



April 16, 2025

City Council
City of Montgomery
101 Old Plantersville Rd.
Montgomery, Texas 77316

Re: Development Update and MOU
Villages of Montgomery (Dev. No. 2502)
City of Montgomery

Dear Mayor and Council:

We were recently notified that Parkside Capital, the Developer of Villages of Montgomery, on their interest to continue with the development of the 51-ac single family and commercial development. As a reminder Council authorized the City Engineer, WGA, to complete a feasibility study on this development on July 23, 2024, which was presented and accepted by City Council on September 10, 2024. This development was previously being funded by Devpoint, LLC.

As outlined in the feasibility study, the development would require public utility extensions to be funded by the developer. The developer intends to request variances to the following:

- Minimum Lot Area: Requesting 4,950 sf from 9,000sf requirement
- Minimum Side Lot Setback: Requesting 5' setbacks from 10' requirement
- Minimum Lot Width: Requesting minimum lot width of 45' from 75' requirement
- Minimum Front Setback: Requesting 10' front setback from 25' requirement

In order to continue with the development, we have requested that the Developer provide a draft Memorandum of Understanding ("MOU") to outline the general terms of the Development Agreement. Once the MOU has been approved by Council, the Developer will be able proceed with the variance applications that will be presented to Planning & Zoning for formal recommendations to City Council. Council will then to take action on the variance requests as well as the Development Agreement.

WGA is requesting Council Authorization for City Staff and Consultants to begin coordination with the Developer on the terms of the MOU.

If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Chris Roznovsky".

Chris Roznovsky, PE
Engineer for the City

CVR/zlgt

Z:\00574 (City of Montgomery)_900 General Consultation\Correspondence\Letters\2025\2025.04.18 MEMO To Council Villages of Montgomery Development.docx.



Enclosures: Draft MOU
 Variance Application
 Current Land Plan
 Project Rendering

Cc (via email): The Honorable Mayor and City Council – The City of Montgomery
 Ms. Corinne Tilley– City of Montgomery, Code Enforcement Officer & Director of Planning & Development
 Chief Anthony Solomon – City of Montgomery, Interim City Administrator & Chief of Police
 Ms. Ruby Beaven – City of Montgomery, Interim City Secretary
 Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into on _____ (herein referred to as the "Effective Date") by and between:

Brett Walker, President & Managing Member, Parkside Capital, Manager of Parkside Montgomery 51, LLC, 3003 W Alabama, Houston, Texas 77098 (herein referred to as "Party"); and the

City of Montgomery, City Council, by affirmative vote for motion to accept this Memorandum of Understanding and authorize the Mayor, Sara Countryman, to sign same, 101 Old Plantersville Road, Montgomery, Texas 77316 (herein referred to as the "City").

Parties may be referenced individually as "Party" and collectively as "Parties."

PURPOSE

The purpose of this MOU is to establish a good-faith foundation between the Parties for future collaborative efforts that are mutually beneficial. The Parties agree to work together in a cooperative and coordinated manner to achieve each Party's individual goals and the collective goals of the partnership.

This MOU is designed to detail the specifics of meeting requirements for development between the Parties to the mutual benefit of the parties and the communities they serve.

DURATION OF MOU

This MOU becomes effective on the date it is signed by both parties. It remains in force unless explicitly terminated, in writing, by both parties.

DEFINITIONS

Subject Tract - Approximately 50.3 acres, within the Benjamin Rigsby Survey, Abstract 31, in Montgomery County, Texas.

Feasibility Study – Study prepared by the City Engineer, WGA, on serviceability of Subject Tract by the City. The study is dated September 2024 and was presented and approved by City Council at the September 10th, 2024 Council meeting.

ROLES AND RESPONSIBILITIES

To achieve Parties' mutual desires, each party agrees to the following roles and responsibilities:

1. The Subject Tract is proposed to have approximately 140+/- single family residential lots, approximately 7.3 acres of commercial property along State Highway 105 that will be for retail and / or professional use,

associated drainage infrastructure, etc. The single-family lots will consist of alley loaded lots being 45'x110' and traditionally front-loaded lots being 50'x100' with an average price point of approximately \$700,000.

