

CLIFTON TOWN PLANNING COMMISSION TUESDAY, JUNE 29, 2021, 7:30 PM ELECTRONIC REGULAR 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; Jennifer Heilmann; Michelle Stein; Terry Winkowski...

Staff: Amanda Christman, Clerk.

Absent: Susan Yantis.

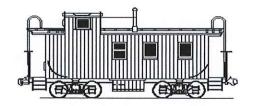
Chair Kalinowski called the Regular Meeting to order at 7:31 PM.

Order of Business:

- 1. Commercial Use Permit Application:
 - a. 7145 Main Street: Wine Attic Expansion of Space into #1D See attached revised application and partial parking plan.
- Chair Kalinowski moved to recommend the Use Permit application revised to indicate an expansion in space at 7145 Main Street for a retail use at these commercially zoned premises for a wine shop at Suites 2A and 1D for the hours of 8AM-11PM Monday through Sunday for a total of 1,325 square feet and no more than 2 employees on site at any one time, with the allocation of 7 parking spaces, resulting in the use of 31 parking spaces on premises (24 of which are allocation to Villagio and 7 to the Wine Attic), with the understanding that LCS, which formerly occupied Suite 1D, is no longer a tenant at the premises, seconded by Member Stein. The motion was approved by poll, 6-0.

- Chair Kalinowski moved to conditionally approve the parking plan as discussed, seconded by Member Stein. The motion was approved by poll, 6-0.
- After further discussion, Member Heilmann moved to delay the conditional approval of the parking plan, pending a complete submission of the proposal and related documentation in time for the July 2021 meeting, seconded by Chair Kalinowski. The motion was approved by poll, 6-0.
- 2. Residential Use Permit Application:
 - a. 7184 Clifton Road: Revised Site Plan & Retaining Walls.
 - See attached letter and field report from the Town Engineer.
- Chair Kalinowski moved to recommend that a Notice of Violation be issued by the Town to the Developer to address the violations and failures as noted in the Town Engineer's letter dated June 25, 2021 and field report dated June 17, 2021, seconded by Member Heilmann. The motion was approved by poll, 6-0.
- 3. Unfinished Business:
 - a. Application Fees Administrative Change.
 - It was noted that the contemplated change may have to be re-written in the Zoning Ordinance in order to take effect, which could be accomplished at a future time.
- 4. Approve May 25, 2021 Regular Meeting Minutes.
- Member Arnold moved to approve the May 25, 2021 meeting Minutes as presented, seconded by Chair Kalinowski. The motion was approved by poll, 6-0.
- 5. Adjournment.

The meeting was adjourned by general acclamation at 8:33 PM



Town of Clifton, Virginia

Use Permit Application

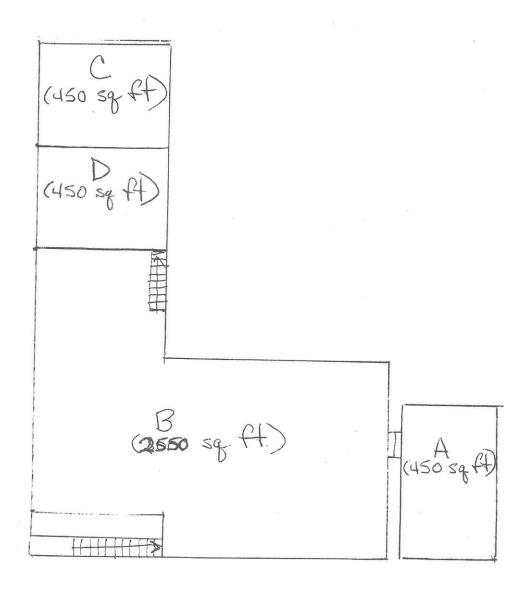
Pro	perty Addres	s: 7145 MAIN S	TREET.	Date: [Month / Year]		
		SUITES 2A			6/14/	/2021	
1.	Type of Permit:	□ Construction □ Preliminary Site Plans Attached	□ Commercial □ Office Retail	Ĭ	□ Residential	☐ Home Business (Code 9-19.c1)	
		□ Special Use□ Restaurant□ Bed & Breakfast□ Multi-Family	□ Subdivision (Code Chapter 10)		□ Boundary Line Adjustment/Lot Consolidation (Code 10-57 to Code 10-59)	□ Public Use	
2.	Name of App Mailing Add	E070 CI			FAMILY, LLC LACE CENTREVILL	LE, VA 20121	
	Phone: (703) 855-2315 Email Address: JUAN@THEWINEATTIC.COM					8	
3.	Owner (if different):				IOENIX, LP (STATION, VA 220)	39	
4.	I. Name of Business / THE Organization:			IE WINI	WINE ATTIC		
5.	Owner of Business / Organization: NAVARRO & FAMILY, LLC						
6.	Tax Map Number: 075-4-02-0030						
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.						

