



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS AND VIRTUAL (ZOOM)
PARTICIPATION
Thursday, June 11, 2026, 7:00 p.m.**

Attachment I

The Planning Commission meeting was called to order at 7:00 p.m. by Chair Haman, who presided over the meeting as Commissioner Goodbody participated remotely. The Planning Commission held a hybrid meeting in the Council Chambers and virtually via Zoom.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: CHAIRPERSON: Haman
COMMISSIONERS: Hardy, Goodbody, Lowe, Stevens, Yorgov
Absent: COMMISSIONER: Meyers

Staff Members Present: Allen, Corral, Morales, Ochinero, Prins, Rothman, Schmidt, Tabari, Vigilia, Wright

PUBLIC COMMENTS

There were none.

PUBLIC HEARING

1. City Initiated Revocation Proceedings for Tobacco Retailer Licenses for Commercial Properties Within the City of Hayward Where License Holders Committed Three or More Violations Within a Five-Year Period, Pursuant to Hayward Municipal Code Section 10-1.2794 **ACT 26-028**

Staff report submitted by Code Enforcement Inspector II Prins, dated June 11, 2026, was filed.

Chair Haman directed Planning Manager Schmidt to administer the oath to the following individuals: Nazir Ahmad, Ferris Ozacer, Zaiden Saleh, and Arafat Alamdi.

Code Enforcement Inspector Prins introduced the item and provided a general synopsis of the staff report.

In response to Commissioner Lowe's inquiry, Code Enforcement Inspector Prins clarified that the Commission is responsible for both deciding whether revocation should occur or a lesser penalty should be imposed and determining the specific lesser penalty if one is granted.

Chair Haman opened the public hearing at 7:18 p.m.



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The following people expressed support for strong enforcement of Hayward's Tobacco Retail License Ordinance, citing repeated violations by retailers selling prohibited products such as flavored tobacco, vaping devices, and cannabis-related items, and emphasized risks to youth health and addiction while urging stricter enforcement, including license revocation for repeat offenders:

Jenny Tran
Chandler Kim on behalf of Aileen Villanueva
Cesar Vazquez on behalf of Senny Figueroa
Luis Santos on behalf of Mia Coronado
Sandra Archuleta
Douglas Perez-Baltrons
Nancy Respaldiza
Marcia Lopez
Teresita de Jesus
Matias

Chair Haman closed the public hearing at 7:34 p.m.

Code Enforcement Inspector Prins provided a presentation on Mt Everest Smoke Shop's violations.

In response to Commissioner Goodbody's inquiry, Planning Manager Schmidt clarified none of the businesses under consideration have Conditional Use Permits (CUPs), as they were already operating when the tobacco retail Ordinance was adopted in 2014 and were therefore allowed to obtain tobacco retailer licenses to continue operating without a CUP.

Commissioner Goodbody asked whether the concealed doors and storage areas were known and approved when the tobacco retailer license was issued. Code Enforcement Inspector Prins stated he could not answer. Development Services Deputy Director Morales clarified that concealed storage areas are not authorized under the tobacco retailer license and may indicate ordinance violations because products were hidden from public display. Deputy City Attorney Rothman added that the concealed areas also demonstrated an intent to evade code enforcement inspections.

As part of the public hearing, Mt. Everest Smoke Shop owner Alamdi addressed the Commission. Mt. Everest Smoke Shop owner Alamdi explained the violations occurred under a former business partner who is no longer involved with the business. He noted that he was unaware of the violations, has since corrected them, and requested an opportunity to retain the license, assuring the Commission that he will personally oversee operations and maintain compliance going forward.



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Commissioner Yorgov asked what notice is typically provided before a tobacco retailer license is revoked. Code Enforcement Inspector Prins replied that notice of the proposed revocation was mailed more than 21 days before the hearing and later hand-delivered to the business.

Commissioner Yorgov asked whether he received the license notices and was aware of the issues. Mt. Everest Smoke Shop owner Alamdi stated that he only received the hand-delivered notice regarding the upcoming hearing but was unaware of prior violations that involved his business partner.

Commissioner Yorgov questioned how Mt. Everest Smoke Shop owner Alamdi was unaware of the violations while in business with his former partner. Alamdi explained that he took over the business in March, corrected the expired license issue, and later discovered violations committed by his former partner, who concealed them from him and is no longer involved with the business. He stated that, had he known of the violations, he would have addressed them sooner or considered closing the business.

In regard to Commissioner Yorgov's inquiry, Code Enforcement Inspector Prins confirmed the violations are tied to the business license, regardless of the individuals involved in the partnership.

