

The
Walsh
Building
Company

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To: All Property Owners-

My name is Paul Williams. I'm the owner of The Walsh Building Company here in New Braunfels. By now you should have received information from the Planning and Zoning Dept about the project I'm planning on the Wohlfahrt property at 1938 FM 1044. Rodger and I have been friends for about 22 years, and he and his brother Ronnie are in favor of the design details described in this letter. I'm writing to give you details of the project that may not be in the information mailed by P&Z.

I've asked permission to rezone the property to build a self storage warehouse facility. The buildings would be located behind Rodger's house at 1968 FM 1044 and his auto repair shop. The plan is to create a wide drive, located between the 2 buildings, and approximately 80 – 100' from the road to the access gates. An office with an onsite manager's residence will be located near the entry gates, and the exterior walls facing the road will be 100% masonry with metal roof. The metal warehouse buildings will be difficult to see behind the gate, the office, the shop, and the Wohlfahrt home. Wall mounted exterior lighting located on 9' walls is planned for lighting of interior drives; we are not planning to install street lights. The Wohlfahrts are retaining 1 acre surrounding the existing auto repair shop. The City has recommended that they update the zoning on that property as well, and their request is part of this application. They plan to continue operating the repair shop.

The City of NB requires masonry fencing at property lines unless the neighbors on the adjacent properties don't require it. I've asked for an exception on the masonry fencing. Ronnie and Rodger said they would prefer to see the metal walls of the buildings instead of the fence, and I agree. If you're driving towards I-35 you'll see masonry fence near the bar ditch at the subdivision before Lowes. It sags, gets blown by the wind, settles in the soil, is expensive, and requires constant maintenance. I'd prefer to have a blank metal wall with no garage doors or customer access in place of the fence. I believe it will accomplish the same and will look much better.

It's important to tell you that I have made application for a Special Use Permit to build self storage warehouses. That means I cannot build anything but self storage warehouses. There won't be any surprises. Ronnie and Rodger are in favor of this project because they intend to keep the house and the shop and they understand that this will create less traffic and light than a residential neighborhood development.

Thank you for your time. Please contact me if you have any questions.

Paul

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August 16, 2018

From: Paul M. Williams
The Walsh Building Company
1283 Old FM 306, New Braunfels, Texas, 78130

To: New Braunfels City Council Members

Subject: Planning Commission Case PZ-18-022

My name is Paul Williams. I have owned and operated The Walsh Building Company in New Braunfels for approximately 16 years. I'm a member of the Chamber of Commerce, and I recently completed my 3rd year on the Board of Directors of Habitat for Humanity. I also serve as Director of the Thorn Hill Property Owners Association, and have done so for the past 10 years. I currently have a rezoning case which is scheduled to be heard at the August 27 City Council meeting. The recent Planning Commission vote on my request was mixed, and I am writing to clarify some issues and ask for your consideration when reviewing my request.

My case was presented to Planning Commission members by Matt Greene at the August 7 meeting. My request is simple; I am seeking to rezone approximately 8.33 acres of land at 1938 FM 1044 in order to build a self storage warehouse facility under a Special Use Permit. Planning staff favors the project. Only 1 of the 8 property owners shown on the notification map, Michael Kramm, responded negatively. But at the meeting he stated "If he wants to build a 20 story office building, let him build it," so it appears he does not oppose the rezoning.

In my original application I asked for a variance on the side and rear setbacks, and the use of masonry fencing. The owners, now living in the existing residence and operating the repair shop surrounded by the subject property, agreed that they would prefer to see a blank metal wall on a full concrete foundation on their property lines as opposed to masonry fencing. I agree with that logic. I submitted my application accordingly, and wrote to the neighbors to explain that. Those variances were the only issues that Planning staff did not favor, and I stated, at the public Planning Commission hearing, that I would gladly rescind my variance requests. Those requests have now been deleted from my application.