2. The City understands the Party will submit the following variance requests:
 - a. Proposed Minimum Lot Size: 4,950 square feet
 - b. Proposed Side Lot Setback: 5 feet
 - c. Proposed Minimum Lot Width: 45 feet
 - d. Proposed Front Setback for Alley Loaded Lots only: 10 feet
3. The City understands and accepts the Subject Development will petition for annexation into an existing Municipal Utility District (MUD), or petition for the creation of a new MUD.
4. Party understands and accepts that certain waterline improvements are required for development of the Subject Tract. The waterline improvements as described in the Feasibility Study will be designed and constructed by the Party at the Parties' expense.
5. Party understands and accepts that certain sewer improvements are required for development of the Subject Tract. The gravity sewer improvements as described in the Feasibility Study will be designed and constructed by the City at the Parties' expense.
6. Party understands and accepts that Shepperd Street will need to be expanded for the proposed lots along Sheperd Street. The roadway improvements will be designed and constructed by the Party at the Parties' expense.
7. Party understands and accepts that an extension of and a connection to College Street will not be proposed as a part of the Subject Development.
8. The City understands the Subject Tract will be proposing private on-site detention, which will ultimately be owned and maintained by the MUD, in accordance with all current local criteria. Once approved, the drainage report addressing the Subject Tract will not expire.

COMMUNICATION BETWEEN PARTIES

The stated purpose and roles and responsibilities of the MOU will likely drive the level of communication necessary for a successful understanding between Parties. Once lines of communication are established, it will be critical for each Party to be diligent in their efforts to communicate with the other Party or parties.

AMENDMENTS

The terms of this MOU may be amended upon written approval by both original Parties and their designated representatives.

SIGNATURES

FOR City of Montgomery

Sara Countryman, Mayor

FOR Parkside Capital

Brett Walker, President & Managing Member



March 11, 2025

City of Montgomery
101 Old Plantersville Road
Montgomery, TX 77316

RE: Variance request for The Villages of Montgomery

According to Sections 78 and 98 of the City of Montgomery Code of Ordinances, residential lots are required to have a minimum lot width of 75 feet, a minimum lot size of 9,000 square feet, front setback of 25' and side lot setbacks of 10 feet. The proposed development includes approximately 71 single-family residential lots with a minimum lot size of 45 feet by 110 feet with 10' front setbacks and 5-foot side setbacks, designed as alley-loaded lots. Additionally, approximately 65 single-family lots will have a minimum lot size of 50 feet by 100 feet with 5-foot side setbacks and will be garage-loaded.

We believe the variance requests are justified for the following reasons:

- The proposed development will incorporate both residential and commercial components. Most of the residential homes will feature enhanced streetscapes with landscaping, trees, and other aesthetic elements, as they will be rear-loaded via alleys, eliminating the need for front-facing driveways and garages.
- The developer is dedicating additional developable space to include a boulevard road with landscaped medians, further enhancing the streetscape for alley-loaded homes.
- The boulevard roadway for alley-loaded homes will also prevent on-street parking, ensuring a safer and more aesthetically pleasing neighborhood environment.

It is for the above-mentioned reasons that we feel the variance requests should be considered and approved. Please feel free to contact me at 936-647-0420 if you have any questions or concerns.

Thank you,

Jonathan White, PE
L Squared Engineering
Vice President
936-647-0420
Jwhite@L2engineering.com

Attachments: Variance Request Applications, Land Plan





Variance Request Application

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
(936) 597-6434

Upon completion return application to dmccorquodale@ci.montgomery.tx.us

Contact Information

DEVELOPER: (s): Parkside Capital
Address: 3003 W Alabama Houston, TX Zip Code: 77098
Email Address: brett.walker@parksidecap.com Phone: _____
Applicants: Same As Above
Address: _____
Email Address: _____ Phone: _____

Parcel Information

Property Identification Number (MCAD R#): R274708, R222387, R124056
Legal Description: 50 acres +/- in the Montgomery Townsite Subdivision
Street Address or Location: West of Caroline St and North of SH 105
Acreage: 50+/- Present Zoning: Commercial / Residential Present Land Use: Commercial / Residential

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2014-03 Section(s): 98-122

Ordinance wording as stated in Section (98-122):

(a)(1) There shall be a front yard having a depth of not less than 25' from the property line.

