

**MOTIVATIONAL MEMORANDUM:**  
**Rezoning application**  
**for**  
**Erven 132, 133 and 133 Atholl Ext 12**  
**on behalf of**  
**Texton Property Fund Ltd**

<b>Date</b>	01 September 2021	
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## INTRODUCTION

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The purpose of this memorandum is to introduce, elaborate upon and motivate the application for rezoning in respect of Erven 132, 133 and 134 Atholl Extension 12

The full extent of the application is set out in this memorandum, which comprises of the following:

- ❖ Chapter 1: General Information
- ❖ Chapter 2: The Application
- ❖ Chapter 3: Policy Environment
- ❖ Chapter 4: Motivation
- ❖ Chapter 5: Conclusion

## 1. GENERAL INFORMATION

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KiPD (Pty) Ltd, the authorised agent, has been appointed by Texton Property Fund Ltd, the registered owner of the property, to lodge an application for the rezoning of Erven 132, 133 and 134 Atholl Extension 12 to allow for the additional use of a self-storage facility whilst retaining the current land use rights. The properties will be referred to as “the site”, “the subject properties” and/or “the proposed development” in this memorandum.

### 1.1. THE APPLICATION

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Application is hereby made in terms of Section 21 of the City of Johannesburg (CoJ) Municipal Planning By-Law, 2016, hereinafter referred to as the “By-Law”, read together with the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), for rezoning of the erven.

### 1.2. AGENT AND CLIENT

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#### 1.2.1. Agent

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The authorised town planning agent acting on behalf of the client is:

Name	KiPD (Pty) Ltd
Responsible Persons	Saskia Cole
Postal Address	47 Third Street, Linden, 2195
Contact Number	011 888 8685 / 082 574 9318
Email	saskia@kipd.co.za

1.2.2. Client

The client's details are as follows:

Name	Brent Webstock
Contact Number	011 731 1985
Email	brent@texton.co.za
Address	PO Box 653129 Benmore 2010

1.3. SITE LOCALITY

(Locality: Plan 1 and 2)

Atholl Extension 12 is located east of the Sandton CBD and Grayston Drive and south of Strathavon. Erven 132, 133 and 134 are located at no 151 Katherine Street, Atholl (Sandton).

1.4. LEGAL ASPECTS

1.4.1. Ownership

(Windeed and title deed)

The ownership details of the properties are reflected in the table below:

Property Description	Registered Owner	Size	Title Deed Nr
Erf 132 Atholl Ext 12	Texton Property Fund Limited	3965 m <sup>2</sup>	T50547/2011
Erf 133 Atholl Ext 12	Texton Property Fund Limited	3966 m <sup>2</sup>	T50547/2011
Erf 134 Atholl Ext 12	Texton Property Fund Limited	3966 m <sup>2</sup>	T50547/2011
		1,1897 ha	

In terms of conditions 1. B., 2., and 3.1. of the title deed, the three properties (and others) are notorially tied.

Note – the title deed refers to Vunani Property Investment Fund Ltd. Please refer Page 11 of the title deed, to the Windeed report and the company report of Texton Property Fund Ltd. The name of the company was changed on 7 July 2014. The land owner is thus Texton Property Fund Ltd.

1.4.2. Company Resolution

The Directors of Texton Property Fund Ltd have provided a resolution authorising the nominated individual to provide a power of attorney to enable KiPD to submit a formal application as per the requirements of the CoJ Municipal Planning By-Law, 2016.

1.4.3. Power of Attorney

The authorised individual has in turn provided a signed power of attorneys to enable KiPD to submit a formal application as per the requirements of the CoJ Municipal Planning By-Law, 2016.

1.4.4. Restrictive Title Conditions

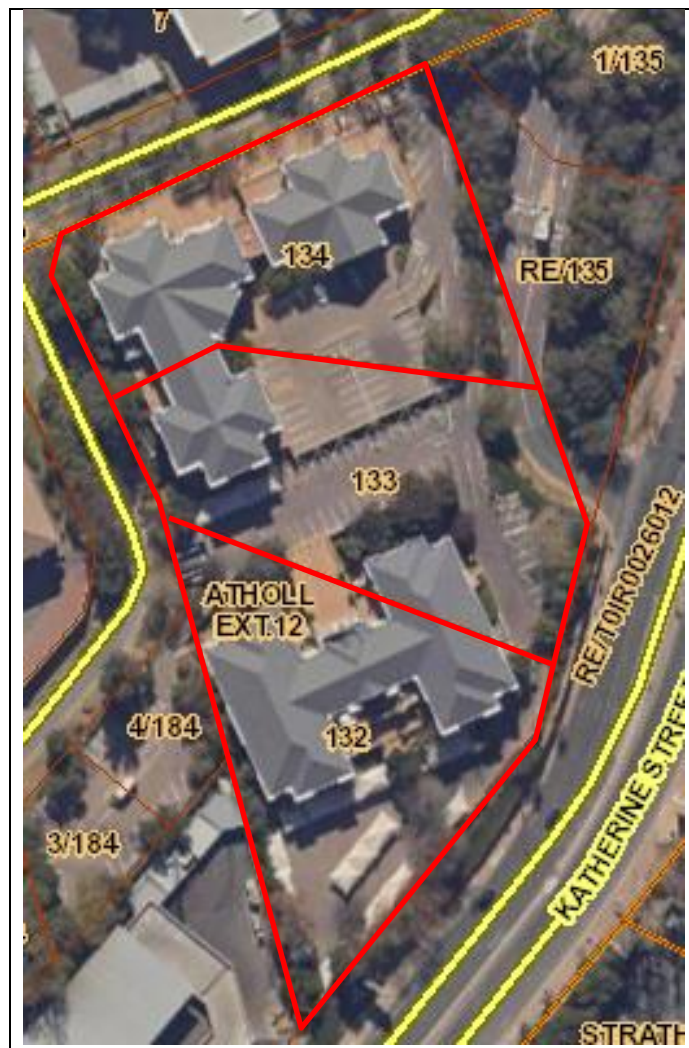
There are no restrictive title conditions contained in the title deed T50547/2011 relating to the rezoning of the subject properties.

