



TOWN OF EAGAR
PLANNING AND ZONING COMMISSION
REGULAR MEETING, PUBLIC HEARING, AND
WORK SESSION

JULY 14TH, 2026 at 6:00 PM

COUNCIL CHAMBERS, 22 WEST 2ND STREET

AGENDA

PURSUANT TO A.R.S. 38-431.02 NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGAR AND THE GENERAL PUBLIC THAT THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGAR WILL HOLD A REGULAR MEETING, PUBLIC HEARING, AND WORK SESSION OPEN TO THE PUBLIC ON TUESDAY JULY 14, 2026, AT 6:00 PM, IN THE COUNCIL CHAMBERS LOCATED AT 22 W. 2ND STREET, EAGAR, AZ 85925.

- 1. WELCOME**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. INVOCATION**
- 5. PUBLIC COMMENTS**

Persons wishing to address the Commission on any item not already on the agenda may do so, although each speaker is limited to three minutes. The Chair, with the consent of the Commission, may limit the total time offered speakers, if necessary. All such remarks shall be addressed to the Commission as a whole, and not to any specific member. No person, other than the speaker, shall enter the discussion without permission of the Chair. The Commission may not address, discuss or vote upon any petition or comment raised by the public at any meeting. The item may be placed on a future agenda with direction from the Planning and Zoning Administrator on how to place an item on the agenda.

- 6. REPORTS**
 - A. COMMISSION**
 - B. STAFF**
- 7. DISCUSSION AND CONSIDERATION OF MINUTES**

- A. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE JUNE 9, 2026 MEETING MINUTES**

8. PUBLIC HEARING

Public Hearings are conducted in accordance with ARS 38-431 et seq (the "open meeting law") and the Planning & Zoning Commission Policies & Procedures, Town of Eagar, Arizona Section VII-Public Hearing

Calling Agenda Item: The agenda item shall be called by the Chair as any other agenda item.

Declaration of Public Hearing: The Chair shall declare that the Commission is in public hearing.

Applicant Presentation: The Applicant may make an opening statement in order to explain the item to the Commission and public. The Chair or Commission may limit the time for his/her statement as necessary.

Staff Reports/Recommendations: Staff shall have an opportunity to report on the issue and answer questions by the Commission.

Written Comments: Written comments filed with the Town or staff shall be presented to the Commission and read into the record.

Public Comments: Testimony from members of the public shall be permitted and encouraged. Anyone wishing to make a statement shall first stand and identify themselves by name and also identify where they reside. Members of the public shall be limited to five minutes per person, or less as designated by the Chair or Commission. The total time allotted to the public on any issue may be limited or extended by the Chair or Commission.

Commission Interaction: Questions from the Commission may be held at this time or reserved until public hearing has closed. The Commission may address the applicant with any questions raised from the public and discuss the question.

Applicant Closing Statement: The applicant shall be allowed a brief closing statement in order to rebut the statements made by the public, to offer a compromise, or otherwise address the issue.

Declaration of closing the Public Hearing: Unless a majority of the Board Members object, the Chair shall declare the public hearing as closed. At this time public and applicant participation is limited to questions from the Commission only.

Commission Discussion and Vote: The agenda item may then be discussed and action can be taken as on any other agenda item.

A. Public Hearing for CUP2026-6; an application for Conditional Use Permit from Lucas and Candace Luna to allow for an RV Park and RV Storage at a revised and adjusted 79.63 acre parcel (currently reflected as parcel 104-29-002A and portions of 104-29-003C) commonly known as the old sawmill at the northeast corner of Water Canyon Road and 12th Street.

RECONVENE INTO REGULAR SESSION

9. DISCUSSION AND POSSIBLE ACTION

- A. Discussion and possible action on agenda item #8A; CUP2026-6, an application for Conditional Use Permit from Lucas and Candace Luna to allow for an RV Park and RV Storage at a revised and adjusted 79.63 acre parcel (currently reflected as parcel 104-29-002A and portions of 104-29-003C) commonly known as the old sawmill at the northeast corner of Water Canyon Road and 12th Street.**

10. WORK SESSION

- A. Discussion related to amending all sections of Walls and Fences in Title 18 - Zoning in the Town of Eagar town code allowing the erection of clearly defined nuisance wildlife fences.**

RECONVENE INTO REGULAR SESSION

11. DISCUSSION AND POSSIBLE ACTION

- A. Discussion and possible action on item #10A; amending all sections of Walls and Fences in Title 18 - Zoning in the Town of Eagar town code allowing the erection of nuisance wildlife fences.**

12. ADJOURNMENT

ANYONE WISHING TO ATTEND THIS MEETING AND HAS SPECIAL NEEDS DUE TO A DISABILITY, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 928-333-4128 EXT 222 FORTY-EIGHT HOURS PRIOR TO THE MEETING AND RESONABLE ACCOMMODATIONS WILL BE PROVIDED.

POSTED BY: William Gleeson **Date:** July 9, 2026 **Time:** 3:00 P.M.



TOWN OF EAGAR
PLANNING AND ZONING COMMISSION
REGULAR MEETING AND PUBLIC HEARING

JUNE 9, 2026 at 6:00 PM

COUNCIL CHAMBERS, 22 WEST 2ND STREET

MINUTES

PURSUANT TO A.R.S. 38-431.02 NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGAR AND THE GENERAL PUBLIC THAT THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGAR WILL HOLD A REGULAR MEETING AND PUBLIC HEARING OPEN TO THE PUBLIC ON TUESDAY JUNE 9, 2026 AT 6:00 PM, IN THE COUNCIL CHAMBERS LOCATED AT 22 W. 2ND STREET, EAGAR, AZ 85925.

