

DATE 5/14/10

LATE DISTRIBUTION

2850 Fairlane Court Placerville, CA 95667

http://www.edcgov.us/planning

Phone: (530) 621-5355 Fax: (530) 642-0508

MEMORANDUM

DATE:

May 14, 2010

TO:

Board of Supervisors

FROM:

Char Tim, Clerk to the Planning Commission

SUBJECT:

Board of Supervisors May 18, 2010, Meeting/Item #29-DOT Business Drive

Purchase

At their May 13, 2010, meeting, the Planning Commission heard item GOV10-0005 for a Finding of General Plan Consistency on the acquisition of real property and proposed animal shelter facility. This item was pulled from the Consent Calendar and public testimony was heard on the item. By a vote of 5-0, the item was found to be consistent with the General Plan and the draft minutes from that meeting are attached.

Although the item before the Planning Commission was for a Finding of General Plan Consistency, many public letters were received in opposition of the animal shelter facility. Therefore, those letters are being forwarded to the Board during your review.

If you have any questions, please contact our office. Thank you.

Attachments

cc:

Paula Frantz, County Counsel office

Russell Nygaard, DOT Gayle Erbe-Hamlin, CAO Laura Schwartz, CAO office

FROM THE PLANNING COMMISSION MINUTES OF MAY 13, 2010

- 4. <u>CONSENT CALENDAR</u> (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)
- b. <u>Finding of General Plan Consistency</u>: GOV10-0005 submitted by EL DORADO COUNTY for a Finding of General Plan Consistency pursuant to Government Code Section 65402 for the acquisition of real property and proposed animal shelter facility. The property, identified by Assessor's Parcel Number 109-480-21, consisting of 5.11 acres, is located on the south side of Business Drive, north of Southern Pacific Railroad right-of-way in the Barnett Business Park, in the Shingle Springs area, Supervisorial District II. [Project Planner: Mike Baron]

Staff Recommendation: Find request consistent with the General Plan

Commissioner Heflin pulled the item from Consent Calendar for discussion. Mike Baron presented the item to the Commission with a recommendation to find the request consistent with the General Plan.

Pierre Rivas commented that this item was before the Commission for review of consistency with the General Plan in accordance with Government Code Section 65402 and that the Board of Supervisors would be taking action on the item if it moved forward. He also stated that the County was circulating a draft Negative Declaration and the public comment review period was April 23 – May 12, 2010. Mr. Rivas requested that the Commission ask the audience to restrict their comments to the Finding of Consistency of the General Plan and not on the project itself as there will be separate hearings with the Board of Supervisors on that. Chair Rain reiterated Mr. Rivas's comments to the audience.

There was discussion between Commissioner Pratt and staff as to whether Public Facilities was required, instead of Industrial. Mr. Rivas stated that an animal shelter facility, which is what is being proposed, clearly fits within Industrial and is not required to be "Public Facilities".

Commissioner Mathews stated that he does not like approving General Plan consistency requests without an actual project attached.

County Counsel Paula Frantz informed the Commission that the County has submitted an offer that is contingent on the hearing of the acquisition of the property by the Board of Supervisors which has been noticed for their May 18, 2010, meeting. She stated for today's hearing, the Commission needed to review and determine if the acquisition of the property for use as an animal shelter facility would be consistent with the General Plan.

Bill Wilde stated that per discussion with staff this week, he was led to believe that the public comment period for the Negative Declaration had not yet been opened and now was just informed that it ended yesterday. He made the following comments as to why the request cannot be found consistent with the General Plan: (1) Site is not appropriate as it will have unacceptable impacts to the two nearby neighborhoods (General Plan Policy 2.2.5.2.1); (2) Noise levels will be unacceptable (General Plan Objective 6.5.1); and (3) Previous approval of expansion of

business park was inconsistent and makes the request unacceptable. Mr. Wilde encouraged the Commission to send the item back to staff for further review.

County Counsel Frantz commented that County operations need to be consistent with the General Plan but that they are not subject to the Zoning Ordinance.

Jim Shook/representative for the Milton Ranch residents stated that this was not an appropriate site and submitted a petition opposing the project.