8.	. Attach Floor Plan to Scale (non-residential & home								
9.	Zoning District	□ Residential	Commercial	☐ Agricultural	☐ Industrial				
	of Premises:	(Code 9-19)	(Code 9-21)	(Code 9-20)	(Code 9-22)				
		Community Building							
		☐ Community (Recreation (0	Open Space & COSR)	☐ Low Impact Commercial					
		(Code 9-23A)		(Code 9-23B)					
10.	Describe Purpos	se of Application:							
	TO EXPAND THE USE PERMIT FOR THE WINE ATTIC INTO FIRST FLOOR UNIT 1D (450 SQ FT) ALONG WITH CURRENT 2ND FLOOR SPACE UNIT 2A (875 SQ FT)								
10.	If Commercial, H	lome Business, Ag	gricultural or Indust	rial:					
11.	Describe Operat		RETAIL AND ASSC	CIATED PRODUCTS					
11.8	a. If Non-Resider	ntial - Office Use:	SF	or Retail/Restaurant Us	e:1,325SF				
11.1	o. Days &Hours	of Operation (inclu	ude special events):	8:00 AM - 11:00PM N	MONDAY - SUNDAY				
11.0	. Number of Em	ployees on Site a	t any One Time:	2					
11.0	l. Number of Sea located Inside	ats (Restaurant/Ch : <u>N/A</u> and	nurch): Total: ; Outside:N/A	N/A If applicable, p	rovide number of seats				
11.6		rea (GFA) of Build	4 10 20 20	6,200 SF (Code	9-13)				
	Net Gross Floor Area if more than one use in building:5,675 SF If applicable, GFA devoted to carry-out service within restaurant: N/A SF								
44.4	ii approadic, of 7 acrotoa to carry out corrior maini restauranti of								
2002100	1.f. Number of Off-street Parking Spaces Required: (Code 9-13)								
11.0	g. Number of Off-street Parking Spaces Provided* (attach parking plan to scale with dimensions identifying existing and proposed parking spaces):35								
11.1	.h. Gross Floor Area of Dwelling (Home Business Only):N/ASF								
12.	2. Application Fee Enclosed:								
(Fee	\$75.00 Fee schedule in Filing Instructions)								

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

Form Rev. 3-2016 Page 2

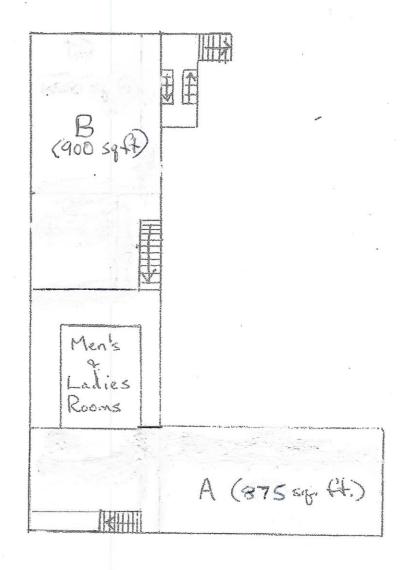
the HOA prior to submission of the application.	
HOA REPRESENTATIVE (NAME/SIGNATURE)	DATE OF HOA APPROVAL:
Town of Clifton, Virginia.	Article 2, Section 9-10 of the Zoning Ordinance of the Code of DATE: DATE: O 22 21
FOR TOW	N USE ONLY
RECEIPT DATE:	DATE APPLICATION ACCEPTED:
APPLICATION FEE PAID: \$	
□ APPROVED □ DISAPPROVED	
PLANNING COMMISSION: SIGNATURE	PRINT
CONDITIONS:	
□ APPROVED □ DISAPPROVED	
TOWN COUNCIL: SIGNATURE	PRINT
CONDITIONS:	