1. WELCOME – Chair Slade welcomed those present [6:00 pm]

2. ROLL CALL – Chair Slade asked for roll call

Present – Debra Seeley, Brenda Ciminski, Becky Crosby, Chelsea Slade, Kristi Penrod, JoElla Younkin

Staff Present – Director Reynolds & Building Inspector Gleeson

3. PLEDGE OF ALLEGIANCE – Chair Slade led the pledge of allegiance

4. INVOCATION – Commissioner Ciminski offered an invocation

5. PUBLIC COMMENTS – Jon Younkin commented positively on the new mural on the exterior north wall of Bashas'

6. REPORTS

A. COMMISSION – Vice Chair Crosby inquired about updating town code to make it easier for property owners to construct elk and deer fences without requiring a conditional use permit.

B. STAFF – Director Reynolds updated the Commission about the expiration status of CUP2023-4. Gary Burton's daughter is working on securing title for the trailer. Letters were sent to both the owners and tenant reference the litter and debris at 512 W. School Bus Road. The Commission was advised of the upcoming Board of Adjustment meeting on June 23, 2026.

7. DISCUSSION AND CONSIDERATION OF MINUTES

**A. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE MAY 12, 2026
PLANNING & ZONING COMMISSION MEETING MINUTES**

Commissioner Ciminski motioned to approve the May 12, 2026 Planning & Zoning Commission Meeting Minutes. Chair Slade seconded the motion. All were in favor. The motion carried unanimously 6-0.

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

CONVENE TO PUBLIC HEARING

Commissioner Ciminski motioned to convene to public hearing. Commissioner Seeley seconded the motion. All were in favor. The motion carried unanimously 6-0 [6:06 pm]

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

8. PUBLIC HEARING

A. Public Hearing for CUP2026-2; an application for Conditional Use Permit for the property known as 694 E. Central Ave (parcel number 104-07-016A) to erect an 8-foot-tall fence to keep elk out of the applicant's agricultural field.

Applicant Terri Bainbridge was present and expressed her desire to keep problematic elk out of her eight to nine acre pasture so that she could secure a good harvest of hay.

B. Public Hearing for CUP2026-3; an application for Conditional Use Permit for the property known as 650 S. River Road (parcel number 104-20-025) to erect an 8-foot-tall fence to keep elk out of the applicant's garden.

The applicant was not present. Commissioner Seeley asked if the applicant intended to anchor wire to the steel spools. Building Inspector Gleeson advised Commissioner Seeley that he believed the applicant intended to anchor wire, as needed, to fence out animals.

C. Public Hearing for CUP2026-4; an application for Conditional Use Permit for the property known as 576 S. Main Street (parcel number 104-15-037) to allow for RV Living for family until other living arrangements can be established.

Applicant Danny Brown was present and ready to answer questions from the Commission. Mr. Brown provided a general overview of his family member's status and intent. Mr. Brown said the home on the property has not been lived in since 1990. Chair Slade asked if the RV would be visible from Main Street. Director Reynolds answered that the RV would not be visible from Main Street. Commissioner Younkin stated there are several RV parks in town. The Commission discussed having the RV hooked up to utilities by the end of July and discussed a time frame for the temporary living in the RV.

D. Public Hearing for CUP2026-5; an application for Conditional Use Permit for the property known as 1690 W. Central Ave (parcel number 104-18-004F) to erect a 30 foot, 2-inch-tall industrial building and to erect a 60-foot-tall reactor stack protruding from a building.

Applicant Randy Nicoll was present and provided details about the reactor stack. Mr. Nicoll said the stack would be situated about 600 feet off of Central Ave and would be about 4 feet in diameter. Commissioner Younkin asked if the exhaust smoke would be dirty and visible or have an odor. Mr. Nicoll advised it would be clean burning biochar. Commissioner Younkin asked if the stack would pose a fire risk. Mr. Nicoll advised that the height of the stack mitigated any fire risk. Director Reynolds assured the Commission there were no conflicts with the FAA and the nearby Springerville airport. Chair Slade requested the Commission explore adjusting and extending building height allowances in industrial zones.

RECONVENE TO REGULAR MEETING

Commissioner Penrod motioned to reconvene to regular meeting. Chair Slade seconded the motion. All were in favor. The motion carried unanimously 6-0 [6:24 pm]

Ayes

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

Nays

None

9. DISCUSSION AND POSSIBLE ACTION

- A. Discussion and possible action on agenda item #8A; CUP2026-2, an application for Conditional Use Permit for the property known as 694 E. Central Ave (parcel number 104-07-016A) to erect an 8-foot-tall fence to keep elk out of the agricultural field.**

Commissioner Ciminski motioned to approve agenda item #8A; CUP2026-2, an application for Conditional Use Permit for the property known as 694 E. Central Ave (parcel number 104-07-016A) to erect an 8-foot-tall fence to keep elk out of the agricultural field. Commissioner Penrod seconded the motion. All were in favor. The motioned carried unanimously 6-0.

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

- B. Discussion and possible action on agenda item #8B CUP2026-3; an application for Conditional Use Permit for the property known as 650 S. River Road (parcel number 104-20-025) to erect an 8-foot-tall fence to keep elk out of the garden.**

Chair Slade motioned to approve agenda item #8B CUP2026-3; an application for Conditional Use Permit for the property known as 650 S. River Road (parcel number 104-20-025) to erect an 8-foot-tall fence to keep elk out of the garden. Commissioner Seeley seconded the motion. All were in favor. The motioned carried unanimously 6-0.

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

- C. Discussion and possible action on agenda item #8C for CUP2026-4; an application for Conditional Use Permit for the property known as 576 S. Main Street (parcel number 104-15-037) to allow for RV Living for family until other living arrangements can be established.**

Commissioner Ciminski motioned to approve agenda item #8C CUP2026-4; an application for Conditional Use Permit for the property known as 576 S. Main Street (parcel number 104-15-037) to allow for temporary RV Living for family with the stipulation of a required one year check-in and to be hooked up to utilities (water and sewer) by July 30th, 2026 with a report back to the Commission confirming utility hookup.