Commissioner Stevens asked whether the notice was sent to the property owner, ORIC California LLC. Code Enforcement Inspector Prins explained that notices are legally sent to property owners because they are responsible for violations on their property. He added that businesses may also receive courtesy copies and that he has ensured they do so since assuming responsibility for the tobacco retailer program.

Commissioner Stevens asked whether the property owner, OROOIC California LLC, is responsible for addressing the violations with the tenant. Code Enforcement Inspector Prins replied that it is.

Commissioner Stevens asked whether the business was operated as a sole proprietorship or a limited liability company, to which Mt Everest Smoke Shop owner Alamdi replied limited liability company.

Commissioner Stevens asked about Mt. Everest Smoke Shop owner Alamdi's business arrangement with his former partner. Owner Alamdi explained that they were co-owners, with his former partner holding a 30% ownership interest and managing the day-to-day operations, including rent payments, while Alamdi managed his family business. Owner Alamdi also stated that the property owner did not notify him of the violations.



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Commissioner Hardy asked about Mt. Everest Smoke Shop owner Alamdi's presence at the business before March 2026. Alamdi explained that he was minimally involved in day-to-day operations, which were managed by his former business partner, and that he visited periodically to handle taxes, licensing, and other administrative matters as the majority owner.

Commissioner Hardy asked whether he was aware that a license was not posted at the shop. Mt Everest Smoke Shop owner Alamdi explained that he provided the current licenses to his partner to post, but they may not have been properly displayed.

Commissioner Hardy asked whether Mt. Everest Smoke Shop owner Alamdi was aware of any concealed tobacco products while he was at the shop. Alamdi stated that he was not aware of any concealed products and explained that the door had been modified following an attempted break-in. He added that when he took over the business in March 2026, he discovered new shelving had been installed.

Commissioner Hardy questioned how Mt. Everest Smoke Shop owner Alamdi remained unaware of the violations despite his presence at the shop before March 2026. Alamdi explained that he was focused on managing another family business, limiting his oversight of the shop. He acknowledged that he should have been more involved and stated that he did not become aware of the violations until he received the official notices and supporting documentation.

Commissioner Hardy asked whether he asked his former business partner to attend the hearing and testify regarding his involvement in the matter. Mt Everest Smoke Shop owner Alamdi explained that after taking over the business in March, he removed the former manager from the business and partnership, and the individual subsequently left the country and returned to his home country.

Commissioner Hardy asked whether the former business partner could provide a written statement or letter regarding the matter. Mt Everest Smoke Shop owner Alamdi explained that he believed he had sent his former business partner the Zoom information to attend remotely from his home country, but it appeared that he did not log in or participate.

Chair Haman asked if this was the first time the violations had been brought to his attention, to which Mt Everest Smoke Shop owner Alamdi replied yes.

Chair Haman asked whether the property owner was given opportunities to comply. Code Enforcement Inspector Prins replied that the property owner was provided multiple opportunities to correct the violations, with follow-up notices and re-inspections conducted when compliance was not achieved.



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Commissioner Goodbody asked about the ownership and licensing of the business. Mt. Everest Smoke Shop owner Alamdi explained that the tobacco retailer license, business license, and LLC remained under his name as the 70% owner, while his former business partner held a 30% ownership interest and managed the day-to-day operations. He added that his former partner was listed only as a partner in the LLC.

Commissioner Goodbody asked about the shop's staffing and whether any employees informed Mt. Everest Smoke Shop owner Alamdi of the violations. Alamdi stated that the business has two employees, including himself and one part-time employee. He explained that when he inquired about the violations, he was told they had been addressed and that the cited violations involved his former business partner, who received and signed the violation notices.

Commissioner Goodbody asked whether he was ever notified of the violations. Mt Everest Smoke Shop owner Alamdi explained that he was not notified, stating the violation notices were under his partner's name, and his partner signed for and received the citations.

Commissioner Lowe asked whether all communication regarding the violations had been with the former business partner. Code Enforcement Inspector Prins replied that he could not confirm without reviewing the case history. Deputy City Attorney Rothman stated that the violations were tied to the business license, not a particular individual, and that the business had received multiple opportunities over several years to achieve compliance. She added that inspections, notices, and photographs documented the violations and noted that the owner remained responsible for ensuring the business complied with City requirements.

There being no speakers, Chair Haman opened and closed the public hearing at 8:01p.m.

Commissioner Lowe emphasized the importance of public safety and business accountability, noting the community and youth letters expressing concerns about non-compliant businesses. She stated that Deputy City Attorney Rothman's comments were persuasive and supported revocation of the license.

