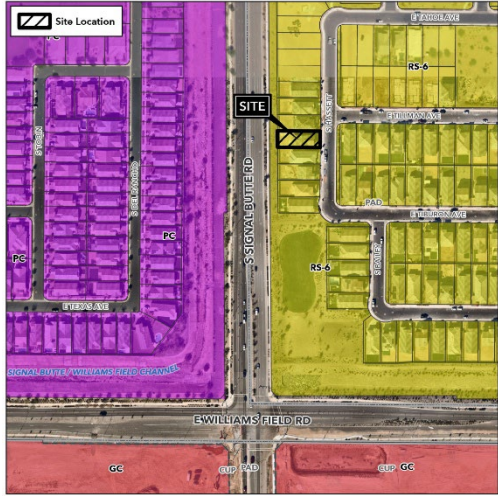


Board of Adjustment Report

Date	April 1, 2026	
Case No.	BOA26-00082	
Project Name	Skybridge Harmony Homes	
Request	Special Use Permit for a Transitional Community Residence	
Project Location	5848 South Hassett	
Parcel No(s)	304-37-751	
Project Area	0.2± acres	
Council District	District 6	
Existing Zoning	Single Residence 6 with a Planned Area Development Overlay (RS-6-PAD)	
General Plan Designation	Mixed Residential	
Applicant	Tumacha Agheneza	
Owner	Tumacha Agheneza and Yvette Chah	
Staff Planner	Charlotte Bridges, Planner II	

Recommendation

Staff finds that the requested Special Use Permit for a Transitional Community Residence meets the required findings outlined in MZO Section 11-31-14(B).

Staff recommends approval with conditions.

Project Overview

Request:

The applicant is requesting a Special Use Permit (SUP) for a Transitional Community Residence (Proposed Project). Per Table 11-5-2 of the Mesa Zoning Ordinance (MZO), a SUP is required for a Transitional Community Residence in Single Residence (RS) Districts.

- Per Chapter 86 of the MZO, Transitional Community Residences provide a relatively temporary living arrangement measured in weeks or months with a limit on length of tenancy to less than a year.
- The proposed Transitional Community Residence will be licensed to operate as a Behavioral Health Residential Facility by the Arizona Department of Health Services for individuals 18 years of age or older. The facility will serve a maximum of 10 individuals.

Site Context

General Plan:

- The Placetype for the project site is Mixed Residential and the Growth Strategy is Sustain.
- Single-family residential is a principal land use.

Sub Area:

- The project site is within the Mixed-Use Community District of the Mesa Gateway Strategic Development Plan.
- Single-family residential is a supported land use.

Zoning:

- The project site is zoned Single Residence-6 with a Planned Area Development Overlay (RS-6-PAD).
- Per Table 11-5-2 of the MZO, a Transitional Community Residence use requires the approval of a SUP in Single Residence (RS) Districts subject to the criteria for approval of outlined in Section 11-31-14 of the MZO.

Surrounding Zoning & Use Activity:

The proposed Transitional Community Residence is compatible with surrounding land uses, which includes single residences.

West (Across South Single Butte Road) PC - Eastmark Single Residence	North RS-6-PAD Single Residence	Northeast (Across South Hassett and East Tillman Avenue) RS-6-PAD Single Residence
--	--	--

West (Across South Single Butte Road) PC - Eastmark Single Residence	Project Site RS-6-PAD Single Residence	East (Across South Hassett Avenue) RS-6-PAD Single Residence
Southwest (Across South Single Butte Road) PC - Eastmark Single Residence	South RS-6-PAD Single Residence	Southeast (Across South Hassett Avenue) RS-6-PAD Single Residence

Site History:

- **September 10, 2012:** City Council annexed 100.9± acres, including the project site, into the City of Mesa (Ordinance No. 5116).
- **September 10, 2012:** City Council rezoned 100.9± acres, including the project site, from Maricopa County Rural 43 with a Special Use Permit for the Proving Grounds to Light Industrial (LI) to establish City of Mesa Zoning on recently annexed property (Case No. Z12-029, Ordinance No. 5117).
- **September 10, 2012:** City Council amended the Mesa 2025 General Plan to change the General Plan Land Use Category on 105± acres, including the project site, from Business Park (BP) to Medium Density Residential 4-6 du/acre (MDR4-6) (Case No. GPMinor12-002, Resolution No. 5117).
- **September 10, 2012:** City Council rezoned 100.9± acres from LI to Single Residence-6 (RS-6) and Small Lot Single Residence 4.5 (RSL-4.5) to allow the development of single residence homes. The project site was zoned RS-6 (Case No. Z12-030, Ordinance No. 5118).
- **October 28, 2013:** City Council rezoned 100.9± acres from RS-6 and RSL-4.5 to RS-6-PAD and approved a Site Plan and Preliminary Plat to allow a single residence development (Case No. Z13-044, Ordinance No. 5188).
- **February 14, 2022:** The La Mira Phase 2 subdivision plat for 144 single residence lots was recorded with Maricopa County. The project site is lot 212 of the La Mira Phase 2 subdivision.
- **June 20, 2025:** The building permit for a single residence was finalized for the project site (Building Permit No. PMT25-00342).