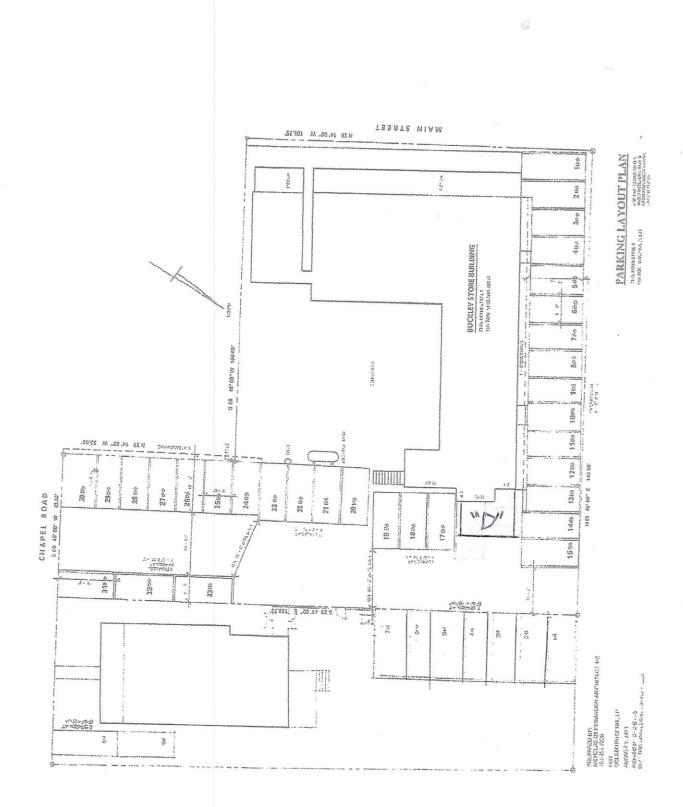
Main Street Side

BUCKLEY STORE SECOND FLOOR LAYOUT

Railway Side



Main Street Side

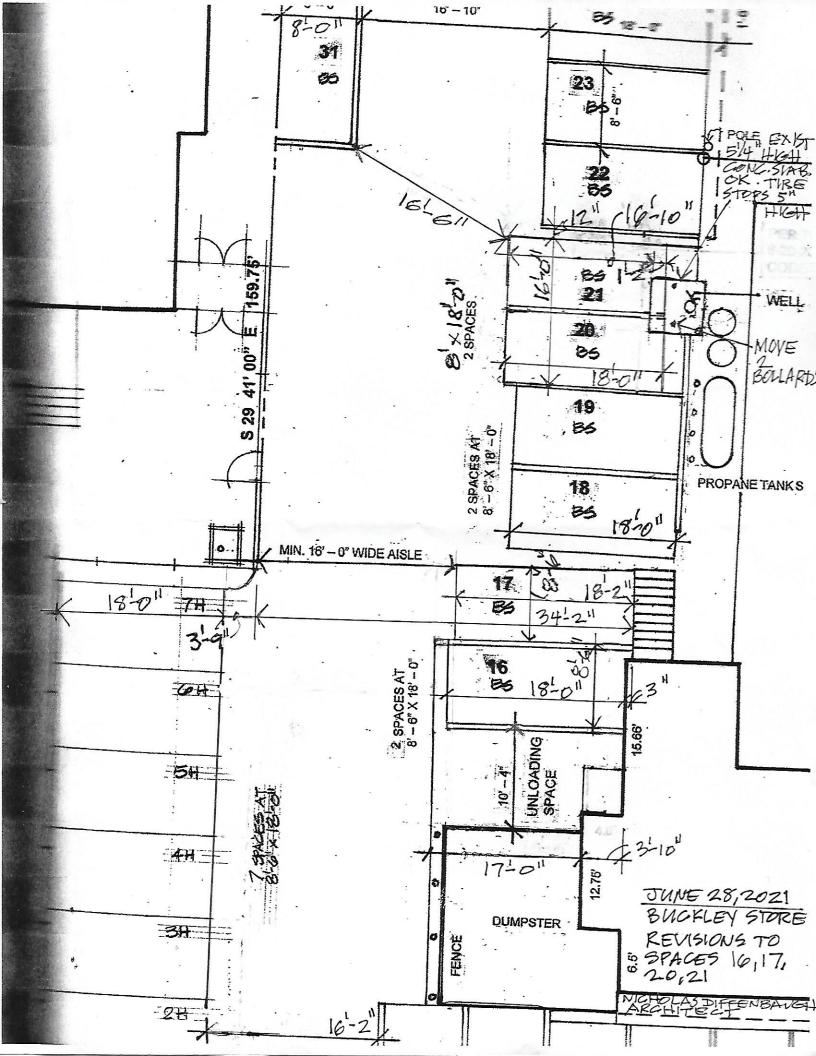


Town of Clifton Commercial Parking Tabulation

Property Name:	THE BUCKLEY STORE BUILDING
Property Owner's Name:	GOLDEN PHOENIX, LP
Owner's Contact Information:	(703) 323-1885; KOOLPAW@HOTMAIL.COM
Date:	6/15/2021
Building Total Gross Floor Area:	6,200

SUITE#	TENANT NAME	NET FLOOR AREA	USE (Restaurant/Office/Retail/Other Commercial Use)	NUMBER OF EMPLOYEES	NUMBER OF CUSTOMER SEATS (For Restaurant Use Only)	PARKING SPACES REQUIRED	DATE OF APPROVAL OF USE PERMIT
1 A,B,C	TRATTORIA VILLAGIO	4,350	RESTAURANT	15	168	24	10/1/2013
2B							
2A	THE WINE ATTIC	875	RETAIL	1	N/A	4	8/2017
1D	VACANT (REQUESTED)	450		1	N/A	2	

Total # of Platted Parking Spaces on the Property: _	35	
Total # of Use Permit Allocated Parking Spaces:	28	
Total # of Loading Spaces:	0	





NICHOLAS. DIFFENBAUGH. ARCHITECT

nicholas diffenbaugh architect . 11300 silverleaf drive fairfax station, virginia 22039 . 703-622-9076

June 28, 2021

Sheldon C. Hofferman General Partner Golden Phoenix, L.P.

RE: Buckley Store Parking layout 7145 Main Street Clifton, Virginia

Dear Sheldon,

I visited the parking lot at the Buckley Store on Friday June 25th and Monday June 28th to investigate comments made by the Town of Clifton Planning Commission in reference to a use permit for the building. I took measurements at the areas of concern. I then did a preliminary revision of the parking layout drawing showing just the items that were in their comments. I will e-mail that drawing to you separately.