Commissioner Yorgov acknowledged that revoking a business license was a significant decision but stated that the evidence and number of violations supported the action. He noted that staff took a conservative approach in documenting incidents and emphasized that, as the majority business owner, the retailer was responsible for ensuring compliance.

Commissioner Stevens expressed his support for revoking the license, noting that business owners are responsible for all operations and ensuring compliance when forming and operating a business.



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Commissioner Lowe requested confirmation that the motion specifically states the finding that the retailer committed at least three violations within a five-year period, as required by the regulations for license revocation, which Commissioner Stevens agreed with.

It was moved by Commissioner Stevens, seconded by Commissioner Lowe, to revoke the Tobacco Retailer Licenses for Mt Everest Smoke Shop that committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Lowe, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	

Code Enforcement Inspector Prins provided a presentation on Heart of the Bay Smoke Shop's violations.

Commissioner Stevens asked whether the possession of large quantities of raw psilocybin mushrooms shown in one of the photographs was illegal in California. Police Detective Wright replied that selling that product is a felony under Health and Safety Code section 11351.

Commissioner Stevens asked why no arrest was made or products confiscated. Police Detective Wright explained that officers did not witness a sale and therefore could not identify a suspect for arrest. She added that the suspected psilocybin was seized as evidence and, based on its quantity and packaging, a complaint was submitted to the District Attorney's Office regarding the business owner.

As part of the public hearing, Heart of the Bay Smoke Shop owner Ahmad addressed the commission.

Commissioner Stevens asked whose statement was being read and whether that individual was the legal owner of the LLC. Zachria Robzi, brother-in-law of Heart of the Bay Smoke Shop owner Zahir Ahmad, confirmed that the statement was Ahmad's and that Ahmad was the legal owner of the LLC.

Commissioner Lowe and Deputy City Attorney Rothman stepped out of the Council Chambers briefly. Upon returning, Deputy City Attorney Rothman stated for the record that she had not provided legal advice to Commissioner Lowe and noted that any such advice would need to be provided by separate legal counsel independent of the Code Enforcement team.



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Zachria Robzi read a statement on behalf of Heart of the Bay Smoke Shop owner Zahir Ahmad. The statement apologized for the code violations, acknowledged responsibility, and stated that corrective actions had been taken, including retraining staff and implementing measures to ensure future compliance. It requested leniency, citing the business as the owner's family's primary source of income and the financial hardship that revocation would cause. The statement also affirmed the owner's commitment to complying with all applicable requirements and included certificates and recognition from the Hayward Police Department for the business's efforts to prevent underage tobacco sales and assist law enforcement.

Commissioner Stevens asked about the management and staffing of Heart of the Bay Smoke Shop. Owner Zahir Ahmad explained that his late father had managed the day-to-day operations of the business for many years, but following his father's passing the previous year, he assumed full responsibility for the business with the assistance of one employee. Ahmad also stated that he was operating the business at the time of the November 2025 citation.

Commissioner Hardy asked about the business operations during the periods when the Hayward Police Department awards were received and when the violations occurred. Heart of the Bay Smoke Shop owner Zahir Ahmad explained that the awards, received in 2018 and 2020, recognized his reporting of attempted underage purchases. He also confirmed that his father was operating the business during both the period the awards were received and when the violations occurred.

There being no speakers, Chair Haman opened and closed the public hearing at 8:21p.m.

It was moved by Commissioner Yorgov, seconded by Commissioner Stevens, to revoke the Tobacco Retailer Licenses for Heart of the Bay Smoke Shop that has committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	Lowe

The Commission took recess at 8:27p.m. and reconvened at 8:39p.m.

Code Enforcement Inspector Prins provided a presentation on Allstar Service Inc.'s violations.

Commissioner Yorgov asked how the frequency of business reinspection is determined. Code Enforcement Inspector Prins explained that businesses may be reinspected as soon as 10 days



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after an initial inspection. He stated that the goal is to achieve compliance and that additional time may be provided to businesses that demonstrate a willingness to comply, which resulted in the approximately 30-day intervals between the inspections.

As part of the public hearing, Allstar Service Inc. owner Engineer, Phiroze and Perrin P was given an opportunity to address the commission. No one was present to provide a statement on behalf of Allstar Inc.

Chair Haman opened the public hearing at 8:45p.m.

Sandra Archuleta expressed support for the actions discussed, stating that they were part of a community group that supported the earlier comments. They voiced support for continued enforcement efforts and stated that the actions taken would benefit the community.

Chair Haman closed the public hearing at 8:46p.m.

