

**MEMORANDUM IN SUPPORT OF THE APPLICATION FOR THE REZONING OF
ERVEN 530 AND 531 PARKWOOD**

PREPARED BY:	STUDIOMAS ARCHITECTS AND URBAN DESIGNERS
DATE:	APRIL 2017
OUR REF:	0105/PHB

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0105/1 Locality Plan

0105/2 Existing Zoning Plan

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0105/4 Map 2 'A' Series

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1. EXECUTIVE SUMMARY

- 1.1 Application is made for the rezoning of Erven 530 and 531 Parkwood in order to permit a mixed-use building on the property.
- 1.2 The applicant wants to regularise the use on the site and is looking to obtain rights for the long-term usage of the property.
- 1.3 The property is currently used for doctor's offices and medical consulting rooms.
- 1.4 Parking for this property is provided on site.
- 1.5 The site will be developed in accordance with an approved Site Development Plan which will address access, landscaping and the orientation of the building.
- 1.6 The existing and proposed rights can be summarised as follows:

	Existing Rights	Proposed Rights
Use Zone	Residential 1	Business 1
Coverage	As per Scheme, 50%	80%, with 100% for basements
Height	As per Scheme, 3 storeys	10 storeys
Density	Only one dwelling unit may be erected on the erf	As per Scheme
Floor Area Ratio	2.1	5

- 1.7 It is contended that the rezoning of the site will most effectively tend to promote the purposes of the Johannesburg Town Planning Scheme, 1979 and should, therefore, be supported.

2. GENERAL INFORMATION

2.1 Introduction and Property Description

- 2.1.1 Application is submitted in terms of Section 21(1) of the City of Johannesburg Municipal Planning By-Laws, 2016 for the rezoning of Erven 530 and 531 Parkwood from “Residential 1” to “Business 1”, subject to certain conditions.
- 2.1.2 Details of the application are set out under Section 3 of this memorandum and the rights applied for are contained in the Map 2 documents and Schedules attached to the submission documents.

2.2 Locality (See Plan 0105/1)

- 2.2.1 The site is located on the southern side of Bolton Road, Rosebank
- 2.2.2 The street address of the site is 46-48 Bolton Road, Rosebank

2.3 Size

- 2.3.1 Erven 530 and 531 Parkwood measure 2 729m² in extent.

2.4 Ownership

- 2.4.1 The erven are registered in the name of Ashton House (Pty) Ltd and are held by virtue of Deed of Transfer No. T17949/1982.

2.5 Existing Zoning and Land Use (See Plans 0105/2 & 0105/3)

- 2.5.1 The site is zoned “Residential 1” with the consent of the Council in terms of Johannesburg Amendment Scheme 01-5000.
- 2.5.2 The site is developed with a house and outbuildings that are used as doctor’s offices and medical consulting rooms.

2.6 Surrounding Zoning and Land Use (See Plans 0105/2 & 0105/3)

- 2.6.1 The property to the north is zoned “Special”, subject to conditions. The property is developed with an office building and is used as the corporate offices of Standard Bank.
- 2.6.2 The property to the north-east is zoned “Business 4” including take away restaurants, which is developed with a filling station, convenience store and take away restaurant.
- 2.6.3 The property to the east is zoned “Business 1” subject to certain conditions, and is newly developed with an office building.
- 2.6.4 The property to the south is zoned “Residential 1” plus offices and a place of instruction and is developed as offices.
- 2.6.5 The property to the west is zoned “Business 4” subject to conditions and is developed with offices and medical consulting rooms.
- 2.6.6 The site forms part of the Rosebank Node organised around 4 major roads – Jan Smuts Avenue, Jellicoe Avenue, Oxford Road and Bolton Road. The node comprises offices, businesses, shops, restaurants and flats.