Item 1: Parking spaces 20 and 21:

- A. I have increased the length of the spaces to 18 feet.
- B. I have reduced the width of these spaces to 8 feet (the minimum required width) from 8 feet 6 inches. This increases the aisle width shown to space 31 to at least 16' 6" (16 feet is the minimum requirement).
- C. I moved the 2 metal bollards (yellow) toward the well and on top of the existing concrete slab. The bollards should be beyond the end edge of the parking spaces. These are to protect the well head and propane tanks and must stay.
- D. The existing concrete slab should remain. I do not know if there is a reason it is there, but best not to remove it. The front of the car will hang over the concrete slab by 1' 2". This is not unusual and will be ok since the slab is at most 5 1/4 inches high off the pavement. The many concrete tire stops on the property are 5 inches high.

Item 2; Parking spaces 16 and 17:

- A. Both spaces are at least 18 feet long per measurements I believe there is some confusion because all of the white striping line at the top of space 17 is not painted.
- B. The aisle width at space 17 is 16 feet per measurements
 The aisle width at space 16 is greater than 16 feet per measurements
 Space 16 could be lengthened a bit to go away from the building.
- C. Both spaces 16 and 17 are 8' 6" wide, more than the required 8 feet.

Item 3: Unloading Space:

A. The steel bollard/ rail at the front of the unloading space should be removed.
As a note, and something I mentioned to you, I often see moveable cones placed at loading areas to deter parking if there is a problem with that.

If these revisions are approved I will revise the whole page parking layout for you to submit to the Town of Clifton Planning Commission.

Sincerely,

Nicholas Diffenbaugh NCARB

Fairfax County Land Records Cover Sheet

Instruments

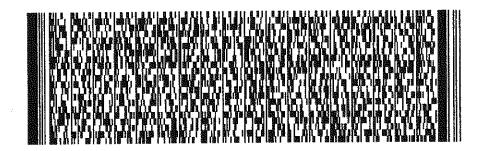
EASEMENT

Grantor(s)

GOLDEN PHOENIX LIMITED PARTNERSHIP_F_N , HEILMANN, MICHAEL_I_N , HEILMANN, JENNIFER_I_N

Grantee(s)
GOLDEN PHOENIX LIMITED PARTNERSHIP_F_N , HEILMANN, MICHAEL_I_N , HEILMANN, JENNIFER_I_N

Consideration			Consideration %	100	
Tax Exemption			Amount Not Taxed		
DEM Number	·		Tax Map Number	est prop	
Original Book			Original Page		
Title Company				Title Case	
Property Descr.					
Certified	No	Copies	0	Page Range	



Print Cover Sheet

ted by: Sheldon C. Hofferman furn to: P.O.B. 350, Fairfax Station VA 22039-0350

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT made this 3 total day of July , 2013 by and between Golden Phoenix Limited Partnership ("GPLP"), a Virginia limited partnership, and Michael and Jennifer Heilmann ("the Heilmanns"):

WITNESSETH:

WHEREAS, GPLP is the owner of that certain property known as 7145 Main Street, Clifton (Fairfax County), Virginia containing 17,624 feet (hereinafter the "GPLP property"), and

WHEREAS, the Heilmanns are the owner of that certain property known as 12704 Chapel Road, Clifton (Fairfax County), Virginia containing 7,923 square feet (hereinafter the "Heilmann property") adjoining the aforesaid GPLP property immediately to its west, and

WHEREAS, the parties hereto desire to grant to each other certain easements for parking and ingress and egress as more particularly set forth hereinafter.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) paid each to the other and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. GPLP hereby grants and conveys to the Heilmanns a fifteen (15) foot wide non-exclusive easement running from Chapel Road across the GPLP property to the northwestern property line of the Heilmann property, as shown on the plat prepared by Nicholas Diffenbaugh Architect, PC dated August 9, 2011 and revised by The Lexington Group, LLC on March 11, 2013 and entitled "Parking Layout Plan", which is attached hereto and made a part hereof. This easement is to provide ingress and egress to parking spaces numbered 1H through 7H, inclusive, as shown on said plat, which parking spaces are to be located to the rear of the present building located on the Heilmann Property. Said easement shall run for the benefit of the Heilmanns, their successors and assigns, and their tenants, invitees, and guests. Said easement is to be used only for automobile traffic and not by commercial trucks. The cost of maintenance of said easement shall be borne fifty per cent (50%) each by GPLP and the Heilmanns.

