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Use Permit Application and Project Statement

Napa Valley Museum Use Permit and Variance
P24-00072-UP & P24-00241-VAR
Planning Commission Hearing – October 2, 2024



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

PLANNING APPLICATION FORM

Applicant Information

<p>Applicant Contact</p> <p>Name: <u>Napa Valley Museum</u></p> <p>Mailing Address: <u>P.O. Box 3567</u></p> <p>City: <u>Yountville</u> State: <u>CA</u> Zip: <u>94599</u></p> <p>Phone: <u>(707) 944-0500 x110</u></p> <p>E-Mail Address: <u>laura@napavalleymuseum.org</u></p>	<p>Property Owner Contact</p> <p>Name: <u>R & R LAND, LLC</u></p> <p>Mailing Address: <u>2416 E. 37th Street</u></p> <p>City: <u>Wichita</u> State: <u>KS</u> Zip: <u>67219</u></p> <p>Phone: <u>(316) 847-4821</u></p> <p>E-Mail Address: <u>Guy.Byrne@lrco.com</u></p>
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<p>Agent Contact</p> <p>Name: <u>Jeff Dodd Coblenz Patch Duffy & Bass LLP</u></p> <p>Mailing Address: <u>700 Main St. Suite 301</u></p> <p>City: <u>Napa</u> State: <u>CA</u> Zip: <u>94559</u></p> <p>Phone: <u>707-603-2722</u></p> <p>E-Mail Address: <u>jdodd@coblenzlaw.com</u></p>	<p>Other Representative Contact</p> <p style="text-align: right;"><input type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Agent</p> <p>Name: <u>Restaurant 209</u></p> <p>Mailing Address: <u>2416 E. 37th Street</u></p> <p>City: <u>Wichita</u> State: <u>KS</u> Zip: <u>67219</u></p> <p>Phone: <u>(316) 847-4821</u></p> <p>E-Mail Address: <u>justin.williams@pressnapavalley.com</u></p>
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Property Information

Project Name: Napa Valley Museum

Project Address: 607 South St. Helena Highway, St. Helena, CA 94574

Assessor's Parcel Number(s): 027-150-001

Size of site (acreage and/or square footage): 1.4 acres

General Plan Designation: Agricultural Resource (AR) Zoning: Commercial Neighborhood (CN)

Application Type¹

File No(s) _____

Administrative	Planning Commission/ALUC/BOS	Zoning Administrator
<p>Erosion Control Plan:</p> <p><input type="checkbox"/> Track I <input type="checkbox"/> Track II</p> <p><input type="checkbox"/> Admin Viewshed</p> <p><input type="checkbox"/> Fence Entry Structure Permit</p> <p><input type="checkbox"/> Land Division/Mergers</p> <p><input type="checkbox"/> Site Plan Approval/Modification</p> <p><input type="checkbox"/> Winery Administrative Permit</p> <p><input type="checkbox"/> Other Very Minor Modification</p> <p><input type="checkbox"/> Addressing</p> <p><input type="checkbox"/> Signs</p> <p>Temporary Event:</p> <p><input type="checkbox"/> 51-400 <input type="checkbox"/> 401+</p> <p><input type="checkbox"/> Late Application Submittal</p> <p><input type="checkbox"/> Application Entitled to Fee Waiver</p> <p><input type="checkbox"/> Other: _____</p>	<p>Major Modification:</p> <p><input type="checkbox"/> Winery <input type="checkbox"/> Other</p> <p>Use Permit:</p> <p><input type="checkbox"/> Winery <input checked="" type="checkbox"/> Other</p> <p><input type="checkbox"/> Viewshed</p> <p><input type="checkbox"/> AG Preserve Contract</p> <p><input type="checkbox"/> Development Agreement</p> <p><input type="checkbox"/> Airport Land Use Consistency Determination</p> <p><input type="checkbox"/> General, Specific or Airport Land Use Plan Amendment</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Zoning Map/Text Amendment</p> <p><input type="checkbox"/> Road Exception</p> <p><input type="checkbox"/> Con. Reg. Exception</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> Certificate of Legal Non Conformity</p> <p><input type="checkbox"/> Other Minor Modification</p> <p><input type="checkbox"/> Road Exception</p> <p><input type="checkbox"/> Small Winery Exemption</p> <p><input type="checkbox"/> Winery Minor Modification</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Viewshed</p> <p><input type="checkbox"/> Other: _____</p> <hr/> <p style="text-align: center;">Misc. Services</p> <p><input type="checkbox"/> Use Determination</p> <p><input type="checkbox"/> Status Determination</p> <p><input type="checkbox"/> Other: _____</p>

¹: Include corresponding submittal requirements for each application type.


Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

DocuSigned by:

 _____ 3/7/2024
 Property Owner's Signature and Date

 Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

DocuSigned by:

 _____ 3/6/2024
 Applicant's Signature and Date

Date Received: _____ Received by: _____ Receipt No. _____ File No. _____	Application Fees	
	Deposit Amount	\$
	Flat Fee Due	\$
	Total	\$
	Check No	

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

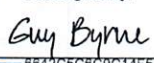
In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Guy Byrne, R & R Land LLC

Print Name of Property Owner

Laura Rafaty, Napa Valley Museum

Print Name Signature of Applicant (if different)

DocuSigned by:

6642C5C6C9C14F5...

Signature of Property Owner

3/7/2024

Date

DocuSigned by:

C6958C7204AA439...

Signature of Applicant

3/6/2024

Date

Hourly Fee Agreement

PROJECT File: _____; request for Use Permit for Napa Valley Museum
_____. I, Laura Rafaty

the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing \$ 10,000.00 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.
3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided
5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.
6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

Name of Applicant responsible for payment of all County processing fees (Please Print):

Napa Valley Museum, Laura Rafaty, Executive Director

Mailing Address of the Applicant responsible for paying processing fees:

P.O. Box 3567

Yountville, CA 94599

Signature:*  C8958C7204AA439

Email Address: laura@napavalleymuseum.org

Date: 3/6/2024

Phone Number: (707) 944-0500 x110

*ATTENTION - The applicant will be held responsible for all charges.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: Napa Valley Museum, APN 027-150-001

Project number if known:

Contact person: Laura Rafaty, laura@napavalleymuseum.org

Contact email & phone number: (707) 944-0500

Today's date:

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy

If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

BMP-2 Preservation of developable open space in a conservation easement

Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

Already Doing Plan To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO2e and add the County's carbon stock.

BMP-4 Alternative fuel and electrical vehicles in fleet

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

BMP-6 Vehicle Miles Traveled (VMT) reduction plan

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events
- Other: _____

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already Plan
Doing To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

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- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events
- Other: _____

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already Plan
Doing To Do

- BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1**
See description below under BMP-5.
-
-

- BMP-8 Solar hot water heating**
Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.
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- BMP-9 Energy conserving lighting**
Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.
Any new lighting will only use energy efficient fixtures
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-

- BMP-10 Energy Star Roof/Living Roof/Cool Roof**
Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.
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-

- BMP-11 Bicycle Incentives**
Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!
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- BMP-12 Bicycle route improvements**
Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.
The Vine Trail is in close proximity.
-
-

Already Plan
Doing To Do

BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

Water use will be reduced over existing conditions.

BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

No new buildings are proposed. Re-use of existing buildings is the most effective measure to address this issue.

BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or if your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

BMP-17 Recycle 75% of all waste

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

The museum is a low waste-producing business and both businesses will actively participate in re-use and recycling.

Already Plan
Doing To Do

BMP-18 Compost 75% food and garden material

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

The market will compost a minimum of 75% of food scraps.

BMP-19 Implement a sustainable purchasing and shipping programs

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

BMP-21 Electrical Vehicle Charging Station(s)

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

BMP-22 Public Transit Accessibility

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

The building is 0.74 miles (approx 15 minute walk) from the nearest bus stop.

Already Plan
Doing To Do

BMP-23

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.
The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building buried into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

BMP-24 Limit the amount of grading and tree removal

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

BMP-25 Will this project be designed and built so that it could qualify for LEED?

BMP-25 (a)	<input type="checkbox"/>	LEED™ Silver (check box BMP-25 and this one)
BMP-25 (b)	<input type="checkbox"/>	LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)
BMP-25 (c)	<input type="checkbox"/>	LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Plan
Doing To Do

- BMP-28 Use of recycled materials**

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

Re-purposed material and post-consumer products used when feasible.

- BMP-29 Local food production**

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.

PRESS will feature locally sourced products.

- BMP-30 Education to staff and visitors on sustainable practices**

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

Signage and guidelines will be available for all customers and employees

- BMP-31 Use 70-80% cover crop**

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

- BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site**

By selecting this BMP, you agree not to burn the material pruned on site.

- BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?**

- BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?**

Comments and Suggestions on this form?

USE PERMIT

Napa Valley Museum & Understudy | 607 S. St. Helena Hwy, St. Helena 94574

Updated August 13, 2024

OWNER:

R & R Land, LLC
2416 E. 37th Street
Wichita, KS 67219

APPLICANT:

Napa Valley Museum
P.O. Box 3567
Yountville, CA 94599

APN: 027-150-001

ACREAGE: ±1.4 acres

GENERAL PLAN | ZONING: Agricultural Resource | Commercial Neighborhood

BACKGROUND

The subject property has been in commercial use since the mid 1950s. The southern building had been used for a grocery store and deli operations (Tripoli Market). A Certificate of Extent of Legal Nonconformity (#96472-CLN) was issued on April 15, 1997 to recognize the legal use(s) of the building as a one-story grocery/dry goods market consisting of 10,776 sf including a food preparation area, take-out deli and butcher/fish market sales. The CLN also recognized the use of shared parking areas located on the subject and adjoining parcels. Dean & DeLuca Market and Gary's Wines & Marketplace occupied the space in the past under the uses allowed by the CLN. PRESS Restaurant occupies the northern building on the parcel under a separate CLN.

LAND USE AND ZONING

The property is located on land designated for agricultural use (AR) in the General Plan, but the zoning, which includes commercial uses, dates back to the 1950's. It is zoned Commercial Neighborhood (CN). The Napa County General Plan polices AG/LU-102,103, 104 and 105 further define and recognize allowable uses. Specifically, AG/LU-103 states that "existing parcels zoned for commercial uses in the South St. Helena area as of February 1, 1990, shall be allowed to develop commercial uses and mixed residential-commercial uses which are permitted by the existing commercial zoning as if they were designated on the Land Use Map for these uses."

PROJECT DESCRIPTION:

Napa Valley Museum (NVM) is a 501c3 nonprofit organization founded in St. Helena in 1972. In 1998, NVM opened in the Town of Yountville under a land lease from the State of California on the grounds of the Veterans Home. The primary use of the space on the subject property will be for a nonprofit museum that would be open to the public. The museum would present rotating exhibitions and offer educational programs, similar to the current museum in Yountville.

While a museum is not listed as a "use permitted with a use permit" in the CN Zoning District, it meets the Napa County Code Section 18.08.497 definition of a "Quasi-public use." "Quasi-public use" means a use "serving the public at large and operated by a private entity under a franchise or other similar governmental authorization designed to promote the interests of the general public or operated by a recognized civic organization for the benefit of the general public." Section 18.120.010(B)9 allows "Quasi-public uses" in any zoning district upon the grant of a use permit.

The building will have two tenants. The museum will occupy a portion of the space; the remaining area will continue to be used as a market in a similar fashion as previous tenants on the property, albeit within a smaller footprint. Based on previous tenant operations, it has been difficult to

economically sustain a market within the entire building's footprint. The multi-tenant operation will allow for a sustainable market operations to serve the South St. Helena neighborhood area.

The market will be operated by an affiliate of PRESS Restaurant, doing business as Understudy. While the market use is consistent with the CLN, it is also a use permitted with a Use Permit (NMC 18.32.030). Staff has advised that it would be advisable to discontinue the market CLN and instead have the market operated under a use permit. The proposed use permit would allow both uses in the building and outdoor seating areas. Each tenant will have their own entrance, but they will share use of the restrooms, which will be available to customers. Similarly, each use will have access to storage areas.

The applicant seeks a use permit under these conditions. The historic use of the building as various markets/delis establishes a baseline level of use that the project will not exceed as described in the Wastewater Feasibility Study prepared by Norcal Engineering and the Traffic Trip Generation Report prepared by W-Trans. The project will reduce traffic trip generation in overall daily trips, AM and PM Peak Hour trips.

Building

The project proposes using the existing building for NVM while retaining the historic market use (existing for nearly 70 years) in a smaller footprint. The building is 10,733 sf (just under the sf described in the CLN). Existing uses allowed in the CLN include:

Existing Uses (under CLN)	sf
Market	7,880
Office	300
Bathrooms	350
Commercial Kitchen/Food Preparation	970
Storage (including refrigerated)	1,275
TOTAL	10,775

The project does not expand the building footprint. The project improvements are generally limited to changing the interior walls to create the museum area and decrease the existing market area. Note that current measurements of space are slightly different than the CLN. The major changes are the reduction in market area and addition of one bathroom. The additional bathroom already has plumbing in place, so was likely used as a bathroom in the past. The proposed uses are:

Proposed Uses	sf
Museum	6,272
Market	1,439
Office	389
Bathroom	464
Commercial Kitchen/Food Preparation	1,028
Storage (including refrigerated)	1,141
TOTAL	10,733

Fire Protection

Adequate water storage for fire protection is already in place and will serve the proposed use.