Mike Kenison said that the business park is a good neighbor, especially at night and is concerned that the dogs will be barking during that time. He spoke with the County's Chief of Animal Services, Mr. Brzezinski, who indicated that the dogs would be inside at night but that there would be outside pens for farm animals. Mr. Kenison is concerned what this project may eventually morph into.

Jules Napoli said that he was surprised that the business park was rezoned to Industrial and felt that the area had been set up as a dump.

Hope Leja, General Manager of the Cameron Estates Community Services District, stated that the community was developed in 1959 and at that time there wasn't any Industrial zoned parcels nearby and since then that zone has been placed all along their borders. She felt that this type of action had not considered the residents in the surrounding area.

Commissioner Pratt felt that from the land use perspective, the request was consistent but he questioned the site selection as it is on the outer edge of the business park instead of being more centrally located with the business park.

Commissioner Mathews indicated that he was quite familiar with the business park and it is consistent with the Industrial zone, as is the animal shelter facility. He felt that the site itself should perhaps be mitigated due to the potential noise level of an animal shelter facility.

Commissioner Tolhurst indicated that an animal shelter facility belongs in an Industrial zone district.

Commissioner Heflin encouraged the public to follow this project to the Board of Supervisors level as the Commission can't hear what they have to say and he commended them on the large turnout.

There was no further discussion presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (5-0), to find the request consistent with the General Plan.

AYES: Mathews, Tolhurst, Pratt, Heflin, Rain

NOES: None

S:\DISCRETIONARY\GOV\2010\GOV\10-0005 County Animal Shelter\GOV\10-0005 Minutes 05-13-10.doc

April 30th, 2010

County of El Dorado Planning Commission Developmental Services Department 2850 Fairlane Court Placerville, CA. 95667 MAY I AM II: 52
RECEIVED
PLANNING DEPARTMENT

Reference: GOV10-0005 / Acquisition of real property and animal shelter facility in Barnett Business Park / Your Notice of Public Hearing on May 13th, dated April 21, 2010.

Dear Sirs;

We are writing to voice our very strong objection to the thought of placing an Animal Shelter in Barnett Business Park. If in fact you are referring to the only building currently existing on the south side (the newer portion) of Business Drive and north of the Southern Pacific Railroad right-of-way, this location is obviously very close to numerous residential properties in Milton Ranch / Barnett Estates, directly to the south of the railway. Many of these homes look directly onto the building you describe. An animal control facility, with barking dogs at all hours of the night and day, would deny the residents in the local area the right to the peaceful enjoyment of their own property. Further, residents could realize an even further decline in property values due to a noisy animal shelter being located in the immediate neighborhood.

An animal shelter needs to be well away from any residential properties as the noise of barking dogs travels a long distance, especially at night. Politics aside, there are any number of areas in our county that would be excellent sites for an animal control facility. As it is residents of Milton Ranch / Barnett Estates, to the immediate south of Business Drive and the other residential areas that surround the east and west sides of the business park, already endure more than enough noise during daylight hours.

Please note that we will have no choice but to fight this proposal as long as is needed, in order to preserve our right to quietly enjoy our own property in El Dorado County.

Raline K. Gust

April 30th, 2010

County of El Dorado Planning Commission **Developmental Services Department** 2850 Fairlane Court Placerville, CA. 95667

10 MAY 10 PM 1:08 RECEIVED PLAINING DEPARTMENT

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Sincerely;