2.7 Legal Aspects

- 2.7.1 The site is not subject to a mortgage bond.
- 2.7.2 There are conditions in the title deed which are deemed to be restrictive in respect of the proposed use, i.e. 1A (2) and 2A (2), and shall therefore be removed.
- 2.7.3 The abovementioned conditions restrict the “right to open or allow or cause to be opened thereon any place for the sale of wines, beer or spirituous liquor” and are limiting on any future tenant to legally operate a restaurant with a liquor license.

3. THE APPLICATION

3.1 The Rezoning

3.1.1 Application is submitted in terms of the City of Johannesburg Municipal Planning By-Laws, 2016 for the amendment of the Johannesburg Town Planning Scheme, 1979 by the rezoning of the site from “Residential 1” subject to conditions, to “Business 1” subject to certain conditions.

3.2 Proposed Controls

Use Zone	:	“Business 1”
Primary Rights	:	As per Scheme
Floor Area Ratio	:	5
Height	:	10 storeys
Coverage	:	80% with 100% for basements
Density	:	As per Scheme
Parking	:	As per Scheme
Building Lines	:	0m along all boundaries
General	:	<ol style="list-style-type: none">1. A Site Development Plan (SDP) shall be submitted to the Local Authority for approval prior to the approval of any building plans.2. Access and egress shall be to the satisfaction of the Council.3. Roof gardens may be permitted on the roof of the development. Recreational structures, such as gazebos may be constructed on the street frontage of such roof gardens.

3.3 Applicant's Intention

- 3.3.1 It is the applicant's intention to largely obtain rights for a mixed use building, and is looking at the site's long-term potential to contribute positively to the development of the Rosebank node.
- 3.3.2 The applicant is investing into the continued growth of Rosebank, and is looking to add high-quality sectional title office space and residential apartments into the node.
- 3.3.3 The development of the site will be controlled in terms of an approved Site Development Plan. Detailed aspects such as boundary treatment and design of the property will also be controlled in terms of the plan.

4. MOTIVATION IN SUPPORT OF THE APPLICATION

4.1 The Character of the Surrounding Area

- 4.1.1 The site is located within the Rosebank Regional Node which comprises corporate offices, large retail developments, high-density and medium-low density residential uses, shops, restaurants, offices, hotels and a hospital. Many of these properties are zoned "Business 1", "Business 4", "Special" and "Residential 4" and are developed at various heights.
- 4.1.2 The site has excellent visibility from Oxford, Bolton and Glenhove Roads, and is accessed via Ashford Road.

