



April 15, 2025

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

Re: Development Update and MOU
Mia Lago Reserve (Dev. No. 2411)
City of Montgomery

Dear Mayor and Council:

We received an update from Dunhill Builders, LLC, ("The Developer") of Mia Lago Reserve on their interest to continue with the development of the 74-ac single family 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. Since the date of the feasibility study, the development has been confirmed to be removed from the City of Conroe's ETJ, which allows the City of Montgomery to consider annexation of the tract.

As outlined in the feasibility study, the development would require public utility extensions, annexation into the City Limits. It is our understanding the developer intends to request a variance from the City's Code of Ordinances to allow private onsite septic systems for each lot. We have requested additional information from the Developer to ensure this is a feasible option. Should this not be feasible the developer will be required to extend a force main to an onsite lift station to provide sanitary sewer service to the development.

In order to continue with the development, we have requested that the Developer provide a 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 annexation of the property into the City Limits. Additionally, the variance requests will be presented to Planning & Zoning for formal recommendations to Council. Council will then be able to take action on the variance application 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

Cc (via email): 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, 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:

Aaron Polatsek, Partner, Dunhill Builders, LLC , 408 Woodway Dr Suite 425, Houston, Texas 77056 (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 73.7195 acres, within the John Corner Survey, Abstract 8, in Montgomery County Clerk's File (MCCF) Number 2024018462.

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 to 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 51 – ¾ acre lots. All lots will meet the City minimum frontage, lot size and side setbacks.

- 2. The Subject Tract would submit a petition for voluntary annexation into the City of Montgomery upon completion of the Development Agreement.
- 3. The Subject Development will request only public water service from the City in accordance with the City’s Feasibility Study.
- 4. Sewer service is proposed by onsite sewer facility (septic) on a per lot basis. It is important to note that individual onsite sewer facilities will require a variance application and approval through City Council.

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 Dunhill Builders, LLC

Aaron Polatsek, Partner

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L SQUARED ENGINEERING
MUNICIPAL COMMERCIAL RESIDENTIAL
WWW.L2ENGINEERING.COM
3307 W. DAVIS STREET #100
CONROE, TEXAS 77384
OFFICE: 281-467-0800

CLIENT INFORMATION
DUNHILL BUILDERS
GREG KATT
4801 WOODWAY DR. SUITE 425
HOUSTON, TX 77056
PROJECT ADDRESS
LONE STAR BEND
MONTGOMERY, TX