It was moved by Commissioner Lowe, seconded by Commissioner Stevens, to revoke the Tobacco Retailer Licenses for All Star Service Inc. that has committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Lowe, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	

Code Enforcement Inspector Prins provided a presentation on Hiphop Smoke Shop's violations.

Commissioner Stevens asked whether the concealed area behind the paneling and small door was the same space located behind the bookshelf. Code Enforcement Inspector Prins confirmed that it was a small makeshift closet behind the bookshelf containing the prohibited products shown in the inspection photographs. Prins also confirmed that, when closed, the concealed door blended with the surrounding paneling and was difficult to identify.

Police Detective Wright corrected the staff report regarding the firearm found at the business. She clarified that the firearm did not belong to the employee present during the inspection but to another store employee, who later arrived and confirmed ownership. Detective Wright stated that the firearm was lawfully stored and, after verifying it was registered to the employee, the Police Department did not seize it.



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In response to Chair Haman's inquiry regarding firearms at the business, Police Detective Wright explained that business owners may lawfully keep a firearm on the premises and that the decision to do so is at the owner's discretion.

Commissioner Yorgov asked whether a firearm could lawfully remain on the business premises when the registered owner was not present. Police Detective Wright explained that the firearm was lawfully stored and permitted to remain because it was registered to a business employee who was expected to return to work.

As part of the public hearing, Hiphop Smoke Shop owner Alsoukhelak addressed the commission.

On behalf of Hiphop Smoke Shop owner Oscasila, Attorney Sadet acknowledged the prior violations, stating that the business removed prohibited products, paid applicable fines, and implemented corrective measures to improve compliance. He requested that the Commission consider a lesser penalty, such as probation or a temporary suspension, rather than revocation of the tobacco retailer license, citing the impact on the owners and employees. Owner Alsoukhelak added that the business had not previously experienced issues with the City, attributed the violations to a former manager who is no longer employed, and stated that he is taking a more active role in the business, remodeling the store, and transitioning toward a grocery store model with reduced reliance on tobacco sales.

Commissioner Stevens asked about the ownership and management of Hiphop Smoke Shop. Owner Harris Oscasila confirmed that he is the majority owner and one of three business partners. He explained that he owns multiple stores and is not regularly present at the Hayward location, relying on managers and business partners to oversee day-to-day operations. Oscasila stated that Mohammed Al Khawlani was the former owner and expressed surprise that some records and notices remained under the former owner's name after the business was acquired. He also clarified that Marwan Nagi is a current business partner who managed the business operations during the period in question.

Commissioner Yorgov asked about Hiphop Smoke Shop owner Alsoukhelak's knowledge of the violations while he was away from the business. Alsoukhelak stated that he was aware of the violations, discussed them with management, and directed staff to remove the identified products following inspections. He added that the business attempted to comply with changing regulations by removing products identified by the City as prohibited.

Commissioner Yorgov asked why flavored tobacco products continued to be found in the store after prior violations. Hiphop Smoke Shop owner Alsoukhelak stated that the business believed some of the products were permissible at the time and that additional guidance from the City later identified products that needed to be removed. He explained that the business attempted to



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keep up with regulatory changes and removed products after receiving notice from the City.

In response to Commissioner Yorgov's inquiry, staff confirmed that the business could continue operating as a convenience or grocery store if its tobacco retailer license were revoked, provided it ceased all tobacco-related sales.

Chair Haman asked about the education and guidance provided to tobacco retailers regarding compliance. Code Enforcement Inspector Prins explained that inspectors provide retailers with compliance information, including the California Department of Justice's unflavored tobacco product list, to help identify permissible products. Development Services Deputy Director Morales added that while the City emphasizes education before enforcement, business owners remain responsible for complying with tobacco retailer license requirements, and license revocation is based on the violations that occurred, regardless of subsequent corrective actions.

There being no public comment Chair Haman opened and closed the public hearing at 9:07p.m. It was moved by Commissioner Stevens, seconded by Commissioner Hardy, to revoke the Tobacco Retailer Licenses for Hiphop Smoke Shop that has committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	Lowe

Code Enforcement Inspector Prins provided a presentation on Stack City Smoke Shop's violations.

Commissioner Stevens asked about the concealed trapdoor shown in the inspection photographs. Code Enforcement Inspector Prins explained that Code Enforcement staff were unaware of the concealed area until it was identified by the California Department of Tax and Fee Administration (CDTFA) during the joint inspection. Commissioner Stevens also asked about inspection procedures, and Code Enforcement Inspector Prins stated that he did not have that information.

In response to Commissioner Hardy's inquiry regarding the collection of outstanding penalty fees, staff explained that unpaid administrative penalties are typically placed as a special assessment on the property and collected through the property tax bill.