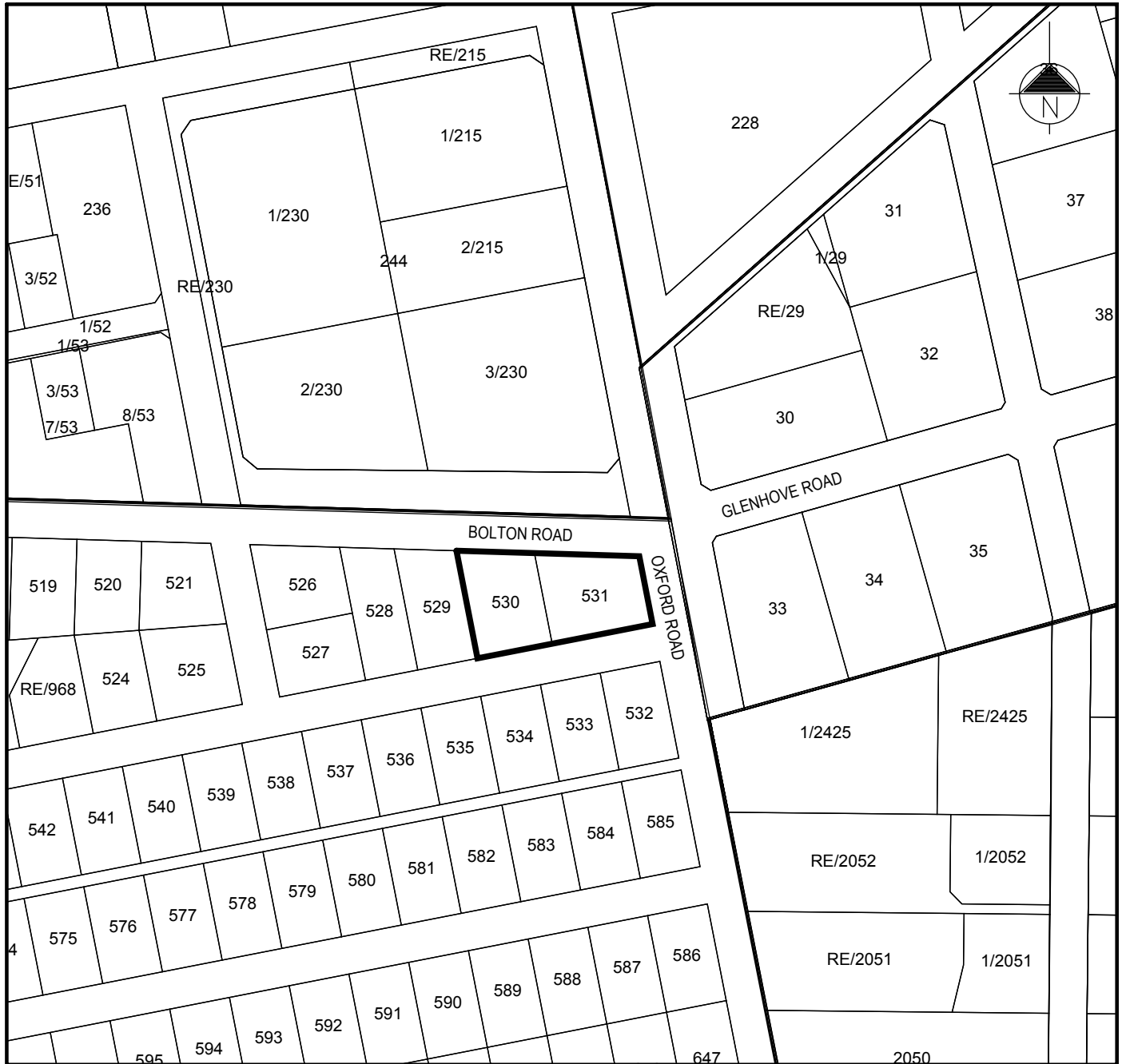
4.2 The Need for and Desirability of the Proposal

- 4.2.1 Rosebank remains a desirable location due to its proximity to major arterial routes and the many amenities which support this area. The site sits within the Rosebank node and provides a great location for the provision of additional rental housing stock and high-quality office space.
- 4.2.2 Since the introduction of the Gautrain Station to Rosebank in 2006, the node has started to densify dramatically as more offices relocate here and people move to take advantage of the proximity of residential developments and pedestrian facilities.
- 4.2.3 At present, the Rosebank Node requires increasing densification to ensure that both current and future public transport systems are supported. This will be achieved through increasing residential densification within the nodal boundary.
- 4.2.4 The need for office space and high density residential uses combined with the suitability of the site for these purposes as well as other non-residential uses was considered by the applicant and thought to be ideal with respect to accessibility and location to amenities.
- 4.2.5 It is not difficult to see why there was and still is such a massive demand for centralised office and business accommodation inside of the main nodes. It has mainly been caused by the following locational factors:
- (a) The increasing availability of reliable, safe and convenient public transport systems.
 - (b) Accessibility of amenities within walking distance of each other.
 - (c) Prestige and ownership advantages in Rosebank.
 - (d) The attraction of live, work and play opportunities within a well-functioning node.
- 4.2.6 This type of land use typically gravitates toward the higher density nodal areas of the city, in close proximity of freeways, major arterials and/or shopping malls. Accessibility is a very important factor, especially in terms of minimal driving time for employees from home.
- 4.2.7 In terms of land usage, greater Johannesburg contains a far higher proportion of office and business accommodation. With the view to produce a compact, walkable city, mixed use developments that include residential dwelling units are promoted at all levels of spatial policy in the city.
- 4.2.8 Clearly, in view of the above situation, the need for such accommodation will surely continue to grow in the future and the availability of suitably zoned land will be necessary to accommodate the densification/growth of the Rosebank node.
- 4.2.9 There are essentially two options available to local authorities to accommodate this growth. Firstly, the development of new nodes should be promoted, and secondly existing nodes should be allowed to grow. In this case, the application strengthens an existing node, in which the applicant takes a caring and vested interest.