Commissioner Penrod seconded the motion. All were in favor. The motioned carried unanimously 6-0.

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

D. Discussion and possible action on agenda item #8D for CUP2026-5; an application for Conditional Use Permit for the property known as 1690 W. Central Ave (parcel number 104-18-004F) to erect a 30 foot, 2-inch-tall industrial building and to erect a 60-foot-tall reactor stack protruding from a building.

Commissioner Penrod motioned to approve agenda item #8D CUP2026-5; an application for Conditional Use Permit for the property known as 1690 W. Central Ave (parcel number 104-18-004F) for the erection of a 30 foot, 2-inch-tall industrial building and to erect a 60-foot-tall reactor stack protruding from a building. Chair Slade seconded the motion. All were in favor. The motioned carried unanimously 6-0.

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None

10. ADJOURNMENT

Chair Slade motioned to adjourn the meeting. Commissioner Penrod seconded the motion. All were in favor. The motioned carried unanimously 6-0 [6:29 pm].

Ayes

Nays

Debra Seeley
Brenda Ciminski
Becky Crosby
Chelsea Slade
Kristi Penrod
JoElla Younkin

None



TOWN OF EAGAR

REGULAR MEETING & PUBLIC HEARING

JULY 14TH, 2026 at 6:00 PM

COUNCIL CHAMBERS, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: Recreational Vehicle Park & RV Storage

AGENDA ITEM: 8A

BUDGET IMPACT: \$0.00

HISTORY: The property has been Industrial for several decades and has been used as a towing/salvage yard currently, as a biomass plant that produced electricity, and as a sawmill. Town staff has been working to try and bring industry back to this area. The Lunas have requested to attempt for a CUP to determine a course of action of purchasing the property. Town staff has been working with the Lunas and their realtors for several months on the property and their “vision” for what they want to make it. There are still some components for this RV park that would need to be addressed if the Lunas make the decision to purchase.

ATTACHMENTS: Site plan and details provided by the Lunas
Letter from Attorney Jeffrey D. Gross
Response Letter from Town Attorney Brett Rigg
Letter from Economic Development Director Preston Raban

STAFF RECOMMENDATION: It is recommended that the commission read the code in section 18.60 – Recreational Vehicle Parks to assist with this request. All areas of this code are required and should be to commission standards for approval. This area is zoned Industrial. Town staff have been open about potential water issues, even with the property having well access. Well documentation to be provided to show potability. Suggested check on flow rate as it would take a minimum of 100 gal/min (per water/sewer operator) to meet requirements for the new development. Sewer would have to be extended from one or more locations to provide coverage – town staff would work with the Lunas on these connection(s) if the property is purchased and payment is received.

The proposed traffic exit point from the proposed RV park and RV storage to Main St./School Bus, through the adjacent, parcel is undetermined and would be reviewed. The costs to improve and connect the proposed exit point to the area of Main Street and School Bus Road would be borne by the Lunas.

TOWN OF EAGAR COMMUNITY DEVELOPMENT
REQUEST FOR CONDITIONAL USE PERMIT
(REFER TO CHAPTER 18.84 OF THE ZONING CODE)

Permit No. CUP 2026-6 Date: 6/10/2026 (RECEIVED) Wiel

Name of applicant: Lucas & Candace Luna

Mailing Address _____

Telephone: () _____ Email Address _____

1. Location of Property: 975 S. Water Canyon Road, Eagar AZ 85925

2. Current Zoning: I-1

3. Proposed Use (as listed under "Conditional Uses" in the above zoning district):
Longtime residents Lucas & Candace Luna plan to develop an RV Park & RV Storage
on the SE corner of the 79.63 acre parcel of vacant land know as the sawmill parcel # 104-29-002A

4. Reason for Proposed Use The re-development of the abandoned sawmill industrial site will encourage
tourism, create employment & contribute positively to Eagar. Additional development to generate business Not requiring
a CUP, will be an indoor restaurant / convention center in the existing sawmill, & cabin rentals in the SW.

5. Attachments: a. Plot Plan (to Scale)
b. Pertinent data as required by the Zoning Administrator or Planning and Zoning Commission
c. Names and addresses of all landowners within a 300 foot radius from property line of CUP application
d. Stamped addressed envelopes for all those who require notifications of the public hearing