JULA PETTALA 5389 MIHTON LANGH RUND SHINGLE APRINGS, CA 95682

REVISED
4:14 pm, May 14, 2010

---- Forwarded by Michael C Baron/PV/EDC on 05/12/10 10:05 AM ----

Planning/PV/EDC

Sent by: Thomas R Purciel/PV/EDC

To Michael C Baron/PV/EDC@TCP

CC

05/10/10 08:35 AM

Subje Fw: May 13 Meeting: Support for Animal Services

ct Relocation to Burnett Park

Joe or Barbara Bania <jbbfishers@yahoo.co

m>

To planning@edcgov.us

111-

cc bldgdept@edcgov.us

05/06/2010 07:29 PM

Subje May 13 Meeting: Support for Animal Services

ct Relocation to Burnett Park

Dear Commissioners and Building Department Staff,

I have been a resident of EDC/Shingle Springs(Cameron Estates) for 32 years. During that time I have had several occasions to visit the Animal Services facilities at their various locations. I fully support the proposal to relocate Animal Services to what will be a larger and hopefully permanent facility. Concern was expressed to me by a few acquaintances that it would be noisy and smelly, especially if it houses larger animals. Never have the prior facilities been "smelly" when I've visited, and I don't anticipate it would be any "smellier" than the privately owned horse pastures here in Cameron Estates. As for the noise, I don't think the shelter animals will contribute much, if any, that would be significant enough to disturb local residents (unless, like me, they feel very sorry for the lost or homeless animals). Since the shelter will be so close to me, I hope to volunteer to help with the care of the animals.

s/Barbara Bania PO Box 1818 Shingle Springs, CA 95682-1818



<lboyes@prodigy.net>
05/08/10 09:48 AM

To <mike.baron@edcgov.us>

CC

bcc

Subject Project Inquiry - GOV 10 0005 - EDC ANIMAL SHELTER

Hello Michael,

I live on Milton Ranch Road which backs up to Barnett Business Park. I strongly object to having and Animal Shelter back up to my neighborhood. While the Barnett Business Park location may be consistent with the General Plan, the site is not appropriate for this specific use, a noisy Animal Shelter. This is a rural county, there is a better location somewhere that doesn't back up to residential areas.

Thanks for your understanding, Lynnee Boyes



<jlofranco@yahoo.com>
05/08/10 01:47 PM

To <mike.baron@edcgov.us>

CC

bcc

Subject Project Inquiry - GOV 10 0005 - EDC ANIMAL SHELTER

We are strongly against the purchase of the building located in Shingle Springs for an animal shelter. An animal shelter should be located in area that is surrounded by all commercial and warehouses, like the Sacramento facility. An animal shelter should never be near a residential neighborhood.

There has to be a better location in El Dorado County for the facility. Near a residential neighborhood is not acceptable. We would hear dogs barking from our home and it would be especially bad at night when we are quiet of our home.

JoAnn & Dominick LoFranco

Michael C Baron/PV/EDC

05/11/10 01:20 PM

To Charlene M Tim/PV/EDC@TCP

cc Pierre Rivas/PV/EDC@TCP

bcc

Subject Fw: GOV10-005 May 13, 2010 Planning Com. Agenda

Hi Char.

Can you please add this to the record?

Mike

---- Forwarded by Michael C Baron/PV/EDC on 05/11/10 01:19 PM -----



Hope Leja <cecsd@sbcglobal.net> 05/11/10 01:15 PM

To Tom Heflin <tom.heflin@edcgov.us>, Walter Matthews <walter.matthews@edcgov.us>, Dave Pratt <vineyard@dkcellars.com>, Lou Rains <lou.rain@edcgov.us>, Alan Tolhurst <alan.tolhurst@edcgov.us>

cc michael.baron@edcgov.us, Ray Nutting <boxtwo@edcgov.us>

Subject GOV10-005 May 13, 2010 Planning Com. Agenda

Dear Planning Commissioners:

Re: GOV10-005 Finding of General Plan Consistency for County Animal Shelter Facility, Planning Commission Agenda May, 13, 2010.

I am the General Manager of Cameron Estates Community Services District. We are located adjacent to Barnett Business Park on the west side of the proposed Animal Control facility site. There are residential communities to the west, east and south of the proposed site.

I am writing to you to voice the concerns of our community regarding the location of the El Dorado County Animal Shelter facility. I have received several communications from our residents regarding their concerns of noise emanating from the facility, particularly from barking dogs and livestock noises. The residents would prefer that the facility be located in an area more appropriate for a facility like this- away from residential areas. They are concerned that their quality of life would be dramatically altered by the incessant barking of the poor dogs; that windows could not be opened, outside activities would be affected, and sleep would be disturbed. They are also concerned about their reduced property values—who would buy a home in our community knowing they are next door to this facility and subject to the noise?