- 4.2.10 Where a site such as the one under consideration is available for such a use, the increased rights should be promoted, and not opposed. The infrastructure exists in these areas and it makes good sense from a town planning point of view, to promote their controlled expansion.
- 4.2.11 The site is clearly well suited for a high-rise mixed use building due to its location at a critical intersection (Oxford, Glenhove and Bolton Roads), and the nature of the surrounding land uses in Rosebank.
- 4.2.12 It is also submitted that the proposal will result in a use which acknowledges the character and position of the site in the Rosebank Node. It will also ensure that the developers contribute premium grade office space, well-positioned residential units and certain public amenities to the market in Rosebank and surrounds.
- 4.2.13 Public transport is available around the site which bodes well for employees, office workers and tenants. The Gautrain station is within 400m of the site, and Oxford Road is a proposed trunk route of the Bus Rapid Transit System.

4.3 The Regional Spatial Development Framework (RSDF)

- 4.3.1 The site falls within Sub Area 24 of Administrative Region E.
- 4.3.2 The RSDF recognises that the site falls within the Rosebank Regional Node and that these nodes contain a wide range of non-residential uses, and residential uses.
- 4.3.3 The RSDF promotes the intensification of uses in support of the Bus Rapid Transit system on Oxford Road, as well as the development of the Rosebank Node in support of the Gautrain Station.
- 4.3.4 An intensification of rights on a property in a node, and in close proximity to the Gautrain Station is therefore in terms of the nodal strategy of the RSDF.
- 4.3.5 In terms of good town planning practice, the RSDF strongly encourages development of additional non-residential uses to be concentrated within nodes and we submit that this application is in terms of the RSDF.



PLAN LEGEND:



APPLICATION SITE

studiomAS
architecture & urban design

JOHANNESBURG
Tel: (011) 486 2979 Fax: (011) 646 5399
PO Box 1614
Saxonwold 2132
Johannesburg, SOUTH AFRICA
Courtyards on Oxford Road
25 Oxford Rd, Forest Town
www.studiomas.co.za
CAPE TOWN
Tel: (021) 461 9297 Fax: (021) 461 9558
studiomAS architects + urban designers

PROJECT: REZONING APPLICATION

ERVEN 530 AND 531
PARKWOOD

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SHEET DESCRIPTION:

LOCALITY PLAN

SCALE:

1:2500

DATE:

APRIL 2017

DRAWING #:

PLAN NO. 0105/01



PLAN LEGEND:

	APPLICATION SITE		RESIDENTIAL 2
	BUSINESS 1		RESIDENTIAL 3
	BUSINESS 4		RESIDENTIAL 4
	PARKING		SPECIAL
	RESIDENTIAL 1		

studioMAS
architecture & urban design

JOHANNESBURG
Tel: (011) 486 2979 Fax: (011) 646 5399
PO Box 1614
Saxonwold 2132
Johannesburg, SOUTH AFRICA
Courtyards on Oxford Road
25 Oxford Rd, Forest Town
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PROJECT: REZONING APPLICATION

