

BOARD OF ADJUSTMENT PUBLIC HEARING MEETING MINUTES

April 1, 2026

The Board of Adjustment of the City of Mesa met in the Study Session room at City Hall, 20 East Main Street, on April 1, 2026, at 5:30 p.m.

BOARD PRESENT

Alexis Wagner, Chairperson
Shelly Allen, Vice Chair
Troy Glover
Todd Trendler
Janice Paul
Gerson Barrera

BOARD ABSENT

STAFF PRESENT

Charlotte McDermott
Kirstin Dvorchak
Cassidy Welch
Jennifer Merrill
Kellie Rorex

1. Meeting called to order and roll call.

Chairperson Wagner called the public hearing to order at 5:30 p.m. and conducted a roll call.

2. Take action on all Consent Agenda items.

All items listed with an asterisk (*) will be considered as a group by the Board of Adjustment and will be enacted with one motion. There will be no separate discussion of these items unless a Boardmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a request must be made prior to the Board's vote on the consent agenda.

It was moved by Boardmember Paul, seconded by Boardmember Trendler, that the consent agenda items be approved.

Upon tabulation of votes, it showed:

AYES – Wagner–Allen–Glover–Trendler– Barrera–Paul
NAYS – None
ABSENT– None

Chairperson Wagner declared the motion carried unanimously by those present.

*3. Approval of minutes of previous meetings as written.

Minutes from the Study Session and Public Hearing meetings held on February 4, 2026.

4. Take action on the following cases:

- *4-a. **BOA25-00058.** "Destination at Gateway CSP," 125± acres located at the southeast and southwest corners of East Williams Field Road and South Signal Butte Road. Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 6)**

Staff Planner: Kellie Rorex

Recommendation: Approval with Conditions

- *4-b. **BOA25-00815.** "RV Service Building," 5.8± acres located at 2038 North Country Club Drive. Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards to allow for an expansion to the existing Automobile/Vehicle Sales facility. **(District 3)**

Staff Planner: Kwasi Abebrese

Recommendation: Continue to May 6, 2026

- *4-c. **BOA25-00836.** "The Nox," 3± acres located approximately 298 feet west of the northwest corner of East Ray Road and East Seaver Avenue. Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 6)**

Staff Planner: Kwasi Abebrese

Staff Recommendation: Approval with Conditions

- *4-d. **BOA25-00857.** "Mesa Station," 0.7± acres located at 245 South Power Road. Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards to allow for the redevelopment of a Service Station and Automobile/Vehicle Washing facility. **(District 2)**

Staff Planner: Chloe Durfee Daniel

Staff Recommendation: Continue to May 6, 2026

- *4-e. **BOA25-00927.** "AZ Motorsport SUP," 2.0± acres located at 25 South Val Vista Drive. Special Use Permit (SUP) for a parking reduction for a Automobile/Vehicle Sales facility. **(District 2)**

Staff Planner: Chloe Durfee Daniel

Staff Recommendation: Approval with Conditions

- *4-f. See: **Items not on the Consent Agenda**

- *4-g. See: **Items not on the Consent Agenda**

- *4-h. **BOA26-00218.** "AC Hotel," 0.9± acres located at 104 East Main Street. Variance from the Form Based Code standards to allow for a Hotel development. **(District 4)**

Staff Planner: Kellie Rorex

Staff Recommendation: Approval with Conditions

Items not on the Consent Agenda

- 4-f. **BOA26-00082. "Skybridge Harmony Homes,"** 0.2± acres located at 5848 South Hassett. Special Use Permit (SUP) to allow a Transitional Community Residence. **(District 6)**

Staff Planner: Kellie Rorex

Recommendation: Approval with Conditions

Assistant City Attorney II Kirstin Dvorchak provided an overview of the Fair Housing Act. She emphasized that the Act prohibits housing policies or practices that discriminate against individuals based on protected characteristics, including disabilities. She reminded speakers to be thoughtful in their comments and clarified that not all community opposition is discriminatory. She added that the Board may consider valid concerns that had not been addressed previously.

Planner Kellie Rorex presented the proposed case number BOA26-00082 and displayed a PowerPoint presentation. **(See Attachment 1)**

Ms. Rorex explained that citizen participation was completed and that the request meets the approval criteria, including compatibility with surrounding residential uses and no overconcentration of similar facilities. The applicant submitted a Good Neighbor Policy addressing operations and complaint procedures. Staff found the request consistent with the 2050 Mesa General Plan and recommended approval with conditions.

Boardmember Paul asked whether staff's recommendation of approval was based on a determination that the proposed use is compatible with the zoning district and surrounding neighborhood.

Ms. Rorex responded that the recommendation of approval is based on the request's compliance with the Special Use Permit criteria and consistency with the General Plan, which are evaluated in making the recommendation.

Ms. Dvorchak added that compatibility is one of the criteria considered in evaluating a Special Use Permit request.

Boardmember Paul expressed concern regarding the submitted spreadsheet provided by Michelle Dafaria, a Mesa resident, noting it did not include the questions posed to neighbors, supporting documentation, or signatures verifying the responses. She also noted that it can be difficult to evaluate materials submitted by residents at the meeting.

The following citizen addressed the Board in opposition to case number BOA26-00082:

- Michelle Dafaria, a Mesa resident

The above speakers offered a series of comments in opposition to the case number BOA26-00082 including, but not limited to the following:

- Concerns were raised regarding compatibility with the surrounding single-family residential neighborhood.
- The speaker cited operational intensity, including staffing levels, 24/7 supervision, length of stay, and increased traffic.
- Concerns were expressed about potential impacts to neighborhood safety and shared community amenities.
- Questioned the adequacy and enforceability of the Good Neighbor Policy and operational plan.
- Referenced cumulative impacts of similar facilities in nearby areas.
- Requested denial of the Special Use Permit or, alternatively, deferral until a more detailed and transparent operational plan is provided.

Boardmember Paul asked whether the City enforces deed restrictions.

Ms. Rorex answered that the City does not enforce deed restrictions.

