

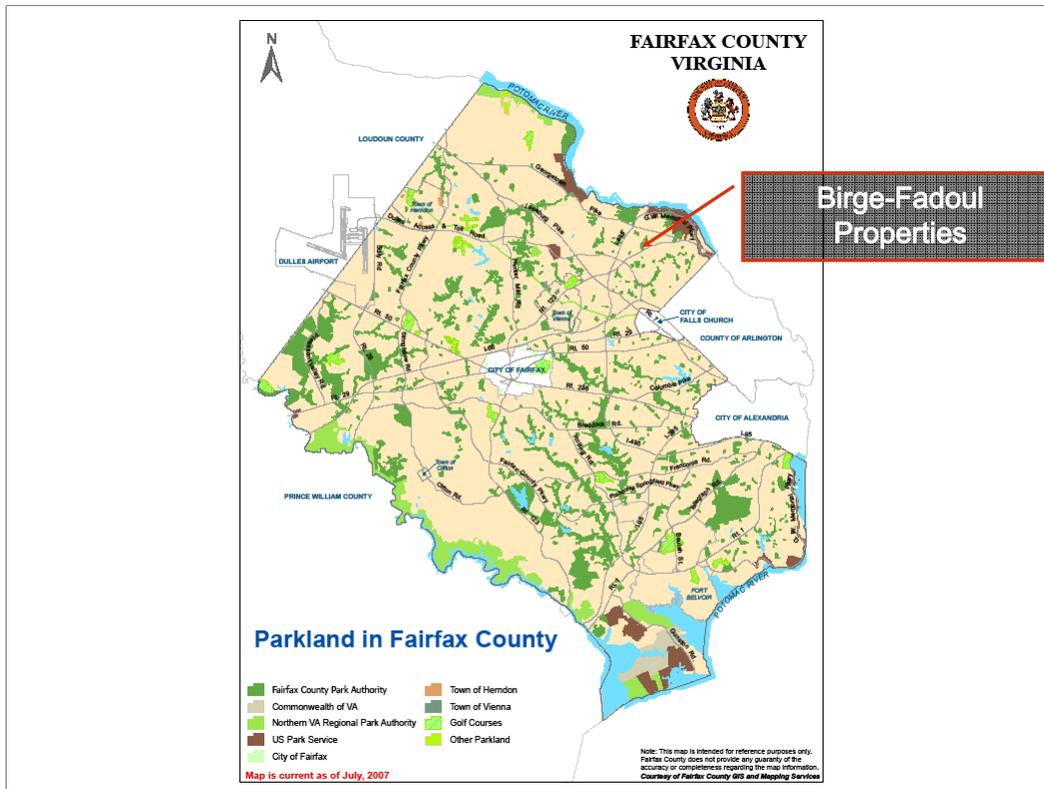


Public Hearing

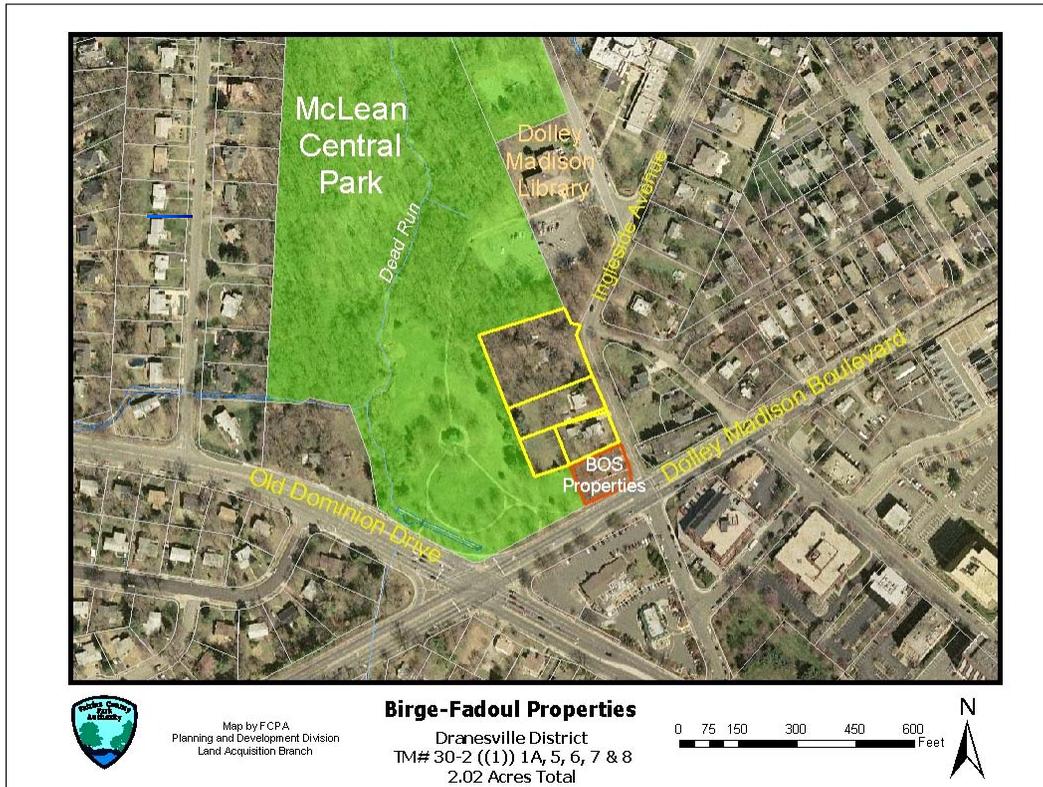
Acquisition of the Birge-Fadoul Properties