Project/Request Details

Site Plan:

- **Location:** 5848 South Hassett, generally located east of Signal Butte Road and North of Williams Field Road on the west side of South Hassett.
- **Subdivision:** Identified as Lot 212 of the La Mira Phase 2 subdivision.

- **Building:** City of Mesa building permit records indicate there is an existing single residence with 3,075 square feet of livable area, a 210 square foot covered patio, a 170 square foot covered porch and a 582 square foot attached three-car garage.
- **Operations:** The property will be licensed with the Arizona Department of Health Services as a Behavioral Health Residential Facility (BHRF). Operations at the property are further outlined in the narrative provided by the applicant as a part of the application process

Special Use Permit:

Per Chapter 86 of the MZO, a Community Residence is defined, in part, as “a residential living arrangement for five to ten individuals with disabilities, excluding staff, living as a family in a single dwelling unit who are in need of the mutual support furnished by other residents of the Community Residence as well as the support services, if any, provided by the staff of the Community Residence...A community residence seeks to emulate a biological family to foster normalization of its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment. Medical treatment is incidental as in any home.”

Per Chapter 86 of the MZO, a Transitional Community Residences is “[a] Community Residence that provides a relatively temporary living arrangement with a limit on length of tenancy less than a year that is measured in weeks or months, as determined either in practice or by the rules, charter, or other governing document of the community residence.”

In certain zoning districts, such as RS Districts, a Transitional Community Residence is not allowed by right but requires the approval of a SUP. Per Section 11-31-14(B) of the MZO, a SUP shall be granted only if the Board of Adjustment finds that the applicant has demonstrated all the following criteria are met:

1. The proposed use will be compatible with the residential uses allowed as of right in the zoning district:

Per the applicant:

- The proposed Transitional Community Residence will have a maximum of 10 individuals, including those in active treatment and those waiting to be placed in a FlexCare program, but not including staff.
- The exterior of the property at 5848 S. Hassett will maintain its original architectural integrity, with no signage, commercial lighting, or structural modifications that would distinguish it from any other home in the RS-6 district.
- All activities will occur within the home or private backyard, ensuring the use remains consistent with the quiet, residential character of the neighborhood.
- The residence will provide a structured, supportive, and supervised home-like environment for individuals transitioning from higher levels of care or institutional settings into independent community living. Supportive services include 24-hour supervision by trained staff, assistance with daily living skills, medication oversight, recovery-oriented support and coordination with external providers. There are no skilled nursing services. [The applicant has stated that there are no medical or treatment services will be provided at the property that would not typically occur in a residential setting.]
- The residence is intended to function as a single household, offering stability, supervision, and supportive services that promote recovery, independence, and successful reintegration into the community. [A Transitional Community Residence

has a family like relationship where the residents share household chores and duties, learn from each other, and provide one another with emotional support.]

- Residents share common living areas, kitchen, dining and outdoor spaces and operate as a single housekeeping unit.
- The applicant does not anticipate a significant increase in traffic. The residents cannot bring personal vehicles to the facility. Transportation is often provided via house van or share rides like Uber/Lift.
- All required parking will be contained on-site (garage and driveway) to ensure no congestion on Hassett. The garage has 3 parking spots and the driveway has 2 additional spots.
- Strict "House Rules" including designated quiet hours (e.g., 9:00 PM to 7:00 AM) will be enforced to ensure residents remain respectful neighbors.
- Two staff members are on duty at all times (24/7). [One of the core elements of Community Residences is that they seek to emulate a family in how they function with the staff functioning as parents; to ensure that residents have adequate access to staff to assist residents with integration into community life, City staff recommends a condition of approval requiring a staff member be on site whenever a resident is present (see the Conditions of Approval below)].
- 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).]

2. 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:

- The proposed Transitional Community Residence and the nearest registered Community Residence are approximately 3,160± feet apart, measured in a straight line from the nearest parcel line of the existing Community Residence to the nearest wall of the proposed Transitional Community Residence, which crosses over roadways and adjacent properties. The distance required to travel along the street to reach the location is approximately 4,978± feet and would require an individual to cross S. Mountain Road and E. Williams Field Road (0.94 miles).
- To ensure clustering does not occur, Section 11-31-14(A) of the MZO sets a requirement for a minimum distance of 1,200 feet from the closest existing community residence, assisted living home, or assisted living center. Because there are no other community residences or assisted living homes/centers within 1,200 feet of the subject

property, there is no clustering or risk that an institutional atmosphere will impact the residential character of the surrounding neighborhood.

