

**CLIFTON TOWN PLANNING COMMISSION
TUESDAY, MARCH 30, 2021, 7:30 PM
ELECTRONIC MEETING, VIA ZOOM**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Planning Commission regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods, to the Planning Commission and Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Planning Commission is holding all Meetings noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meetings will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk upon receiving an emailed request directed to clerk@cliftonva.gov.

Present: Kathy Kalinowski, Chair; Patrick Pline, Town Council Member Representative; Mac Arnold; Michelle Stein.
Staff: Amanda Christman, Clerk.
Absent: Jennifer Heilmann; Terry Winkowski; Susan Yantis.

Order of Business:

1. Approve March 30, 2021 Regular Meeting Minutes.
 - **Chair Kalinowski moved to approve the Minutes as presented, seconded by Member Arnold. The motion was approved by poll, 4-0.**
2. Use Permit Applications:
 - a. Motier, 12644 Chapel Road.
See attached application.
 - **Chair Kalinowski moved to schedule a Public Hearing to receive public comment on the application at the Planning Commission's next meeting, set for Tuesday, April 27, 2021, seconded by Member Stein. The motion was approved by poll, 4-0.**
 - b. Virginia Mercantile, 12644 Chapel Road.
See attached application.
 - **Chair Kalinowski moved to recommend approval of the application for Virginia Mercantile to use Suite F at 12644 Chapel Road for a commercial retail store selling**

general merchandise, to occupy and use 762 net square feet, with the hours of operation to be Sunday – Saturday, 7AM to 7PM with no more than two (2) employees on site at any one time, with four (4) off-street parking spaces to be allocated based on net square footage for commercial retail use and the number of employees, seconded by Member Stein. The motion was approved by poll, 4-0.

3. Adjournment.

The meeting was adjourned by unanimous acclamation at 7:50 PM.



Amanda Christman <cliftonclerkva@gmail.com>

Fwd: Môtier use permit

3 messages

Ivar Setiawan <ivar.s@motierclifton.com>
To: Amanda CHRISTMAN <cliftonclerkva@gmail.com>, khk@baberkal.com
Cc: whollaway77@gmail.com, steve@effros.com

Fri, May 15, 2020 at 12:42 PM

Mesdames and Sir,

Please find below the email from the landlord.

Thank you very much and regards,

Ivar Yohanes Setiawan

Môtier
French pastry & cuisine
[12644 Chapel Rd](#)
[Clifton, VA 20124](#)
[U.S.A](#)

(+1) 571-697-8117
ivar.s@motierclifton.com
www.motierclifton.com

----- Forwarded message -----

De : **Tina Picciano** <TPicciano@nrpartnersllc.com>
Date: ven. 15 mai 2020 à 10:26
Subject: Re: Môtier use permit
To: Ivar Setiawan <ivar.s@motierclifton.com>, Molly Buchness <Mbuchness@nrpartnersllc.com>

Good Morning Ivar,

Thank you for sending your current use permit. I did forward it to the Landlord to review to make sure it meets the guidelines to help with the parking tabulation for the building. The only thing that needs to be edited is the section where "take out" is listed.

The town did reach out to me about your request to update the permit. Please make sure that when you attend the meeting, explain to them that the "take out" description was an error and that you will be "dine-in" and "take out" which classifies you as "retail".

Any paperwork that need to be submitted for the meeting has a deadline of today. Please make sure to do so, if any.

Have a great weekend!

Tina Picciano, CMCA®

National Realty Partners, LLC
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Herndon, Virginia 20170
O 703-435-3800 | F 703-689-0949
www.NRPartnersLLC.com

Log onto your owner portal at <https://Portal.NRPartnersLLC.com>
Need to email us? Communications@NRPartnersLLC.com

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WASHINGTON BUSINESS JOURNAL
"BEST PLACES TO WORK"

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From: Ivar Setiawan <ivar.s@motierclifton.com>
Sent: Tuesday, May 12, 2020 5:42 PM
To: Tina Picciano <TPicciano@NRPartnersLLC.com>; Molly Buchness <Mbuchness@NRPartnersllc.com>
Subject: Môtier use permit

Here it is Tina, thanks!