That being said, if the proposed facility is approved for this location, the residents would like to be assured that steps will be taken to prevent the sounds of the facility from being heard from the outside and reaching the surrounding communities. Such measures would

include all indoor housing for the animals, no outdoor access for animals except for brief periods, extra sound proofing of the facility, placing administrative office space on the outer perimeter of the building and the animal facility in the center as a noise buffer, no outdoor cages for people to drop off animals to be left overnight, etc.

Unfortunately, due to previous planning decisions and the failure of the developer to be held responsible to the original conditions of approval of the development of Barnett Business Park, we have been subjected to noise, lighting, odors, drainage issues and traffic from the existing businesses that occupy the business park. (These issues are still being addressed by our district with the involvement of DOT and our County Supervisor).

Our community was first developed in 1959. Since that time we have been battling to keep industrial areas from encroaching upon our community, however we are now surrounded. Please, as responsible planning commissioners, protect these surrounding residential communities from incompatible use of the properties in Barnett Business Park. Thank you.

Sincerely,

Hope Leja

General Manager/Secretary Cameron Estates Community Services District (530) 677-5889

RECEIVED
PLANNING DEPARTMENT

April 30th, 2010

County of El Dorado Planning Commission Developmental Services Department 2850 Fairlane Court Placerville, CA. 95667

Reference: GOV10-0005 / Acquisition of real property and animal shelter facility in Barnett Business Park / Your Notice of Public Hearing on May 13th, dated April 21, 2010.

Dear Sirs;

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Please note that we will have no choice but to fight this proposal as long as is needed, in order to preserve our right to quietly enjoy our own property in El Dorado County.

Sincerely:

Cc: Ray Nutting, Supervisor, Supervisorial District II, El Dorado County

Marin Oxomero

April 30th, 2010

10 MAY -6 AM 11:40

County of El Dorado Planning Commission Developmental Services Department 2850 Fairlane Court Placerville, CA. 95667

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Sincerely:

Gin Shook.
677-5199
Cc: Ray Nutting, Supervisor, Supervisorial District II, El Dorado County

May 5, 2010

County of El Dorado Planning Commission Developmental Services Department 2850 Fairlane Court Placerville, CA. 95667 10 MAY -6 AM II: 40

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Please note that our community will have no choice but to fight this proposal to preserve our right to quietly enjoy our own property in El Dorado County.

Sincerely,

Tuw S. Cowly
Teresa G. Crowley

5450 Milton Ranch Road

Shingle Springs, CA 95682

10 MAY -6 AM II: 40 RECEIVED PLANNING DEPARTMENT

April 30th, 2010

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Ray Myero

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Cc: Ray Nutting, Supervisor, Supervisorial District II, El Dorado County

DESCRIVED NAMED OF THE RESTAURANT OF THE RESTAUR

(handed out at PC 5/13/10 meeting) #4.6.

April 30th, 2010

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Julius P. & Meghout Napoli

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Sincerely;

38 HOMES / 75+ 12ESIDENTS

To the County of El Dorado Planning Commission and El Dorado County Board of Supervisors:

Distlibuted at

PC 5/13/10 #4.6

We the undersigned residents of Milton Ranch strongly object to the placing of a County Animal Shelter in Barnett Business Park (GOV10-0005). Our neighborhood, as well as 2 other residential areas and an apartment complex, abut Barnett Business Park. We spoke to neighbors of the Sacramento County Animal Shelter, after which the proposed shelter will be designed, and they common that they frequently hear the Animal Shelter dogs throughout the day. We believe the 24 hour per day, 7 days per week noise pollution will significantly degrade our rural lifestyle. We also believe the placement of a County Animal Shelter in our backyard will further reduce the value of our homes.

We respectfully beseech you to find a more rural and/or industrial site for the new County Animal Shelter that does not abut residential areas. While the Barnett Business Park location may be consistent with the General Plan, the site is not appropriate for this specific use, a noisy Animal Shelter.