Filing Fee: \$200.00 Date Paid: 6/10/26 Receipt # 77488

6. Signature of Applicant: [Signature] Date: 6/18/26

7. Signature of Zoning Administrator: [Signature] Date: 6/25/26

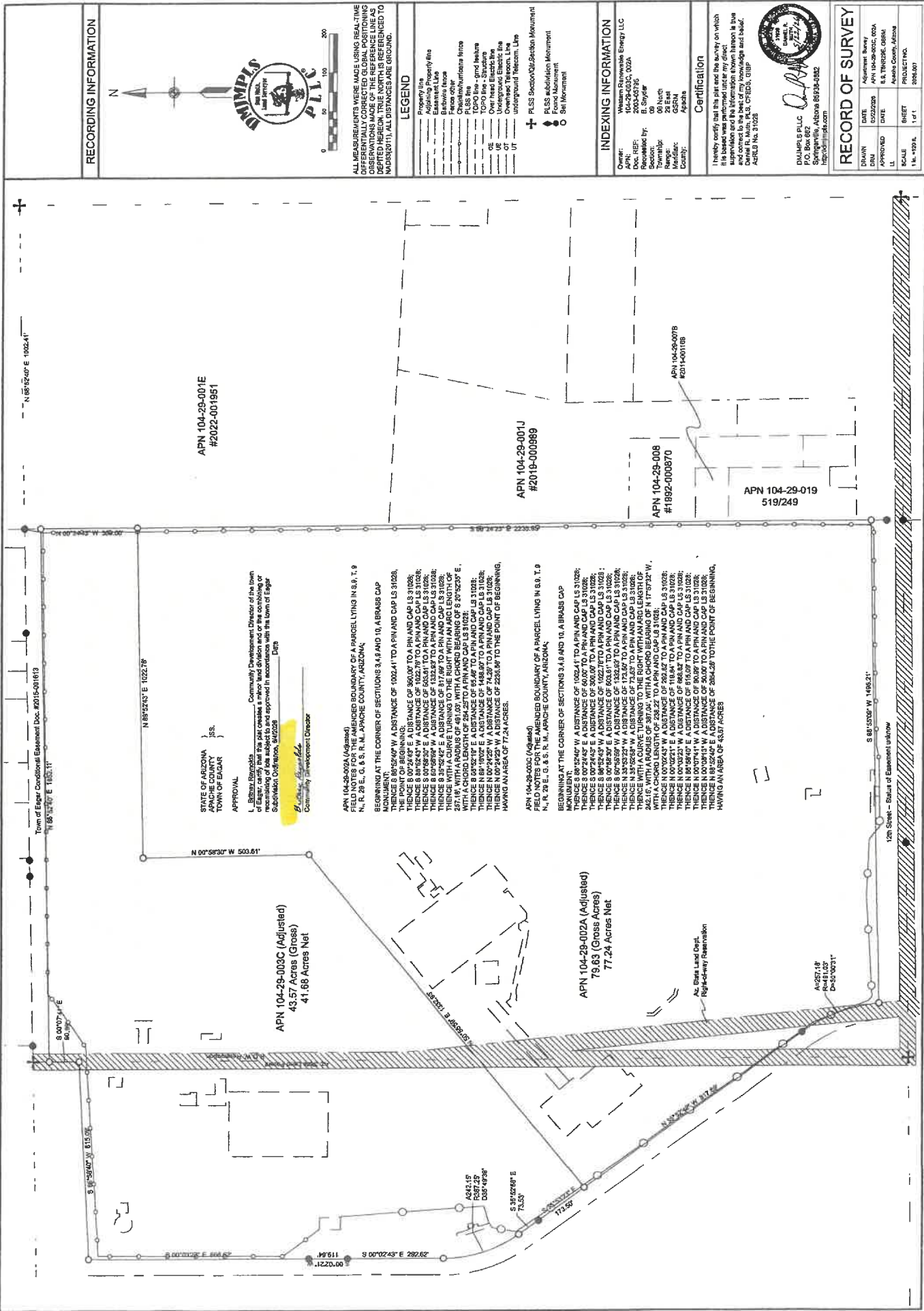
8. Application shall be forwarded to the planning and Zoning Commission on:

(Date) 7/14/26 (Time) 6:00 pm

(Place) Eagar Town Hall

Notice of the nature of the Conditional use Permit and the date of the meeting at which it will be considered will be posted on the affected property 15 days prior to

Signed by
TOE



Build It Right Properties, LLC

Conditional Use Permit Narrative

Response to Chapter 18.60 Recreational Vehicle Park Standards

Project: Former Sawmill Property

APN: 104-29-002A

Parcel Size: 79.63 Acres (following approved Lot Line Adjustment)

1. Property Description

The proposed Conditional Use Permit applies to approximately **79.63 acres** of the former Sawmill property following the Town-approved Lot Line Adjustment. The boundary adjustment created a substantially larger parcel while increasing the separation and buffering between the proposed recreational vehicle park and surrounding residential properties.

2. Water Quality

Water quality testing is currently underway.

The applicant will provide laboratory test results to the Town upon request or as required during the development review process.

3. Wastewater Capacity

The applicant is coordinating with the Town regarding available sewer capacity for the proposed development.

Should municipal sewer service prove unavailable or insufficient, the applicant is consulting with a licensed civil engineer regarding an engineered wastewater treatment system designed to meet all applicable regulatory requirements.

4. Ingress and Egress

The applicant proposes a circulation pattern utilizing separate entrance and exit points whenever feasible.

The preferred design includes:

- Primary entrance from Water Canyon Road.
- Separate exit to Main Street where approved.

This circulation pattern is intended to improve traffic flow while minimizing congestion within the development.

Final roadway access and traffic circulation will comply with all requirements established by the Town of Eagar and the Round Valley Fire Department.

5. Required Permits, Engineering and Agency Approvals

The applicant understands that approval of the Conditional Use Permit does not replace any required engineering studies or agency approvals.

Prior to construction, the applicant will obtain all required:

- Engineering reports
- Construction permits
- Utility approvals
- Fire Department approvals
- Any other permits required by applicable federal, state or local agencies.

Chapter 18.60 Zoning Review

6. Section 18.60.030 – Screening, Fences and Walls

The zoning ordinance requires solid screening between five (5) and six (6) feet in height.

The property currently contains substantial perimeter fencing averaging approximately eight (8) feet in height.

Applicant Request

The applicant requests that the Planning & Zoning Commission determine that the existing perimeter fencing, together with materials & products where necessary, satisfies the intent of Section 18.60.030 and approve this screening configuration as part of the Conditional Use Permit.

7. Section 18.60.040 – Minimum Space Dimensions

The ordinance requires each RV space to maintain a minimum width of twenty (20) feet.

The proposed development will comply and exceed the minimum standard established by the ordinance.

8. Section 18.60.050 – Parking

The ordinance requires RV parking areas to be surfaced with gravel or similar material to provide dust control.

The applicant proposes compacted aggregate (gravel) surfaces throughout the RV parking areas consistent with the requirements of this section.

9. Sections 18.60.060 and 18.60.070 – Setbacks and Private Streets

The site plan has been prepared to comply with all required setbacks.

