

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

November 5, 2024

MCPB No. 24-106
Preliminary Plan Amendment No. 11994013A
Brooke Meadow
Date of Hearing: October 24, 2024

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on April 6, 1995, the Planning Board, by an Opinion dated April 10, 1995, approved Preliminary Plan No. 119940130, creating 27 lots on 141.30 acres of land in the Rural zone, located at the northeast quadrant of the intersection of Brooke Road and Chandlee Mill Road (“Subject Property” or “Development”), in the Rural East Policy Area and 1998 Sandy Spring / Ashton Master Plan (“Master Plan”) area; and

WHEREAS, on June 20, 2024, Rachel Surkin (“Applicant”) filed an application for approval of an amendment to the previously approved preliminary plan for a new five- (5-) year Adequate Public Facility period for the remaining five (5) unbuilt lots on Preliminary Plan No. 119940130, which was approved for 27 lots for 27 single-family dwelling units on the Subject Property; and

WHEREAS, Applicant’s application to amend the preliminary plan was designated Preliminary Plan Amendment No. 11994013A, Brooke Meadow (“Preliminary Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 11, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on October 24, 2024, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick, and Linden voting in favor.

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Approved as to
Legal Sufficiency: /s/ Allison Myers
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 11994013A for a new five- (5-) year Adequate Public Facility period for the remaining five (5) unbuilt, recorded lots on Preliminary Plan No. 119940130, which was approved for 27 lots for 27 single-family dwelling units on the Subject Property by adding the following condition:¹

Adequate Public Facilities

9. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged, and in full force and effect.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan, and all findings not specifically addressed remain in effect.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

- a) *Roads and other Transportation Facilities*

- i. *Existing Facilities*

The Development has frontage on two public roads: Brooke Road and Chandlee Mill Road. Under the *Master Plan of Highways and Transitways*, both roads are classified as Country Roads with a master planned right-of-way of 70 feet. There are no existing bicycle and pedestrian facilities. The *2018 Bicycle Master Plan* has no recommendation for Brooke Road and Chandlee Mill Road.

- b) *Local Area Transportation Review (LATR)*

With this Amendment, the Planning Board approves a new APF validity period of five (5) years for the five (5) unbuilt, recorded lots within the existing 27-lot subdivision. The Development is located in the Rural East Policy Area, which is

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

categorized as a Green Policy Area under the *2020-2024 Growth and Infrastructure Policy (“GIP”)*. As demonstrated in the Transportation Exemption Statement submitted by the Applicant on May 24, 2024, the Development will generate less than 50 net new trips. As this amount falls under the 50 thresholds, this Application is exempt from further transportation analysis. No traffic study is required for the Preliminary Amendment to satisfy Local Area Transportation Requirements (“LATR”). The Development will generate a maximum of six (6) net new person trips during the morning AM peak-hour period and eight (8) net new trips during the afternoon PM peak-hour period (see Table 1 below).

Table 1 - Trip Generation Analysis

Land Use	ITE Rates		Adjusted Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
Proposed: 5 Single Family Detached Units	4	5	4	5	6	8
Net New Trips					6	8

c) *Schools*

Overview and Applicable School Test

The FY25 Annual School Test, approved by the Planning Board on June 20, 2024, and effective July 1, 2024 is applicable to this application. This Amendment is for a total of five (5) single family detached units.

School Adequacy Test

The Application will be served by Sherwood ES, William H. Farquhar MS, and Sherwood HS. Based on the FY25 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 2 – FY2025 Annual School Test Projections (2028-2029 School Year)

	Program Capacity	Enrollment	% Utilization	Surplus / Deficit
Sherwood ES	535	536	100.2%	-1
William H. Farquhar MS	800	641	80.1%	+159
Sherwood HS	2,152	1,780	82.7%	+372

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY25 Annual School Test, Sherwood ES, William H. Farquhar MS, and Sherwood HS do not require any UPP as identified in Table 2. If the project is estimated to generate more

students than the identified adequacy ceilings, then additional UPPs or partial payments at multiple tiers are required.

With a net of five (5) single family detached units that are not age-restricted, the approved project is estimated to generate the following number of students based on the Subject Property's location within a Turnover Impact Area:

Table 3 - Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	5	0.185	0.925	0.102	0.510	0.154	0.770
SF Attached	0	0.218	0.000	0.119	0.000	0.167	0.000
MF Low-rise	0	0.116	0.000	0.061	0.000	0.081	0.000
MF High-rise	0	0.073	0.000	0.042	0.000	0.053	0.000
TOTALS	5		0		0		0

As shown in Table 3, on average, this project is estimated to generate 0 elementary school students, 0 middle school students and 0 high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in Table 2. Therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

d) *Other Public Facilities and Services*

lots. The Application is within the W-6 and S-6 water and sewer service categories, respectively, and will utilize private wells and septic systems.

The Application does not alter or change anything related to emergency vehicle access or lot layout or configuration, which remain adequate.

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the GIP currently in effect.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

November 5, 2024


(which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions..

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Commissioner Bartley, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, October 31, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board