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

The request is for a 10' front building line

Signatures

Owner(s) of record for the above described parcel:

Signature:



Date:

3/12/25

Signature:

Date:

Signature:

Date:

Note: Signatures are required for all owners of record for the property proposed for variance. Attach additional signatures on a separate sheet of paper.

Additional Information

The following information must also be submitted:

☐ Cover letter on company letterhead stating what is being asked. ☐

A site plan.

☐ All applicable fees and payments.

☐ The application from must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the variance request shall be submitted.

Date Received

Office Use



Variance Request Application

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Applicants: Same As Above
Address: _____
Email Address: _____ Phone: _____

Parcel Information

Property Identification Number (MCAD R#): R274708, R222387, R124056
Legal Description: 50 acres +/- in the Montgomery Townsite Subdivision
Street Address or Location: West of Caroline St and North of SH 105
Acreage: 50+/- Present Zoning: Commercial / Residential Present Land Use: Commercial / Residential

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2014-03 Section(s): 78-88

Ordinance wording as stated in Section (78-88):
(C) Minimum lot width is 75'

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

See cover letter

Signatures

Owner(s) of record for the above described parcel:

Signature:  Date: 3/7/25

Signature: _____ Date: _____

Signature: _____ Date: _____

Note: Signatures are required for all owners of record for the property proposed for variance. Attach additional signatures on a separate sheet of paper.

Additional Information

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Applicants: Same As Above
Address: _____
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Legal Description: 50 acres +/- in the Montgomery Townsite Subdivision
Street Address or Location: West of Caroline St and North of SH 105
Acreage: 50+/- Present Zoning: Commercial / Residential Present Land Use: Commercial / Residential

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2014-03 Section(s): 98-122

Ordinance wording as stated in Section (98-122):

(a)(2) There shall be a side yard on each side of the lot having a width of not less than 10'

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

See cover letter

Signatures

Owner(s) of record for the above described parcel:

Signature:  Date: 3/7/25

Signature: _____ Date: _____

Signature: _____ Date: _____

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Parcel Information

Property Identification Number (MCAD R#): R274708, R222387, R124056
Legal Description: 50 acres +/- in the Montgomery Townsite Subdivision
Street Address or Location: West of Caroline St and North of SH 105
Acreage: 50+/- Present Zoning: Commercial / Residential Present Land Use: Commercial / Residential

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2014-03 Section(s): 78-88

Ordinance wording as stated in Section (78-88):

(e) No building shall be constructed on or moved onto any lots of less than 9,000 square feet

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

See cover letter

Signatures

Owner(s) of record for the above described parcel:

Signature:  Date: 3/7/25

Signature: _____ Date: _____

Signature: _____ Date: _____

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LOT SUMMARY

45'x110' (ALLEY LOAD)	71 LOTS	52%
50'x100' (FRONT LOAD)	65 LOTS	48%

TOTAL 136 LOTS

a schematic plan for

VILLAGES AT MONTGOMERY

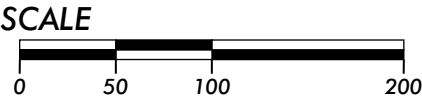
± 50.3 ACRES OF LAND

prepared for

GRACEPOINT HOMES



24275 Katy Freeway, Ste. 200
Katy, Texas 77494
Tel: 281-810-1422



MTA-1-730A
SEPTEMBER 4, 2024

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Woodforest 42' Alley – Parma 4965



Parkland Row 42' – Abney 4867



Parkland Row 50' – Crowson 4188



Woodforest 50' Alley – Danbridge B086