Ivar Yohanes Setiawan

Môtier
French pastry & cuisine
<12644 Chapel Rd>
Clifton, VA 20124
U.S.A

(+1) 571-697-8117
ivar.s@motierclifton.com
www.motierclifton.com

Kathy Kalinowski <khk@baberkal.com>
To: Ivar Setiawan <ivar.s@motierclifton.com>, Amanda CHRISTMAN <cliftonclerkva@gmail.com>
Cc: whollaway77@gmail.com, Clifton Clerk <clerk@cliftonva.gov>, tpicciano@nrpartnersllc.com

Fri, May 15, 2020 at 1:16 PM

Dear Mr. Setiawan;

Unfortunately, having dining in and take out both together, does not make your business a retail business for parking allocation purposes, since you are still a food establishment and your required parking is determined by whether you are a dine in restaurant or take out, or a combination of both. When you met with us at the Planning Commission, you stated that your primary use of the space as a food establishment would be for take-out, though you would have a few tables for those who wished to dine in. Therefore, we based your parking allocation as take-out dining establishment. If you are planning to increase your dining in space or change to only dining on premises, then your required parking would be determined by the number of seats for diners (one parking space for every 4 customer seats) and your employees on site at any one time (1 space for every 2 employees). If you are primarily take out, then your required parking is 1 parking space for every 100 square feet of floor area (you say you have 936 sq. ft) and 1 space for every 2 employees), which has resulted in your present use permit requiring 11 spaces.

If you are now changing that plan by increasing or decreasing dine in and/or take out, you would need to apply for a new use permit and designate the number of seats for dine in as well as what portion of your business would be take out, and the Planning Commission would re-evaluate the required parking. However, I do not know whether the re-evaluated parking would be less than the required parking under the existing use permit. For example, if you had a total 4 employees on site at any one time, you would need 2 parking spaces for those employees. If you were to have 50% of your business be dine in and 50% of your business be take out, with for example a total of 24 seats, you would be required to have 6 parking spaces for those seats. If your take portion of your business was at 50%, then you would have a required parking allocation for the take-out part of your business of 5 spaces (468 sq. feet of your total floor area of 968 sq. ft.) for a combined total of 13 parking spaces.

Obviously, you will wish to discuss these issues with your landlord, since your landlord knows how much parking is presently available and unallocated by the use permit requirements of the various businesses located at Clifton House, prior to submitting a request for a new use permit. However, whether you have take-out or dine in or a combination, you are required to comply with those sections of the Town Code that set forth the parking requirements for restaurant use and/or take out use, not retail use. These requirements are set forth in the Town Code in Sections 9-13 c 2 and 9-13 c 3 C and the Town Code in its entirety can be found at www.clifton-va.com.

I hope this proves helpful in determining how you and your landlord want to proceed.

Sincerely,

Kathy Kalinowski

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

Ivar Setiawan <ivar.s@motierclifton.com>

Fri, May 15, 2020 at 1:49 PM

To: Kathy Kalinowski <khk@baberkal.com>

Cc: Amanda CHRISTMAN <cliftonclerkva@gmail.com>, whollaway77@gmail.com, Clifton Clerk <clerk@cliftonva.gov>, Tina PICCIANO <TPicciano@nrpartnersllc.com>

Dear Kathy,

Thank you for your explanation.

I agree that Môtier is not a retail but a food establishment. The number of parking is enough too(11#), because the take-out customers will stay for a short time.

The number of seats does not change aswell.

I just need the confirmation from you to make sure for the section 12.1 and A.(specific restriction) in the use permit, the meaning of "primarily for off-site consumption", will allow me to cook(intallation of hood type 1) and to serve customers for lunch and dinner..

So do you confirm that I am authorized to cook and serve on site?

I would like to exercise the profession by respecting all the regulations and standards.

Thank you very much Kathy..

