



# County of Fairfax, Virginia

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December 9, 2016

**2016 Planning  
Commission**

**Peter F. Murphy**  
Chairman  
*Springfield District*

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
Secretary  
*At-Large*

**Timothy J. Sargeant**  
Parliamentarian  
*At-Large*

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**Ellen J. "Nell" Hurley**  
*Braddock District*

**John Ulfelder**  
*Dranesville District*

**James Migliaccio**  
*Lee District*

**Julie Strandlie**  
*Mason District*

**Earl L. Flanagan**  
*Mount Vernon District*

**Kenneth A. Lawrence**  
*Providence District*

**Karen Keys-Gamarra**  
*Sully District*

**Janyce N. Hedetniemi**  
*At-Large*

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**Jill G. Cooper**  
*Executive Director*

**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Ardavan Badii  
3719 Military Road  
Arlington, Virginia 22207

**Re: SE 2016-SU-015 – ARDAVAN BADI & FOROUZANDEH FARNOUSH  
A/K/A FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC  
Sully District**

Dear Mr. Badii:

At its December 7, 2016 meeting, the Planning Commission voted 8-0-3 (Commissioners de la Fe, Hurley, and Migliaccio abstained; Commissioner Lawrence was absent from the meeting) to **RECOMMEND DENIAL** of the above-referenced application. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final action. The application is still subject to final decision by the Board of Supervisors.

Sincerely,



John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Kathy L. Smith, Supervisor, Sully District  
Karen Keys-Gamarra, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Michael Lynskey, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
December 7, 2016 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



**County of Fairfax, Virginia**  
**Planning Commission Meeting**  
**December 7, 2016**  
**Verbatim Excerpt**

SE 2016-SU-015 - ARDAVAN BADII & FOROUZANDEH FARNOUSH A/K/A FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC – Appl. under Sect. 4-804 of the Zoning Ordinance to permit a pawn shop. Located at 4086 Airline Pkwy., Chantilly, 20151, on approx. 3.44 ac. of land zoned C-8, AN, HC, and WS. Tax Map 34-3 ((1)) 5A. (Sully District)

Decision Only During Commission Matters  
(Public Hearing held on November 10, 2016)

Commissioner Keys-Gamarra: And finally, I have a motion regarding the pawn shop, SE 2016-SU-015. Mr. Chairman, there are certain uses, like those regulated by special exception, which – by their nature or design – can potentially have a special impact on or be incompatible with other uses of land. The Board has already determined that pawn shops are such a use. For such a special exception use to be approved, it must comply with all specified standards and be compatible with existing or planned development in the general area. The Zoning Ordinance states that where such a finding cannot be made or when it is determined that the use is not in accordance with all applicable standards of this Ordinance, the Board shall deny the special exception. For the reasons that follow, I do not find that this application meets all specified standards or that is – that it is compatible with planned development in the area. This application seeks approval of a special exception to permit the operation of a pawn shop within a store in the 50 West Retail Shopping Center. As you have heard, the application property is 788 square feet and zoned to the C-8 District. To begin with, special exception applications must be in harmony with the Comprehensive Plan. The Plan text for Plan Area III, Dulles Suburban Center, Land Unit H, provides that it should be used for industrial, research and development, or industrial/flex uses. It states that strip or freestanding commercial development is not planned for and is not appropriate along Route 50. The Plan also recognizes Dulles Meadows Mobile Home Park as a viable residential neighborhood that should be protected. The proposed pawn shop is not an industrial, research and development, or industrial/flex use. Instead, it would intensify an existing strip commercial development, a use that is discouraged by the Plan. Even though it would be located within a store that's already in the shopping center, the shopping center was permitted by-right. As the staff report states, there are no prior zoning approvals associated with the shopping center, which means that no other special exception uses have been approved there. Because approval of this use requires a finding that the use is in harmony with the Plan and it is my opinion that this use is not, I simply cannot recommend approval of the application. Under Zoning Ordinance Section 9-006(4), the proposed use shall be such that pedestrian and vehicular traffic associated with it will not be hazardous or conflict with the existing traffic in the neighborhood. This shopping center's parking lot already suffers from considerable circulation problems and parking shortages. In my experience, the configuration is uniquely hazardous because of the many angles at which cars pull in and out and the pedestrians cutting across to get to shops and restaurants. Add to that the several restaurants offering delivery services and you get a location where constant vigilance is required. I understand that the applicant has estimated a potentially low number of daily customers, but it is difficult to know with certainty how many additional cars the use will actually attract. That is particularly the case because there is not a standard trip generation rate for pawn shop uses. For this reason, I take with a grain of salt transportation staff's determination that the proposed use is not expected to result in any significant transportation impacts. I'm concerned about this particular application because it

