



Legal Services
63 East Main Street #101
Mesa, Arizona 85201-7422
(480) 472-0208 | fax (480) 472-0489
www.mpsaz.org/legal

Kacey King
GENERAL COUNSEL
klking@mpsaz.org

May 7, 2025

Mesa Planning and Zoning Department

City of Mesa
55 N Center Street
Mesa, AZ 85201

Re: Legacy Recovery Center Adjacent to Hermosa Vista Elementary School

Dear Mesa Planning and Zoning Department:

On behalf of Mesa Public Schools, I want to respectfully express the District's concerns over the siting of the Legacy Recovery Center at 2338 E. Minton, which shares a property line and fence directly with Hermosa Vista Elementary School, a school within Mesa Public Schools. We value our partnership with the City and appreciate the opportunity to share our thoughts on this sensitive matter.

While we support the mission of recovery programs and fair housing rights, placing a facility that stores and administers Schedule II and III drugs directly adjacent to a K-6 school raises significant safety and zoning concerns. Recovery facilities treating opioid and other substance use disorders, including medication-assisted treatments like methadone and buprenorphine, should not be sited next to a school. Schools are legally designated drug-free zones and must be safeguarded from incompatible uses that may compromise student safety, increase traffic, and introduce operational risks. The District notes that Legacy's initial permitting lacked transparency, did not adequately notify community stakeholders, and did not include a Special Use Permit as required.

While the District acknowledges the rights granted under the Fair Housing Act and ADA, including reasonable accommodations, placing a high-risk recovery program next to an elementary school is not a reasonable accommodation—it undermines zoning protections for schools and imposes undue burdens on school operations and student welfare. Indeed, since opening, emergency medical services have already responded to the site multiple times, reinforcing concerns over safety and suitability.

The specifics of the intended use by Legacy require the operator to obtain the correct permit based on the facts of its intended use and operation. It is our understanding that in mid-April, the City revoked or withdrew Legacy's existing permit. The District, therefore, raises these concerns in order to support the revocation in the event of an appeal, or as a concerned party in any future permitting process. The proposed facility must comply fully with zoning laws, demonstrate transparency, and be located in an appropriate area that supports both community health and student safety.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Kacey King". The signature is fluid and cursive.

Kacey King
General Counsel

Cc: Jim Smith, City Attorney
Dr. Matt Strom, Superintendent, Mesa Public Schools