Final construction drawings will incorporate all required roadway widths and dimensional standards required by the ordinance and applicable engineering review.

10. Section 18.60.070(B) – Private Streets

The ordinance requires private streets to be paved.

Applicant Request

The applicant respectfully requests approval of compacted gravel private streets as part of the Conditional Use Permit.

This request is based upon:

- the rural character of the project;
- compatibility with similar recreational vehicle developments;
- improved drainage characteristics; and
- the ability to maintain an attractive rural appearance while providing safe vehicle circulation.

The applicant believes this modification satisfies the overall intent of the ordinance while remaining appropriate for this unique property.

11. Section 18.60.070(C) – Lighting

The applicant proposes lighting that emphasizes safety while preserving the area's rural character.

The lighting plan will include:

- Illumination of interior roadways and pedestrian walkways.
- Measures to minimize light trespass onto neighboring properties.
- Preservation of the community's dark-sky character whenever practical.

12. Section 18.60.080 – Site Plan Requirements

All final engineering plans, grading plans, utility plans, drainage plans and other required construction documents will be submitted to the Town for review and approval prior to commencement of construction.

Electrical utilities will be installed underground where required by the ordinance

13. Sections 18.60.090 and 18.60.100 – Accessory Structures and Recreation Areas

The proposed site plan includes accessory structures and recreational amenities consistent with the requirements of these sections.

Specific locations and construction details will be shown on the final engineered site plans submitted during the development review process.

14. Section 18.60.110 – Fire Protection

Fire protection facilities will be provided in accordance with the requirements of the Round Valley Fire Department and all applicable fire code standards.

15. Section 18.60.120 – Sanitation

The applicant is currently confirming municipal sewer capacity with the Town.

If municipal sewer service is unavailable, the applicant will complete the design of an engineered wastewater treatment system meeting all applicable state and local requirements.

16. Section 18.60.130 – Storage Areas

Any boat and RV storage associated with the development will be located within designated storage areas shown on the approved site plan.

The proposed storage area is located on the northern portion of the property.

17. Public Benefits

Approval of this Conditional Use Permit will facilitate the adaptive reuse of the former sawmill property, encourage reinvestment in a long-vacant industrial site, expand recreational lodging opportunities within the Round Valley area, increase tourism-related economic activity, provide additional local employment opportunities, and return a significant underutilized property to productive use while maintaining compatibility with the surrounding rural environment.

The applicant appreciates the time and consideration of the Planning & Zoning Commission and respectfully requests approval of this Conditional Use Permit so this long-vacant property can once again become a productive asset for the Town of Eagar and the Round Valley community.

Conclusion

The applicant believes the proposed development either complies with, or exceeds, the applicable standards contained in Chapter 18.60 of the Town of Eagar Zoning Ordinance. Where specific design modifications are requested—such as existing perimeter fencing and gravel private streets—the applicant respectfully requests that these items be approved as part of the Conditional Use Permit based upon the unique characteristics of the property, the rural nature of the project, and their consistency with the overall purpose and intent of the zoning ordinance.

**A PREVIEW OF NON-CONDITIONAL USE PERMIT NEEDED
ADDITIONAL AMENITIES FOR THE PROPOSED SAWMILL RENOVATION
PROPERTY:**

To the Planning and Zoning Commissioners and Staff,

Lucas and Candace Luna, owners of Build It Right Properties LLC and longtime members of the Round Valley community, are in the process of acquiring the former Sawmill property located at 975 Water Canyon Road in Eagar, Arizona.

Our family is committed to investing in the future of Round Valley through the thoughtful redevelopment of this unique property in a manner that benefits residents, visitors, and local businesses.

As part of this effort, we are applying for a Conditional Use Permit to allow the development of an RV park and RV storage facility. The project is intended to provide additional lodging and recreational opportunities for visitors while supporting local economic growth and tourism.

Additionally, portions of the proposed redevelopment of the acreage may involve uses that are currently permitted under the Town of Eagar zoning regulations. Based on our review of Town of Eagar Zoning Ordinances, certain uses permitted within the existing C-1 zoning framework may continue within the property's I-1 zoning designation without the need for additional Conditional Use Permit approval. As part of the property's redevelopment, the existing Sawmill building may be renovated into a locally owned restaurant and gathering facility designed to accommodate family-oriented events, meetings, and community functions. No alcohol or tobacco sales are proposed. Also, a number of rustic-style hotel/motel type cabins are proposed to increase the available amount of motel rooms in Round Valley.

We recognize the importance of responsible infrastructure planning. Water quality testing and evaluation of the existing wells are underway, and we will continue working with the Town of Eagar and appropriate regulatory agencies regarding water, wastewater, and utility requirements. Should public infrastructure, including sewer service, prove unavailable or inadequate, private systems will be designed and installed in accordance with all applicable regulations.

This privately funded project represents a long-term investment in the Round Valley area. Our goal is to create a welcoming, family-friendly destination that encourages tourism, supports local businesses, creates employment opportunities, and contributes positively to the community for years to come.

Thank you for your time and consideration of our Conditional Use Permit application. We appreciate the opportunity to work with the Town of Eagar and the residents of Round Valley.

