

From: [Jonathan Collier](#)
To: [BOS Public Comment](#)
Subject: Fwd: Support Letter for Rincon del Rio
Date: Tuesday, May 11, 2021 12:50:05 PM
Attachments: [LWT Support Letter - Rincon Del Rio.pdf](#)

Dist 1

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

From: Jonathan Collier <[REDACTED]>
Date: Tue, May 11, 2021 at 12:42 PM
Subject: Support Letter for Rincon del Rio
To: <clerkofboard@co.nevada.ca.us>, Jeffrey Thorsby <Jeffrey.Thorsby@co.nevada.ca.us>, Christopher Ring <chris@ringconsulting.net>, Heidi Hall <Heidi.Hall@co.nevada.ca.us>, Ed Scofield <ed.scofield@co.nevada.ca.us>, Dan Miller <Dan.Miller@co.nevada.ca.us>, <sue.hoek@co.nevada.ca.us>, <hardy.bullock@co.nevada.ca.us>

Live Work Thrive NC

[REDACTED]

5/11/2021

Nevada County Board of Supervisors

950 Maidu Avenue
Nevada City, CA 95959

Dear Chair Miller and Members of the Nevada County Board of Supervisors,

We are writing to you in regards to the Board of Supervisors upcoming review and approval of the Rincon del Rio Project, and provide our support for the project. We are a coalition working to help solve our local housing crisis by coordinating with well established businesses, nonprofits, governmental agencies and neighborhoods.

Our mission: "We believe that all people who feel a deep connection to our community should have the ability to have a home, career, and culturally vibrant way of life here in Nevada County. It is our mission to provide solutions for achievable housing, economic vitality, and a soul satisfying lifestyle. Our goal is to preserve our

historic rural character and enrich our culture of creativity and innovation, while ensuring our quality of life.”

We believe the Rincon del Rio Project provides many benefits for our local senior residents. The following are two of the most prominent benefits we would like to bring to the attention of the Planning Commission and City Council:

Helping Solve the Housing Shortage:

California has been suffering from a drastic housing shortage, which has been mirrored in our local community. As we find our community in a time of economic uncertainty, we need to urgently find solutions to secure homes for everyone in our community. The Rincon Del Rio Project will add a total of 345 homes for our senior residents, and in turn will free up additional local housing inventory.

Quality of Life:

As more people in our community face health concerns or loss of a loved one, the need to downsize from large out-of-town acreage estates to smaller residences closer to amenities continues to grow. These homes are in close proximity to Higgins Corner and the new Holiday Market Shopping Center which has all the daily amenities needed including a pharmacy, gas station, multiple restaurants and the Fire Station.

The Rincon Del Rio Project total size is 215 acres, with 167 acres remaining open space surrounding the development. This open space will include walking trails, community gardens, and recreational areas. It also includes an onsite village center with commercial services, increasing the walkability and self sufficiency of the community.

Conclusion:

Through our outreach in the community, conversing with business leaders, elected officials, executive directors of nonprofits, and most importantly the general public, we have found strong support for the Rincon Del Rio Project. It is a step in the right direction to solving our local housing crisis and provides homes that have the ability to increase the overall quality of life. These elements align with the core values of our coalition, and we fully support the approval of the Rincon Del Rio Project.

Sincerely,

Jonathan Collier & Chris Ring
Founding Member Founding Member
Live Work Thrive NC Live Work Thrive NC

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Live Work Thrive NC
[REDACTED]
[REDACTED]
[REDACTED]

5/11/2021

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Sincerely,

Jonathan Collier
Founding Member
Live Work Thrive NC

&

Chris Ring
Founding Member
Live Work Thrive NC

From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM
Date: Tuesday, May 11, 2021 9:33:04 AM

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[SpeakUp](#)

Dist 2

New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Joseph Coppin submitted a new eComment.

Meeting: Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Item: 11. SR 21-0313 Public hearing to consider the Nevada County Planning Commission's March 25, 2021, 5-0 vote, recommending that the Nevada County Board of Supervisors approve a combined application for a Use Permit (CUP19-0010) to amend the Comprehensive Master Plan and revise the Tentative Final Map Subdivision Map (TFM19-0008), which was approved to facilitate the development of the subject parcels as a 345 Unit, Continuing Care Retirement Community know as Rincon del Rio, originally approved on April 9 2013 by the Nevada County Board of Supervisors (EIR10-001, ORD09-002, GP11-001, GP11-002, Z10-003, FM09-001, U09-007, MGT09-008, MI10-010).

eComment: I oppose this sweeping change i. It would allow for individual fee title ownership of 221 parcels ranging in size from 1300 square feet to 1500 square feet. Such tiny lots represent too radical a shift in the Plan Second, I object to the apparent lack of control over the management of the planned development of this project. There are simply not enough safeguards in place to assure that the original intentions of the proposed CCRC will ever be fulfilled.