ARDAVAN BADI & FOROUZANDEH FARNOUSH A/K/A  
FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC

proposes what would be the only pawn shop for many miles around, leading me to believe that this use would be a magnet for customers over a large area. In light of all of this uncertainty and the existing parking problems here, I cannot support adding yet another use to this already-strained parking lot. For the proposed use must also be harmonious with and not adversely affect the use or development of the neighboring properties under Zoning Ordinance Section 9-006(3), the applicant has failed to demonstrate how intensifying the shopping center here is harmonious with and serves to protect the residential neighborhood, as called for by the Plan. Therefore, Mr. Chairman, for these reasons I MOVE THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF SE 2016-SU-015.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of the motion?  
Ms. Hurley.

Commissioner Hurley: I do understand the traffic and intensification concerns, but it appears to me that, in essence, this is adding another auxiliary use to an existing jewelry store so – but, as I said, I do understand the traffic concerns, so I choose to abstain on this case.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it deny SE 2016-SU-015, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hurley abstains.

Commissioner de la Fe: Not present. Abstain, not present.

Commissioner Migliaccio: Mr. Chairman, I abstain.

Chairman Murphy: Mr. Migliaccio abstains and Mr. de la Fe abstains.

Commissioner de la Fe: Not present.

Chairman Murphy: Not present for the hearing. Okay, thank you very much.

Commissioner Keys-Gamarra: Thank you, Your Honor – Mr. Chairman.

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(The motion carried by a vote of 8-0-3. Commissioners de la Fe, Hurley, and Migliaccio abstained. Commissioner Lawrence was absent from the meeting.)

JLC



# County of Fairfax, Virginia

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November 14, 2016

RECEIVED  
Department of Planning & Zoning

NOV 17 2016

Zoning Evaluation Division

2016 Planning  
Commission

Ardavan Badii  
3719 Military Road  
Arlington, Virginia 22207

Peter F. Murphy  
Chairman  
Springfield District

**Re: SE 2016-SU-015 – ARDAVAN BADI & FOROUZANDEH FARNOUSH  
A/K/A FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC  
Sully District**

Frank de la Fe  
Vice Chairman  
Hunter Mill District

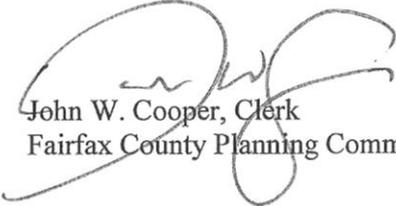
Dear Mr. Badii:

James R. Hart  
Secretary  
At-Large

At its November 10, 2016 meeting, the Planning Commission voted 9-0. (Commissioners de la Fe, Flanagan and Lawrence were absent from the meeting.) to **DEFER THE DECISION ONLY** on the above referenced application to a date certain of December 7, 2016. A copy of the verbatim transcript is attached.