Best regards,

[Quoted text hidden]

TOWN OF CLIFTON, VIRGINIA

Use Permit Application

| | | | | |
|---|---|---|---|--|
| Property Address: 12644 Chapel Road, Suites A & B | | Date: [Month / Year] 04/2021 | | |
| 1. Type of Permit: | <input type="checkbox"/> Construction <input type="checkbox"/> Preliminary Site Plans Attached | <input type="checkbox"/> Commercial <input type="checkbox"/> Office <input type="checkbox"/> Retail | <input type="checkbox"/> Residential | <input type="checkbox"/> Home Business (Code 9-19.c1) |
| | <input type="checkbox"/> Special Use <input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Multi-Family | <input type="checkbox"/> Subdivision (Code Chapter 10) | <input type="checkbox"/> Boundary Line Adjustment/Lot Consolidation (Code 10-57 to Code 10-59) | <input type="checkbox"/> Public Use |
| 2. Name of Applicant: Ivar Setiawan, Mailing Address: 12218 Henderson Road, Clifton VA 20126 | | | | |
| Phone: (571) 697-8117 Email Address: Ivar.S@MotierClifton.com | | | | |
| 3. Name of Property: NCH Partners II, LLC. Owner (if different): 365 Herndon Parkway, Suite 106 Mailing Address: Herndon, VA 20170 | | | | |
| 4. Name of Business / Organization: Motier, LLC. | | | | |
| 5. Owner of Business / Organization: Ivar Setiawan | | | | |
| 6. Tax Map Number: 23A | | | | |
| 7. Attach a plat or plan drawn to scale showing the proposed construction, certified by an engineer, surveyor, architect, authorized to practice as such by VA, together with a surveyed plat of the property indicating all building and structure setbacks and height. | | | | |
| | | | | <input type="checkbox"/> Plat Attached |

8. Attach Floor Plan to Scale (non-residential & home business): Floor Plan Attached

| | | | | |
|---------------------------------|---|---|--|--|
| 9. Zoning District of Premises: | <input type="checkbox"/> Residential (Code 9-19) | <input checked="" type="checkbox"/> Commercial (Code 9-21) | <input type="checkbox"/> Agricultural (Code 9-20) | <input type="checkbox"/> Industrial (Code 9-22) |
| | <input type="checkbox"/> Church, Park, Community Building | | | |
| | <input type="checkbox"/> Community Open Space & Recreation (COSR) (Code 9-23A) | | <input type="checkbox"/> Low Impact Commercial (Code 9-23B) | |

10. Describe Purpose of Application: **FOR TOWN USE ONLY**
 Reapplication to update incorrect previous application from 'take out' to 'restaurant'.
 DATE APPLICATION ACCEPTED:

10. If Commercial, Home Business, Agricultural or Industrial:

11. Describe Operation:
 Restaurant - 14 seats total.

11.a. If Non-Residential - Office Use: _____ SF or Retail/Restaurant Use: 936 SF

11.b. Days & Hours of Operation (include special events): Monday to Sunday 8AM - 11PM.

11.c. Number of Employees on Site at any One Time: 4

11.d. Number of Seats (Restaurant/Church): Total: 14. If applicable, provide number of seats located Inside: _____ and; Outside: _____

11.e. Gross Floor Area (GFA) of Building or /Premises: 11,897 SF (Code 9-13)
 Net Gross Floor Area if more than one use in building: _____ SF
 If applicable, GFA devoted to carry-out service within restaurant: _____ SF

11.f. Number of Off-street Parking Spaces Required: 0 (Code 9-13)

11.g. Number of Off-street Parking Spaces Provided* (attach parking plan to scale with dimensions identifying existing and proposed parking spaces): _____

11.h. Gross Floor Area of Dwelling (Home Business Only): _____ SF

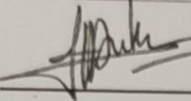
12. Application Fee Enclosed: \$ 250. —
 (Fee schedule in Filing Instructions)

PLEASE INCLUDE A PARKING TABULATION FORM FOR BUILDINGS THAT HAVE MORE THAN ONE USER IN THE BUILDING.