Grantor: GOLDEN PHOENIX L
DateTime: 08/05/2013 14:54:03
Book/Page: 23318/1822
Recorded in FAIRFAX CIRCUIT COURT

Grantee: GOLDEN PHOENIX L Instrument: 2013035493.001 # of Pages: 4

fle 3 Fay

TESTE: JOHN T. FREY

- 2. For the purposes of parking allocation, as pertains to use permits and other similar permits to be granted now or in the future by the government of the Town of Clifton, Virginia, three of the aforementioned parking spaces (1H, 2H, and 3H) shall be credited to GPLP. Said spaces are to be used only for parking of automobiles and not for commercial trucks and not for storage of dumpsters, immobile vehicles and/or other equipment or structures. Said easement shall run for the benefit of GPLP, its successors and assigns, and their tenants, invitees, and guests. The cost of the maintenance of said easement shall be borne entirely by the Heilmanns.
- 3. This easement Agreement shall be recorded among the land records of Fairfax County, Virginia and shall be perpetual unless terminated by written agreement of the owners of the respective properties, provided, however, that it shall be null and void in its entirety in the even that its terms are not recognized or honored by the aforesaid government of the Town of Clifton, Virginia.
- 4. Upon recordation of this Easement Agreement, the Easement Agreement dated April 30, 1989 by and between GPLP and Custom Construction Company of Virginia, Inc., predecessor in interest to the Heilmanns, concerning the mutual granting of certain easements to each other, is hereby rescinded, superceded, cancelled, and nullified in its entirety.

Witness the following signatures and seals:

The foregoing instrument was acknowledged before me this.

Notary Public in and for Fairfax county.

My Commission expires__1

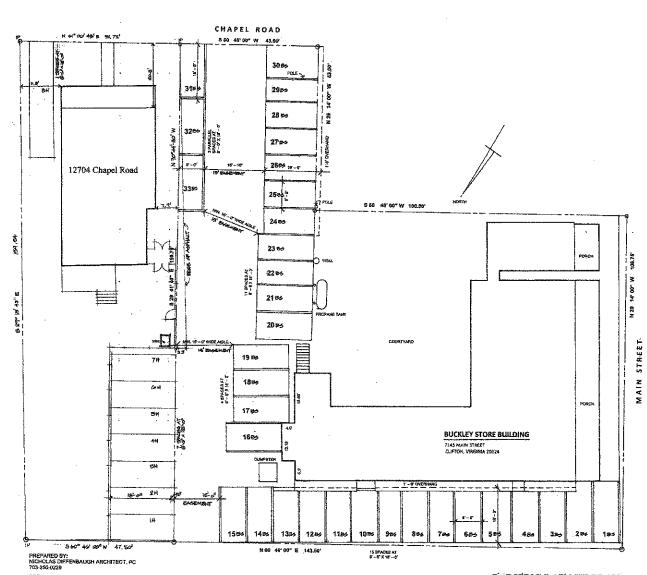
GOLDEN PHOENIX LIMITED PARTNERSHIP.

A Virginia limited partnership

Sheldon C. Hofferman, General Partner

Michael Heilmann

Jennifer Heilmann



FOR: GOLDEN PHOENIX, LP AUGUST 9, 2011 THEY AGE 13 THEY SHIFT BY: THE LEGINGTON AROUP, LLC PARKING LAYOUT PLAN

7145 MAIN STREET

T LINE COORDINATIES O DISENSIONS TAKEN OM PREVIOUS PARKINS



June 25, 2021

Ms. Katherine Kalinowski, Chair TOWN OF CLIFTON PLANNING COMMISSION P.O. Box 126 Clifton, Virginia 20124

RE: 7184 Clifton Road Retaining Wall Revision Gordon Project Number 1620-0101 Task 124B

Dear Ms. Kalinowski:

The following observations, comments and field report are based on a site visit to the subject property on June 18, 2021. A comparison review of the approved Preliminary Use Permit to the town of Clifton, titled "Infill Lot Grading Plan Cover Sheet Lot 106 Clifton, 7184 Clifton RD" dated March 19, 2015, and revised to March 27, 2015, prepared by AMA Engineers, and the approved Fairfax County Plans did not reveal any significant discrepancies besides the well relocation and the retaining wall revision. The retaining walls were revised with the updated package titled "01_Cover Sheet, 02_Retaining Wall Revision, 03_Approved Site Grading Plan" for Lot 106- 7184 Clifton Road Clifton VA 20124" dated November 2020 prepared and sealed on November 4, 2020, by Curt R. Crouch, P.E. The plan shows the front and rear retaining wall layout that was constructed. The retaining wall structural design was prepared by Master Engineers & Designers titled "Timber Retaining Walls" and shows specifications for the materials, footers for the post, post spacing based on the height of the walls and identifies a maximum height of 2'-10-1/2" for the retaining wall design. The following comments are based upon the site visit to the property.