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From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM
Date: Tuesday, May 11, 2021 9:32:46 AM

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[SpeakUp](#)

Dist 2

New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Margaret Mason submitted a new eComment.

Meeting: Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Item: 11. SR 21-0313 Public hearing to consider the Nevada County Planning Commission's March 25, 2021, 5-0 vote, recommending that the Nevada County Board of Supervisors approve a combined application for a Use Permit (CUP19-0010) to amend the Comprehensive Master Plan and revise the Tentative Final Map Subdivision Map (TFM19-0008), which was approved to facilitate the development of the subject parcels as a 345 Unit, Continuing Care Retirement Community know as Rincon del Rio, originally approved on April 9 2013 by the Nevada County Board of Supervisors (EIR10-001, ORD09-002, GP11-001, GP11-002, Z10-003, FM09-001, U09-007, MGT09-008, MI10-010).

eComment: I oppose. The language "modified project" suggests the same project with changes. Not so when 4 parcels would become 102 individually owned single family residence parcels plus 221 individually owned condominiums etc, and a CCRC in ADDITION. Result would be bait and switch, made more so by the issue of poor public outreach, an example being lack of noticing of this hearing to neighbors who would see and hear and be further impacted by these not small changes

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From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM
Date: Tuesday, May 11, 2021 8:48:18 AM

Dist 2

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[SpeakUp](#)

New eComment for Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Erin Coppin submitted a new eComment.

Meeting: Board of Supervisors May 11, 2021 Afternoon Session 1:30 PM

Item: 11. SR 21-0313 Public hearing to consider the Nevada County Planning Commission's March 25, 2021, 5-0 vote, recommending that the Nevada County Board of Supervisors approve a combined application for a Use Permit (CUP19-0010) to amend the Comprehensive Master Plan and revise the Tentative Final Map Subdivision Map (TFM19-0008), which was approved to facilitate the development of the subject parcels as a 345 Unit, Continuing Care Retirement Community know as Rincon del Rio, originally approved on April 9 2013 by the Nevada County Board of Supervisors (EIR10-001, ORD09-002, GP11-001, GP11-002, Z10-003, FM09-001, U09-007, MGT09-008, MI10-010).

eComment: The currently proposed changes, including allowing RDR to create + sell single-owner lots, reducing the term of the development agreement, and changing the phases of development to stall the medical and community benefits, all erode critical commitments made by the developer in the original approval, and pave the path for the developer to abandon the care facility scheme entirely once they've sold their lots. Please don't allow another developer to line their pockets at our community's expense.

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From: noreply@granicusideas.com
To: [BOS Public Comment](#)
Subject: New eComment for Nevada County Board of Supervisors May 11, 2021, Meeting
Date: Tuesday, May 11, 2021 2:25:56 AM

Dist 2

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[SpeakUp](#)

New eComment for Nevada County Board of Supervisors May 11, 2021, Meeting

John Marlow submitted a new eComment.

Meeting: Nevada County Board of Supervisors May 11, 2021, Meeting

Item: 11. SR 21-0313 Public hearing to consider the Nevada County Planning Commission's March 25, 2021, 5-0 vote, recommending that the Nevada County Board of Supervisors approve a combined application for a Use Permit (CUP19-0010) to amend the Comprehensive Master Plan and revise the Tentative Final Map Subdivision Map (TFM19-0008), which was approved to facilitate the development of the subject parcels as a 345 Unit, Continuing Care Retirement Community know as Rincon del Rio, originally approved on April 9 2013 by the Nevada County Board of Supervisors (EIR10-001, ORD09-002, GP11-001, GP11-002, Z10-003, FM09-001, U09-007, MGT09-008, MI10-010).

eComment: There are good places to develop, and there are bad places to develop. This sounds like a death trap to have 415 senior citizens entering and exiting HWY 49 without a stoplight. They advertise a farm, a market, restaurants, a business center, pools, visitors, medical staff, housekeepers, cooks, waiters, gardeners, management, ambulances, and more daily commuters. Turning left, they're crossing 2 lanes of oncoming traffic where people frequently drive 70-75 mph. A traffic study is needed.

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From: [Matt Kelley](#)
To: [Julie Patterson-Hunter](#)
Cc: [Brian Foss](#)
Subject: FW: KNCR Rincon del Rio BOS Meeting Comments 5-11-21
Date: Wednesday, May 12, 2021 7:51:58 AM

Dist 2?

