

**PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 25, 2025**

PRESENTATIONS

STAFF PRESENTATION

ITEM #1 PH 25-042

Proposal to Operate a Commercial Cannabis Retail Dispensary in a Vacant Tenant Space in a Shopping Center at 21463 Foothill Boulevard (APN: 414-0086-056-02) in the General Commercial (CG) Zoning District, Requiring Approval of Conditional Use Permit Application No. UP-25-0011, Esther Lopez and Angilbert Sarkis, Gream Enterprises, Inc. [DBA Phenos Hayward] (Applicant/Operator); Foothill-Grove LLC (Property Owner).

Phenos Hayward Conditional Use Permit Application No. UP-25-0011

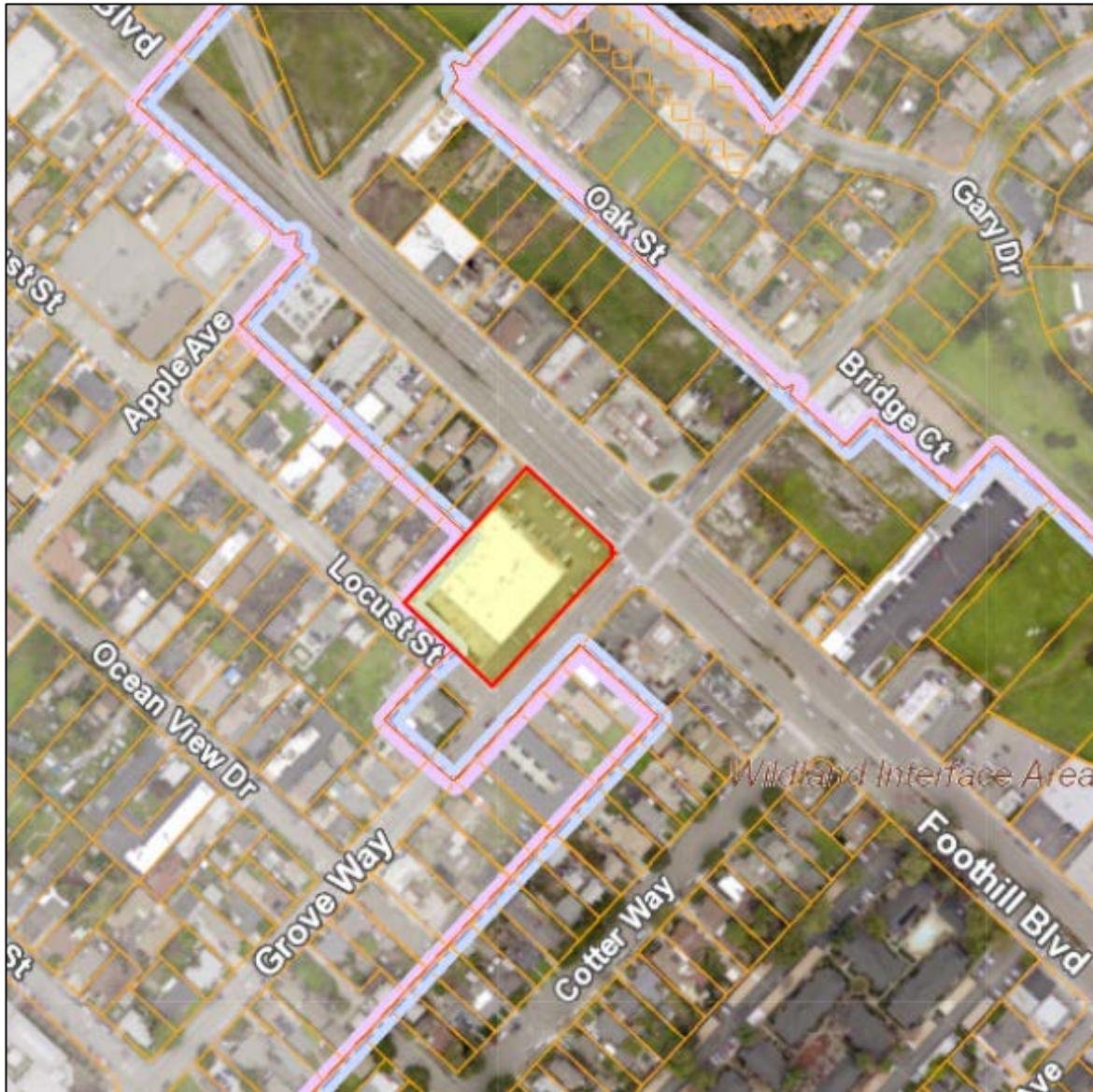
Planning Commission Meeting
September 25, 2025
Steve Kowalski, Senior Planner