Is the applicant or owner a member of a homeowners association (HOA)? Yes No If yes, please obtain the approval of the HOA prior to submission of the application.

HOA REPRESENTATIVE (NAME/SIGNATURE) _____ DATE OF HOA APPROVAL: _____

The undersigned hereby applies for a Use Permit pursuant to Article 2, Section 9-10 of the Zoning Ordinance of the Code of Town of Clifton, Virginia.

APPLICANT'S SIGNATURE:  IVAR SETIAWAN

DATE: 03/09/2021

PROPERTY OWNER SIGNATURE: Tina Picciano

DATE: 3/9/2021

FOR TOWN USE ONLY

RECEIPT DATE: _____

DATE APPLICATION ACCEPTED: _____

APPLICATION FEE PAID: \$ _____

APPROVED DISAPPROVED

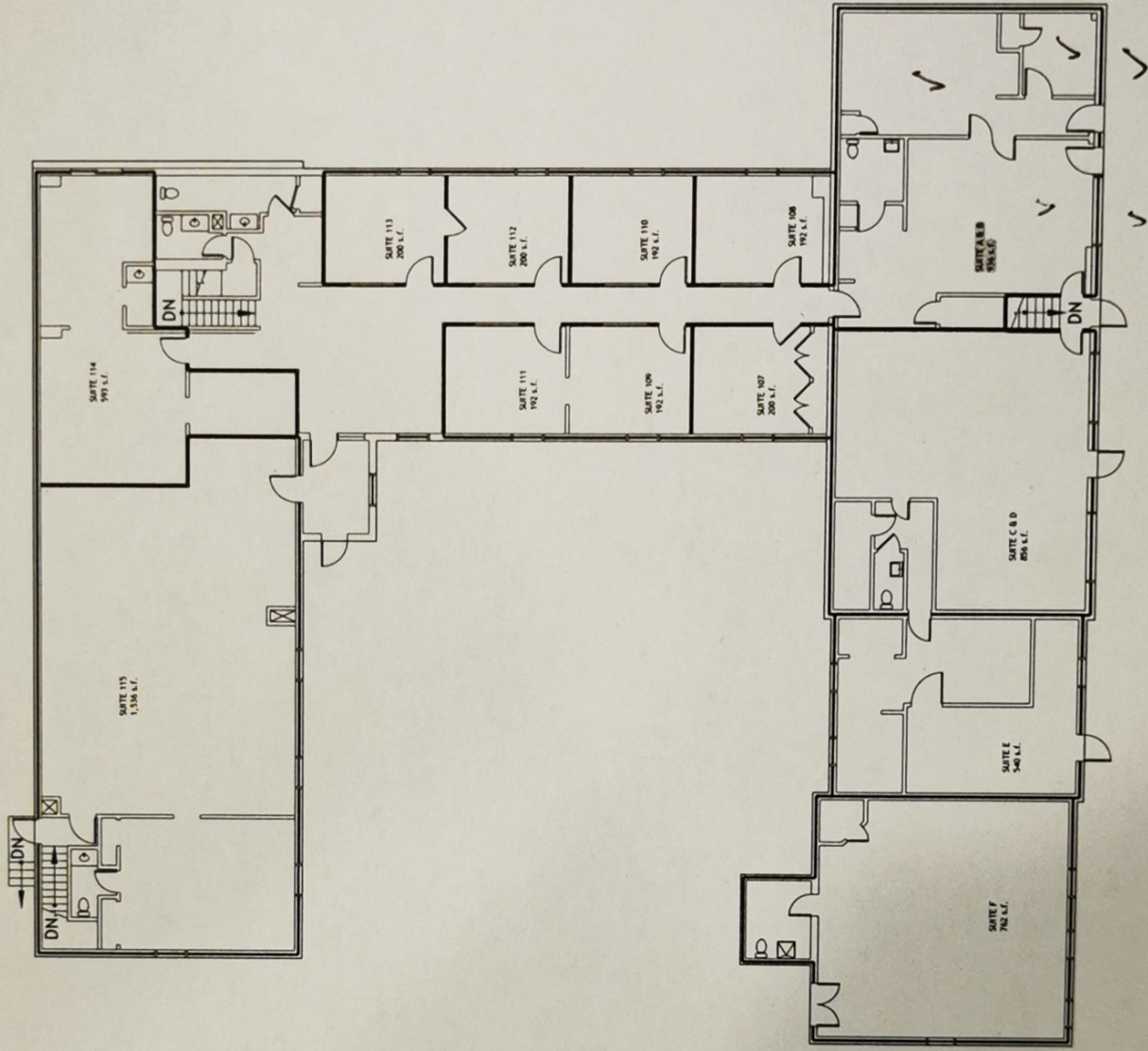
PLANNING COMMISSION: _____
SIGNATURE PRINT