Good Morning Julie:

We received the below email from Karen Abbott during the Board of Supervisors meeting yesterday. I believe that it is the same one that she had sent in earlier yesterday morning.

Thanks,

Matt Kelley
Senior Planner



Planning Department
County of Nevada
Community Development Agency

950 Maidu Ave. Suite 170
PO Box 599002
Nevada City, CA 95959-7902

office 530.265-1423
<https://www.mynevadacounty.com/512/Planning-Department>

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I am out of the office every other Friday as follows: 2/19, 3/5, 3/19, 4/2/, 4/16, 4/30, 5/14, 5/28...

BUILDING CLOSURE NOTICE:

The Customer Service Counter for Nevada County CDA is now open by appointment only. Appointment times are available Tuesday through Thursday, at 1:00 pm, 2:00 pm, and 3:00 pm. To schedule an appointment with staff please contact us at least a day in advance at 530-265-1222 Option 2 or planning@co.nevada.ca.us. If you have any questions about our services, please contact us by email at planning@co.nevada.ca.us or by phone at 530-265-1222 Option 2.

-----Original Message-----

From: Karen M. Abbott [REDACTED] >
Sent: Tuesday, May 11, 2021 3:11 PM
To: Matt Kelley <Matt.Kelley@co.nevada.ca.us>
Cc: Kit Elliott <kit.elliott@co.nevada.ca.us>; Rhett VanderPloeg <Rhett.VanderPloeg@co.nevada.ca.us>
Subject: Fwd: KNCR Rincon del Rio BOS Meeting Comments 5-11-21

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Sent from my iPhone

>>

>> Esteemed Supervisors,

>>>> I am here today to implore you all to seriously consider compelling the developer of the proposed Rincon del Rio project to abide by the 2013 Settlement Agreement between KNCR, Nevada County and Young Enterprises, which was signed in good faith by all parties.

>>>

>>>> That lawsuit was undertaken not to stop the project from being built, but to insure that the Rincon del Rio development that eventually was built remained the same full service Continued Care Retirement Community (CCRC) that was advertised and approved from 2009-2013.

>>>

>>>> The previously approved Rincon del Rio CCRC allowed for seniors 55 and older to pay an entrance fee to join the community and live out the remainder of their lives without having to deal with “home ownership” responsibilities and expenses. Most importantly those seniors would never have to suffer the stress or expense of tedious real estate transactions each time they needed to move within the continued care community as they aged and their abilities and needs changed.

>>>

>>>> If you compare the project that was approved in 2013 with the project currently proposed you will see that it is not the same community. They tout the same 345 unit count and 415 population density, but the proposed amendments turn the development from an age-in-place Continued Care Retirement Community (CCRC) into an active 55+ Senior Living Retirement Community (SLRC).

>>>

>>>> That entrance fee based (care-free) element was heavily advertised and promoted as the most essential and beneficial feature of a CCRC environment. The previous Board was led to believe that the CCRC designation was worthy of being inserted into the Nevada County General Plan and allowed within the very sensitive rural areas of our County because it would “provide essential Senior housing while reducing excessive subdivision within rural zones.”

>>>

>>>> The proposed amendments attempt to subdivide the project into 323 fee-simple parcels, rather than the previously approved 14 corporation owned/controlled parcels, thereby subjecting residents of the community to the same “home ownership” related responsibilities CCRCs were originally created to alleviate. The proposed amendments are in no way minor changes, are profit based and are not in the best interest of Nevada County seniors.

>>>

>>>> Along with attempting to remove the entrance fee based (care-free) element, they are also attempting to remove the assisted living, hospice and skilled nursing elements that are so crucial within all full service CCRCs, and which Rincon del Rio was advertised and approved based on. The developer’s architect admitted during the Planning Commission meeting that there was no assisted living element within the proposed community. He said “residents could hire in-home care and then go to the Memory Care facility if they needed it.” That is NOT a legitimate Assisted Living element, and certainly not what was approved in 2013. The settlement agreement specifically states the development must be a CCRC...a Continued Care Retirement Community.

>>>

>>>> In order to qualify as a CCRC the developer should be required to “officially” change the 22 unit/88 bed memory care unit to an assisted living/memory care/hospice facility with all related previously approved amenities (skilled nursing, 4000 sq ft kitchen/dining facility etc. all included within the “lodge” structure as was also previously approved. That does not mean simply adding the

words Assisted Living to the title of the remote rectangle on the map with 88 dots on it.