Background

- **Fall 2017:** City Council adopts ordinance regulating commercial cannabis businesses and allowing them in certain zoning districts within City subject to compliance w/ state regulations and rigorous operational standards designed to prevent them from having adverse impacts on public
- **July 17, 2018:** Applicant Esther Lopez approved by Council to be issued Commercial Cannabis Business Permit to operate one of three permitted retail dispensaries
- **January 23, 2020:** Planning Commission considers Ms. Lopez's CUP application to operate Aunty Honey's retail dispensary at 1147 B Street and recommends Council approval
- **March 3, 2020:** City Council approves CUP to operate Aunty Honey's retail dispensary at 1147 B Street
- **April 22, 2025:** Ms. Lopez partners with experienced dispensary operator, Bert Sarkis, and the new venture files new CUP application to relocate to former Walgreens site on Foothill Blvd.

Project Site

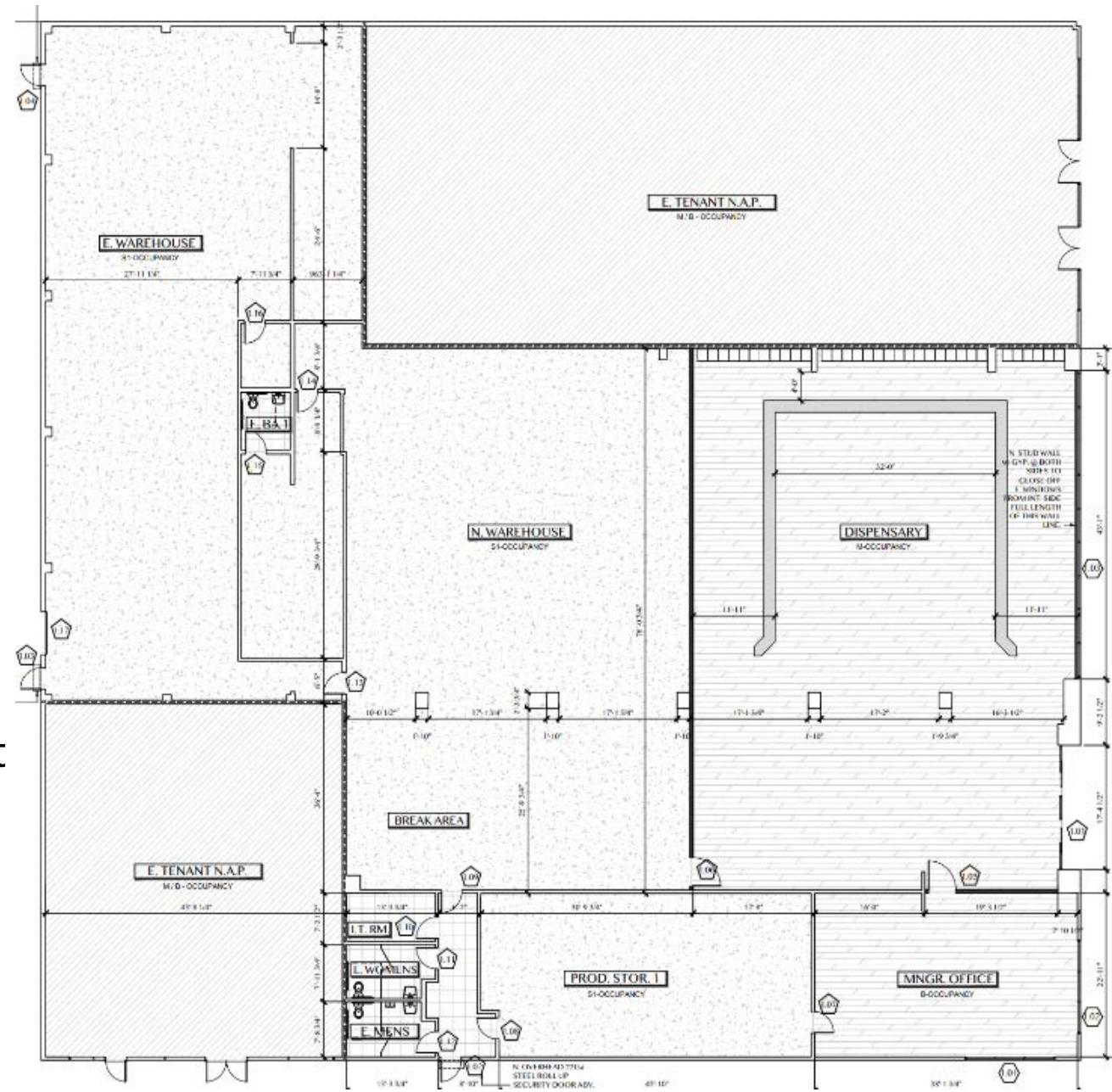


Site Details

- 1.33-acre corner parcel w/ dual frontages along Foothill Blvd. & Grove Way
- 21,833 sq. ft. shopping center containing 4 tenant spaces (donut shop, martial arts studio & dental office)
- 61 total shared parking spaces
- 14,928 sq. ft. tenant space previously occupied by Walgreens
- Zoning: General Commercial (CG)
- General Plan Land Use Designation: Commercial/High Density Residential
- Retail dispensaries permitted subject to CUP approval

Project Details

- Will be open daily from 9:00 AM - 8:00 PM
 - Minimum of 3 employees per shift
 - Two professionally licensed, armed security guards on-site during all business hours
