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Date of Letter Correction
April 15, 2025

April 10, 2025

Attn: Heather N. Dukes, Esq.
Dukes Law, PLLC
5527 N. 25th Street
Phoenix, AZ 85016

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5527 N. 25th Street
Phoenix, AZ 85016
Attn: Heather N. Dukes, Esq.

**RE: Legacy Recovery Center located at 2338 E. Minton Street, Mesa, AZ 85213
(Assessor Parcel Number 141-06-237)**

Dear Ms. Dukes,

City Staff reviewed the supplemental documents you sent on April 1, 2025, in conjunction with the initial Community Residence registration application. The documents convey the following facts:

- The financial agreement is a resident's housing contract (April 1, 2025 letter/financial agreement).
 - The housing contract measures cost in terms of days at \$1,000 per day (financial agreement).
 - The housing contract calculates the total amount owed at admission (financial agreement).
 - Because the housing contract total cost is determined at admission, and it measures cost based on each day, the total number of days a resident will be housed at Legacy is set at admission.
- Resident treatment plans/periods are measured in days (April 1, 2025 letter).
 - One treatment plan/period lasts for 30 days
- The facility uses 30-day treatment plan reevaluation "cycles" (April 1, 2025 email sent at 6:54 pm).
- If after 30 days, a resident requires additional treatment, a new 30-day treatment plan/period will begin (April 1, 2025 letter and April 1, 2025 email sent at 6:54 pm)
 - Each housing contract is limited to 30 days because:
 - One treatment plan/period lasts for 30 days;
 - It is unknown if any additional treatment is needed until after a reevaluation;
 - The financial agreement (housing contract) total cost is determined at admission; and
 - The housing contract does not include costs for more than one treatment plan/period.
 - If a resident requires additional treatment after 30 days, a new financial agreement (housing contract) would be required.
 - Because the facility uses 30-day reevaluation "cycles", any subsequent housing contract would also be limited to 30 days.
- The average length of services reported to the Arizona Department of Health Services is 45 days (Residential Program Description).

- The supplemental documents refer to residents' treatment/housing in terms of days with one exception in your April 1, 2025 letter, which uses weeks (request for 4-to-6-week initial commitment).
- The supplemental documents do not measure treatment/housing in terms months or years.
- The only use of the words "month" or "year" to describe length of tenancy is in the original narrative submitted to the City with the registration application.

The facts show the Community Residence is a relatively temporary living arrangement that is measured in terms of days (both 30 days and 45 days are reported). Tenancy, through practice and contracts, is limited to less than one year. This meets the definition of a Transitional Community Residence in the Mesa City Code.

As you are aware, the City was contacted by several residents who provided information about the length of stay of residents at Legacy: including an audio recording, several sworn statements, and screenshots of the Chandler facility's website. Because the City could not verify the accuracy of the third party information, it was not considered in reaching the conclusion that the facility is a Transitional Community Residence. However, the information received by third parties corresponds to the supplemental documents you provided on behalf of your client and further supports the City's determination.

The supplemental documents you provided are inconsistent with the registration application submitted to the City, which suggested a much longer, more permanent, typical tenancy. In the registration application, the length of residency is described in terms of months or more than a year. However, that description is not supported by any of the supplemental documents. As noted on the application form, the submission of erroneous information or errors found after processing the application may result in the denial of an application or loss of registration, respectively.

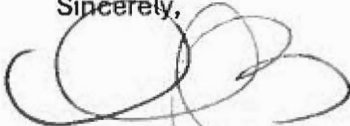
The provisional approval for the Family Community Residence at 2338 E. Minton Street was based upon erroneous information. As such, the provisional approval is void and the property is not registered with the City as a Community Residence.

Because the facility is a Transitional Community Residence, approval of a Special Use Permit is required to operate at 2338 E. Minton Street. Please submit your application through the City's online portal ([Mesa E-Permit Online Portal](#)).

In the interim, all operations must cease until the Special Use Permit is heard and acted upon by the Board of Adjustment.

Thank you.

Sincerely,



Mary Kopaskie-Brown, AICP
Planning Director and Zoning Administrator