



Public Hearing

Acquisition of the Stout Property

March 6, 2008

Fairfax County Park Authority





**Sully
Historic
Site**

**Stout
Property**



Manassas
Gap
Railroad

Stout

Relocated
Entrance Road &
Parking Lot

Approximate alignment
of proposed
MWA access road

Existing paved
road to be removed

Existing entrance
and parking lot
to be removed



Stout Property Information

- Tax Map No. 34-2 ((1)) 12
- 5.88 acres, zoned I-3 (Industrial)
- Sully Historic Overlay District
- Appraised value \$930,000
- High potential for artifacts of historic significance

Dulles Discovery Development

- RZ 2003-SU-035 Dulles Discovery Proffer Statement
 - Applicant is Sully East L.C.
 - BOS approved January 22, 2007
- Proffers require dedication of Stout Parcel
- Supported by Comprehensive Plan

Stout Parcel Dedication

- Applicant shall acquire Stout Parcel and dedicate to the Park Authority
 - Good faith, fair market value offer in writing (as determined by MAI appraisal)
 - Diligently pursue acquisition with reasonably repeated efforts until six months after filing initial site plan

Stout Parcel Dedication

- Applicant shall pay all costs, including reasonable attorney's fees for outside counsel, necessary to condemn the parcel
 - Applicant shall demonstrate its efforts in writing
 - Request the Park Authority use its powers of Eminent Domain to condemn

Stout Parcel Dedication

- Request received November 20, 2007
- Park Authority has 180 days to authorize acquisition of the Stout Parcel by eminent domain
- 180-day time period expires on May 20, 2008



Acquisition by Eminent Domain

- Eminent domain powers authorized by Va. Code Ann. Section 15.2-5704(6)
- Power of eminent domain allows Park Authority to acquire property for a public use
- 2006 Amendment to Va. Code Ann. Section 15.2-1903 requires a public hearing be held before condemnation is pursued
- Park Authority Board authorized public hearing on February 13, 2008

Public Hearing Process

- Public hearing held on March 6, 2008
 - 30-day public comment period
 - Comment period ends on April 5, 2008
- Park Authority Board decision to adopt a resolution authorizing eminent domain to be made at a subsequent Board meeting but prior to May 20, 2008



Public Comment

Speakers

