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Application for Status Determination Letter



Andrea A. Matarazzo

Partner

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direct: (916) 287-9502

March 25, 2019

Via Hand Delivery

David Morrison, Director
Napa County Planning, Building, and Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

Re: Application for Status Determination
Cain Vineyard & Winery, 3800 Langtry Road, St. Helena
Our File No. 5305-001

Dear Mr. Morrison:

This office represents Cain Cellars, Inc., dba Cain Vineyard & Winery, and on its behalf submits the enclosed status determination application pursuant to the Napa County Code Compliance Program, for review and acknowledgment of Cain's existing legal entitlements and permissible uses of its property. Cain is unique not only as a creator of three distinctive Cabernet blends reflective of its location at the crest of the Spring Mountain District, but as a vineyard and winery focused on classical winegrowing rather than tourism and marketing.

In accordance with its existing 1981 use permit, Cain is not open to the public for tours and wine tasting. Very limited visitation by appointment allows Cain's customers in groups of no more than four people (averaging 20 visitors per week) to experience educational vineyard walks and see where their wine grows. Cain has no tasting room and visitor appointments are focused – like the winery itself – on the winegrowing process. Marketing events are limited to two pick-up days (less than 100 guests each) and four private client educational events (less than 20 guests each) per year. The vast majority of Cain's wines (approximately 90%) are distributed through the wholesale system, online, and through allocations. Only about ten percent (10%) of Cain's wine sales are made directly to customers who visit the winery by appointment, and total annual visitation is far less than the permitted 1600. Cain hosts fewer visitors in the course of a year than some Napa County wineries see in an average week.

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Cain keeps detailed records which show that it operates in accordance with the terms of its existing use permit, as it has done for decades. Enclosed for your review in support of Cain's request for review and acknowledgment of its existing permitted uses are the following documents:

- Application for Status Determination and Deposit (\$1,500)
- Declaration of Christopher Howell, Wine-Grower and General Manager (with Exhibits)
- USB Drive with Digital Copies (PDF format) of Submitted Documents

Cain welcomes this opportunity to highlight its decades-long record of compliance with its use permit and believes that voluntary participation in the County's status determination process advances the interests of Napa County, its community of vintners, and Cain. Should you require additional information in support of Cain's application or if we may be of further assistance in your review, please do not hesitate to contact me.

Very truly yours,

PIONEER LAW GROUP, LLP

ANDREA A. MATARAZZO

AAM:sr
Enclosures



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

APPLICATION FOR STATUS DETERMINATION

ZONING DISTRICT: <u>Agricultural Watershed (AW)</u>	FOR OFFICE USE ONLY	Date Submitted: <u>March 22, 2019</u>
TYPE OF APPLICATION: <u>Status Determination</u>		Date Published: _____
REQUEST: <u>Review and acknowledge compliance with existing use permit.</u>		Date Complete: _____

TO BE COMPLETED BY APPLICANT			
(Please type or print legibly)			
PROJECT NAME: <u>Cain Vineyard & Winery</u>			
Assessor's Parcel #: <u>027-010-030-000</u>		Existing Parcel Size: _____	
Site Address/Location: <u>3800 Langtry Road, St. Helena</u>		<u>CA</u>	<u>94574</u>
<small>No.</small>	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip</small>
Property Owner's Name: <u>Cain Cellars, Inc.</u>			
Mailing Address: <u>3800 Langtry Road, St. Helena</u>		<u>CA</u>	<u>94574</u>
<small>No.</small>	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip</small>
Telephone #: () - -		Fax #: () - - E-Mail: _____	
Applicant's Name: <u>Cain Cellars, Inc. dba Cain Vineyard & Winery</u>			
Mailing Address: <u>3800 Langtry Road, St. Helena</u>		<u>CA</u>	<u>94574</u>
<small>No.</small>	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip</small>
Telephone #: <u>(707) 963-1616</u>		Fax #: () - - E-Mail: <u>Chris@CainFive.com</u>	
Status of Applicant's Interest in property: <u>owner</u>			
Representative Name: <u>Christopher Howell, General Manager</u>			
Mailing Address: <u>3800 Langtry Road, St. Helena</u>		<u>CA</u>	<u>94574</u>
<small>No.</small>	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip</small>
Telephone #: <u>(707) 963-1616</u>		Fax #: () - - E-Mail: <u>Chris@CainFive.com</u>	
<p>I certify that all the information contained in this application is complete and accurate to the best of my knowledge. I 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.</p>			
/s _____		/s _____	
<small>Signature of Property Owner</small>	<small>Date</small>	<small>Signature of Applicant</small>	<small>Date</small>
/s _____		<u>Christopher Howell, GM</u>	
<small>Print Name</small>		<small>Print Name</small>	

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES			
Application Fee \$ _____	Receipt No. _____	Received by: _____	Date: _____