 - Will offer cannabis & cannabis-based products for recreational & medicinal use, including edibles, oils, salves and concentrates
 - Security/reception desk will be located directly inside main entrance where all customers must check in w/ valid government-issued ID
 - No delivery services offered
 - No on-site consumption allowed



General Plan Conformance



- ✓ **Land Use Policy LU-5.1: Mix of Uses & Activities.** The City shall encourage a mix of retail, service, dining, recreation, entertainment, and cultural uses & activities in regional and community centers to meet a range of neighborhood & citywide needs.
- ✓ **Economic Development Goal ED-1: Diversify** economic base of City to support a robust & stable economy with diverse range of employment, shopping and cultural opportunities for residents.
- ✓ **Economic Development Policy ED-1.4: Emerging & Growing Business Sectors.** The City shall establish business attraction efforts that focus on small & medium-sized businesses in emerging and growing business sectors.
- ✓ **Community Safety Policy CS-1.12 – On-Site Security.** The City shall require conditions of approval related to the provision of on-site security and safety measures for bars, nightclubs, live entertainment business and related uses.



STAFF RECOMMENDATION:

That the Planning Commission recommend City Council approval of the Conditional Use Permit to allow operation of the proposed retail dispensary as shown in Attachment V, based on the draft findings in Attachment II and subject to the recommended conditions in Attachment III.