Sincerely,

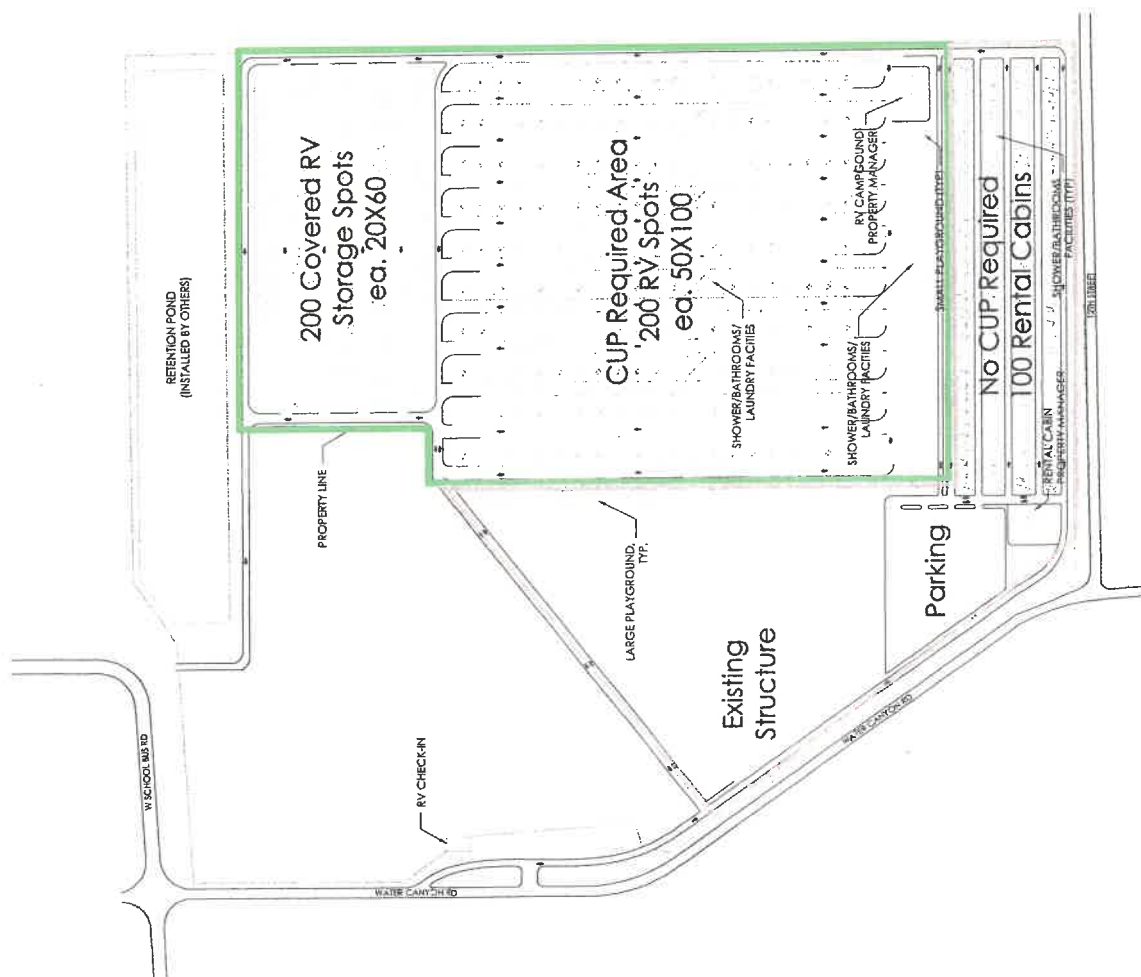
Lucas Luna
Build It Right Properties LLC



Proposed Sawmill Renovation Project



Conceptual Only Until CUP Approval



50'

100'-0"

COVERED PICNIC TABLE AND GRILL (TYP)

1

2

[illegible]

2000.01
June 5, 2026
DRW
CHK

AS INDICATED

The diagram illustrates three typical cabin rental spots for reference. Each spot consists of a vehicle, a generator, and a cabin. The spots are labeled with their dimensions and the overall area they occupy.

- 14x38 Cabin:** The cabin is 14x38 feet. The vehicle and generator are positioned in front of it. The total area occupied is 65'-1" by 14'.
- 12x24 Cabin:** The cabin is 12x24 feet. The vehicle and generator are positioned in front of it. The total area occupied is 53'-1" by 12'.
- 10x22 Cabin:** The cabin is 10x22 feet. The vehicle and generator are positioned in front of it. The total area occupied is 53'-1" by 12'.

[illegible]

RENTAL CABIN DETAILS

2000.01

June 5, 2026

DRW	CHK
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D-2

AS INDICATED

**Typical Cabin Rental (Not Part of CUP)
For Concept only**



Images are References Only
and do not represent actual
rental cabins



Images are References Only
and do not represent actual
rental cabins



Images are References Only
and do not represent actual
rental cabins

[illegible]