ERVEN 530 AND 531

PARKWOOD

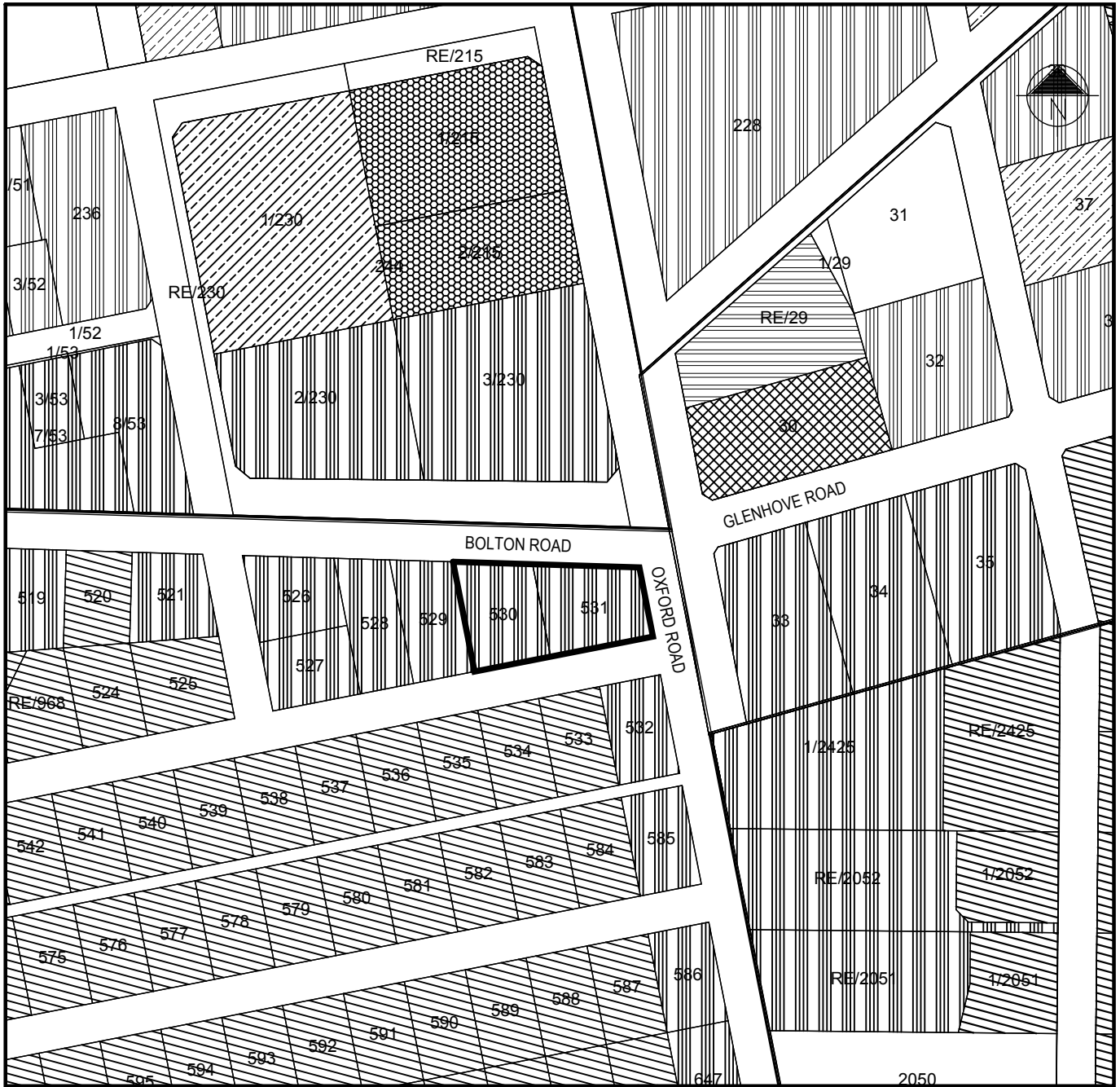
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SHEET DESCRIPTION:

ZONING PLAN

SCALE: 1:2500	DATE: APRIL 2017
DRAWING #: PLAN NO. 0105/02	



PLAN LEGEND:

	APPLICATION SITE		SHOPS AND RESTAURANTS
	SINGLE RESIDENCE		FILLING STATION
	MULTI-UNIT RESIDENTIAL		PUBLIC OPEN SPACE
	OFFICES		PARKING
	CHURCHES AND SCHOOLS		VACANT LOTS

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architecture & urban design

JOHANNESBURG
Tel: (011) 486 2979 Fax: (011) 646 5399

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Saxonwold 2132
Johannesburg, SOUTH AFRICA
Courtyards on Oxford Road
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www.studiomas.co.za

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PROJECT: REZONING APPLICATION

ERVEN 530 AND 531
PARKWOOD

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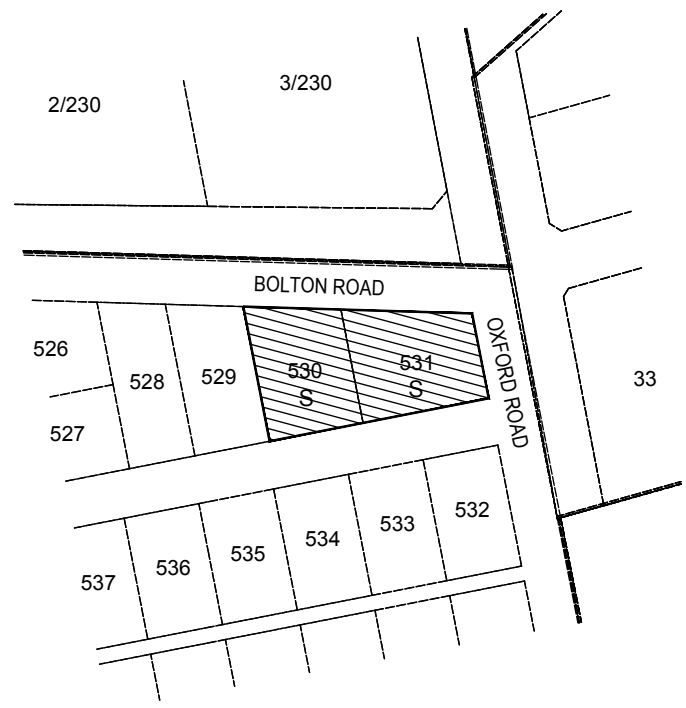
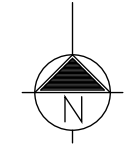
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SHEET DESCRIPTION:

LAND USE PLAN

SCALE: 1:2500	DATE: APRIL 2017
DRAWING #: PLAN NO. 0105/03	

SCALE 1:2 500




PARKWOOD
 ERVEN 530 AND 531

REFERENCE

SCHEDULE S

USE ZONE

 BUSINESS 1

APPROVED

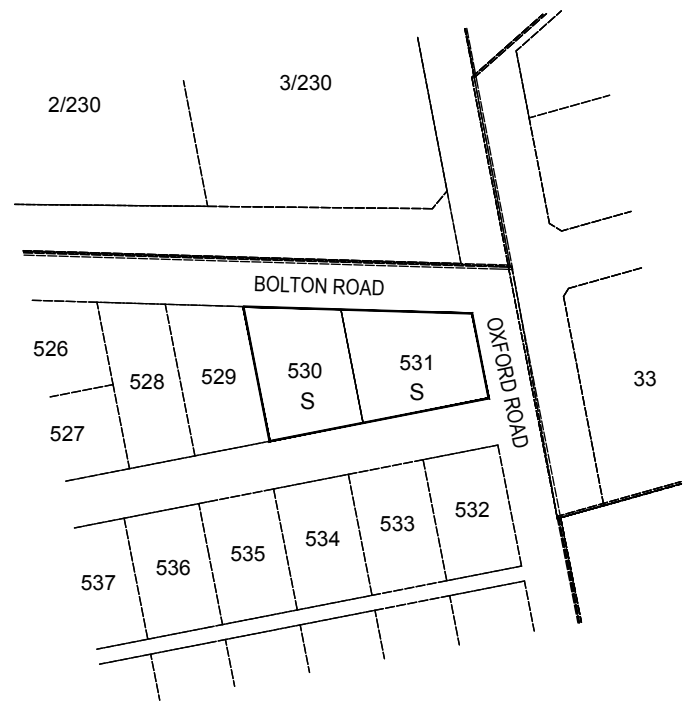
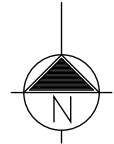
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EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING
 CITY OF JOHANNESBURG

DATE20.....