STAFF PRESENTATION

ITEM #2 PH 25-043

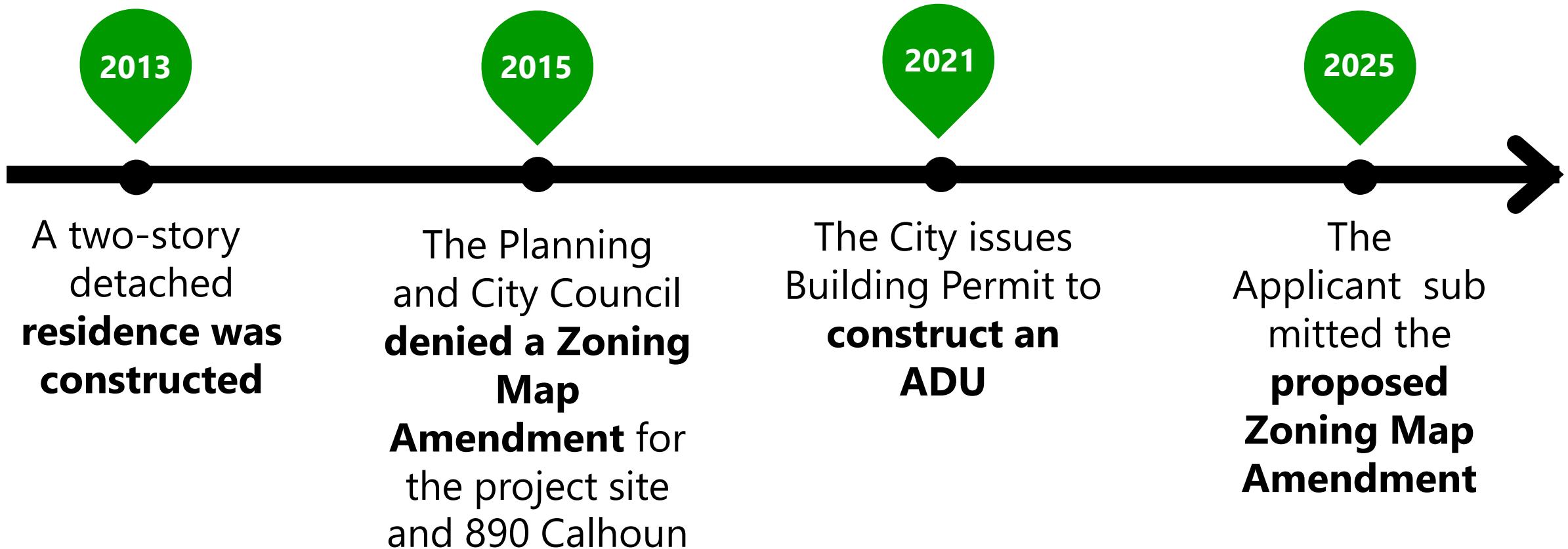
**Proposed Zoning Map Amendment of a 0.94-Acre Site
Located at 900 Calhoun Street (APN 078C-0647-001-02)
from Agriculture (A) District to Low Density Residential-
Minimum Lot Size-10,000 square feet (RLB10),
Application No. MTA-25-0002, Aman Pohyar (Applicant
& Property Owner)**

