



# OFFICE OF THE CITY CLERK MEDICAL MARIHUANA DIVISION



## Downtown Overlay District Provisioning Centers Application Rankings May 18, 2021

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Interim City Clerk

Jonathan Starks  
Special Assistant to the City Clerk

<https://pontiaccityclerk.com/medical-marihuana>

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# Agenda

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- 1) Welcome
- 2) Downtown Provisioning Center Rankings  
Presentation
- 3) Questions and Answers
- 4) Closing

# Overview of Ordinances

## 1) City of Pontiac Medical Marihuana Facilities Ordinance Ordinance 2357(B)

- Approved by citizens of Pontiac in August 2018
- Granted the City Clerk the authority to oversee the Medical Marihuana Process
- License up to 20 Provisioning Centers using a 130 point scale

### Provisioning Center Scoring System

Category	Max Points
1. Content and Sufficiency Background Information (up to 5 points) Financial Background (up to 10 points) Economic Benefits (up to 10 points) Community Development (up to 10 points) *scored using Community Benefits Scoring Planning (Facility) (up to 10 points) Patient Education (up to 5 points)	50
2. Land Use	20
3. Community Impact	10
4. Managerial Resources	10
5. Financial Resources	10
6. Job Creation	10
7. Philanthropic & Community Improvement *scored using Community Benefits Scoring	10
8. Physical Improvements	10
<b>Total Possible Score</b>	<b>130</b>

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## 2) Zoning Ordinance for Medical Marihuana Ordinance 2363

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- Approved by the Pontiac City Council in April 2019
- Stated where growers, processors, safety compliance, secure transporters and provisioning centers could locate
- Created three Medical Marihuana Overlay Districts

Cesar Chavez

Downtown

Walton Blvd

# Cesar Chavez Overlay District



## Types of License Available in this District

- 1) Grower
- 2) Processor
- 3) Secure Transporter
- 4) Safety Compliance
- 5) Provisioning Centers (No more than 5 Provisioning Centers will be selected in this district)

Provisioning Center Application Rankings were announced on March 2, 2021

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# Downtown Overlay District



## Types of License Available in this District

- 1) **Secure Transporter**
- 2) **Safety Compliance**
- 3) **Provisioning Centers (No more than 5 Provisioning Centers will be selected in this district)**

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# Walton Blvd Overlay District



## Types of License Available in this District

- 1) Grower
- 2) Processor
- 3) Secure Transporter
- 4) Safety Compliance
- 5) Provisioning Centers (No more than 5 Provisioning Centers will be selected in this district)

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# Non Overlay District

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Types of Licenses Available in this District:

Provisioning Centers are permitted in C-1, C-3 and C-4 zones properties located outside of the Cesar Chavez, Downtown and Walton Overlay Districts. (No more than 5 provisioning centers will be selected in the Non-Overlay)

Prior to being issued a permit, the applicant will need to obtain a special exemption permit from the City of Pontiac Planning Commission

Safety Compliance are permitted in C-1, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts.

Secure Transporters are permitted in C-1, C-3, C-4, M-1 and M-2 zoning districts outside the Medical Marihuana Overlay Districts.



# Application Process

When were applications accepted for provisioning centers?

Jan. 6 – 27, 2020 a one-time 21 Day Application Period.

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How were applications ranked?

By district, provisioning center applicants applied by district.