1.4.5. Registered Mortgage Bonds

There is a mortgage bond registered against the properties with Invula Income RF (Pty) Ltd. The bondholders consent letter is attached to this application.

1.5. EXISTING LAND USE

The property is currently being used for offices, which are constructed over the cadastral boundaries of the erven.



## 1.6. SURROUNDING LAND USE

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(Land use plan)

The site is surrounded by mainly offices of various companies and an Audi motor vehicle dealership to the south west of the properties.

## 1.7. EXISTING ZONING AND DEVELOPMENT CONTROLS

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(Zoning Certificate)

In terms of the City of Johannesburg Land Use Scheme, 2018 (Sandton Amendment Scheme 2985), the properties are currently zoned as follows:

Zoning	Business 4
Primary rights	Offices
Floor Area	As per Scheme - 0.3 : Provided that the floor area ratio may be increased to 0.35 on the submission of a site development plan.
Density	N/A
Coverage	30%: Provided that the coverage may be increased to 35% on the submission of a site development plan.
Height	As per Scheme - 2 storeys : Provided that the height may be may be increased by one (1) storey on the submission of a site development plan.
Building Lines	As per scheme

## 1.8. SURROUNDING ZONING

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(Surrounding zoning plan)

In terms of the City of Johannesburg Land Use Scheme, 2018, most of the erven immediately north, east, south and west are zoned "Business 4" or "Special" for business related uses.



## 2. THE APPLICATION

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### 2.1. PROPOSED ZONING

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Application is hereby made for the following land use rights :

Zoning	Business 4
Primary rights	Offices and self-storage.
Floor Area	As per Scheme - 0.3 : Provided that the floor area ratio may be increased to 0.35 on the submission of a site development plan.
Density	N/A
Coverage	30%: Provided that the coverage may be increased to 35% on the submission of a site development plan.
Height	As per Scheme - 2 storeys : Provided that the height may be may be increased by one (1) storey on the submission of a site development plan.
Building Lines	As per scheme

In terms of the City of Johannesburg Land Use Scheme, 2018, self-storage facility is defined as:

*“A building consisting of self-contained units that are leased or rented on an individual basis that are used for the storage of personal property and/or household and business goods. Storage containers and single storey drive up self-storage units are not considered multi-level self-storage facilities”.*

Refer to proposed Map 2 documents and Schedule.

### 2.2. PROPOSED LAND USE

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In these uncertain economic times, mainly as a result of the COVID-19 Pandemic, application is made to keep the current land use rights intact and to a land use right to operate self-storage units from the premises. The land owner plans to convert a portion of the existing office building into self-storage units for the storage of household and business goods. In doing so, the existing building can be used more efficiently by enabling a diversity of tenants.

The proposed self-storage facility proposed for this building is not the conventional self-storage development which has ‘garage style’ units, but instead a self-contained unit within an office structure where the tenant of the unit has autonomy over it.

Self-storage is the term used to describe facilities leased out to tenants wishing to store excess goods, the units is seen as an extra room to ones dwelling unit or office space. Modern day self-storage facilities across major cities are now located in core retail and office areas, as well as within the heart of residential neighbourhoods. The reason for introducing self-storage facilities closer to the urban core is that, with the increase in densities, and a reduction in the sizes of homes, people are finding it necessary to have a place to store their possessions which is close by, not too large in size and is safe to access at all hours. For storage of for example their golf clubs and other sporting gear, furniture, clothes, kitchenware, office files, etc.

These units vary in sizes and are leased out on a monthly basis. The customer base ranges between households and businesses. Therefore, the facility is designed for the convenience of the occupants of the surrounding residential and business developments to store household and business goods.

The units will be specifically designed to ensure that it is contained within the existing office building and thus will not impact aesthetically on the surrounding environment.

