



MONTGOMERY COUNTY DEPARTMENT OF PARKS
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Date: September 15, 2021

MEMORANDUM

DATE: August 16, 2021

TO: Montgomery County Planning Board

VIA: Mike Riley, Director of Parks *MFR*

FROM: Jim Poore, Chief, Facilities Management Division *J.P.*
 Michelle Grace, Assistant Division Chief, Facilities Management Division *MG*

STAFF RECOMMENDATION:

Approve Meadowbrook Foundation, Inc. (Meadowbrook Stables) Lease term extension.

BACKGROUND:

Meadowbrook Foundation, Inc. is the (“Lessee”) and operator of the Meadowbrook Stables located at 8200 Meadowbrook Lane, Chevy Chase, Maryland 20815.

Lessee planned to install solar panels on the roof (“Solar Project”) of the new covered pavilion, which was constructed and completed over the past year.

Lessee requested to amend the Lease to extend the Lease term for an additional eleven years through August 31, 2041 for the purpose of aligning the Lease term with that of the Solar Project Agreement (“Solar Agreement”) term in order that the solar vendor may seek appropriate financing proposed under the Solar Agreement. The requested extension of the Lease term increases the term expiration from 2030 to 2041 as shown in the table below.

	Lease Term Effect		# of Years
	September 1, 2010	August 31, 2015	5
	September 1, 2015	August 31, 2020	5
	September 1, 2020	August 31, 2021	1
→ Amend. No. 3	September 1, 2021	August 31, 2041	20
	Total Years		31

Lessee's request for an extension of the 20 year Lease term to 31 years total requires lease term approvals by the Planning Board and Montgomery County Council pursuant to Maryland Code, Ann., Land Use Article, §17-204(a)(2)(i), which provides that any lease of park land in excess of 20 years be approved by Montgomery County Council.

Commission and Lessee have previously amended the Lease to incorporate terms for the covered pavilion. Completion of the solar project will conclude the Phase II improvements, which were approved by the Planning Board on May 14, 2020. Similar to the covered pavilion completed under the Phase II improvements, the Commission shall have no obligation or responsibility concerning the Solar Project.

This Solar Project will be an important feature of Meadowbrook Stables' covered pavilion and benefits Meadowbrook Stables, Montgomery Parks, and Montgomery County in several ways:

- The 118kW solar installation will assist in meeting clean energy goals, and is supported by Montgomery County Green Bank;
- Demonstrates Lessee's and Parks' commitment to sustainable agricultural and business practices;
- Meadowbrook Stables' energy expenses will be significantly reduced.

The Montgomery County Green Bank's Commercial Solar program provides financing under a Power Purchase Agreement ("PPA") for the benefit of nonprofits at a 0% return and allows for monetization of the Investment Tax Credit. The Green Bank established this program to assist the County in its Climate Action Plan's reach to nonprofits.

The Department of Parks is seeking Planning Board approval to extend the Lease for an additional eleven years pursuant to the terms and conditions outlined in the Lease and attached amendment and recommends the Planning Board's approval of this Lease amendment subject to County Council's approval of the same via legislative enactment.

Attachment:

Lease Amendment #3 – Meadowbrook Stables