900 Calhoun Street Proposed Zone Map Amendment from A to RLB10 District & CEQA Findings

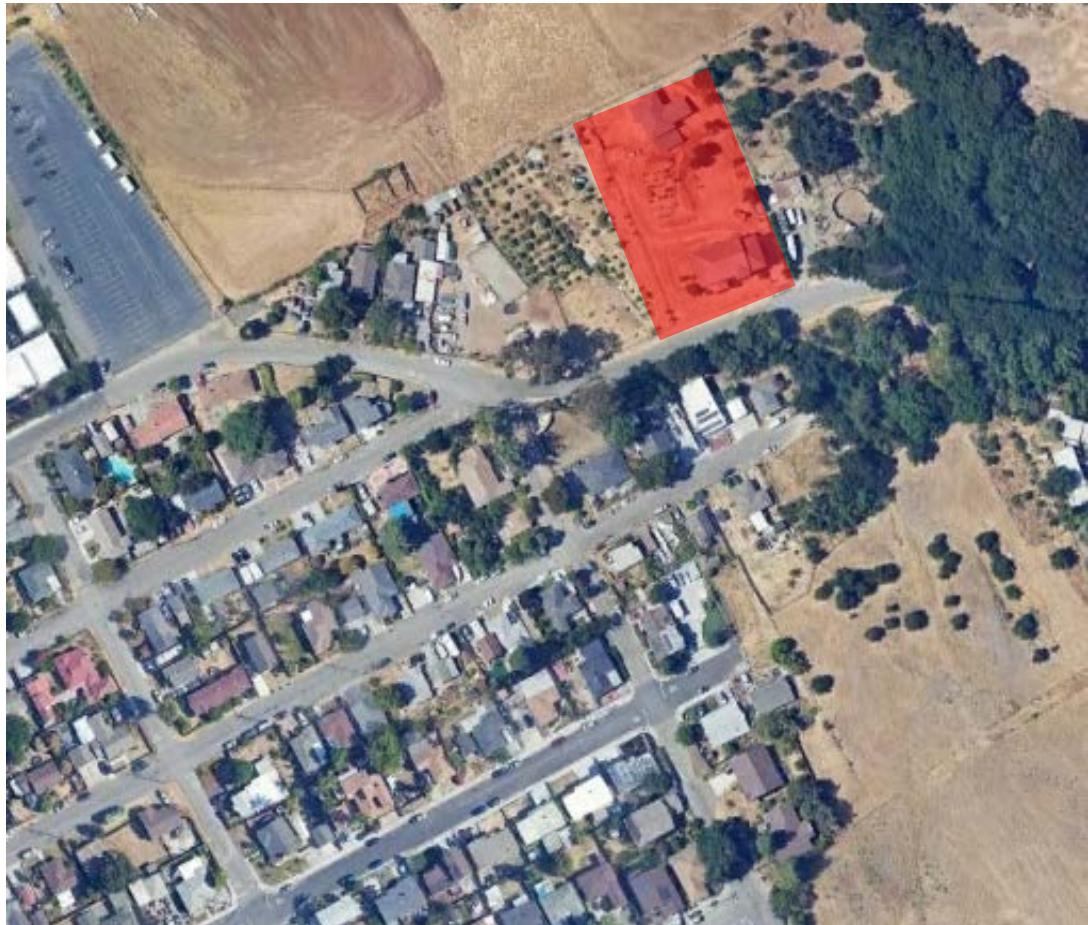
Planning Commission Hearing
September 25, 2025
Taylor Richard, Associate Planner