The applicant Tumacha Agheneza introduced himself and described his professional background as a pharmacist and facility manager with experience since 2020. He stated they currently operate a facility in San Tan Valley and focus on maintaining regulatory compliance. The applicant reported that their existing facility has had no violations from state inspections and no complaints from law enforcement or neighbors since operations began. The applicant further stated that the proposed facility would follow the same policies and procedures to ensure continued compliance and prevention of issues, and emphasized a history of operating without reported complaints or enforcement actions.

Boardmember Paul asked the applicant to describe, in general terms, the services provided and the types of behavioral disorders treated.

Mr. Agheneza answered the facility serves individuals with substance use and mental health disorders and provides supportive, non-institutional services such as counseling, medication reminders, supervision, and assistance with daily living. They stated no skilled medical treatment is provided on-site, and all medical care is received off-site. The applicant also stated residents participate in off-site community activities and do not use nearby neighborhood amenities, and that transportation is provided directly between the residence and outside facilities without lingering in the neighborhood.

Boardmember Paul questioned if the residents are transported by the Skybridge Harmony Homes.

Mr. Agheneza stated that residents are provided 24-hour supervision and that transportation to off-site services and activities is conducted under staff supervision, with direct travel between the residence and outside locations.

Boardmember Paul inquired about employee parking.

In response the question from Boardmember Paul, Mr. Agheneza stated that the site provides three parking spaces, including garage parking and on-site parking. He explained that the

garage space is used for staff and resident-related parking based on staffing ratios, and that additional on-site spaces are available for limited, scheduled family visitation on weekends. The applicant further stated that visits are controlled, require advance notice, and are limited to specified hours, with parking accommodated on-site.

Boardmember Paul sought clarification on the procedure in place if a neighbor raises a concern, such as residents smoking in the backyard, and how such complaints are processed, including whether a form or reporting method is available.

Applicant Mr. Agheneza stated that there is a formal process in place for handling complaints, including providing contact information and responding within approximately four hours, with follow-up communication regarding any actions taken. The applicant also stated that smoking is permitted only in a designated area located at least 20 feet from property lines and at scheduled intervals, with measures in place to manage and contain smoke.

Boardmember Paul sought clarification from the applicant regarding whether staff on duty are instructed to contact the applicant immediately if a complaint or issue arises.

Mr. Agheneza answered that staff are instructed to contact him immediately if a complaint or issue arises and that additional contact procedures are also in place. The applicant further stated that, to date, his operations have not resulted in any complaints over approximately three and a half years of operation.

Boardmember Paul questioned whether residents are permitted to be employed and whether they are allowed to have or bring vehicles while residing at the home.

In response to Boardmember Paul, Mr. Agheneza stated that residents in the 24-hour supervised setting are in a structured step-down program focused on stabilization and reorientation toward independence. They indicated that residents are not employed while in this level of care and are under supervision until they demonstrate sufficient independence to transition to a lower level of care outside of the proposed property, at which point employment and greater autonomy may be allowed. The applicant also stated that residents are not permitted to have or operate personal vehicles while residing at the property.

Boardmember Paul inquired about the cost of living at the residence.

The applicant Mr. Agheneza explained that the funding structure is used to cover facility operations, including staff, housing, food, and transportation. The applicant stated that placement is coordinated through contracts with insurance and state systems, and that residents are assigned to the facility through those arrangements to support continuity of care and stability. The applicant further stated that residents remain in the program until they are clinically discharge-ready, meaning they have demonstrated sufficient independence in areas such as medication management and daily living skills, and that transition to a lower level of care occurs through a step-down process that may take an extended period of time, including application for flex care programs.

Boardmember Glover questioned the typical length of stay and minimum length of stay of the residents.

Mr. Agheneza clarified that residents do not sign leases, as placement is coordinated through insurance-funded programs. He explained that the expectation is for residents to develop independence over time through the structured program, with continued placement supported

by insurance funding until they are ready to transition to a lower level of care. The applicant further stated that residents are not discharged prematurely and remain in the program until they meet criteria for step-down placement.

Boardmember Trendler asked whether the CC&Rs include any provisions related to rentals, including rental length, short-term rentals, or long-term rentals, and what those provisions state.

Michelle Dafaria, a Mesa resident, responded that the CC&Rs prohibit short-term rentals, including Airbnb-type uses, and are intended for residential use only. The CC&Rs reference a minimum rental period and that the housing is designated for residential occupancy rather than short-term tenancy.

Chairperson Wagner noted that a minimum rental period of six months was referenced from memory, though it was acknowledged that this may not be confirmed. The housing was described as being designated for residential use rather than short-term tenancy.

Assistant City Attorney II Kirstin Dvorchak added that CC&Rs are private contracts between individuals and are not part of zoning regulations or enforceable by the City. Staff noted that any enforcement of CC&R violations would be the responsibility of the HOA or neighborhood association, not the City.

Chairperson Wagner stated that the proposal meets the requirements for approval of the Special Use Permit based on the evidence presented.

Boardmember Trendler discussed the subjective nature of the compatibility standard and expressed concern about how transitional residential uses fit within primarily single-family neighborhoods, particularly in terms of length of stay and residential stability. He also noted that longer-term residency is more consistent with typical single-family neighborhood patterns and indicated that longer stays are more favorable when considering compatibility.

Boardmember Glover expressed support for the proposal, citing appreciation for the detail provided in the project narrative and stating general agreement with approval based on the applicable criteria and operational characteristics of the facility.

Staff Assistant City Attorney II Kirstin Dvorchak clarified that, under Open Meeting Law requirements, a motion to enter Executive Session must include the specific statutory basis for the session, such as legal advice or another applicable authorized purpose, along with the relevant agenda item.

It was moved by Boardmember Paul, seconded by Boardmember Glover, that the Board enter into an executive session at 6:15 p.m. to discuss case number BOA26-00082, "Skybridge Harmony Homes."

Upon tabulation of votes, it showed:

AYES – Wagner–Allen–Glover–Trendler–Barrera–Paul
NAYS – None
ABSENT– None

Chairperson Wagner declared the motion carried unanimously by those present.

- a. Discussion for legal advice with the attorney or attorneys of the public body pursuant to A.R.S. § 38-431.03(A)(3).

(At 6:40 p.m., the executive session adjourned, and the Board reconvened the Public Hearing.)