In terms of sustainability, the location of this facility allows its customers to make short trips or combining various destinations in one trip. This facility will be serving the community of Sandown. Atholl and Atholl Gardens. Similar such facilities have been largely successful as there is a great demand for storage space in close proximity to home and work.

## 2.2 TRAFFIC, ACCESS AND PARKING

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With regard to the traffic volumes, the proposed self-storage use will generate substantially less traffic than the office use as such facilities are generally only sporadically visited by the tenant and then mainly during off-peak periods. A storage facility generally employs a small number of people, if any.

The conversion of some office space into self-storage space will reduce the impact on traffic as well as reduce the traffic volume and need for parking within the existing development. The existing office building parking and access will be maintained and is sufficient for the proposed addition of self-storage units.

## 3. SPATIAL PLANNING ENVIRONMENT

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In terms of Section 5(2) of the City of Johannesburg Municipal Planning By-Law, 2016 – “any land development application in terms of said By-Law shall be guided and informed by the City’s Integrated Development Plan and Municipal Spatial Development Framework as adopted and approved in terms of Section 20 of SPLUMA and Section 10 of said By-Law.”

This section therefore reviews all relevant spatial planning documents and plans, to determine the suitability and compliance to the spatial plans of the City.

The following spatial planning documents have been reviewed :

- City of Johannesburg Spatial Development Plan, 2040 (2016);
- Nodal Review Policy 2019/2020.

### 3.1. SPATIAL DEVELOPMENT FRAMEWORK 2040

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The Spatial Development Framework 2040 (SDF) is a city wide spatial policy document that identifies the main challenges and opportunities for the City, sets a spatial vision for the future city and outlines a set of strategies to achieve that vision.



Along with providing a spatial vision, the SDF defines the strategic spatial areas to be used in the City's capital investment prioritisation model. This will ensure that infrastructure investment is directed to areas with the highest potential to positively impact on the development trajectory of the City as defined in the SDF.

In terms of the SDF, the subject property falls within the "Metropolitan Node". A metropolitan node should support urban structure for economic growth, job creation and poverty alleviation. The underlying objective of a metropolitan node is to foster economic growth by concentrating non-residential uses and social amenities within the node. The multi-functional use of buildings is encouraged within the node.

The proposed addition of self-storage to the office rights on the subject properties completely aligns with the vision and rationale of the SDF.

### 3.2. NODAL REVIEW POLICY 2019/2020

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In terms of the Nodal Review Policy, 2019/2020, the subject property falls within the "Metropolitan Node".

In terms of the Policy, a mix of land uses within a metropolitan node is encouraged at quite a high intensity. The proposed addition of self-storage facilities is ideal for properties located within a node. The nodal areas encourage mixed use development and all type of businesses. The rezoning is in line with this policy.

## 4. MOTIVATION

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### 4.1. NEED AND DESIRABILITY

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The subject property is located along Katherine Street and one property away from Grayston Drive. These two streets are two of the main access roads into the Sandton CBD, the financial heart of the City. The uses characterising this area are wide and diverse. The characterisation of this areas as a metropolitan node has allowed for a wide variety of land uses or varying intensity. The varying typologies and growth in townhouse and apartment developments have also increased the need for off-site storage, specifically within the business and activity nodes.

Higher density development often does not have on site storage space, and if they do, they often have to be purchased at exorbitant prices, thus making a self storage facility a much more cost-effective service. The surrounding businesses also have the option of accessing smaller storage space if they do not require a larger industrial style storage space. Moreover, the storage units are leased for certain periods of times, as may be required by the customer, thereby not forcing them to buy a storage unit which will not be optimally used.

Furthermore, facilities of this nature are few in Sandton and surrounding areas. The self-storage facility will aid in the more efficient use of the building. Due to COVID-19, many offices spaces have become deserted as a result of the new norm - working from home and socially distancing.

## 5. SPLUMA DEVELOPMENT PRINCIPLES

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In terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA), the following principles apply to spatial planning, land development and land use management and are hereby applied to this application:

SPLUMA Referral		Proposed Development Compliance
7 (a)	Spatial Justice	The development addresses the principle of spatial justice as it answers to the rectification of previous injustices by making the existing facility multi -functional.
7 (b)	Spatial Sustainability	The principle of spatial sustainability is addressed in the fact that the development is being implemented in an area that is considered viable for the development to occur within and addresses the immediate need to the amenity.
7 (c)	Efficiency	The land development optimises the use of existing engineering infrastructure.
7 (d)	Spatial Resilience	By providing more storage facilities, the principle of spatial resilience applies in that the Spatial Development framework supports the type of development that's been instituted in the area, therefore adhering to the vision of the City.
7 (e)	Good Administration	The development answers to the broader scope and the microscope of all spheres of government, in that it answers the need of the intention to increase accessibility to necessary social needs within South Africa.

## 6. RECOMMENDATION

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The application is in line with the City of Johannesburg's vision for this area and supports the policy; the proposed development would align with the surrounding area. This application aims at addressing the need for affordable storage solutions and more efficiently utilising well located space in the City.

We therefore recommend that the application be approved.