Timothy J. Sargeant  
Parliamentarian  
At-Large

Sincerely,

  
John W. Cooper, Clerk  
Fairfax County Planning Commission

Ellen J. "Nell" Hurley  
Braddock District

Attachments (a/s)

John Ulfelder  
Dranesville District

cc: Kathy L. Smith, Supervisor, Sully District  
Karen Keys-Gamarra, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Michael Lynskey, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
November 10, 2016 date file

James Migliaccio  
Lee District

Julie Strandlie  
Mason District

Earl L. Flanagan  
Mount Vernon District

Kenneth A. Lawrence  
Providence District

Karen Keys-Gamarra  
Sully District

Janyce N. Hedetniemi  
At-Large

Jill G. Cooper  
Executive Director

Kimberly A. Bassarab  
Assistant Director

John W. Cooper  
Clerk to the Commission

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Fairfax County Planning Commission  
12000 Government Center Parkway, Suite 330, Fairfax, VA 22035  
703-324-2865 (Voice) 703-324-7951 (TTY) 703-324-3948 (Fax)  
[www.fairfaxcounty.gov/planning](http://www.fairfaxcounty.gov/planning)



**County of Fairfax, Virginia**  
**Planning Commission Meeting**  
**November 10, 2016**  
**Verbatim Excerpt**

SE 2016-SU-015 - ARDAVAN BADI & FOROUZANDEH FARNOUSH A/K/A FOROUZ FARNOUSH d/b/a BULLION & DIAMOND CO., LLC – Appl. under Sect. 4-804 of the Zoning Ordinance to permit a pawn shop. Located at 4086 Airline Pkwy., Chantilly, 20151, on approx. 3.44 ac. of land zoned C-8, AN, HC, and WS. Tax Map 34-3 ((1)) 5A. (Sully District)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Ms. Keys-Gamarra.

Commissioner Keys-Gamarra: Well I – I'd like to thank the applicant for coming in and coming to community meetings and telephone calls and things of that nature. At – at first glance, it seems like this is a simple application, but as I try to figure out how to address the concerns, it hasn't been so simple. So for that reason, I'm going to move to defer this matter. I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY FOR PCA 95-Y-016-05 AND SEA 95...

Michael Lynskey, Zoning Evaluation Division, Department of Planning and Zoning: That was the wrong – wrong numbers.

Chairman Murphy: You are on the other one.

Commissioner Keys-Gamarra: Oh, am I looking at the wrong thing? Sorry. I'm at LIDL. Sorry. Do over. Okay, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2016-SU-015, TO A DATE CERTAIN OF DECEMBER 7<sup>TH</sup>.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2016-SU-015, to a date certain of December 7<sup>th</sup>, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 9-0. Commissioners de la Fe, Flanagan and Lawrence were absent from the meeting.)

TMW



# County of Fairfax, Virginia

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October 25, 2016

**2016 Planning  
Commission**

**Peter F. Murphy**  
Chairman  
*Springfield District*

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
Secretary  
*At-Large*

**Timothy J. Sargeant**  
Parliamentarian  
*At-Large*

**Ellen J. "Nell" Hurley**  
*Braddock District*

**John Ulfelder**  
*Dranesville District*

**James Migliaccio**  
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*Sully District*

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*At-Large*

**Jill G. Cooper**  
*Executive Director*

**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

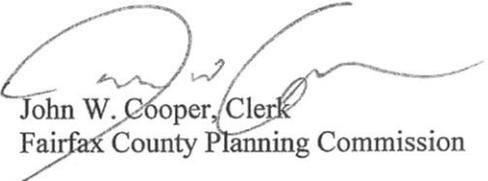
Mark R. Dycio  
Dycio & Biggs  
10533 Main Street  
Fairfax, Virginia 22030

**Re: SE 2016-SU-015 – ARDAVAN BADI & FOROUZANDEH FARNOUSH  
d/b/a BULLION & DIAMONDS CO.  
Sully District**

Dear Mr. Dycio:

At its October 19, 2016 meeting, the Planning Commission voted 8-0 (Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.) to **DEFER THE PUBLIC HEARING** on the above referenced application to a date certain of November 10, 2016. A copy of the verbatim transcript is attached.

Sincerely,



John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Kathy L. Smith, Supervisor, Sully District  
Karen Keys-Gamarra, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Michael Lynskey, Staff Coordinator, ZED, DPZ  
✓ Robert Harrison, ZED, DPZ  
October 19, 2016 date file

 To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.



