



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

**MEMORANDUM**

**DATE:** 5/29/15

**TO:** Gwen Wright, Planning Director

**VIA:** Glenn Kreger, Chief *GK*  
Khalid Afzal, Supervisor *KA*  
Area 2 Division

**FROM:** Patrick Butler, Planner Coordinator *PB*  
Area 2 Division

**SUBJECT:** Mallory Square  
MINOR SITE PLAN AMENDMENT No. 82012013B

Pursuant to Section 59.7.3.4.J.2, "the Planning Director may approve a minor amendment to an approved site plan. A minor amendment includes any change that does not increase density or height; decrease a setback abutting a detached residential use; or alter the intent, objectives, or requirements of the Planning Board in approving the site plan. A minor amendment may also be approved to reduce the approved parking to satisfy Article 59-6."

A Pre-Application meeting with the community/public/parties of record is not required. A Pre-Submittal meeting with the Development Activity Information Center (DARC), Intake Section is also not required; however, submittal of the application to DARC is applicable and the applicants must provide public notice under Division 7.5 of the Zoning Ordinance. Administrative Amendments must satisfy the noticing and posting requirements as identified in Sections 4.C and 4.D (a) (ii) of the Development Manual.

On March 19, 2015, Woodfield Investments (Applicant) filed a site plan amendment application designated Site Plan No. 82012013B (Amendment) for approval of the following modifications:

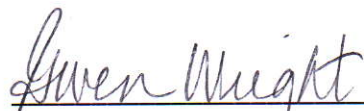
1. Add a rooftop deck to Building A with tenant amenities and outdoor furniture;
2. Relocate bio-planters for Building A from between the building and the associated parking garage to locations along Key West Avenue and Omega Drive. Minor changes to the landscaping around the bio-planters will also be required due to the relocation;
3. Revise the Approved Forest Conservation Plan to reflect minor changes to landscaping around relocated bio-planters; and
4. Reduce the number of units in Building A from 316 to 315. The reduction in the number of units in Building A is the result of changes to unit design and layout.

Section 59.7.7.1.B.3 of the Zoning Code addresses Amendments for Plans approved or pending before October 30, 2014. Section 7.7.1.B.3.a states that until October 30, 2039, an Applicant may apply to amend any previously approved application under the development standards and procedures of the property's zoning on October 29, 2014, subject to certain limitations. Therefore, Staff reviewed this Amendment under the development standards and procedures of the property's zoning on October 29, 2014, and determined that this amendment is consistent with the provisions of Section 59-D-3.7 of the Zoning Ordinance in effect on October 29, 2014. It does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved Site Plan or any subsequent amendments thereof.

The Applicant sent a notice of the Amendment to all required parties on March 18, 2015. The notice gave the interested parties 15 days to review and comment on the contents of the amended site plan. Staff did not receive any correspondence regarding the application.

This Amendment shall remain valid as provided in Montgomery County Code § 59.7.3.4.H. The Applicant is responsible for submitting a certified site plan after approval by the Director for the specific modifications.

ACCEPTED & APPROVED BY:

  
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Gwen Wright, Planning Director

  
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Date Approved