ESTATES OF MIA LAGO EXPANSION PRIVATE IMPROVEMENTS

OVERALL SITE PLAN

DRAWING ISSUE			
#	DATE	BY	* COMMENT
0	10/9/24	JMP	FOR REVIEW ONLY 50%

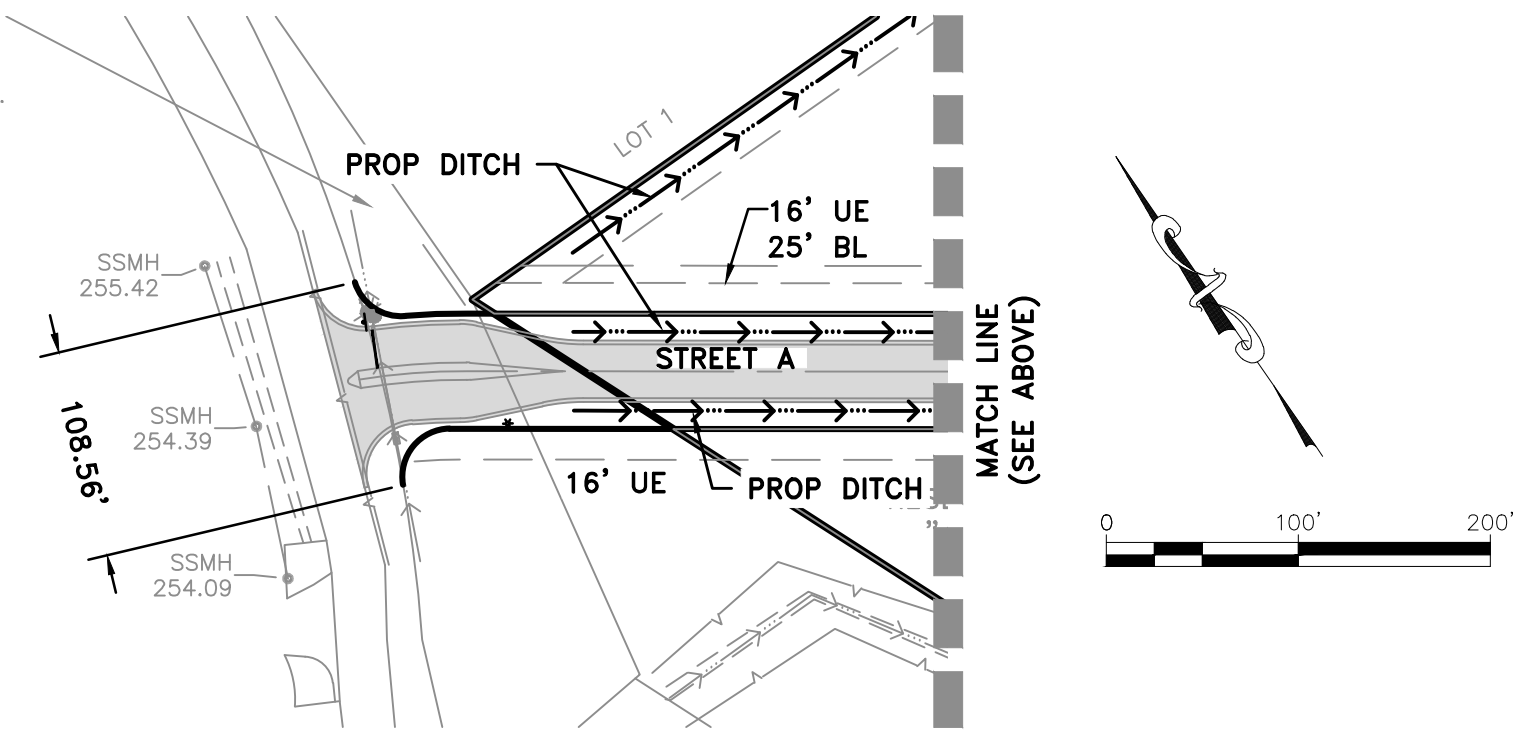
DRAWING INFORMATION

PROJECT	11000	TDLR	**
DRAWN	CAH	CHECKED BY	JTW
SCALE	SHEET		04
1" = 100' (24x36) 1" = 200' (11x17)			

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:
JONATHAN WHITE, PE #127058
FOR REVIEW PURPOSES ONLY
NOT FOR CONSTRUCTION

10/9/2024

*PLANS NOT RELEASED FOR CONSTRUCTION UNLESS INDICATED ABOVE





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): Dunhill Builders, LLC

Address: 408 Woodway Dr Suite 425 Houston, TX Zip Code: 77056

Email Address: aaron@dunhillconstruction.com Phone: _____

Applicants: Same As Above

Address: _____

Email Address: _____ Phone: _____

Parcel Information

Property Identification Number (MCAD R#): R338625

Legal Description: 74 acres in the John Corner Survey

Street Address or Location: Lone Star Bend and the end of Mia Lago Drive

Acreage: 74+/- Present Zoning: N/A Present Land Use: Residential

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 1996-5 & 2011-09 Section(s): 90-22 & 78-94

Ordinance wording as stated in Section (90-22): & 78-94

Each structure within the City shall be connected to the system of the City as soon as each structure is occupied.

No plat may be approved with an on-site sewer facility unless no alternative source is available

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

The request is for each lot in the subdivision to have individual septic systems in lieu of a sewer collection system

Signatures

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

Signature:  _____ Date: 03.07.25

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	
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Office Use