3. 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:

- The subject property is not located within 1,200 feet of another community residence or assisted living home/center, with the closest location requiring an individual to travel 0.94 miles. Also, the location will not have signage, commercial lighting, or structural modifications that would distinguish it from any other home in the RS-6 district. Therefore, it is unlikely the residents of the proposed Transitional Community Residence will interact with, or interfere with the normalization and community integration of, residents of other existing community residences or assisted living homes/centers, nor will the residents of such other locations interfere with the normalization and community integration of the residents of the proposed used.

4. 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 Section 11-31-14 of the MZO:

The applicant submitted a Good Neighbor Policy (Exhibit 4) containing the following information:

- Measures to ensure ongoing compatibility including:
 - Maintain the property to residential standards.
 - Compliance with local noise ordinances.
 - Managed visitor activity: Visitation is only permitted on Saturdays and Sundays from 9 am to 6 pm. All visitors must be pre-approved.
 - On-site staff supervision, 24 hours a day, seven days a week.
 - Respect for adjacent properties and shared infrastructure
 - Prompt response to any neighborhood concerns
 - No commercial signage will be posted.
 - The garage has three parking spots and the driveway has two additional spots. In the garage, one spot is reserved for the house van and the other two spots for the two staff on duty. Staff shifts are 12 hours each so there is no overlapping shift
 - Visitors will use the two extra spots on the driveway to park. To prevent parking on the street, visits will be approved for a maximum of two vehicles per visitation time slot.
 - Outdoor activity will be monitored and conducted in a manner consistent with normal residential living.

- The name, telephone number and email address of the home's manager, who is responsible for the operation of the facility.
- Complaint response procedures include investigation of complaints within four hours, corrective actions for violations of house rules or city code if required and follow-up with the party filing the complaint within 24 hours to explain steps taken to resolve the complaint.

The proposed Transitional Community Residence complies or will comply with the development standards for Community Residences set forth in 11-31-14 of the MZO (Chapter 31):

1. There is a distance of more than 1,200-foot from the closest existing community residence, assisted living home, or assisted living center as required by Subsection (A)(1);
2. The occupancy will not exceed 10 residents (not including staff) as required by Subsection (A)(2).
3. The Project Narrative indicates the Community Residence will obtain licensure and certification as a Behavior Health Residential Facility from the Arizona Department of Health Services per Subsection (A)(3), which allows for provisional registration that can only be finalized if the applicant provides evidence of the required licensure within 120 days.

Required Notification

The applicant provided letters to surrounding property owners within 150 feet of the project site, notifying them of the public hearing.

Staff has received correspondence from one neighbor in the form of a spreadsheet, that appears to indicate neighborhood opposition to the Proposed Project.

Conditions of Approval

Staff recommends **approval** of the Special Use Permit (SUP) for a Transitional Community Residence, subject to the following conditions:

1. Compliance with the Mesa Zoning Ordinance, including all applicable City Development codes and regulations.
2. Approval of a final Community Residence registration for the project site and annual registration renewal in accordance with Section 11-31-14 of the MZO. If, in accordance with MZO 11-31-14(C)(2), the applicant does not provide evidence of the required license or certification within 120 days of approval of the SUP, the provisional registration will expire and the applicant will be deemed to have not met this required condition of approval for final registration.
3. Compliance with the Good Neighbor Policy.
4. The annual average length of the residents' stay, calculated in days, must be 180 days or more.
 - a. As a part of the annual registration renewal of the community residence required by the Mesa Zoning Ordinance, data shall be provided to the City evidencing

compliance with the 180-day minimum average length of stay, including, at a minimum, the arrival date, the departure date and duration of each resident's stay.

- b. The data provided shall not include confidential medical information (for example, no HIPAA protected information or information about the disabilities of the residents) or any personally identifying information of any resident.
- c. The City reserves the right to ask for additional information regarding resident length of stay provided the information does not contain the excluded information identified in Subsection (b) above.

Section 11-70-5 of the MZO allows for a revocation process if any condition, stipulation, or term of the approval of the SUP has been violated. In addition to the conditions of approval above, approval of the SUP is conditioned on the information provided by the applicant at the public hearing and in the application (including any accompanying narrative and other supplemental materials) not being false or materially misleading at the time of approval.

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Narrative /Justification and Compatibility Statement

Exhibit 3 – Good Neighbor Policy

Exhibit 4 – Site Plan and Floor Plan

Exhibit 5 – Power Point Presentation