In response to a request from Vice Chairperson Allen expressing ongoing concern about compatibility within the neighborhood, noting that the uncertainty around timelines whether changes happen in six months or two years makes the situation more difficult. Although she understands the variability, the turnover and inconsistency continue to weigh on her. This is an issue she has revisited before, and it remains a persistent challenge.

It was moved by Boardmember Paul, seconded by Boardmember Barrera, that case number BOA26-00082, "Skybridge Harmony Homes", be approved.

Upon tabulation of votes, it showed:

AYES – Wagner–Glover–Barrera–Paul
NAYS – Allen–Trendler
ABSENT – None

Chairperson Wagner declared the motion passed.

- 4-h. **BOA26-00112. "Mid-Mesa Medical Building Comprehensive Sign Plan,"** 1.1+ acres located at 3155 East Southern Avenue. Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 2)**

Staff Planner: Sergio Solis

Recommendation: Approval with Conditions

Planner Sergio Solis presented the proposed case number BOA26-00112 and displayed a PowerPoint presentation. **(See Attachment 2)**

Boardmember Glover stated he needed to recuse himself.

Assistant City Attorney II Kirstin Dvorchak added that if a Boardmember needs to recuse themselves, they should clearly state on the record that they are recusing or have a conflict, provide a brief statement without going into detailed justification, and then allow the remaining board members to proceed with considering the application.

Boardmember Glover stated that he would be recusing himself from voting on the case due to a conflict of interest.

It was moved by Boardmember Trendler, seconded by Boardmember Paul, that case number BOA26-00112, "Mid-Mesa Medical Building Comprehensive Sign Plan", be approved.

Upon tabulation of votes, it showed:

AYES – Wagner– Allen–Trendler –Barrera–Paul
NAYS – None
ABSENT – None
ABSTAINED – Glover

Chairperson Wagner declared the motion passed.

5. Adjourn.

Without objection, the Board of Adjustment Public Hearing adjourned at 6:53 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Board of Adjustment meeting of the City of Mesa, Arizona, held on 1st day of April 2026. I further certify that the meeting was duly called and held and that a quorum was present.

ALEXIS WAGNER, CHAIRPERSON

vf
(Attachments – 2)



Board of Adjustment



BOA26-00082

Charlotte Bridges, Planner II

April 1, 2026



Request

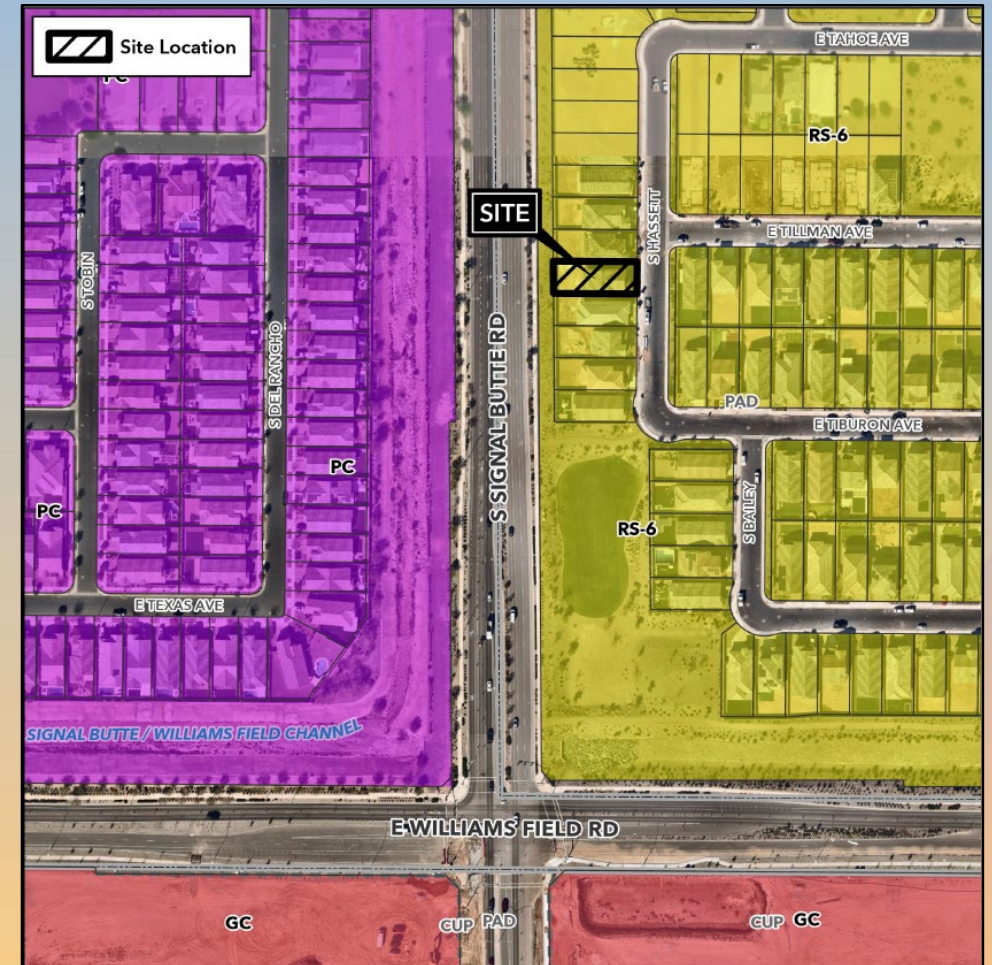
- Special Use Permit to allow for a Transitional Community Residence





Location

- 5848 S Hassett
- East of Signal Butte Road
- North of Williams Field Road
- Located on the west side of Hassett