>>>

>>>>> The county must also require the developer to provide a valid floor plan of all floors/functions of the assisted living/memory care/hospice facility, not a blank rectangle with 88 dots on it with a "TBD" caveat. A legitimate floor plan is the only way for the developer to justify the 1.2 person factor for the project and for the county to enforce what is actually proposed. There must be a best estimate floor plan required. Blank rectangles with dots are unenforceable and therefore unacceptable. All 5 lodges in the previously approved RDR project included floor plans, and so should the single lodge in the currently proposed RDR facility.

>>

>>>>> We request the Board to please require the addition of a legitimate assisted living, memory care and hospice facility including skilled nursing back into the proposed project along with a valid enforceable floor plan of that facility as conditions of any approval of the proposed amendments.

>>>

>>>>> To qualify as a full fledged CCRC the "lodge" facility should also encompass approx 30% of the project's population which equates to approx 103 units (the majority being single occupancy) in order to justify their 1.2 per person population density statute.

>>>>> All 4 CCRC examples the developer's architect utilized in an attempt to justify that very low 1.2 population density factor to the Planning Commission have at least a 30% assisted living/memory care/hospice element within them, and they include all amenities within a central building (lodge) within the assisted living, which further justifies that very low 1.2 factor. The proposed RDR does not.

>>>

>>>>> The majority of assisted living units are single occupancy and house persons 75+ years of age, the majority of those well over 80 years of age. It is important to note that seniors aged 75 and older residing in an actual assisted living facility impact the environment far less than seniors 55-74 years of age, especially with regard to traffic and noise. Those are the most important factors with regard to the 1.2 population density statute.

>>>

>>>>> We suggest that the developer could meet this 30% demographic requirement by deleting the proposed 24 rental units and the "open air" condos over retail units located in the center of the development from the project as neither were included in the originally approved RDR project. The businesses currently proposed below the open-air condos could then instead reside within the assisted living/memory care/hospice lodge as they were in the previously approved project. That would allow the unit count for all of those independent living units and the attached businesses to count towards the 103 assisted living units.

>>>

>>>>> The lodge should also be relocated back into the center of the community where the condos over retail units are currently proposed, not isolated at the entrance of the project. The isolation of the elderly portion of the community at the outskirts of the younger community changes the project from the care-free all-inclusive age-in-place Rincon del Rio CCRC that was previously approved into a Sun City style active 55+ senior community with a memory care facility next door to it.

>>>>> As currently proposed, if seniors within RDR want or need to live in an actual assisted living environment with all amenities included within it they would have to move out of the development

to do so, and likely out of Nevada County.

>>

>>>> Also very important, construction of the “lodge” and all of the “village center” amenities should be started in Phase 2 as was previously approved and completed no later than phases 4-6 so that the “assisted living” demographic and related support services are actually included in the development before the 415 population cap is exhausted.

>>

>>>> For us, the assisted living element is the most important part of the project. Without it the development does not qualify as a CCRC. Our settlement agreement states throughout it that the project must remain a CCRC. The proposed project is not a CCRC (Continued Care Retirement Community)...it is an SLRC (Senior Living Retirement Community) and the developer now even describes it as such on her website.

>>>

>>>> It is very important to us that you understand we are NOT trying to stop the project. We are aware the County is desperate for housing. We would welcome the full-service all-inclusive Rincon del Rio CCRC that was previously approved and feel it would be a very positive addition to our County. Our goal once again is to insure that Rincon del Rio is built as that legitimate Continued Care Retirement Community (CCRC) that will allow seniors 55 years and older to age-in-place safely and comfortably the rest of their lives, without ever having to move out of the community if they need a legitimate assisted living, memory care or hospice environment with all of the amenities, as was previously approved and settled upon.

>>>

>>>> Please do what you can with the power bestowed upon you to help assure the Rincon del Rio project is what is best for our seniors aged 55 - 100+ and for the surrounding communities.

>>>

>>>> We hope you will listen to us and work with us to avoid future litigation caused by any approvals that would breach the 2013 Settlement Agreement.

>>

>>>

>>>> Written in condensed format for comment period time constraints from a more detailed correspondence sent earlier 5/11/2021 from Karen Abbott for KNCR to be read by William Abbott at the 5/11/2021 Nevada County Board of Supervisors Meeting.

>>>> 916-600-9470

>>>> kmabbott@mac.com

Please include this correspondence along with the one sent at 5:27 am May, 11 2021 into the permanent record regarding the Rincon del Rio development project.

Once again I apologize for the lack of a clean word document as I currently have very limited internet capacity out of state and can only correspond with a very small cell phone.

I will send these same correspondences as Word documents in all black font when I return home. Thank you in advance for accepting these sub-standard documents and the official documents soon to follow.

Best regards,
Karen Abbott