

Prince George's County Departure from Design Standards

Applicant: Tierco Maryland, Inc.

Location: Located northwest of the intersection of MD 214 and Church Road

Request: Departure from Design Standards

R E S O L U T I O N

WHEREAS, the applicant is requesting a Departure from Design Standards from the interior parking lot landscaping requirements; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released February 28, 2001, recommends APPROVAL; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on March 22, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

1. On November 15, 1972, the District Council approved the General Concept Plan for SE-2635 for Wild World (later Adventure World and now renamed Six Flags). The plan was revised in 1999 to update and clarify the existing Concept Plan by showing the existing structures and uses at Six Flags and to show the general location of seven future rides. The Planning Board recommended approval of the revised Concept Plan on April 22, 1999 (PGCPB Nos. 99-62 and 99-63). The revised Concept Plan was approved by the District Council on July 29, 1999 (Zoning Ordinance No. 11-1999).
2. The subject Detailed Site Plan is for the west overflow parking lot consisting of 2,232 parking spaces. The applicant is also filing a Departure from Design Standards for the required landscaping within the parking lot. Access to the west overflow parking lot is from a second access driveway off of Central Avenue and located to the west of the primary entrance.
3. Section 27-564 of the Zoning Ordinance states that landscaping, screening, and buffering of all parking lots shall be provided pursuant to the provisions of the *Landscape Manual*.

The proposal is subject to Section 4.3.a (Landscape Strip Requirements) and Section 4.3.c (Interior Planting) of the *Landscape Manual*. The proposal complies with the requirements of Section 4.3.a but does not comply with the requirements of Section 4.3.c.

Section 4.3.c requires a total of 280 shade trees to be provided within the parking lot.

The applicant does not propose to provide any interior landscaping within the parking compound. It has been the experience of the applicant and other amusement park operators that the installation of landscape islands slows the parking process and creates confusion for motorists. It is more efficient for the applicant to direct motorists across the parking compound to fill parking spaces in an orderly and methodical manner.

Section 1.3 (Alternative Compliance) of the *Landscape Manual* allows alternative compliance for project conditions where normal compliance is impractical or impossible. Section 1.3 also states that in a situation where normal compliance is not possible, and there is no feasible proposal for alternative compliance which is, in the judgement of the Planning Director, equal to or better than normal compliance, then the applicant must apply for an appropriate Departure from Design Standards in accordance with the provisions of Section 27-239.1 of the Zoning Ordinance.

In order to expedite the permit process for this case, the applicant requested denial of alternative compliance from the Planning Director and did not file a formal Alternative Compliance application. The Planning Director (see attached letter from the Planning Director dated October 27, 2000) disapproved the alternative compliance for the parking compound and determined that it was appropriate in this case to provide an expedited course through the normal alternative compliance prerequisite to acceptance of the DDS application.

The applicant has filed a Departure from Design Standards for the interior landscaping of the parking lot.

4. Section 27-587 of the Zoning Ordinance provides that departures from design standards may be permitted by the Planning Board in accordance with the provisions of Section 27-239.01 of the Zoning Ordinance.

Section 27-239.01(b) (9), Required Findings, of the Zoning Ordinance states that:

- (A) *In order for the Planning Board to grant the departure, it shall make the following findings:*
 - (i) *The purposes of this Subtitle will be equally well or better served by the applicant's proposal;*

The applicant is not providing the required interior landscaping in order to facilitate filling of the parking spaces in the amusement park in an orderly and methodical manner. The parking lot will, however, be screened from Central Avenue by existing trees and a proposed berm along Central Avenue. The berm will be attractively landscaped to substitute for the required interior landscaping. Therefore the parking lot will be adequately landscaped, buffered and screened from Central Avenue and the adjacent

properties. The purposes of this Subtitle, such as protecting and promoting the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County, will be equally well or better served by the applicant's proposal because the subject use will be adequately screened from the adjacent properties to avoid detrimental impacts to the adjacent properties. Furthermore, facilitation of safe circulation within the parking lot will help ensure the safety of the patrons.

- (ii) *The departure is the minimum necessary, given the specific circumstances of the request;*

The applicant is providing a parking compound designed to meet the parking needs of a large amusement park and provide for efficient circulation of vehicles within the parking lot. Provision of landscaped islands within the parking compound will slow down the parking process for patrons. The applicant states that the minimum necessary is in fact elimination of all the interior trees in order to create orderly and efficient movement of vehicles. Staff agrees that the departure is the minimum necessary, given the specific circumstances of the request. The applicant is providing an attractively landscaped berm along Central Avenue to substitute for the required interior landscaping.

- (iii) *The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;*

The requirements of an overflow parking lot for a large amusement park are unique. A large number of cars are required to be directed into the parking lot in a short period of time. The requirements of this lot are similar to the parking requirements of the FedEx Field, which was constructed with very few internal landscaped islands, but in this case no internal landscaped islands are being provided. Provision of interior landscaped islands slows down the parking process and obstructs easy circulation of vehicles within the parking lot. The parking lot will be used by a large number of patrons every day for almost six months a year and any obstruction to the easy circulation of vehicles will have detrimental impacts on the operations of the amusement park. Therefore, the departure is necessary in order to alleviate circumstances which are unique to the site.

- (iv) *The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.*

All the other design standards for parking lots will be met as required by the Zoning Ordinance. The applicant is providing an attractively landscaped berm along Central Avenue to substitute for the required interior landscaping. The parking lot is setback more than 200 feet from Central Avenue and more than 400 feet from the adjacent properties. Therefore, the landscape buffers required by the *Landscape Manual* to screen the property from adjacent properties and the public right-of-way are not required. The parking lot will be adequately screened, landscaped and buffered from Central Avenue and the adjacent properties by the substantial amounts of existing woods shown on the

Tree Conservation Plan and the overall Landscape Plan for the amusement park. Therefore, the departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

(B) *For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (9) (A) above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equal or better design characteristics.*

As stated above, the Planning Director has determined (see attached letter from the Planning Director dated October 27, 2000) that the alternative compliance for the parking compound is disapproved and that there is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.

5. The State Highway Administration (McDonald to Srinivas, December 29, 2000) has no objections to the DDS application.
6. The Environmental Planning Section (Metzger to Srinivas, January 11, 2001) has stated that the DDS application is in conformance with the approved Type II Tree Conservation Plan TCPII/45/98.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Design Standards is hereby APPROVED.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown and Hewlett voting in favor of the motion, and Commissioner Eley absent at its regular meeting held on Thursday, March 22, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of April 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:rmk