# Provisioning Center Scoring Form

City of Pontiac  
Office of the City Clerk

## Medical Marihuana Provisioning Center Scoring Form

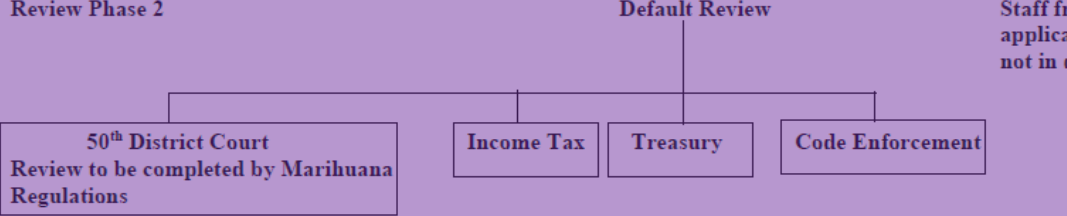
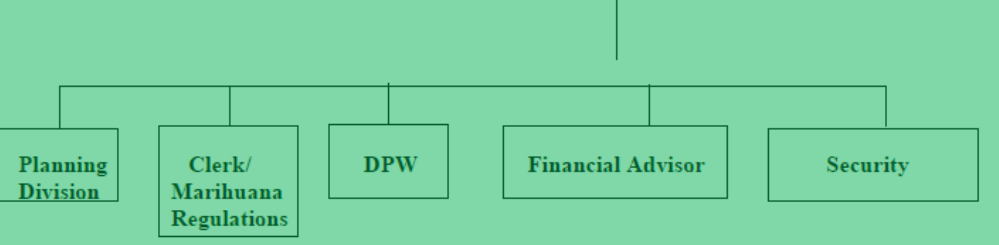
Application Category	Applicant Points	Maximum Points
Content and Sufficiency of Information		50
Background Information		5
Marihuana Regulations		(1.5)
Business Entity		(2)
Security		(1.5)
Financial Background		10
Economic Benefits		10
Community Development		10
Facility (Planning and Sanitation)		10
Planning		(8)
Sanitation		(2)
Patient Education		5
Staff Training and Education		(2.5)
Patient and Community Programs		(2.5)
Land Use		20
Resident Safety		10
Neighborhood Land Use		10
Community Impact		10
Managerial Resources		10
Financial Resources		10
Job Creation		10
Philanthropic and Community Improvement		10
Physical Improvements		10
<b>Applicant Total Score</b>		<b>130</b>

Applicant Ranking: \_\_\_\_ of \_\_\_\_ Total Applicants

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# The Application Review Process

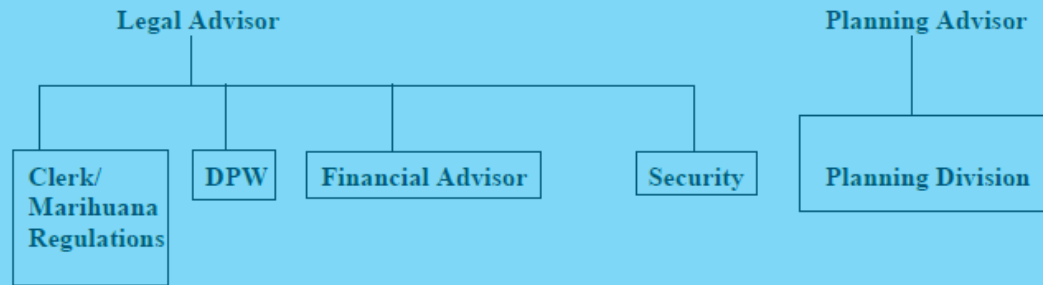
## for Scoring and Ranking Provisioning Center Applications

<u>Phases</u>	<u>Type of Review</u>	<u>What happens during the review phase?</u>
Review Phase 1	Content Review	Clerk staff will review application to make sure all information and exhibits have been submitted
Review Phase 2   <pre>           graph TD             DR[Default Review] --- DC[50th District Court Review to be completed by Marihuana Regulations]             DR --- IT[Income Tax]             DR --- TR[Treasury]             DR --- CE[Code Enforcement]           </pre>	Default Review	Staff from each department/division checks the applicant name and stakeholders to ensure they are not in default with the city
Review Phase 3	Scoring Review   <pre>           graph TD             SR[Scoring Review] --- PD[Planning Division]             SR --- CMR[Clerk/ Marihuana Regulations]             SR --- DPW[DPW]             SR --- FA[Financial Advisor]             SR --- SEC[Security]           </pre>	The following reviewers score the relevant section of the application by provisioning center district.

#### Review Phase 4

#### Compliance Review

The Legal and Planning Advisors ensure that reviewers have scored the applications fairly and consistently with the ordinances.



**What happens if the Legal Advisor or Planning Advisor disagrees with how an application was scored by a reviewer?**

The Clerk will review both the reviewer's score and the Legal Advisor or Planning Advisor recommendation. After the Clerk reviews both the score and the recommendation, the Clerk will determine the final score that is given to the applicant.