CONDITIONS: _____

APPROVED DISAPPROVED

TOWN COUNCIL: _____
SIGNATURE PRINT

CONDITIONS: _____





Clifton Clerk <clerk@cliftonva.gov>

Zoom Access for Planning Commission Meeting

Robin Moser <vamercantile@gmail.com>

Tue, Mar 30, 2021 at 8:19 PM

To: Clifton Clerk <clerk@cliftonva.gov>

Cc: Jason Moser <jamoser72@gmail.com>, Kathy Kalinowski <khk@baberkal.com>, Planning Commission <planning@cliftonva.gov>

Amanda,

Per tonight's Zoom call with the Planning Committee Zoom call, we'd like to amend our Use Permit Application to reflect 7 days a week, 7 am-7 pm.

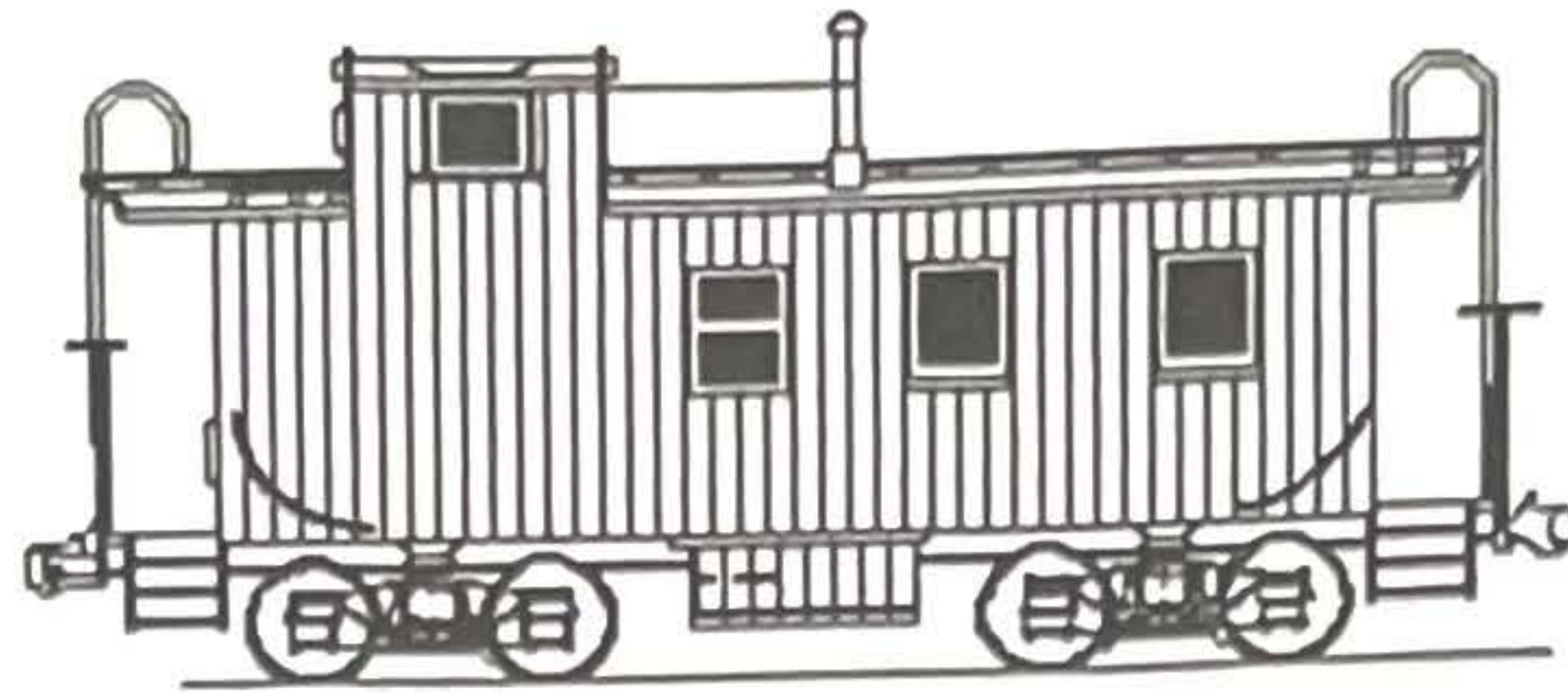
Please let us know if there are any questions before the Town Council meeting next week.

