

CITY OF LA PUENTE
PLANNING COMMISSION SPECIAL MEETING

MINUTES

May 10, 2010

<i>Per Robert's Rules of Order Newly Revised 10th Edition</i>, minutes are a record of the actions taken by the body. These minutes do not include a summary of the discussion but only reflect the action taken by the body. A complete audio recording of this meeting is available on the City's website www.lapueente.org
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A Regular Meeting of the Planning Commission Special Meeting of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on 05/10/2010, at 7:00 p.m.

CALL TO ORDER: Chairman Klinakis called the meeting to order at 7:00 p.m.

ROLL CALL: Dahlitz, Duarte, Landino, Lewis, and Klinakis

PRESENT: Dahlitz, Duarte, Landino, Lewis and Klinakis.

ABSENT: None

EX OFFICIO: City Planner Arreola, Deputy City Attorney Davtyan, Assistant Planner Chow, and Administrative Secretary Ramirez.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Klinakis.

ORAL COMMUNICATIONS:

Chairman Klinakis recognized members from the La Puente- Hacienda School Board, Former Mayor, Former Planning Commissioners and Water Board Members who were in the audience.

Mr. David Touhey, 1043 N. Hacienda Blvd. was concerned with the ban of medical marijuana dispensaries.

Mr. Russell Downes, 1536 Lark Ellen Avenue, was opposed to closing the dispensaries.

Mr. Chris Nuhfer, 1614 Lark Ellen Avenue, spoke in favor of medical marijuana.

Mr. Tom Noice spoke in favor of medical marijuana collectives.

Ms. Mona Pacho spoke against the medical marijuana dispensaries.

Ms. Debbie Kendal, 1359 N. Hacienda Blvd, business owner of Today's Holistic Collective spoke in favor of her dispensary.

Mr. Casey Kendal, 1359 N. Hacienda Blvd, a partner in Today's Holistic Dispensary, spoke in favor of medical marijuana.

Mr. Rudy Almeida, spoke against medical marijuana dispensaries.

Ms. Josie Martinez, spoke against medical marijuana dispensaries.

Mr. Chris Noriega, 201 N. First Street spoke in regards to potential lawsuits against the City.

MINUTES OF PREVIOUS MEETING:

1. Reading of the minutes of the regular meeting of April 6, 2010.

Vice Chairman Landino moved and Commissioner Duarte seconded to approve the minutes of the previous meeting: The motion carried with the following roll call vote:

AYES:	Dahlitz, Duarte, Landino, Lewis, and Klinakis.
NOES:	None
ABSTAIN:	None
ABSENT:	None

PUBLIC HEARINGS:

2. Municipal Code Amendment 131 - Consideration of Municipal Code Amendment No. 131, Amending Title 10 (Zoning) of the La Puente Municipal Code to prohibit the establishment and the operation of medical marijuana facilities in La Puente.

City Planner Arreola presented the report.

Deputy City Attorney Davtyan stated that she was present to answer any questions that the Commission may have. Also there are binders available with Exhibits "C" and "D" that have additional information, and are available in the Community Development Department.

Chairman Klinakis opened the public hearing.

Antonio Chasco, 1138 Lang Avenue, spoke in favor of regulating medical marijuana.

Jeremy, spoke in favor of medical marijuana dispensaries.

Jesse Macias spoke against medical marijuana dispensaries in La Puente.

Lou Perez, 15950 Picton Street, spoke against medical marijuana dispensaries.

Selena Leavanos spoke in favor of medical marijuana dispensaries.

Jane Schultz, Sparks Middle School, spoke against medical marijuana dispensaries.

Auggie Beanez, 15411 Hutchcroft would like clarification on the non-profit dispensary organizations. Why do you pay taxes if you are not making money, you are making a profit, that is why you want to come to the city of La Puente.

Joseph Nicolas Campos III spoke in favor of medical marijuana.

Bree Hoffman gave an explanation of a non-profit organization and spoke in favor of medical marijuana.

Reyna Schmitz spoke against dispensaries being so close to schools and would like more regulations on the medical marijuana dispensaries.