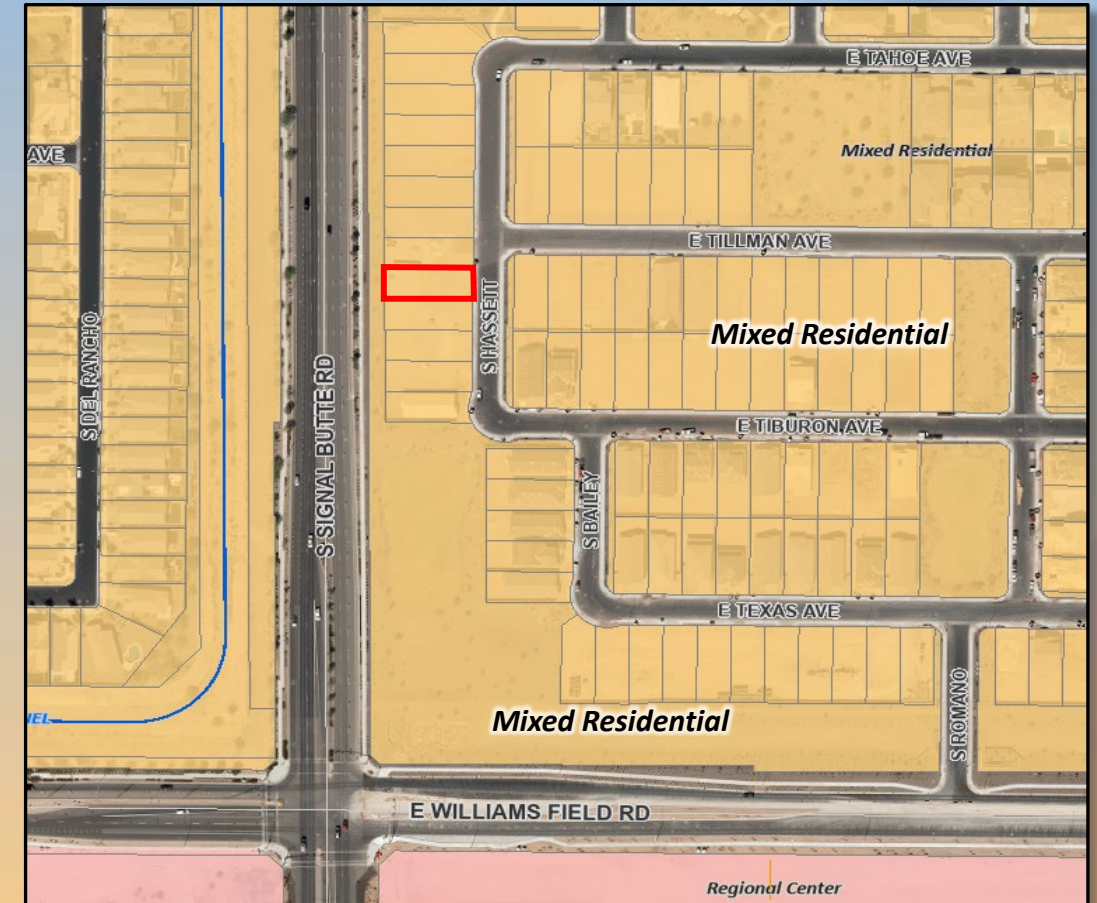




General Plan

Mixed Residential Placetype with a Sustain Growth Strategy

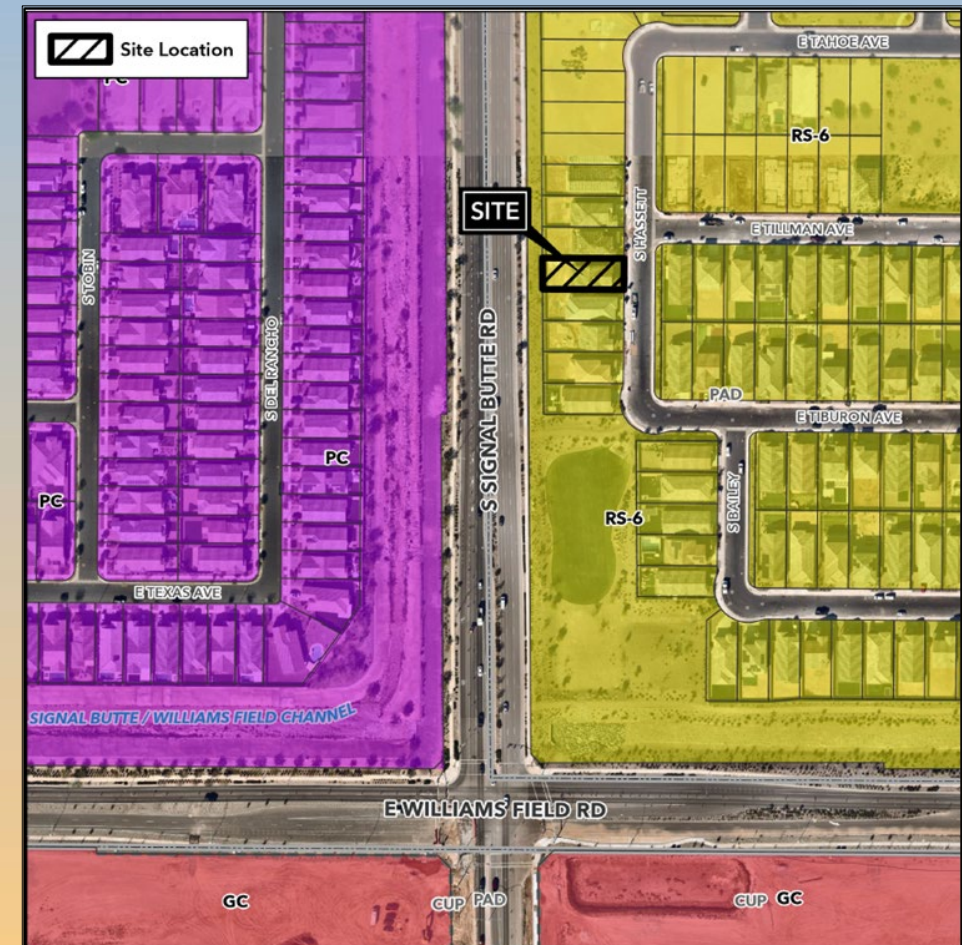
- Single-family residential is a principal land use





Zoning

- Single Residence-6 with a Planned Area Development Overlay
- Single residence use permitted
- Transitional Community Residences require approval of a SUP