USE ZONES

SCALE 1:2 500



PARKWOOD
ERVEN 530 AND 531

REFERENCE

SCHEDULE S

APPROVED

.....
EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING
CITY OF JOHANNESBURG

DATE20.....

JOHANNESBURG TOWN PLANNING SCHEME, 1979, APPROVED BY VIRTUE OF ADMINISTRATOR'S NOTICE 1157 DATED 3 OCTOBER 1979 IS HEREBY FURTHER AMENDED AND ALTERED IN THE FOLLOWING MANNER:

1. THE MAP, SHEETS AND AS SHOWN ON MAP 3, AMENDMENT SCHEME
2. BY THE ADDITION OF THE FOLLOWING IN NUMERICAL AND ALPHABETICAL SEQUENCE TO TABLE N OF THE SCHEDULE OF THE SCHEME, READ WITH CLAUSE 70:

COLUMN 1.	USE ZONE BUSINESS 1
COLUMN 2.	DESCRIPTION OF LAND ERVEN 530 AND 531 PARKWOOD
COLUMN 3.	PRIMARY RIGHTS (LAND USE TABLE 'C') * AS PER SCHEME. SHOPS, DWELLING UNITS, RESIDENTIAL BUILDING, BUSINESS PURPOSES, CAR SALES LOTS, PLACES OF PUBLIC WORSHIP, PLACES OF INSTRUCTION, SOCIAL HALLS, CANTEEN, DRY CLEANERS AND LAUNDRETTES, WAREHOUSES
COLUMN 4.	CONSENT USE RIGHTS (LAND USE TABLE 'C') * AS PER SCHEME.
COLUMN 5.	USES NOT PERMITTED (LAND USE TABLE 'C') * AS PER SCHEME
COLUMN 6.	WIDTH OF SERVITUDE AREA STREET -
COLUMN 7.	HEIGHT ZONE AS PER SCHEME. HEIGHT ZONE 0 (10 STOREYS)
COLUMN 8.	COVERAGE AS PER SCHEME. 80%, WITH 100% FOR BASEMENTS
COLUMN 9.	F.A.R. OR FLOOR AREA AS PER SCHEME. THE FLOOR AREA RATIO SHALL NOT EXCEED 5.0

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EXECUTIVE DIRECTOR: DEVELOPMENT PLANNING
(CITY OF JOHANNESBURG)

DATE:/...../20....

COLUMN 10. **PARKING PROVISION**

* AS PER SCHEME

COLUMN 11. **DENSITY**

AS PER SCHEME. THE DENSITY SHALL NOT EXCEED 150 DWELLING UNITS ON THE SITE.

COLUMN 12. **BUILDING LINE**

0M ALONG ALL BOUNDARIES

COLUMN 13. **GENERAL**

1. A SITE DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE LOCAL AUTHORITY FOR APPROVAL PRIOR TO THE APPROVAL OF ANY BUILDING PLANS.
2. ACCESS AND EGRESS SHALL BE TO THE SATISFACTION OF THE LOCAL AUTHORITY.
3. ROOF GARDENS MAY BE PERMITTED ON THE ROOF OF THE DEVELOPMENT. RECREATIONAL STRUCTURES, SUCH AS GAZEBOS MAY BE CONSTRUCTED ON THE STREET FRONTAGE OF SUCH ROOF GARDENS.

COLUMN 14. **AMENDMENT SCHEME NO.**

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DATE:/...../20....