- 1. Front yard retaining wall issues:
 - a. Many of the post supporting the retaining wall are separating from the retaining boards on all the walls.
 - b. There are several areas that the height of the wall exceeds the maximum height of 2'-10-1/2" as shown on retaining wall detail sheet prepared by Master Engineer & Designers Plans titled "Timber Retaining Walls". The height of the retaining wall varies from 3' to 3.5' in height and may be higher once the accumulated sediment is removed from the bottom of the wall next to the silt fence.
 - c. There are numerous instances where the support post exceeds the maximum spacing between post as shown on the retaining wall detail sheet prepared by Master Engineer & Designers Plan titled "Timber Retaining Walls". Per the Master Engineer & Designers Plan the post spacing is dependent on the wall height. The post spacing design for a wall height of one (1) foot and below is a maximum of five (5) feet apart, the design post spacing for a wall height of one (1) to two (2) feet in height is a maximum of three (3) feet, and the design post spacing for a wall height of two (2) feet to 2'-10-1/2" is a maximum of two (2) feet.
 - d. Two of the retaining wall boards along the front retaining wall appear to be bowing.
 - e. The upper rear retaining wall boards appear to be bowing.
 - f. Accumulated sediment needs to be removed in between the wall and the silt fence, so the sediment does not impact the tree save vegetation area and end up in the storm sewer system and ultimately in Popes Head Creek.

Recommendation: Since the retaining walls in the front yard facing the ravine along Clifton Road are not built-in accordance with the structural plan and exceed the structural plan's maximum wall design height of 2'-10 1/2", a new structural retaining wall design reflecting the constructed wall heights needs to prepared. The existing retaining walls will need to be removed and built-in accordance with the new structural design. If the retaining walls fail, it would impact the existing tree save area and

June 25, 2021 Ms. Katherine Kalinowski, Chair 7184 Clifton Road Page 2 of 2

existing vegetation, possibly creating a sediment control issue, and therefore having to provide tree mitigation and additional water quality measures for the increased land disturbance caused by the wall failure. The failure of the walls may cause the Department of Environmental Quality (DEQ) to cite the Town for failing to control development in accordance with the Chapter 11 Chesapeake Bay Preservation Ordinance of the Town code. As a minimum, the front and rear retaining walls need to be evaluated, brought up to the Virginia Residential Construction Code" (2015 International Residential Code) and ANSI/AWC NDS-2012 "National Design Specification for Wood Construction" standards, and certified by an independent structural engineer licensed in the state of Virginia.

Pedestrian guard issues:

- a. Guard Posts are separating from the top rail.
- b. Numerous pickets were spaced greater than 4" center to center design requirement per the Master Engineer & Designers Plan.
- c. There is no visual evidence of a concrete foundation for the guard post as required per the Master Engineer & Designers Plan.

Recommendation: The pedestrian guard in the front yard needs to be repaired and/or removed and replaced. The pedestrian guard needs to be evaluated, brought up to the' Virginia Residential Construction Code" (2015 International Residential Code) and ANSI/AWC NDS-2012 "National Design Specification for Wood Construction" standards, and certified by an independent structural engineer licensed in the state of Virginia.

3. Grading

- a. A swale draining to the northwest behind retaining wall 1 is missing per the Fairfax County approved grading plan.
- b. A swale draining to the northeast behind rear retaining wall 1 is missing per the Fairfax County approved grading plan.
- c. A swale draining to the northwest behind rear retaining wall 2 is missing per the Fairfax County approved grading plan.
- d. A swale draining to the northeast behind rear retaining wall 2 is missing per the Fairfax County approved grading plan.

Recommendation: The missing swales should be implemented per the Fairfax County approved grading plan to reduce runoff over toping the rear retaining walls and to reduce erosion and sediment from the property and minimize/prevent runoff from flooding the house.

4. Miscellaneous:

- a. The asphalt driveway is shown to abut the porch on the county plan but is not constructed to the porch in the field.
- b. The edge of the driveway is higher than the abutting grade causing water to pond and back up against the porch and conner of the house.

Recommendation: Raise the grade in between the driveway and house/porch to be level with the top of the driveway or extend the asphalt driveway tot the house/ porch so the runoff can drain away from the house and not be trapped.

To summarize, the construction of the retaining walls, pedestrian guard and grading did not conform to the approved plans. My recommendation to the Planning Commission is to not issue/approve the final Residential Use Permit until the retaining wall and other issues can be resolved.

June 25, 2021 Ms. Katherine Kalinowski, Chair 7184 Clifton Road Page 2 of 2

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely, WILLIAM H. GORDON ASSOCIATES, INC.

Scott Peterson, P.E.

cc David L. Guglielmi, Infill by Design, LLC

WILLIAM H. GORDON ASSOCIATES, INC. FIELD REPORT

PROJECT: 7184 Clifton Road	DEVELOPER: David Guglielmi
Location: 7184 Clifton Road, Clifton va	Date of Inspection: 06/17/21
Inspector: S. Peterson	Date of Issuance: 06/18//21