It was nice meeting you all! Thanks so much for your time.

Robin Moser
Virginia Mercantile LLC

On Mar 30, 2021, at 5:50 PM, Clifton Clerk <clerk@cliftonva.gov> wrote:

[Quoted text hidden]



TOWN OF CLIFTON, VIRGINIA

Use Permit Application

| | | | | |
|--|--|---|---|--|
| Property Address: 12644 Chapel Rd. Suite F | | Date: [Month / Year] March 2021 | | |
| 1. Type of Permit: | <input type="checkbox"/> Construction | <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Residential | <input type="checkbox"/> Home Business (Code 9-19.c1) |
| | <input type="checkbox"/> Preliminary Site Plans Attached | <input type="checkbox"/> Office <input checked="" type="checkbox"/> Retail | | |
| | <input type="checkbox"/> Special Use <input type="checkbox"/> Restaurant <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Multi-Family | <input type="checkbox"/> Subdivision (Code Chapter 10) | <input type="checkbox"/> Boundary Line Adjustment/Lot Consolidation (Code 10-57 to Code 10-59) | <input type="checkbox"/> Public Use |
| 2. Name of Applicant: Robin Moser Mailing Address: 6424 John Jackson Ct., Fairfax Station, VA 22039 | | | | |
| Phone: 571-549-8880 Email Address: vamercentile@gmail.com | | | | |
| 3. Name of Property Owner (if different): Jim Foley Mailing Address: 365 Herndon Parkway Suite 106 Herndon, VA 20170 | | | | |
| 4. Name of Business / Organization: Virginia Mercantile, LLC | | | | |
| 5. Owner of Business / Organization: Robin Moser | | | | |
| 6. Tax Map Number: 23A | | | | |
| 7. Attach a plat or plan drawn to scale showing the proposed construction, certified by an engineer, surveyor, architect, authorized to practice as such by VA, together with a surveyed plat of the property indicating all building and structure setbacks and height. | | | <input type="checkbox"/> Plat Attached | |