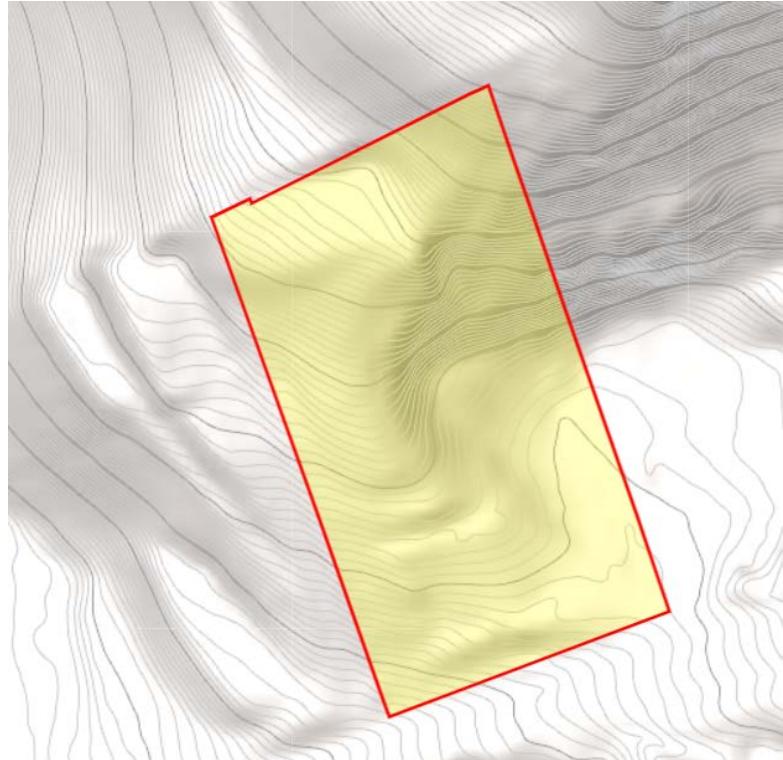
Background



Existing Conditions



Existing Conditions



Slopes



Seismic Landslide Zone



Fault Zone

Project Site & Description



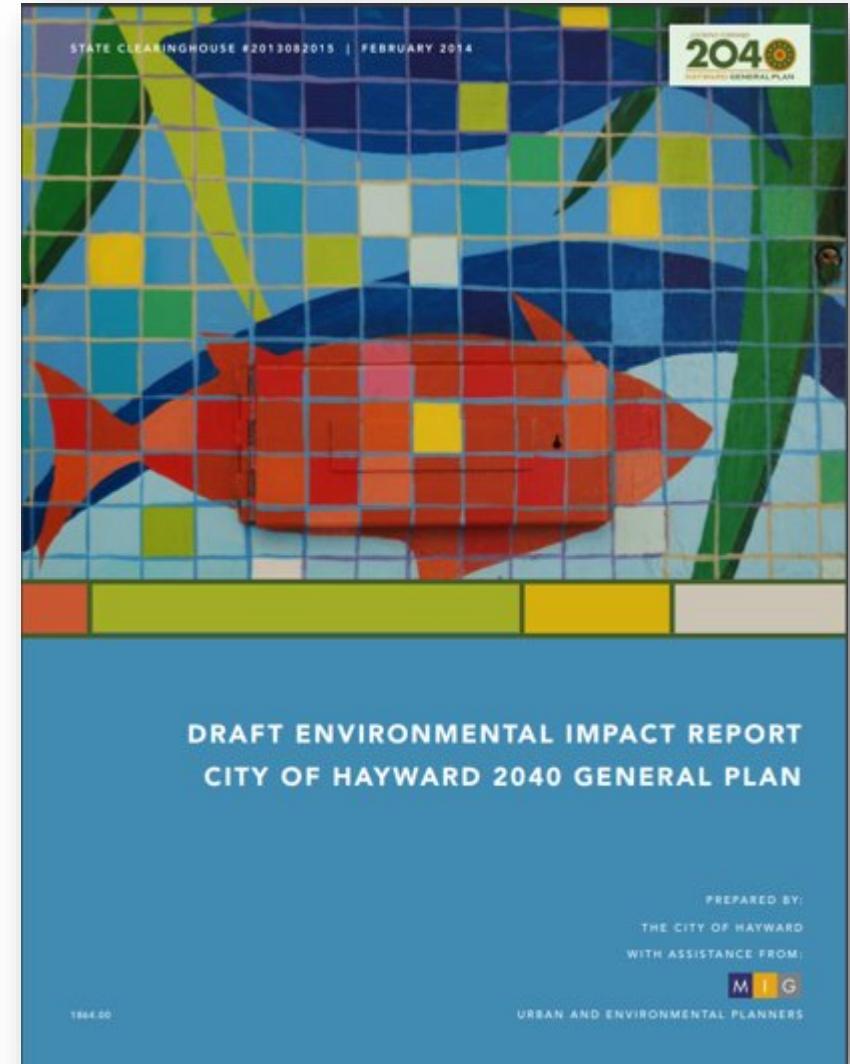
- 900 Calhoun Street
- 0.94-acre site
- **Current Zoning:** Agriculture (A)
- **Proposed Zoning:** Low Density Residential- Min. Lot Size – 10,000 sf (RLB10)
- **Current General Plan Land Use Designation:** Low Density Residential (LDR)

General Plan Conformance

- **Housing Policy H-3.1 Diversity of Housing Types.** The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.
- **Housing Policy H-3.4 Residential Uses Close to Services.** The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.
- **Housing Policy H-3.6 Flexible Standards and Regulations.** The City shall allow flexibility within the City's standards and regulations to encourage a variety of housing types.
- **Land Use Policy LU-1.3 Growth and Infill Development.** The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.

CEQA Environmental Review

- ✓ Proposed Zoning is fully consistent with the Hayward 2040 General Plan Environmental Impact Report (EIR)
- ✓ No additional environmental review is required





STAFF RECOMMENDATION:

That the Planning Commission recommend the City Council approve the proposed Zoning Map Amendment Application as shown in Attachment IV, based on the draft findings in Attachment II and subject to the recommended conditions of approval in Attachment III.