September 24, 2008

Fairfax County Park Authority



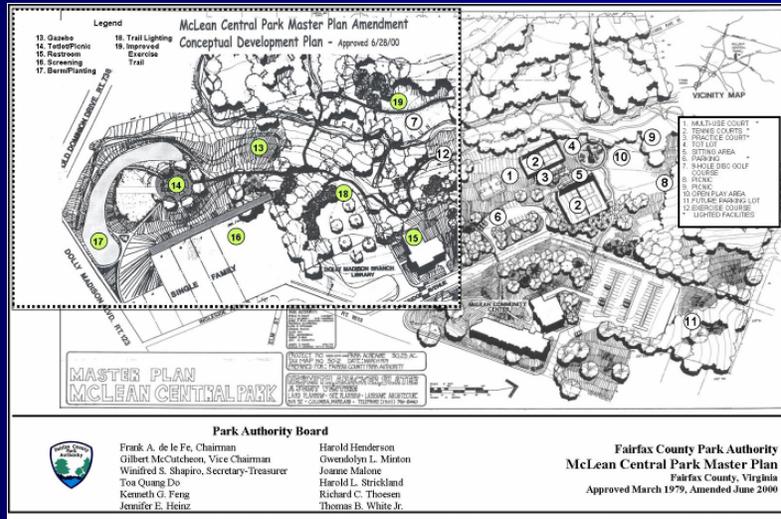
The Birge-Fadoul Properties are located in the heart of McLean near the intersection of Dolley Madison Boulevard and Old Dominion Drive.



The Birge-Fadoul properties, shown here outlined in yellow, consist of 5 adjacent parcels totaling 2 acres. McLean Central Park lies to the west, Dolley Madison Library is to the north, Ingleside Avenue and residential areas are to the east, and BOS property where a group home is currently located lies to the south. The parcels are currently occupied by three older residences.

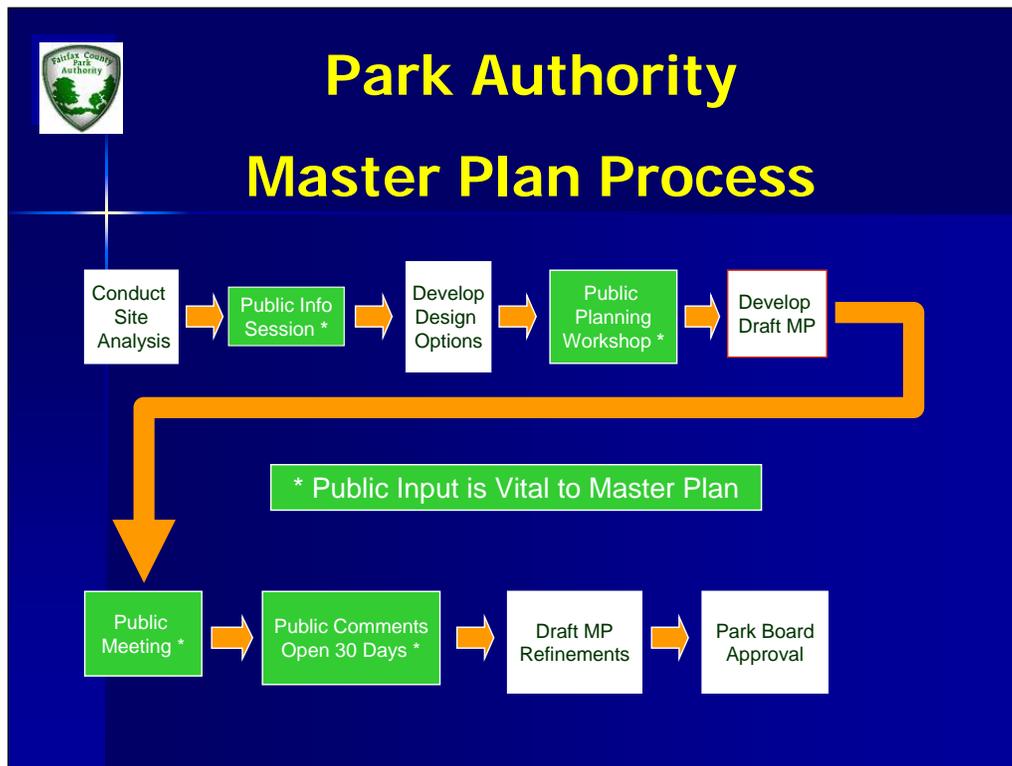
McLean Central Park contains an assortment of park amenities, including a multi-use court, tennis courts, a tot lot and a playground, a 9-hole disc golf course, picnic and open play areas, a gazebo, exercise course, trails and parking. Two county projects which will have impacts to McLean Central Park include the expansion of Dolley Madison Library and the restoration of a significant portion of Dead Run, which runs through the middle of the park.

