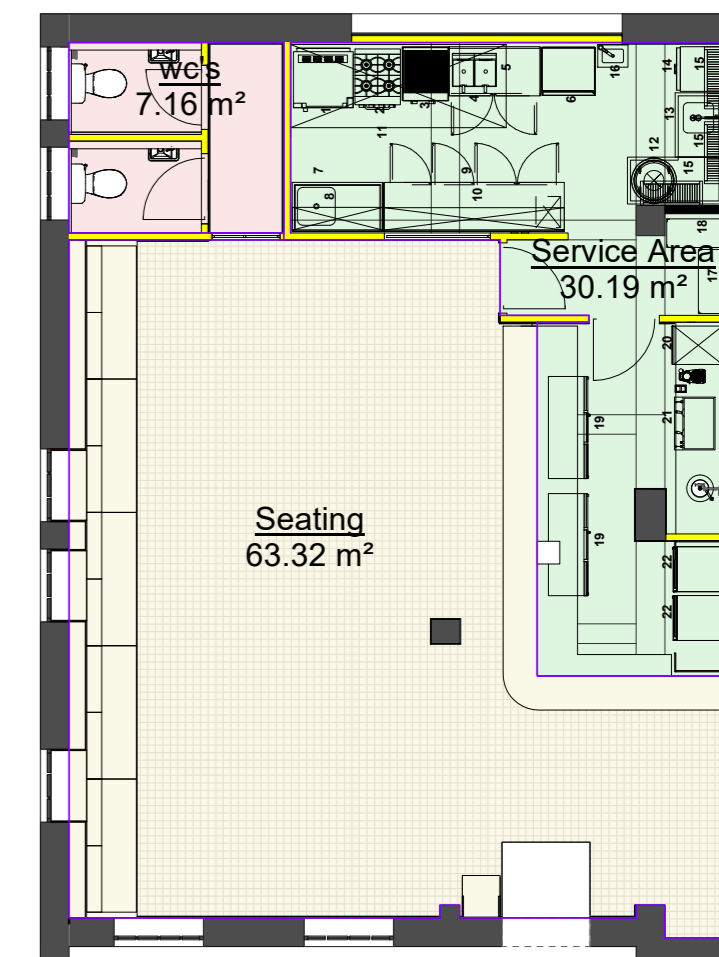
Erf 4163 - site Plan

1 : 200



Le Grand Doman Wine Bar - floor plan

1 : 100



Areas

1 : 100

Seating:
Interior - 50pax
Exterior - 40pax

NINA ERASMUS
ARCHITECTURE + INTERIOR

pr.Arch : Nina Erasmus SACAP 24751289
-2782 291 6976 / info@ninaerasmus.co.za
Die Handelshuis, 845, Franschoek Road, Simondium 7670

project details

Project Name: Le Grande Domain
Project Address: Church Street Stellenbosch

drawing title

Site Plan

revisions

Number	Revision Description	Date	Issued by

general notes

- The design of this drawing is copyright and remains the property of the Architect.
- The contractor (including sub-contractors) shall be familiar with the contents of SANS 10400 and related SANS 2001 standards.
- Quality of all materials and workmanship to comply with the relevant S.A.B.S and B.S.S. specifications.
- The contractor is responsible for the correct setting out of works, all external and internal walls with particular reference to boundaries, building lines, etc where relevant.
- Contractor to verify all levels, heights and dimensions on site and to check the same against the drawings before putting any work in hand.
- Contractor to ensure that all details shown on this drawing are in compliance with local authority by-law and regulations.
- Contractor to locate and identify existing services on site and protect these from damage throughout the duration of work.
- Contractor to build in all dpc's to all external walls at each floor level, beam levels and to all windows, doors or other openings in external walls. Cavity walls to have stepped dpc.
- All relevant details, levels and dimensions to be checked on site prior to commencement of work. Any Discrepancies to be brought to the attention of the Architect.
- The Architect accepts no responsibility for errors resulting from misinterpretation of the drawings.
- All dimensions are given in millimetres
- This drawing is not to be scaled!
- Use figured dimensions at all times!
- All architects drawings to be read in conjunction with the engineers drawings and with the services drawings.

drawing info

DRAWN	CHECKED	DATE	PROJECT NO.
Author	Checker	21.10.2021	NE061

drawing number

DISCIPLINE	SHEET NUMBER	REVISION	STAGE
AR	pl016		C

issued for
INFORMATION