Site Photos

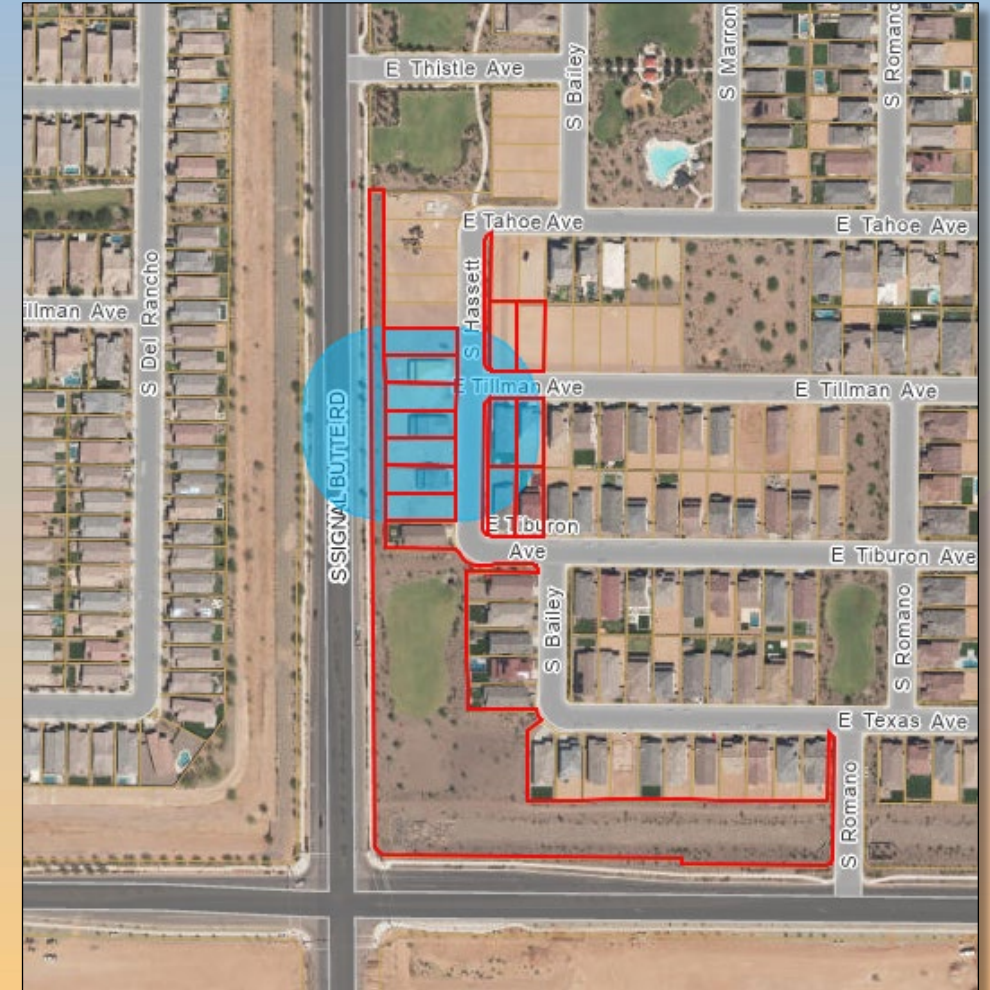


Looking west from Hassett



Citizen Participation

- Notified property owners within 150 feet
- Spreadsheet from neighbor





Staff Report Update

- Treatment plans are written for a length of six months and renewed every six months until a resident achieves sufficient clinical stability for step-down placement. Once clinically discharge-ready, they may continue to stay at the home for up to two years while they are waiting to be placed in a FlexCare program. [The tenancy in a traditional owner-occupied single-family home is relatively permanent with a lower occupancy turnover rate and tenancy in a Transitional Community Residence is more akin to multiple-family residential uses with a higher turnover rate. To promote stability for residents and ensure compatibility with the residential uses allowed by right in an RS single residence zoning district, City staff recommends a condition of approval requiring a minimum length of stay of at least six months (see the Conditions of Approval below).]



Approval Criteria

Per Section 11-31-14(B):

- ✓ The proposed use will be compatible with the residential uses allowed as of right in the zoning district; and
- ✓ The proposed use in combination with any existing community residences, assisted living homes, and assisted living centers will not result in a clustering of such uses or alter the residential character of the surrounding neighborhood by creating or intensifying an institutional atmosphere; and
- ✓ The proposed use will not interfere with normalization and community integration of the residents of any existing community residences, assisted living homes, or assisted living centers, and that the presence of other existing community residences, assisted living homes, or assisted living centers will not interfere with normalization and community integration of the residents of the proposed use;



Approval Criteria

Per Section 11-31-14(B):

- ✓ The applicant has submitted a "good neighbor policy" in narrative form that includes:
 - (a) A description of acceptable measures to ensure ongoing compatibility with adjacent uses;
 - (b) The name and telephone number of the manager or person responsible for the operation of the facility;
 - (c) Complaint response procedures including investigation, remedial action, and follow-up procedures; and
 - (d) The proposed use complies with all other development standards in this Chapter.



Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Meets required findings for a SUP in Section 11-31-14(B) of the MZO