Parking

The onsite parking is for both this building and the building to the north (PRESS Restaurant). The restaurant opens at 5 p.m. when the museum closes for public entry. Parking is adequate to serve the project as evidenced by project studies concluding that intensity of use on the site will decrease under project conditions. No changes are proposed to the parking area.

Water Supply and Wastewater

The building is served by the City of St. Helena for water and an onsite septic system for wastewater. Norcal Engineering completed a Wastewater Feasibility Report and found that there is adequate wastewater capacity to serve the project.

Museum/Quasi-Public Use Description

The museum would be open 7 days a week from 10 a.m. to 10 p.m. but will close for public admission at 5 p.m. daily. Use of the museum after 5 p.m. would be limited to private use by invitation only, similar to other museum uses.

The museum area will include exhibition space, a welcome area, and a museum store. Exhibitions would rotate and be presented over a period of weeks or as long as a year, although most will last at least six months. The length of an exhibition depends on several variables, including logistics, cost, availability of loaned artworks, and anticipated public interest. The museum store will sell exhibition-related items as well as general books, art supplies, artworks and gifts.

The exhibition kitchen will be used to showcase kitchen equipment and other culinary items. Curated exhibitions will showcase specialty cookware, appliances and tableware—both historic and modern—arranged and managed by the market operator in consultation with NVM. The culinary exhibition areas at CIA COPIA is an exemplar, albeit at a much smaller scale. A large glass window will offer full view of this room from both the market and the museum. While there will be a door into this room from both the market and the museum, it will not be open to the public. A large glass window will offer visitors a full view of the kitchen. Any hands-on use of the exhibition kitchen will be for demonstration purposes only. No food prepared in this space will be served or sold to the public.

General patronage within the museum will likely serve no more than 105 people at a given time, although the average number of visitors over a year will likely be significantly less. The museum would host up to six larger programs per year for up to 200 persons, which is also supported by the project's Wastewater Feasibility Study. These larger programs would typically take place around an exhibition opening or a museum fundraising event.

The market and the museum will operate independently. Museum design includes all safety and security features and limitations on multiple access points is a key design feature. Therefore, all museum guests will enter and exit from the main museum door during public business hours. While the bathroom is a shared space, a museum guest will exit the museum and walk to the market entrance to use the restrooms during public hours of operation. The only time the interior doors would be open between the two uses would be when the market is closed to the public, after 5 p.m. or if a security guard is present.

NVM's Yountville location will continue to present exhibitions in three galleries, including "Land and People of the Napa Valley," a permanent history exhibition, and to house the over 15,000 items in its permanent collection evidencing the history and geology of the region. It is planned that history exhibitions will receive greater focus in Yountville, while local and regional artists will be featured in the downstairs "Spotlight Gallery." The new NVM location will be known as "The Napa Valley Museum of Art & Culture" or "the MAC," and focus on larger exhibitions of works by major artists or about figures and movements of cultural significance.

Market Description

The market will be open to the public 7 days a week from 7 a.m. to 5 p.m. Uses will be similar to the previous market uses, but on a smaller scale. The butcher counter will be open from 10 a.m. to 5 p.m. The market will offer grab-and-go items and the bakery and coffee bar will offer a selection of baked goods, coffee drinks and lunch items similar to its predecessors, Dean & Deluca and Gary's Wines & Marketplace. Access to the exhibition kitchen will allow for programming that integrates with the museum, but with accessibility from the market and commercial kitchen/food preparation area for support services.

The commercial kitchen serving the market will need to obtain a "high risk" permit for food preparation like the predecessor market operators (i.e., Gary's and Dean & Deluca) have obtained over the past 20+ years. The "high risk" permit will be a condition to the market's operation with respect to food service.

Signage

The existing signage on the building is subject to Comprehensive Sign Plan (CSP) (96639-S, as modified). Any new signage for the new tenants will conform to the CSP. Therefore, signs will be replaced within the standards already approved.