Şignature //	Lot#	Last Name	First Name	Address	City	State	Zip
Drec arus	29	Arico	Greg & Kris	5631 Milton Ranch Rd.	Shingle Springs	CA	95682
	43	Baker	Barry & Anne	5343 Milton Ranch Rd.	Shingle Springs	CA	95682
In Bank	, 54	Barnes	Jess & Mary	5320 Milton Ranch Rd.	Shingle Springs	CA	95682
BUNDAIN.	2 2	Beaudu	Sue	5451 Milton Ranch Rd.	Shingle Springs	CA	95682
	9	Bidigare	George & Glenda	5031 Barnett Loop	Shingle Springs	CA	95682
	30	Blodgett	Richard & Cindie	5649 Milton Ranch Rd.	Shingle Springs	CA	95682
PD Marke	12	Boehlje	Robert	5071 Barnett Loop	Shingle Springs	CA	95682
Juneil Bon	4 1	Boyes	Bob & Lynnee	5471 Milton Ranch Rd.	Shingle Springs	CA	95682
(Howley)	16	Brekke	Dwayne & Elaine	5125 Barnett Loop	Shingle Springs	CA	95682
July I Coul	56	Crowley	Jon & Teresa	5450 Milton Ranch Rd.	Shingle Springs	CA	95682
- Commercial Commercia	62	Dyer	Kevin & Kim	5737 Milton Ranch Rd.	Shingle Springs	CA	95682
De Luis Patrala	4	Estrada	Jose & Nancy	5411 Milton Ranch Rd.	Shingle Springs	CA	95682
<u> </u>	36	Gastman	Craig and Raelene	5242 Remuda Court	Shingle Springs	CA	95682
Quei Shy.	48	Gilroy	Ross & Julie	5225 Milton Ranch Rd.	Shingle Springs	CA	95682
Thank Doldon	3	Goldsmith	Mark & Andrea	5431 Milton Ranch Rd.	Shingle Springs	CA	95682
Barbin	38	Greene	Larry & Paulette	5230 Remuda Court	Shingle Springs	CA	95682
210 Minus	6	Gubbins	Don & Nancy	5080 Barnett Loop	Shingle Springs	CA	95682
Jan Jan Jan	39	Holbrook	Terry & Donna	5261 Remuda Court	Shingle Springs	CA	95682
Croamus Keruson	33	Kenison	Mike & JoAnne	5761 Milton Ranch Rd.	Shingle Springs	CA	95682
The solid to was	22	Kok	Barthus & Marie	5513 Milton Ranch Rd.	Shingle Springs	CA	95682
Denis Selle	27	LaCalle	Dennis & Jill	5605 Milton Ranch Rd.	Shingle Springs	CA	95682
W A	63	LaFrance	Rick & Carolyn	5180 Remuda Court	Shingle Springs	CA	95682
Depresion to be	<u>4</u> 19	LoFranco	Dominick& JoAnn	5177 Barnett Loop	Shingle Springs	CA	95682
7739117	40	Lommori	Dave & Pam	5239 Remuda Court	Shingle Springs	CA	95682
MAIELLO	37	Maiello	Doug & Anne	5226 Remuda Court	Shingle Springs	CA	95682
	20	Marchand	Mike & Paula	5191 Barnett Loop	Shingle Springs	CA	95682
Les Milah	61	Milanowski	Len & Michele	5681 Milton Ranch Rd.	Shingle Springs	CA	95682
Jest Mills	14	Miles	Ray & Connie	5093 Barnett Loop	Shingle Springs	CA	95682
moannemuts	51	Milton	Mike & Susanne	5250 Milton Ranch Rd.	Shingle Springs	CA	95682
No. soi . O' I WO'	42	Muller	Charles & Donna	5178 Remuda Court	Shingle Springs	CA	95682
CAMER	46	Myers	Ray & Evry	5275 Milton Ranch Rd.	Shingle Springs	CA	95682

To the County of El Dorado Planning Commission and El Dorado County Board of Supervisors:

We the undersigned residents of Milton Ranch strongly object to the placing of a County Animal Shelter in Barnett Business Park (GOV10-0005). Our neighborhood, as well as 2 other residential areas and an apartment complex, abut Barnett Business Park. We spoke to neighbors of the Sacramento County Animal Shelter, after which the proposed shelter will be designed, and they confirm that they frequently hear the Animal Shelter dogs throughout the day. We believe the 24 hour per day, 7 days per week noise pollution will significantly degrade our rural lifestyle. We also believe the placement of a County Animal Shelter in our backyard will further reduce the value of our homes.