Staff recommends Approval with Conditions



Board of Adjustment



Board of Adjustment



BOA26-00112

Mid-Mesa Medical CSP

Sergio Solis, Planner I

April 1, 2026



Request

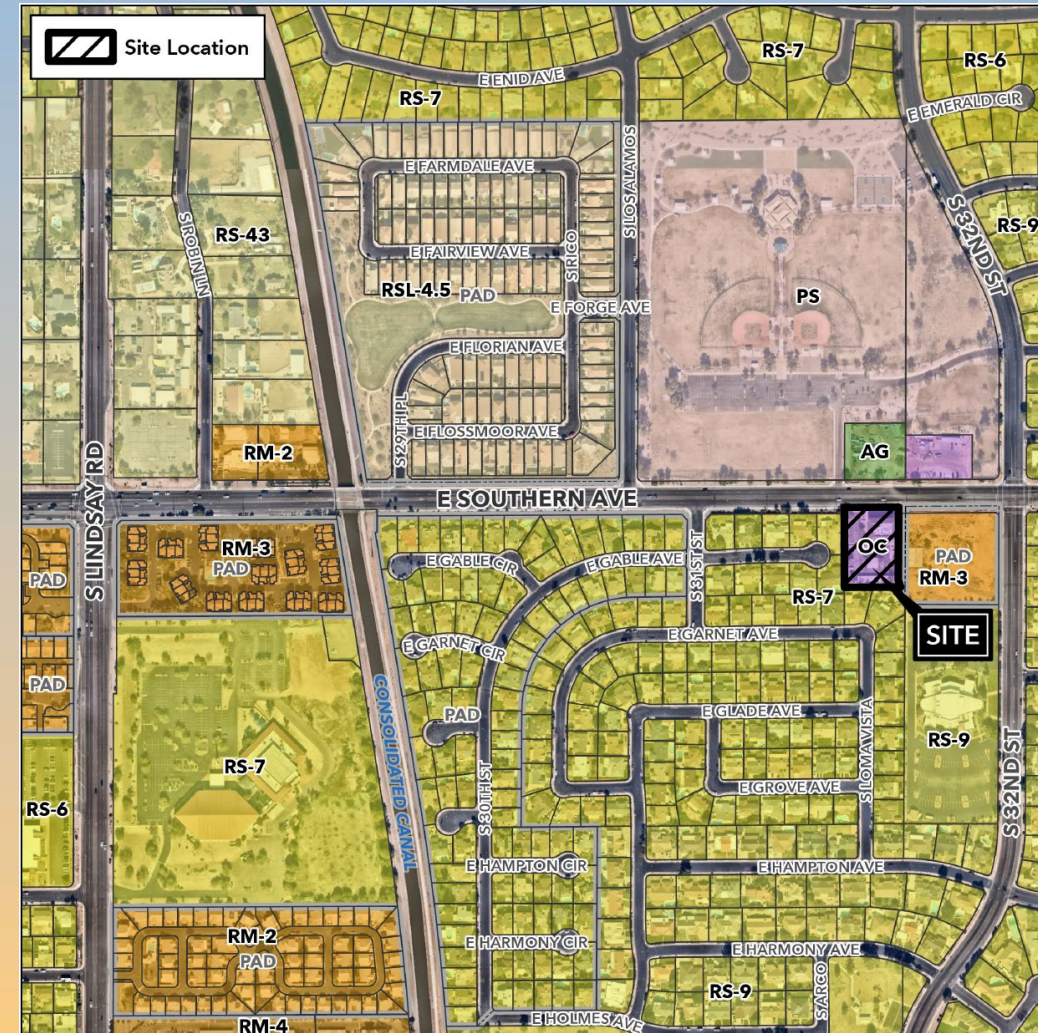
- Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP)





Location

- East of Lindsay Rd.
- West of 32nd St.
- North of Southern Ave.





General Plan

Traditional Residential – Sustain

- Small-scale offices are supportive uses in this Placetype when located along arterial roadways and designed to be compatible with and connected to the surrounding neighborhood





Zoning

- Office Commercial (OC)
- Business Offices are permitted in the OC District





Site Photo



Looking south towards the project site



Site Plan



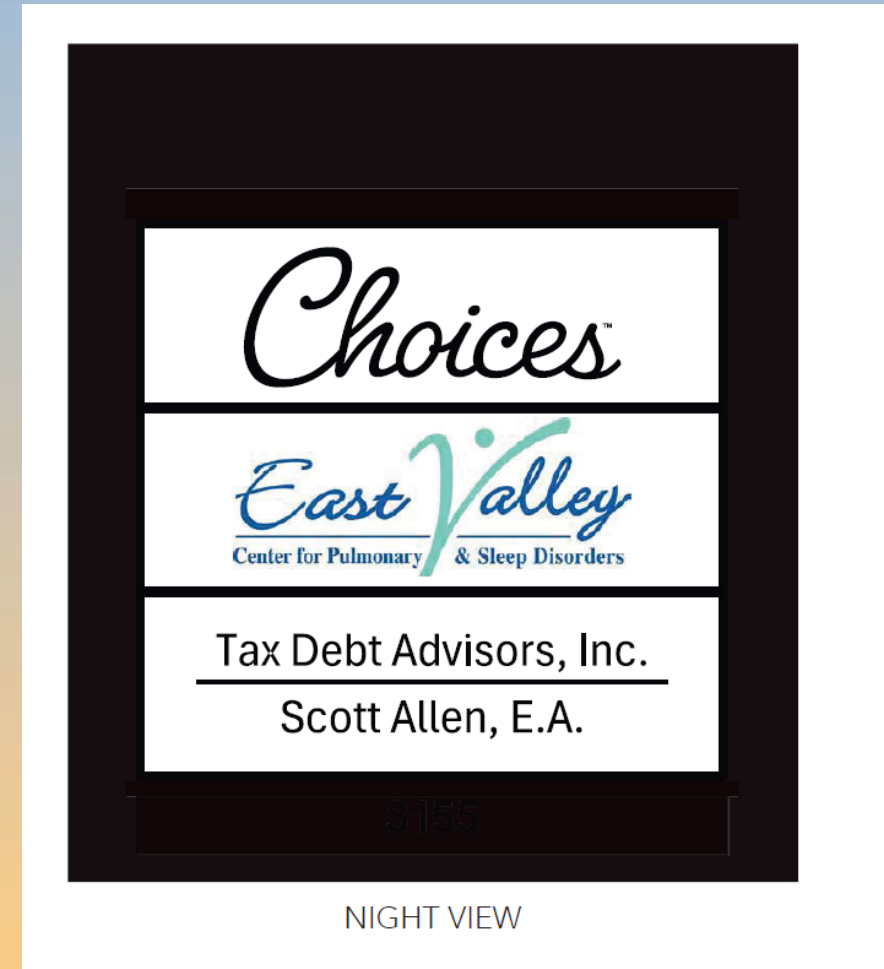
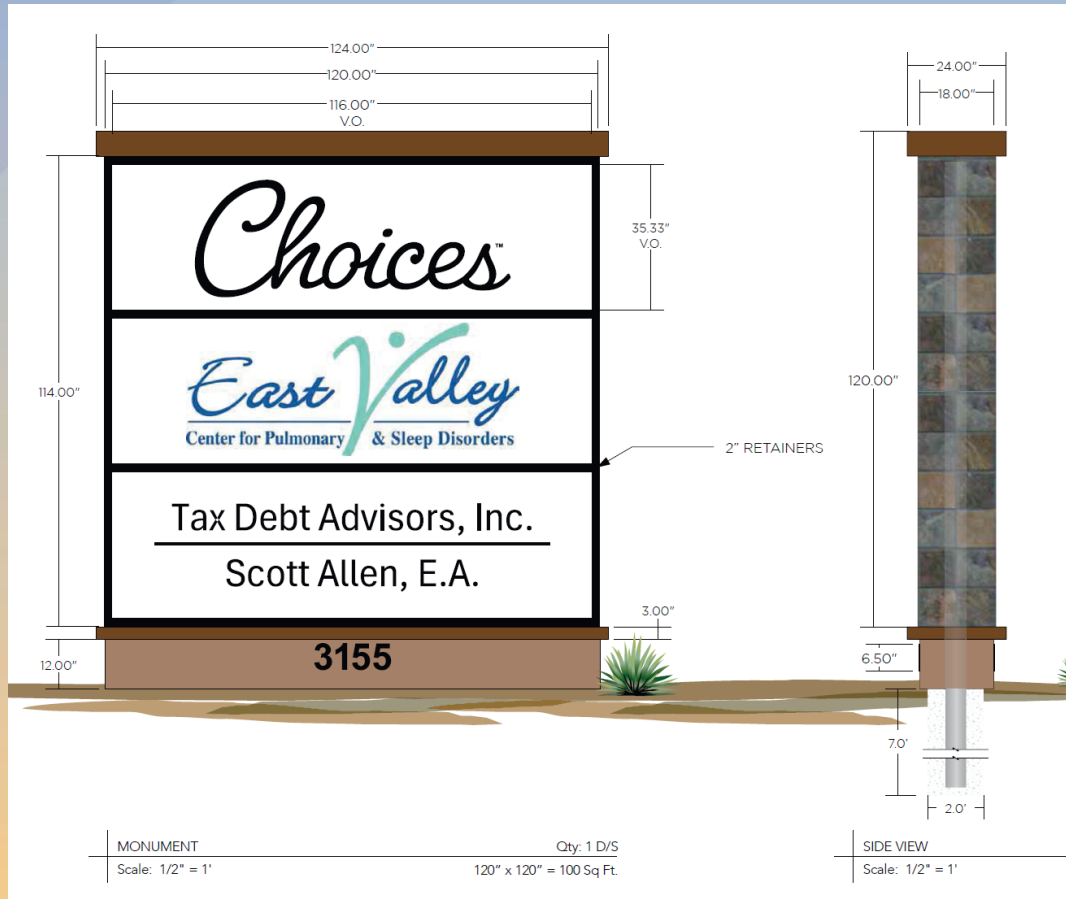