Time: 2:30 pm	WHGA Job No: 1620-124B
Weather: Sunny – 85 degrees	Report No.: 01

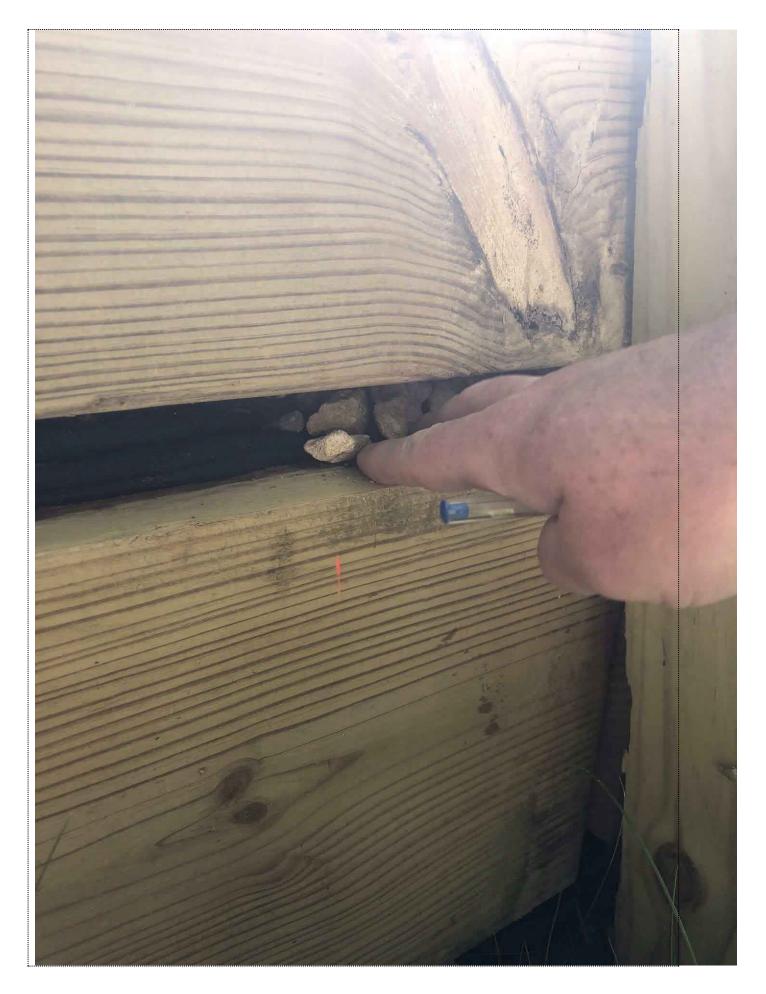
Work In Progress: None

Observations:

1. Retaining wall is separating from wood post

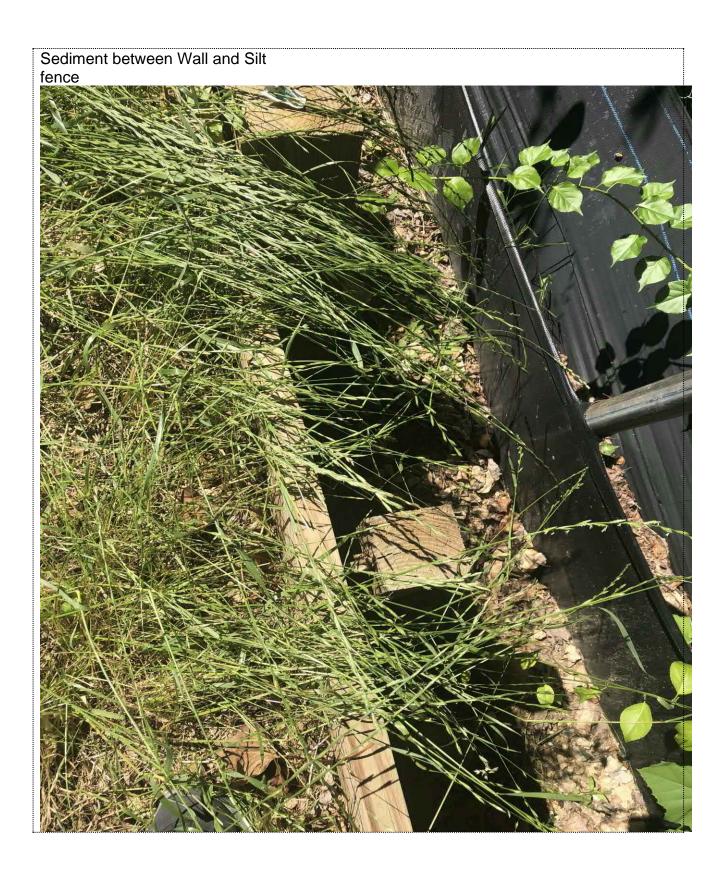






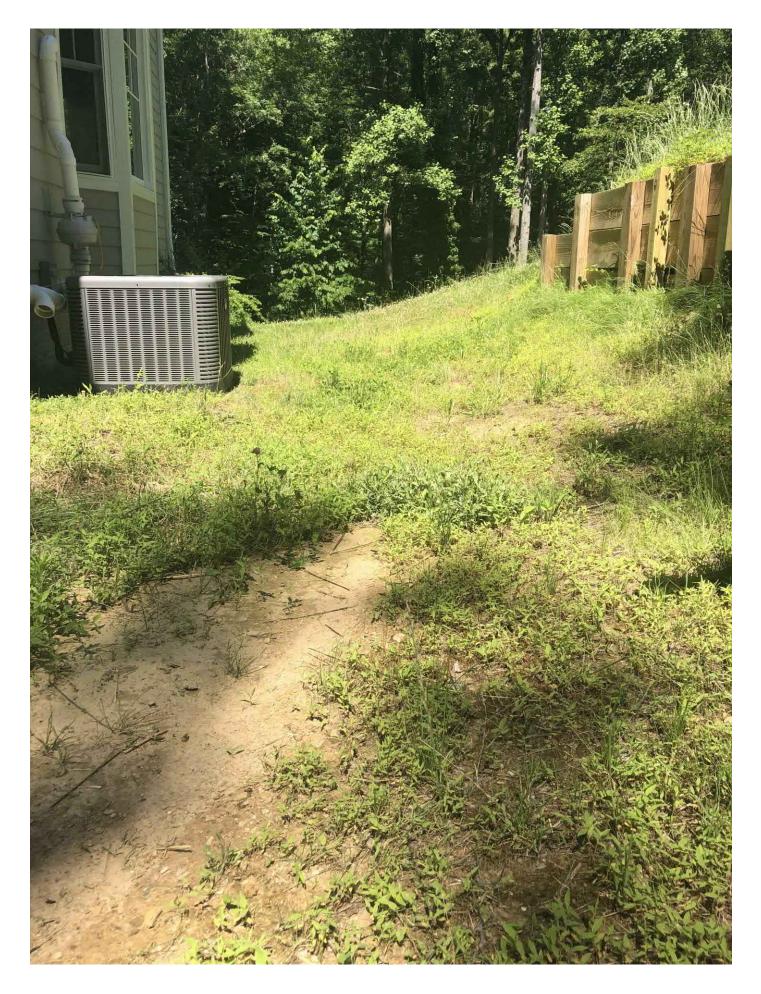






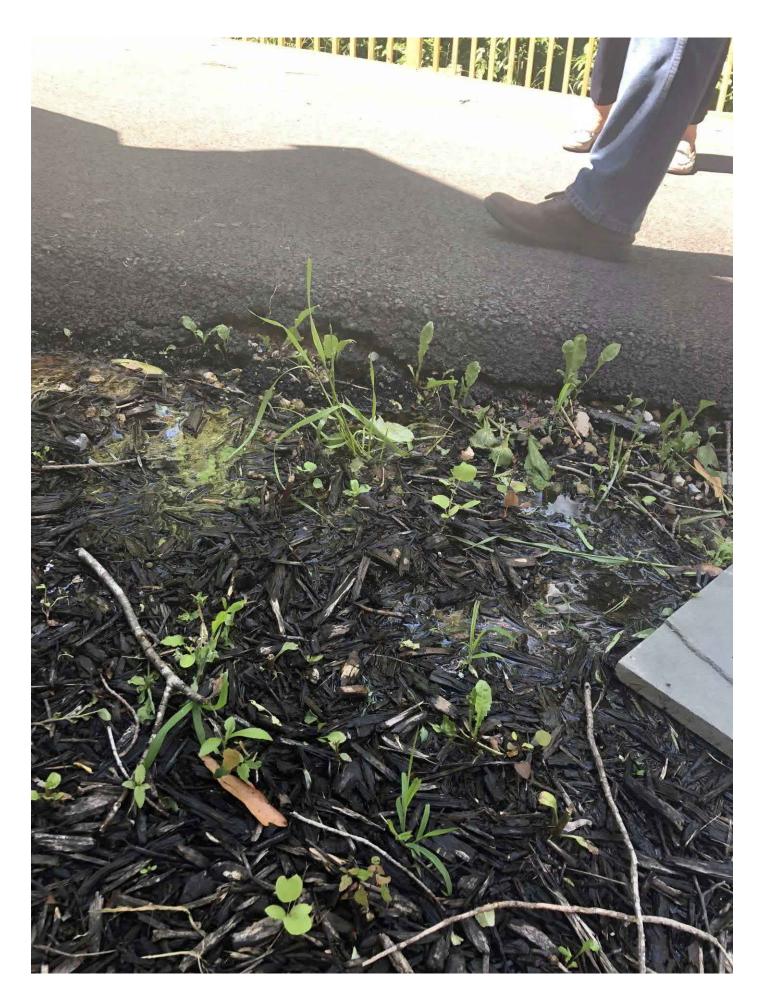






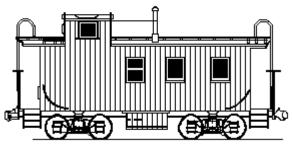








2. Information or Action Required: None	
As described above	
Attachments: None Photos	
Distribution:	
Kathy Kalinowski – PC Chair	
Amanda Christman– Town Clerk	
cc:	



CLIFTON TOWN PLANNING COMMISSION TUESDAY, JUNE 29, 2021, 7:30 PM REGULAR 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.

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 - a. 7145 Main Street: Wine Attic Expansion of Space into #1D
- 2. Residential Use Permit Application:
 - a. 7184 Clifton Road: Revised Site Plan & Retaining Walls.
- 3. Unfinished Business:
 - a. Application Fees Administrative Change.
- 4. Approve May 25, 2021 Regular Meeting Minutes.
- 5. Adjournment.