We respectfully beseech you to find a more rural and/or industrial site for the new County Animal Shelter that does not abut residential areas. While the Barnett Business Park location may be consistent with the General Plan, the site is not appropriate for this specific use, a noisy Animal Shelter.

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Meghout Masol	· 17	Napoli	Jules & Meghan	5141 Barnett Loop	Shingle Springs	CA	95682
DANE NELSOUT	∆ 28	Nelson	Ronald & Diane	5619 Milton Ranch Rd.	Shingle Springs	CA	95682
	10	Nie	Ronald & Danielle	5043 Barnett Loop	Shingle Springs	CA	95667
	34	Novotny	Jim & Lori	5286 Remuda Court	Shingle Springs	CA	95682
Markey Sete	25	Pastula	Marty & Kathy	5549 Milton Ranch Rd.	Shingle Springs	CA	95682
Alua Vettenh	5	Petterle	Bart & Gina	5389 Milton Ranch Rd.	Shingle Springs	CA	95682
ATOME PICCONE	31	Piccone	Ettore & Nina	5725 Milton Ranch Rd.	Shingle Springs	CA	95682
V	15	Plattor	Derek & Sonja	5107 Barnett Loop	Shingle Springs	CA	95682
	7	Rawlings	Kirt & Crista	5128 Barnett Loop	Shingle Springs	CA	95682
Snowell	49	Redor/Rowell	Mark & Cheryl	6000 Milton Ranch Ct.	Shingle Springs	CA	95682
	55	Richman	Seth & Susan	5400 Milton Ranch Rd.	Shingle Springs	CA	95682
	26	Robbins	Dan & Laura	5583 Milton Ranch Rd.	Shingle Springs	CA	95682
Mari Planer	18	Romero	Mario	5157 Barnett Loop	Shingle Springs	CA	95682
Elameroker	60	Schneider	Eric & Erica	5661 Milton Ranch Rd.	Shingle Springs	CA	95682
Alor Varrenin	. 57	Sfakianos	Peter & Monica	5482 Milton Ranch Rd.	Shingle Springs	CA	95682
Mill Jeansh	<u>/21</u>	Shook	Jim & Jean	5207 Barnett Loop	Shingle Springs	CA	95682
tany me	44	Smith	Larry & Kathy	5331 Milton Ranch Rd.	Shingle Springs	CA	95682
Dale K. Offen	23	Spear	Dale & Cathi	5525 Milton Ranch Rd.	Shingle Springs	CA	95682
Straff	50	Stratton	Rich & Terri	5207 Milton Ranch Rd.	Shingle Springs	CA	95682
Thomas	35	Thomas	David & Lynne	5256 Remuda Court	Shingle Springs	CA	95682
Ciny for final	41	Tracy	Doug & Lisa	5213 Remuda Court	Shingle Springs	CA	95682
0 100	53	fravis	David & Pat	5270 Milton Ranch Rd.	Shingle Springs	CA	95682
	58	Traweek	Tom & Nancy	5500 Milton Ranch Rd.	Shingle Springs	CA	95682
Villen Mana	<u></u> 13	Troquato	Angelo & Aileen	5081 Barnett Loop	Shingle Springs	CA	95682
	45	Waterman	James & Mary	5301 Milton Ranch Rd.	Shingle Springs	CA	95682
	24	Whitaker	Richard & Denice	5537 Milton Ranch Rd.	Shingle Springs	CA	95682
	2	Wilson	Steven	5451 Milton Ranch Rd.	Shingle Springs	CA	95682
They Wan	11	Winning	Fred & Connie	5059 Barnett Loop	Shingle Springs	CA	95682
West Hite	8	Zeitler	Ken & Sherri	5021 Barnett Loop	Shingle Springs	CA	95682
1/10	32	Zobel	Willie & Gerlinde	5749 Milton Ranch Rd.	Shingle Springs	CA	95682
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