Attorney Allen Bartleman, 505 N. Arrowhead Avenue, San Bernardino, was opposed to the ban on medical marijuana dispensaries. He also presented documents for the Planning Commission's review.

Deputy City Attorney Davtyan asked to view the documents submitted by Attorney Bartleman, stating for the record; under points and authorities there are seventeen exhibits presented to the Commission.

Allison Young spoke in favor of the amortization period.

Gina Howls a business partner of "THC" spoke in favor of medical marijuana dispensaries.

Daniel Garcia spoke in favor of medical marijuana dispensaries in the city of La Puente.

Linda Garcia spoke in favor of medical marijuana dispensaries.

Attorney Ed Esposito spoke in favor to regulate medical marijuana dispensaries.

Lorraine Tellez spoke in favor of medical marijuana.

Crystal Flores, 814 Del Valle Avenue, spoke in favor of medical marijuana dispensaries.

Francesca Macias spoke in favor of the medical marijuana tablet "marinol" and disagreed with the number of dispensaries within the city.

Jonathan Salmen business partner at Trinity Wellness Center, Inc. 14574 Amar Road, spoke against the marinol tablet and the ban on medical marijuana.

Lucifer Nick Graves, 1447 Eagle Park Road, Hacienda Heights, spoke in favor of medical marijuana.

For the record, Deputy City Attorney Davtyan read out loud a letter that the City had received addressed to the Planning Division; dated May 10, 2010, from Yuval Stelmach, owner of La Puente Plaza.

Chairman Klinakis closed the public hearing.

Deputy City Attorney Davtyan gave an explanation on the proposed Zoning Ordinance that would regulate and prohibit the establishment and operation of medical marijuana dispensaries or facilities that dispense medical marijuana, stating that the ordinance does not take away the right for medicinal use of medical marijuana that is provided by state law which is "The Compassionate Use Act" and "The Medical Marijuana Program Act." These programs are limited in scope in that they provided certain defenses to a certain qualified group of people with identification cards and their primary caregiver from criminal sanctions imposed by the state law. The zoning ordinance, if adopted would prohibit the establishment and operation of medical marijuana facilities. The proposed zoning ordinance is not about whether marijuana use is an appropriate method of medicine, it is addressing the impact on public health safety and welfare of the city and its residents as detailed in the Resolution. The purpose of the proposed zoning ordinance is to address the negative secondary effects and adverse impacts that the operation of these facilities have on the community.

Commissioner Duarte asked for clarification; if in fact a Medical Marijuana Dispensary had been robbed.

Sgt. Wolak with the Industry Sheriff Station responded in the negative.

Discussion ensued on the Zoning Ordinance and vacant business properties that have become Medical Marijuana Dispensaries.

Deputy City Attorney Davtyan gave an explanation that there was no potential that the properties in question would become abandoned if this Zoning Ordinance was approved because the C-2 (General Commercial) Zone permitted a number of uses. She also gave an explanation on the Amortization Period and Provisions.

Commissioner Lewis made a request to review the documents that were submitted by Attorney Bartleman and would like to request more time before he made a decision on this item.

Commission Duarte moved and Commissioner Lewis seconded to continue to the next regular Planning Commission meeting. The motion carried with the following roll call vote:

AYES:	Dahlitz, Duarte, Landino, and Lewis.
NOES:	Klinakis.
ABSTAIN:	None.
ABSENT:	None.

NEW BUSINESS:

None.

UNFINISHED BUSINESS:

None.

ORAL COMMENTS FROM COMMISSION:

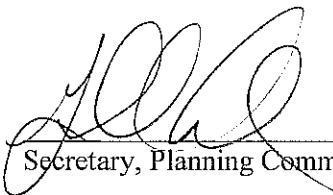
None.

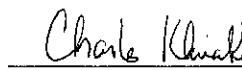
ORAL COMMENTS FROM STAFF:

None.

ADJOURNMENT:

Chairman Klinakis adjourned the meeting at 9:10 p.m.


Secretary, Planning Commission


Chairman, Klinakis