| | | | | |
|--|---|---|--|--|
| 8. Attach Floor Plan to Scale (non-residential & home business): <input checked="" type="checkbox"/> Floor Plan Attached | | | | |
| 9. Zoning District of Premises: | <input type="checkbox"/> Residential (Code 9-19) | <input checked="" type="checkbox"/> Commercial (Code 9-21) | <input type="checkbox"/> Agricultural (Code 9-20) | <input type="checkbox"/> Industrial (Code 9-22) |
| | <input type="checkbox"/> Church, Park, Community Building | | | |
| | <input type="checkbox"/> Community Open Space & Recreation (COSR) (Code 9-23A) | | <input type="checkbox"/> Low Impact Commercial (Code 9-23B) | |
| 10. Describe Purpose of Application: Use Permit to open a sustainable general store in Clifton House, Suite F with delivery and pick-up options within Clifton and Fairfax Station. | | | | |
| 10. If Commercial, Home Business, Agricultural or Industrial: Commercial (Retail) | | | | |
| 11. Describe Operation: Boutique, sustainably-focused General Store featuring staples for the home as well as Virginia-produced products. Examples include laundry detergent, toothbrushes, wallets, kitchenware, composting bins, etc. | | | | |
| 11.a. If Non-Residential - Office Use: _____ SF or Retail/Restaurant Use: <u>762</u> SF | | | | |
| 11.b. Days & Hours of Operation (include special events): <u>7 am - 7 pm</u> (likely just on weekends) | | | | |
| 11.c. Number of Employees on Site at any One Time: <u>1-2</u> | | | | |
| 11.d. Number of Seats (Restaurant/Church): Total: _____. If applicable, provide number of seats located inside: _____ and; Outside: _____ | | | | |
| 11.e. Gross Floor Area (GFA) of Building or /Premises: <u>762</u> SF (Code 9-13) Net Gross Floor Area if more than one use in building: _____ SF If applicable, GFA devoted to carry-out service within restaurant: _____ SF | | | | |
| 11.f. Number of Off-street Parking Spaces Required: <u>2-3</u> (Code 9-13) | | | | |
| 11.g. Number of Off-street Parking Spaces Provided* (attach parking plan to scale with dimensions identifying existing and proposed parking spaces): _____ | | | | |
| 11.h. Gross Floor Area of Dwelling (Home Business Only): _____ SF | | | | |
| 12. Application Fee Enclosed: (Fee schedule in Filing Instructions) \$ <u>250.00</u> | | | | |

*PLEASE INCLUDE A PARKING TABULATION FORM FOR BUILDINGS THAT HAVE MORE THAN ONE USER IN THE BUILDING.

Is the applicant or owner a member of a homeowners association (HOA)? Yes No If yes, please obtain the approval of the HOA prior to submission of the application.

HOA REPRESENTATIVE (NAME/SIGNATURE) _____ DATE OF HOA APPROVAL: _____

The undersigned hereby applies for a Use Permit pursuant to Article 2, Section 9-10 of the Zoning Ordinance of the Code of Town of Clifton, Virginia.

APPLICANT'S SIGNATURE: Robin K. Hoser

DATE: 3/6/2021

PROPERTY OWNER SIGNATURE: [Signature]