In response to Chair Haman's inquiry regarding the timing of the annual inspection, staff



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indicated that they could not explain why an annual inspection had not occurred before the Commission meeting. Staff noted that although the reinspection was originally scheduled after the meeting, the business requested an earlier reinspection, which was conducted and passed on the day of the meeting.

Commissioner Yorgov asked whether the successful reinspection changed staff's recommendation. Code Enforcement Inspector Prins replied that it did not.

As part of the public hearing, Stack City Smoke Shop owner Mohammed was given an opportunity to address the commission. No one was present to provide a statement on behalf of Stack City Smoke Shop.

There being no speakers, Chair Haman opened and closed the public hearing at 9:15p.m.

It was moved by Commissioner Stevens, seconded by Commissioner Yorgov, to revoke the Tobacco Retailer Licenses for Stack City Smoke Shop that has committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	Lowe

Code Enforcement Inspector Prins provided a presentation on Stop N' Save #106's violations.

As part of the public hearing, Stop N' Save owner Akram was given an opportunity to address the commission. No one was present to provide a statement on behalf of Stop N' Save #106.

Chair Haman opened the public hearing at 9:20p.m.

Ali asked whether violations are issued at the time of inspection or if businesses are notified later after the inspection is completed.

Chair Haman closed the public hearing at 9:21 p.m.

Deputy City Attorney Rothman stated that staff would refrain from responding to questions during public comment because cross-examination is not permitted during these hearings.

At Chair Haman's request, Code Enforcement Inspector Prins explained that when an



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inspection identifies licensing violations or prohibited products, a notice of violation or administrative penalty is issued to the property owner and, in many cases, the business owner. He added that the notice includes a reinspection date by which the violations must be corrected.

Commissioner Stevens asked staff to explain the compliance process following an initial violation. Code Enforcement Inspector Prins explained that inspectors provide education and resources, including the California Department of Justice's unflavored tobacco product list, to help retailers identify compliant products. He added that for minor issues, such as a single prohibited product, inspectors may allow businesses an opportunity to correct the violation without issuing a citation.

It was moved by Commissioner Yorgov, seconded by Commissioner Stevens, to revoke the Tobacco Retailer Licenses for Stop N' Save #106 that has committed three (3) or more violations within a five (5) year period, satisfying the criteria requiring revocation under Hayward Municipal Code Section 10 1.2794.

AYES:	COMMISISONER	Goodbody, Hardy, Lowe, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	

APPROVAL OF MINUTES

2. Minutes of the Planning Commission Meeting on April 9, 2026 MIN 26-061

It was moved by Commissioner Lowe, seconded by Commissioner Goodbody, and carried unanimously, to approve the Minutes of the Planning Commission Meeting on April 9, 2026.

AYES:	COMMISISONER	Goodbody, Hardy, Lowe, Stevens, Yorgov
	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISISONER	Meyers
ABSTAIN:	COMMISSIONER	

3. Minutes of the Planning Commission Meeting on April 23, 2026 MIN 26-062

It was moved by Commissioner Hardy, seconded by Commissioner Stevens, and carried unanimously, to approve the Minutes of the Planning Commission Meeting on April 23, 2026.

AYES:	COMMISISONER	Goodbody, Hardy, Stevens, Yorgov
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	CHAIR	Haman
NOES:	COMMISSIONER	
ABSENT:	COMMISSISONER	Meyers
ABSTAIN:	COMMISSIONER	Lowe

COMMISSIONERS' ANNOUNCEMENTS, REFERRALS

Planning Manager Schmidt made three announcements: 1) the next commission meeting is scheduled for June 25, 2026, with one housing development item and four additional tobacco revocation matters on the agenda and noted that Elizabeth Blanton would chair the meeting in her absence; 2) the commission would go into recess until late August; and 3) applications for all five Commission positions are open through July 31, 2026, and community members are encouraged to apply.

Commissioner Lowe requested that future tobacco retailer license revocation staff reports indicate whether the Hayward Police Department referred any cases for prosecution. Police Detective Wright stated that staff would work to include that information in future reports or provide it upon request.

Commissioner Hardy requested that the order of proceedings be clearly included in future materials to assist the Commission. Deputy City Attorney Rothman stated that staff discussed adding the order of proceedings including required motion language to the PowerPoint for future meetings.

ADJOURNMENT

Chair Haman adjourned the meeting at 9:30p.m.

APPROVED:

Ron Meyers, Secretary
Planning Commission

ATTEST:

Briea Allen



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Planning Commission Secretary
Office of the City Clerk