At the hearing, Planning staff stated that they favored the plan because it satisfies several goals, including:

- 1) The rezoning is consistent with existing land uses and provides a mix of uses in an appropriate area.
- 2) The rezoning is consistent with the City's Future Land Use Plan.
- 3) Traffic has direct access to FM 1044; no traffic through residential neighborhoods is created.
- 4) The project makes efficient use of the land, discourages sprawl, and reduces usage demands created by residential development. (i.e: Far less household and irrigation water, power, gas and sewage use is created by this project. Far less traffic, sound, and light is generated as well).

I chose to seek rezoning under the SUP because of the fencing variance request, but I also hoped that greatly limiting what could be built would give assurances to the neighbors, and result in less opposition. After rescinding the variance requests the project became 100% compliant with MU-B, M-1A, and M-2A zoning ordinances, which allows operation of more than 200 other types of businesses as well. But questions by Commission members at the hearing made me believe they did not understand that. And my request is far more restrictive because it is

completely compliant while limiting usage to self storage and office use only. Commissioner Reaves began by asking Matt Greene if “just a straight commercial zoning could be approved,” making me believe he favored the zoning request. I would gladly accept that. Considering that there was only 1 person objecting, and that Planning staff was completely in favor after my variance requests were rescinded, I was shocked to hear a motion to deny. No questions were asked of me, and no reason was given for the denial. The final vote was 3 opposed, 4 in favor of the motion. I don’t know if confusion played a part in the final vote, but video clearly shows that Commission members seemed unsure if they were voting in favor or in opposition to the motion. Some members stated several times that night that they “were new at this;” I was also told that at least 2 experienced Board members were not present. Even Michael Kramm, the only resident voicing opposition, believed the majority had voted in favor of it. As we left that night he told me that my “win had destroyed his chances of selling his land to an out of state developer”. While he has criticized our rezoning efforts, he apparently will be seeking to rezone and sell his property as well.

In his written response to Planning staff, Mr. Kramm stated that “no hardships exist that would justify the need for rezoning.” I’ve never claimed that hardships exist, but the presence of a 36” gas line running diagonally across the property, and the fact that it is located behind an auto repair shop makes it unsuitable for many residential and commercial uses. Mr. Kramm stated that if my project is permitted it “will destroy his property, and his home and land will be flooded.” Obviously this is not true; drainage engineering and compliance is required prior to approval of building permits. His only other claim was that “residential development is the highest and best use of the property,” which is also incorrect. Planning Commission staff favors the project and is encouraging commercial development in that area. Future Land Use Maps on that department’s website clearly show that. I believe my request is very reasonable, and is consistent with the Future Land Use Plan. I believe the favorable response by Planning staff and lack of opposition from neighbors supports that belief.

The Wohlfahrts will retain ownership of the auto repair shop and proposed 1 acre surrounding it. Planning staff has encouraged them to upgrade the shop zoning from APD to a commercial zoning that allows the existing use; this is a part of the request as well. But the Wohlfahrts have agreed to rescind their request if there are any objections. In either case, the continued operation of the repair shop will not be affected.

This project is especially important to me as it is planned to be my retirement project. I think it fits the area very well, and there is a need for this type of facility in that area. Because the warehouses will be located behind the existing residence and auto repair shop, located on the subject property, they will not be visible from the road, and masonry fencing with landscaping will conceal the buildings at the sides and rear of the property. My application shows that an onsite manager’s residence will be included for increased maintenance and security. My amended application has been submitted to Matt Greene, and all requests for variances are now deleted.

I’ve constructed numerous projects in New Braunfels, and I’m proud of every one. Our standards of quality are second to none. Unfortunately, because the shared property line with Mr. Kramm’s land represents more than 20% of the notification area, I now need a super majority City Council vote in order to proceed, and the results of the Planning Commission vote has not helped my situation. I hope that the details I’ve provided are helpful in your evaluation of my project, and I am very hopeful that permitting will be approved. Please contact me if any additional information is needed. Thank you for your time.

Sincerely,

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