Sign Plan – Detached Signs

Development Standard	MZO Allowance	CSP Proposed
MZO §11-43-3-C-2		
Detached Signs Allowances:		
Maximum Height	8 feet (96 in.)	11 feet – 4 inches (136 in.)
Maximum Aggregate Sign Area (attached and detached combined)	32 square feet	200 square feet (detached sign only)

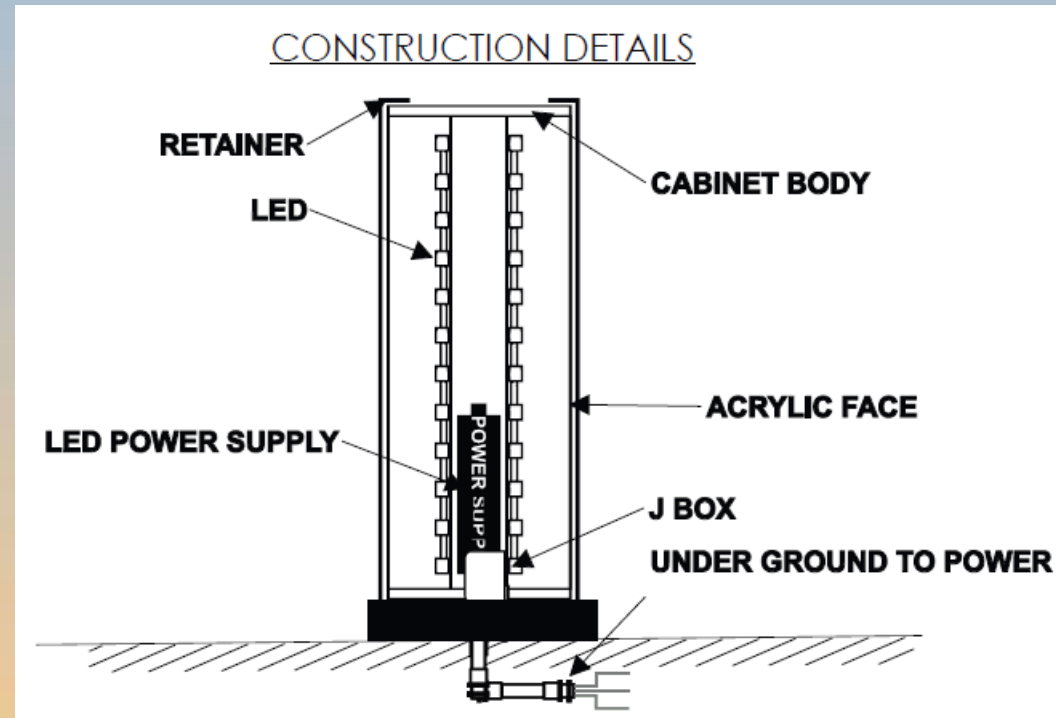


Sign Plan





Sign Plan





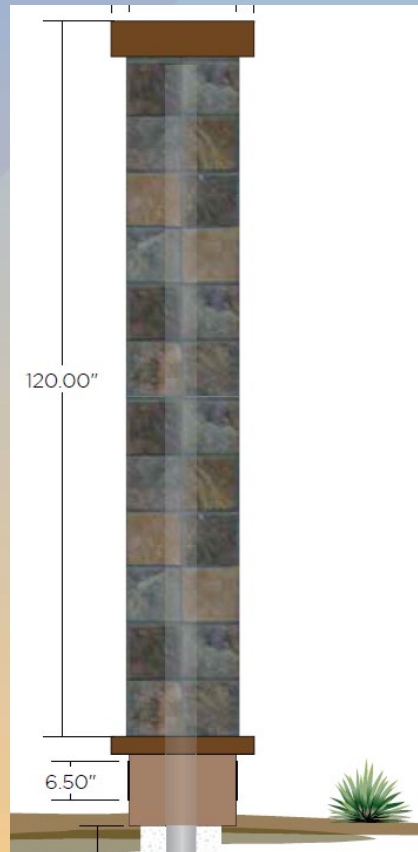
Rendering



ELEVATION RENDERING (FACING EAST)