#### Review Phase 5

#### Application Ranking by District

The City Clerk announces the rankings for provisioning centers by districts. The top five applicants in each district will be awarded a conditional approval after applicants who were not ranked in the top five have been allowed to appeal their ranking. The following is the appeal process.

#### PROCESS FOR APPEAL

Pontiac City Clerk informs applicant their application was not ranked 1-5 in the provisioning center district.



Applicant submits written appeal to Pontiac City Clerk within 14 days.



Applicant can present additional clarifying information or evidence that the applicant believes should be considered in assessing its application.



Hearing officer conducts hearing on appeal and makes recommendation to Pontiac City Clerk, who makes a decision on the matter.



Applicant may submit further written appeal to medical marihuana commission within 30 days.

#### Review Phase 6

Site Plan Approval and/if necessary Special Exemption Approval

#### Review Phase 7

Certificate of Compliance/Occupancy from Building and Fire

#### Review Phase 8

Clerk issues a permit provided you have been issued your pre-qualification from the State of Michigan

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# Review Team

- Garland Doyle, M.P.A., CNP, Interim City Clerk
  - Jonathan Starks, Special Assistant to the City Clerk
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## Professional Experts

- Sherman J. Taylor, JD CPA, Financial Advisor  
SRT Consulting
- Robert Huth, Jr., Esq., Legal Advisor  
Kirk, Huth, Lange and Badalamenti PLC
- Jill Bahm, AICP, Planning Advisor  
Giffels Webster
- Brian Stair, Security Consultant  
Global Alliance Protective Group

The following City Departments and Divisions are a part of the review team.

- Department of Public Works (DPW), Planning, Building & Safety and the Waterford Regional Fire Department

**Note: All reviewers have signed conflict of interest and confidentiality forms**

# Downtown Overlay District Provisioning Centers Applications Rankings

1. Common Citizen
1. 3 Green LLC
3. Zenith Ventures LLC
3. RTMC Enterprises Inc
3. RTMC Enterprises Inc
6. Pure Roots LLC
7. Detroit Medical Concepts
8. Green Bronco III LLC
9. QPS Michigan Holdings LLC
10. Pontiac Provisioning LLC
11. Clean Roots LLC
12. VB Chesaning
13. JNN Property LLC
13. Green Buddha/Marelus Brice
15. JDS Brothers LLC
16. Battle Spring LLC
16. Green Buddha II LLC
18. Greenstone East LLC
19. JNN Property LLC
20. Michigan Supply and Provisions
21. New Gen Meds
22. Nature's Medicine
23. Nature's Medicine

**Note: Rankings are preliminary. They are subject to appeal.**

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# Appeal Process

The process for appeal instructions and hearing officer appeal form will be included in your ranking letter.

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Pontiac City Clerk makes decision on application



Applicant submits written appeal to Pontiac City Clerk within 14 days.



Grewal Law PLLC Appeals Hearing Officer



Hearing officer conducts hearing on appeal and makes recommendation to Pontiac City Clerk, who makes a decision on the matter.



Applicant may submit further written appeal to medical marijuana commission within 30 days.

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# Appeal Form

Application Name \_\_\_\_\_

Application Number \_\_\_\_\_

**City of Pontiac  
Medical Marihuana Facility Permit Application  
Hearing Officer Appeal Form**

Appellant Name (Applicant)		Address	
City	State	Zip Code	
Appellant's Representative or Contact Person for Purposes of Appeal			
Phone Number		Email Address	

**Written Statement of Appeal**

**\*If You Require Additional Space, You May Attach An Addendum, All Attachments To This Appeal Form Should Be Clearly Labeled With Your Appellant (Application) Name and Application Number; Failure To Properly Label Attachments May Result In Your Appeal Being Delayed.**

Appellant Representative or Contact Person

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

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# Next Steps

## Appeals

14 days after letter is issued June 1, 2021

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## Hearing Officer

### Marihuana Commission

- Commission members have not been appointed
- After the commission is appointed, they must establish rules
- The rules must be approved by the City Council

## Conditional Approval

After appeals have been exhausted, then the top 5 ranked applicants will move forward

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# Questions

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