DATE: 3/8/2021

FOR TOWN USE ONLY

RECEIPT DATE: _____

DATE APPLICATION ACCEPTED: _____

APPLICATION FEE PAID: \$ _____

APPROVED DISAPPROVED

PLANNING COMMISSION: _____
SIGNATURE

PRINT

CONDITIONS: _____

APPROVED DISAPPROVED

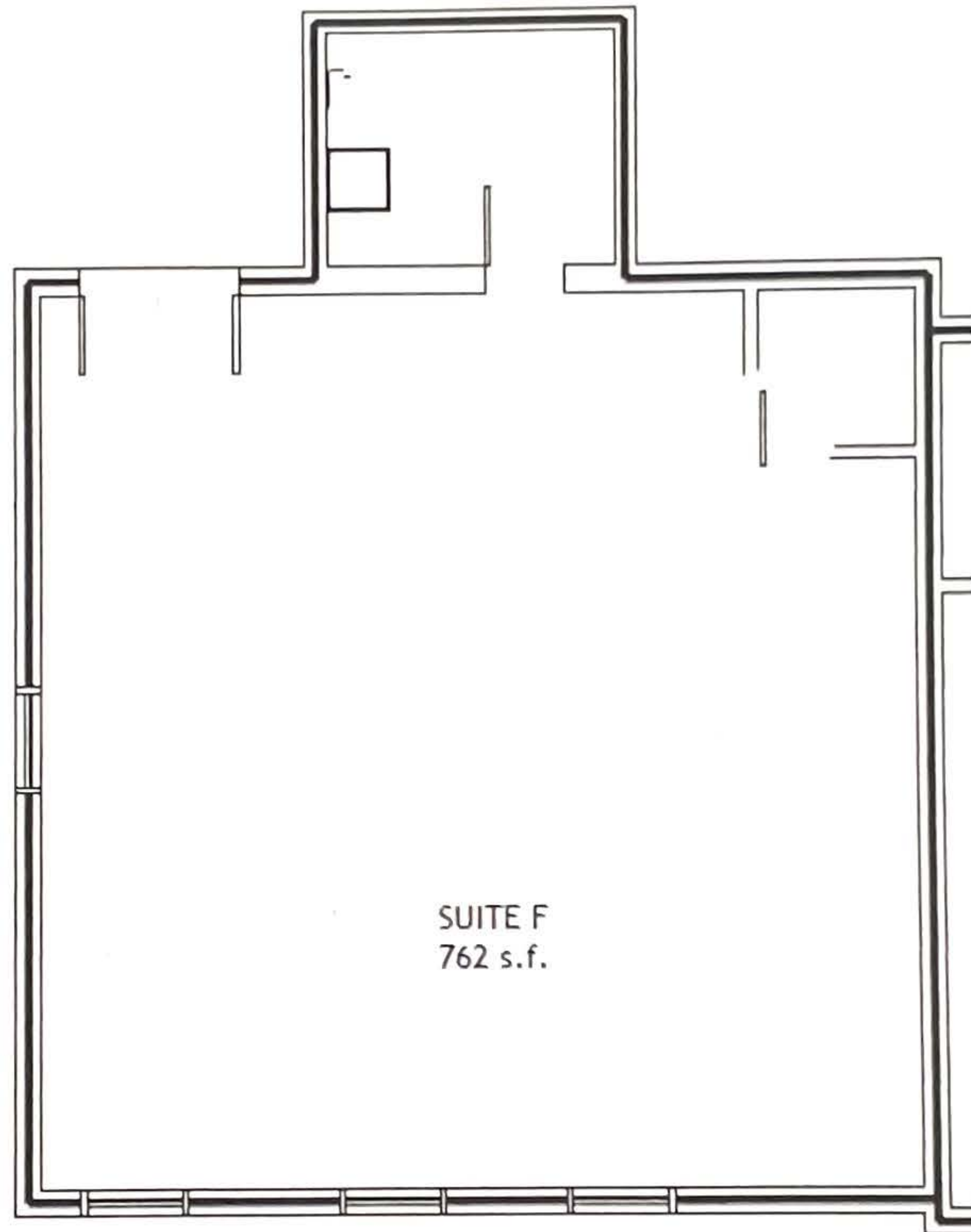
TOWN COUNCIL: _____
SIGNATURE

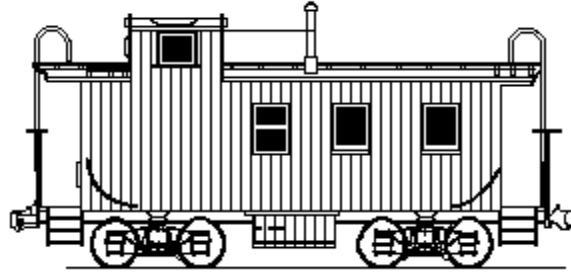
PRINT

CONDITIONS: _____

EXHIBIT A

Tenant's demised premises measures approximately 762 square feet as shown in the outlined area below.





**CLIFTON TOWN PLANNING COMMISSION
TUESDAY, MARCH 30, 2021, 7:30 PM
ELECTRONIC MEETING, VIA ZOOM**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Planning Commission regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods, to the Planning Commission and Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Planning Commission is holding all Meetings noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meetings will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk upon receiving an emailed request directed to clerk@cliftonva.gov.

Order of Business:

1. Approve February 23, 2021 Regular Meeting Minutes.
2. Use Permit Applications:
 - a. Motier, 12644 Chapel Road.
 - b. Virginia Mercantile, 12644 Chapel Road.
3. Adjournment.