Color & Materials



SPECIFICATIONS:

MANUFACTURE AND INSTALL D/S ILLUMINATED CABINET

ALUMINUM CABINET PAINTED MP BLACK WITH A 2" RETAINER

WHITE PLEX PANELS WITH FULL COLOR TRANSLUCENT DIGITAL PRINTS

INTERNAL WHITE LED ILLUMINATION





CABINET SIDES CLAD WITH TILE TO MATCH EXISTING

6" TOPPER AND 3" BASE CAP PAINTED MP TO MATCH BUILDING COLOR

1/4" ALUMINUM FLAT CUT OUT ADDRESS NUMBERS PAINTED MP BLACK AND FLUSH MOUNTED TO BASE

5"Ø SCHEDULE 40 PIPE SET INTO 2' x 7' - 0" 2500 PSI CONCRETE FOOTER

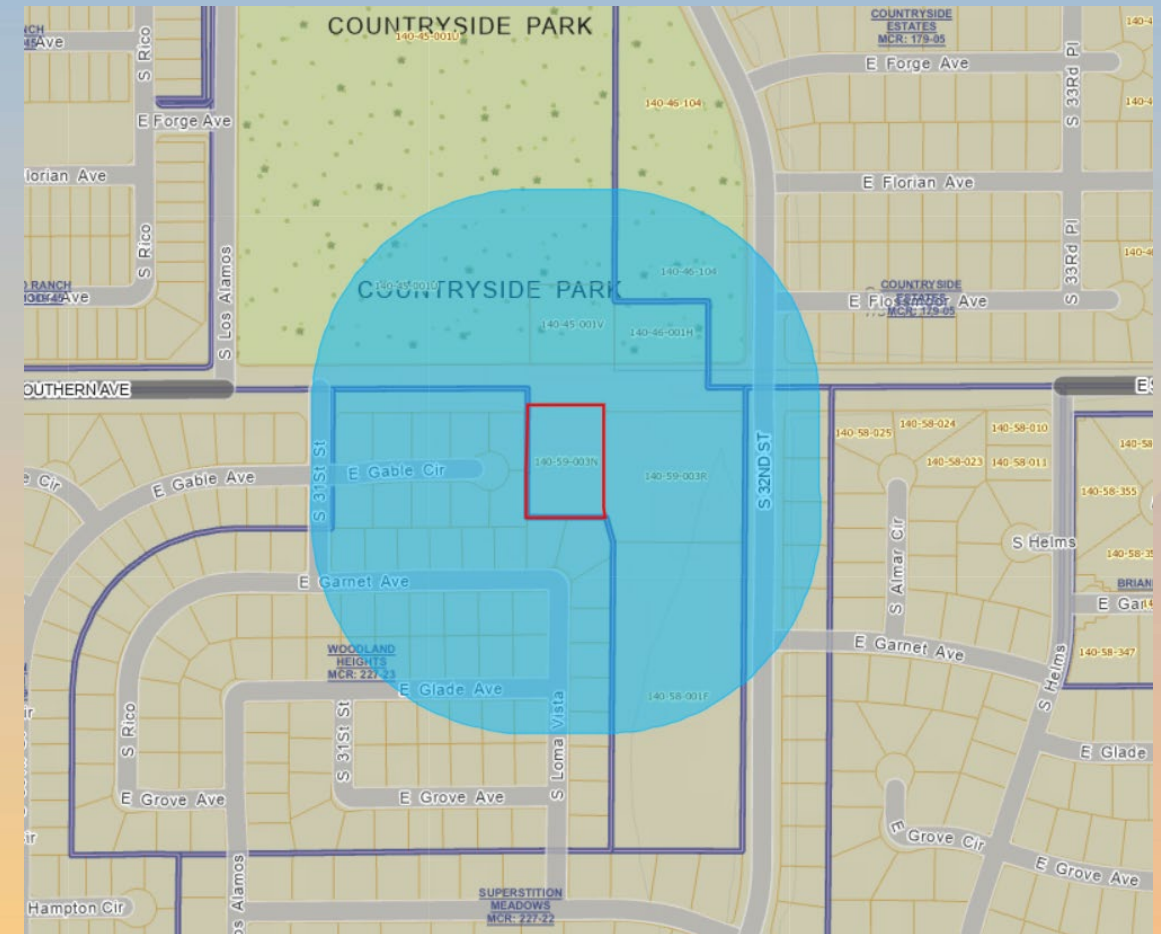
COLOR SCHEDULE:

-  FULL COLOR TRANSLUCENT DIGITAL PRINT
-  MP 89146 / SW 9092 ICED MOCHA
-  MP TO MATCH
-  MP BLACK



Citizen Participation

- Notified property owners within 500 feet
- No comments received from neighboring property owners





Approval Criteria

Section 11-46-3(D) CSP Criteria

- ✓ The site contains unique or unusual physical conditions that would limit or restrict normal sign visibility.
- ✓ The development exhibits unique characteristics of land use, that represent a clear variation from conventional development.
- ✓ The proposed signage incorporates special design features that reinforce or are integrated with the building architecture.



Approval Criteria

Section 11-70-5(E) Special Use Permit Criteria

- ✓ Project will advance the goals and objectives of the General Plan and other City plan and/or policies;
- ✓ Location, size, design, and operating characteristics are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;
- ✓ Project will not be injurious or detrimental to the surrounding properties, the neighborhood, or to the general welfare of the City; and
- ✓ Adequate public services, public facilities and public infrastructure are available.



Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Meets the CSP criteria of Section 11-46-3(D) of the MZO
- ✓ Meets the SUP findings of Section 11-70-5(E) of the MZO

Staff recommends Approval with Conditions



Board of Adjustment