ADDITIONAL DETAILS

2000.01

June 5, 2026

DRW

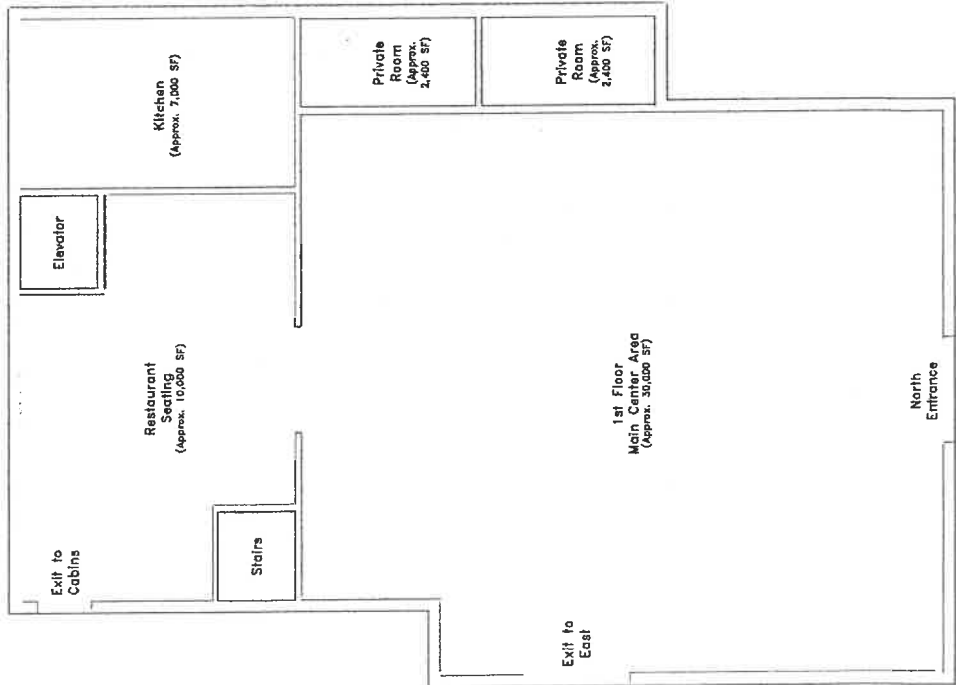
CHK

D-3

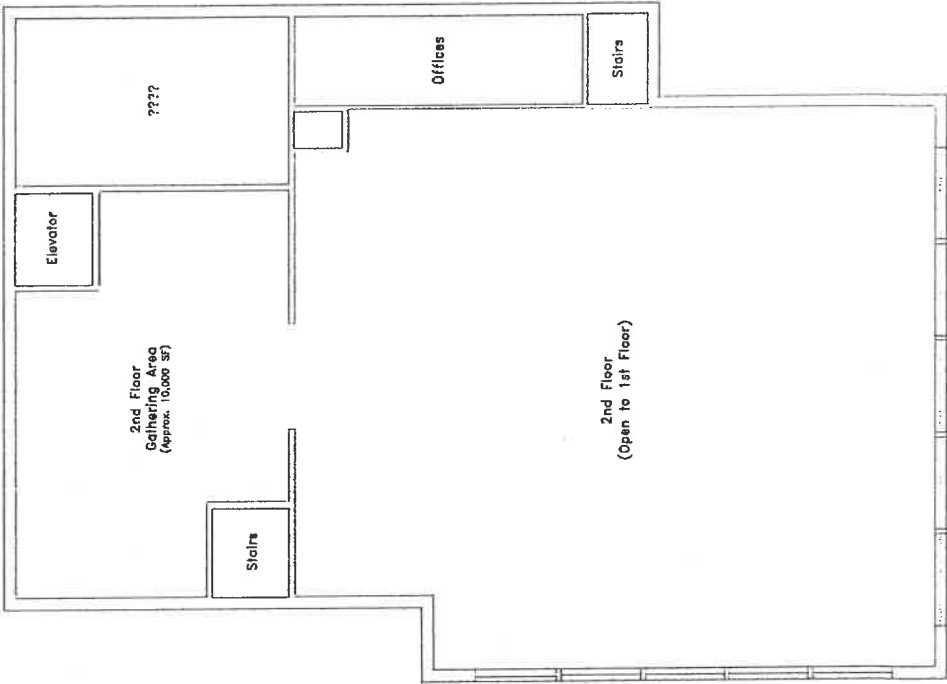
AS INDICATED

Examples of Convention Center Floor Plan (Not Part of CUP)

Example of 1st Floor Layout



Example of 2nd Floor Layout



No.	Description	Date

ADDITIONAL DETAILS

2000.01
June 5, 2026
DRW
CHK

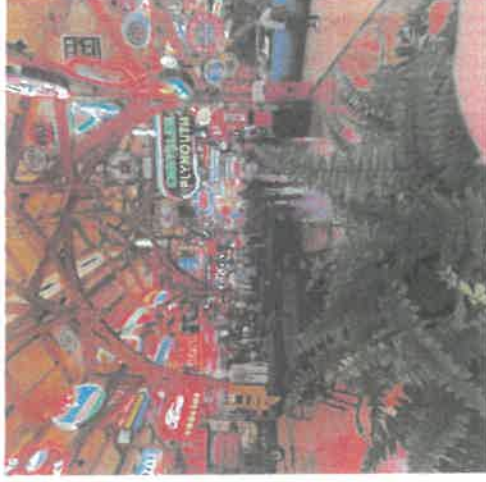
D - 4

AS INDICATED

Example of Similar Style of Proposed Sawmill Project Upon Completion (Not part of CUP)



We will seek an original building exterior



Interior will have neon trade signs, cars, trucks MC's etc



**Restaurant will have Sawmill Nostalgic feeling to keep
Eagar's spirit alive on the property**



Multiple convention & large gathering spaces will also mirror the industrial feeling of the property

[illegible]

ADDITIONAL DETAILS

2000.01

June 5, 2026
2000.01

DRW

2000

D-5

AS INDICATED



6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251
480.385.2727
berryriddell.com

Direct:

June 4, 2026

VIA EMAIL

Brandon Eagar (b.eagar@eagaraz.gov)

Town Manager

Town of Eagar

22 W. 2nd St., P.O. Box 1300

Eagar, AZ 85925

Britney Reynolds (b.reynolds@eagaraz.gov)

Community Development Director

Town of Eagar

22 W. 2nd St., P.O. Box 1300

Eagar, AZ 85925

Re: 975 S. Water Canyon Road, Eagar AZ 85925, Apache County Assessor Parcel
Nos. 104-29-002A and 101-29-003C

Dear Mr. Eagar and Ms. Reynolds:

This law firm represent Lucas and Candace Luna, owners of Build It Right Properties LLC, which is under contract to purchase approximately 124 acres of property located at 975 S. Water Canyon Road, Eagar AZ 85925, Apache County Assessor Parcel Nos. 104-29-002A and 101-29-003C ("Property"). The Lunas intend to develop the property for the following uses: RV Park, RV Storage, Hotel/Motel consisting of small cabins, Restaurant and Convention Center.

By way of introduction, Berry Riddell LLC is a sophisticated boutique real estate-focused law firm with substantial experience in zoning and land use. Our attorneys and planners have combined decades of experience interpreting and applying zoning ordinances across the State of Arizona. Most recently, Berry Riddell was named by Best Lawyers in America as a "Best Law Firm" for 2026.

