

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



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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: _____

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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: _____

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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: _____

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LOT SUMMARY

45'x110' (ALLEY LOAD)	69 LOTS	50%
50'x110' (FRONT LOAD)	68 LOTS	50%

TOTAL 137 LOTS

a schematic plan for

VILLAGES AT MONTGOMERY

±50.4 ACRES OF LAND

prepared for

GRACEPOINT HOMES

META
PLANNING + DESIGN

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

SCALE
0 50 100 200

MTA-I-730A
APRIL 21, 2025

Woodforest 42' Alley – Parma 4965



Parkland Row 42' – Abney 4867



Parkland Row 50' – Crowson 4188



Woodforest 50' Alley – Danbridge B086