Planning Commission Meeting  
October 19, 2016  
Verbatim Excerpt

SE 2016-SU-015 – ARDAVAN BADII & FOROUZANDEH FARNOUSH D/B/A BULLION & DIAMONDS CO.

During Commission Matters

Commissioner Keys-Gamarra: This one concerns Ardavan Badii d/b/a Bullion and Diamonds and I have a deferral. I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2016-SU-015 TO A DATE CERTAIN OF NOVEMBER 10<sup>TH</sup>.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of deferring the public hearing on SE 2016-SU-015, to a date certain of November 10<sup>th</sup> – and that's d/b/a Bullion and Diamonds Company – say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 8-0. Commissioners Flanagan, Hedetniemi, Lawrence and Sargeant were absent from the meeting.)

TMW



# County of Fairfax, Virginia

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September 23, 2016

## 2016 Planning Commission

**Peter F. Murphy**  
Chairman  
*Springfield District*

**Frank de la Fe**  
Vice Chairman  
*Hunter Mill District*

**James R. Hart**  
Secretary  
*At-Large*

**Timothy J. Sargeant**  
Parliamentarian  
*At-Large*

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**Ellen J. "Nell" Hurley**  
*Braddock District*

**John Ulfelder**  
*Dranesville District*

**James Migliaccio**  
*Lee District*

**Julie Strandlie**  
*Mason District*

**Earl L. Flanagan**  
*Mount Vernon District*

**Kenneth A. Lawrence**  
*Providence District*

**Karen Keys-Gamarra**  
*Sully District*

**Janyce N. Hedetniemi**  
*At-Large*

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**Jill G. Cooper**  
*Executive Director*

**Kimberly A. Bassarab**  
*Assistant Director*

**John W. Cooper**  
*Clerk to the Commission*

Ardavan Badii  
Bullion & Diamond Co., LLC  
3719 Military Road  
Arlington, VA 22207

**Re: SE 2016-SU-015 – ARDAVAN BADI & FOROUZANDEH FARNOUSH  
DOING BUSINESS AS BULLION & DIAMONDS CO.  
Sully District**

Dear Mr. Badii:

At its September 22, 2016 meeting, the Planning Commission voted 9-0 (Commissioners Hedetniemi, Lawrence, and Ulfelder were absent from the meeting) to **DEFER THE PUBLIC HEARING** the above referenced application to a date certain of October 19, 2016.

Sincerely,

John W. Cooper, Clerk  
Fairfax County Planning Commission

Attachments (a/s)

cc: Kathy L. Smith, Supervisor, Sully District  
Karen Keys-Gamarra, Planning Commissioner, Sully District  
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office  
Michael Lynskey, Staff Coordinator, ZED, DPZ  
Robert Harrison, ZED, DPZ  
September 22, 2016 date file

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Fairfax County Planning Commission  
12000 Government Center Parkway, Suite 330, Fairfax, VA 22035  
703-324-2865 (Voice) 703-324-7951 (TTY) 703-324-3948 (Fax)  
[www.fairfaxcounty.gov/planning](http://www.fairfaxcounty.gov/planning)



Planning Commission Meeting  
September 22, 2016  
Verbatim Excerpt

SE 2016-SU-015 – ARDAVAN BADI & FOROUZANDEH FARNOUSH DOING BUSINESS  
AS BULLION & DIAMONDS CO.

During Commission Matters

Commissioner Keys-Gamarra: Mr. Chair, I MOVE TO DEFER SE 2016-SU-015 TO OCTOBER 19<sup>TH</sup>, 2016.

Commissioner Flanagan: Second.

Commissioner Keys-Gamarra: And I move-

Chairman Murphy: Seconded-

Commissioner Keys-Gamarra: I'm sorry. Go ahead.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? All those in favor of the motion to defer the public hearing scheduled for tonight on SE 2016-SU-015 to a date certain of October 19<sup>th</sup>, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Do you have another motion? No?

Commissioner Keys-Gamarra: No.

Chairman Murphy: Okay.

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(The motion carried by a vote of 9-0. Commissioners Hedetniemi, Lawrence, and Ulfelder were absent from the meeting.)

JLC