McLean Central Park Master Plan



The master plan for McLean Central Park was first approved in 1965 and amended in 1979 and 2000. The 2000 master plan amendment was a means to update the plan by removing outdated elements and adding other new elements. The master plan serves as a guide for all future planning on the site.

The acquisition of the Birge-Fadoul properties will provide for more flexibility and better utilization of park facilities. The purchase of these properties could allow for the expansion of the village green area, which is also used as the seating area for the concert series. The creation of additional picnic areas may also be a possibility, as this location would be central to existing features, both the tot lot and the gazebo. Alternative traffic flow patterns will also be considered, as the volume of traffic on Ingleside Avenue remains a concern of the neighbors to the park. Obtaining these parcels would also increase the protected buffer for the stream since the use would most likely be mainly passive.



Once the properties are in Park Authority ownership, these parcels will be incorporated into McLean Central Park through the Park Authority’s public master planning process. This process provides an opportunity for the community to participate and make suggestions on the uses for parkland which then provides a framework for all future development.

Master planning a park can take approximately 12-18 months, depending upon the amount of public participation and complexity of the project. This graphic outlines the major components involved in the master plan process. One of the most important elements of the process is public input. There are typically at least three public meetings throughout the planning process to seek public involvement.

The first is a public information meeting to introduce the project and existing site conditions; explain the planning process; identify community issues; and respond to preliminary questions. Later, there is a planning workshop where the community is invited to evaluate alternative park uses and conceptual designs. After a preferred alternative is identified, a draft park master plan is developed, and a public meeting is held to gather further comments. The draft plan may be further refined after each public meeting.

Birge-Fadoul Property Information

- Tax Map No. 30-2 ((1)) 1A, 5, 6, 7, 8
- 2.0 acre assemblage, zoned R-3
- Prevents residential redevelopment next to McLean Central Park
- Provides greater flexibility in planning and developing community services at McLean Central Park
- Increases the protected buffer for Dead Run

The five parcels which make up the Birge-Fadoul properties create an assemblage of two acres, which under the current zoning of R-3 would allow for development of up to 6 houses by the owners.

The Park Authority has been negotiating with the owners of these parcels to acquire this property for nearly 10 years; to date we have been unable to reach agreement on the purchase price though the Park Authority has offered and entertained multiple purchase options throughout this time period. The Park Authority is eager to avoid redevelopment of these parcels which could impact park activities, decrease open space, and have an adverse effect on the ongoing restoration efforts at Dead Run. The acquisition of this property will provide greater flexibility in planning and developing community services at McLean Central Park.

If the Park Authority decides to authorize the use of its power of eminent domain, such authority would be used only if other efforts to acquire the property have failed.

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 decision on whether to adopt a resolution to authorize eminent domain will be made after end of public comment period

The Park Authority's eminent domain powers are authorized by the Code of Virginia. Eminent domain refers to the power possessed by the government over property within its jurisdiction, specifically its power to acquire property for a public use and purpose. In the case of the Park Authority, acquisition of land for park and recreation areas are examples of uses of property that serve a public purpose. In the United States under the Fifth Amendment to the Constitution, the owner of any land subject to eminent domain is entitled to just compensation, generally defined as the fair market value of the property. The Park Authority hires an independent appraiser, typically an MAI (Member of the Appraisal Institute) to establish the fair market value of a property being considered for acquisition. Proceedings to take land under eminent domain are typically referred to as "condemnation" proceedings.

A 2006 amendment to the Virginia State Code now requires a public hearing be held before the Park Authority may adopt a resolution authorizing the acquisition of the Birge-Fadoul Properties by means of eminent domain. All testimony this evening is included in the public record for consideration by the Park Authority Board.

Public Hearing Process

- Public hearing held on September 24, 2008
 - 30-day public comment period
 - Comment period ends on October 24, 2008
- Park Authority Board decision to adopt a resolution authorizing eminent domain is scheduled to be made at the November 12th Board meeting



Comments on the acquisition will be received by the Park Authority this evening as well as for 30 days after the date of the public hearing. We have also received written comments prior to the public hearing which have been included in the public record. The public comment period will close on October 24th. All of these comments will be included in the public record. The Board is scheduled to consider adopting a resolution authorizing the acquisition of the Birge-Fadoul properties by eminent domain at the November 12th Board meeting.

Public Comment

Speakers