I have practiced law in Arizona for over 38 years following my admission in 1987. My practice focuses almost exclusively on real estate, including land use. I am a Certified Real

Mr. Brandon Eagar
Ms. Britney Reynolds
June 4, 2026
Page | 2

Estate Law Specialist by the State Bar of Arizona, Board of Legal Specialization, from 2003 to present, and I am Chairman of the Real Estate Advisory Committee that is charged with recommending applicants for real estate specialization to the Board of Legal Specialization. I have been recognized with awards from Southwest Super Lawyers (2009-2026: Real Estate and Land Use, Zoning, Eminent Domain), and Best Lawyers in America (2009-2026: Litigation – Land Use and Zoning, Eminent Domain and Condemnation Law, and Real Estate Law) and have had an AV rating by Martindale-Hubbell for about 30 years. Also, I have been an adjunct professor at the Arizona State University Sandra Day O'Connor College of Law, where I taught courses in land use advocacy and trial practice.

Based on my experience and review of the Town of Eagar Zoning Ordinance, I have reached the following conclusions with regard to the Lunas' proposed uses.

The Property is located in an I-1 zoning district. The Zoning Ordinance sets out permitted uses in an I-1 zoning district, which include any use permitted in a C-1 zoning district. Zoning Ordinance § 18.52.020. Based on my review of the Zoning Ordinance, all of the proposed uses are permitted in an I-1 zoning district as a matter of right or with a conditional use permit.

RV Park. An RV Park is a permitted use in an I-1 zone with a conditional use permit. Zoning Ordinance § 18.60.020.

RV Storage. RV storage is allowed in an RV Park in an I-1 zone in a designated area. Zoning Ordinance § 18.60.130. In addition, outdoor storage yards are permitted uses in an I-1 zone with a conditional use permit. Zoning Ordinance § 18-52-030.B.

Hotel/Motel. Although prior communications may have referred to "tiny houses," this will not be a residential development, but small cabins that will provide paid, short-term lodging for the public. As such, they will be the functionally equivalent of hotel/motel units, which are commercial uses. Hotel/Motel is a permitted use in a C-1 zone, and therefore also in an I-1 zone. Zoning Ordinance § 18.48.020.E.

Restaurant. Restaurants are permitted uses in a C-1 zone, and therefore also an I-1 zone. Zoning Ordinance § 18.48.020.N.

Convention Center. The convention center will be a completely enclosed building with a roof. The most similar use in the Zoning Ordinance is an indoor commercial amusement enterprise, such as an assembly hall, that is a permitted use in a C-1 zone. Zoning Ordinance § 18.48.020.V. Notably, words that are not specifically defined in the Zoning Ordinance are defined as in the Webster's Dictionary. Zoning Ordinance § 18.08.005.D. "Assembly hall" is

Mr. Brandon Eagar
Ms. Britney Reynolds
June 4, 2026
Page | 3

not defined in the Zoning Ordinance, nor is it a defined term in the online Merriam-Webster Dictionary. However, "assembly" is defined in the online Merriam-Webster Dictionary to include "a group of people who have gathered together." An assembly hall, therefore, would be a building to hold a group of people who have gathered together. Merriam-Webster defines "convention center" to include "a building or set of buildings designed to hold many people and used for meetings," which is the same thing as an assembly hall.

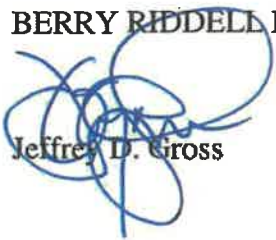
Because the convention center building will be completely enclosed, it is not an outdoor commercial amusement establishment that is permitted in a C-1 zone subject to a conditional use permit. Zoning Ordinance § 18.48.040. Nothing about the indoor, fully enclosed use is "outdoor" like a miniature golf course or drive-in theater.

In sum, RV Parks and RV Storage are allowed in an I-1 zone with a conditional use permit. The proposed Hotel/Motel, Restaurant and Convention Center uses are permitted in a C-1 zone, and therefore also are permitted uses in an I-1 zone. Therefore, the Lunas need a conditional use permit in connection with the RV use, but the remaining uses are permitted as a matter of right.

Please let me know if you have any questions.

Sincerely,

BERRY RIDDELL LLC



Jeffrey D. Gross

JDG/lk



Via Email

Jeffrey D. Gross
Berry Riddell LLC
6750 E. Camelback Road, Suite 100
Scottsdale, Arizona 85251

Re: Proposed Development at 975 S. Water Canyon Road, Eagar, Arizona

Dear Mr. Gross:

The Town of Eagar acknowledges receipt of your June 4, 2026 correspondence regarding the proposed development of the property located at 975 S. Water Canyon Road.

The Town appreciates the time and analysis provided in your letter. However, the Town respectfully disagrees with the assertion that the proposed uses have been conclusively determined by the Town to be permitted as a matter of right

As the Town previously indicated, submission of a Conditional Use Permit application does not guarantee approval of the proposed project. The Town must evaluate the actual application materials, site plans, operational details, infrastructure demands, and all applicable provisions of the Town Code before making any final determination regarding zoning compliance or entitlement requirements.

While your letter advances an interpretation that certain proposed uses may be permitted within the I-1 zoning district, the Town has not yet completed its review of the project and reserves all rights to interpret and apply its zoning regulations based upon the specific facts and plans ultimately submitted. The Town respectfully disagrees with the assertion that the proposed uses have been conclusively determined to be permitted as a matter of right. The Town's zoning ordinance must be interpreted and applied by the Town through its established administrative and quasi-judicial processes based upon the specific facts presented by a complete application.

Although the Town appreciates the legal analysis contained in your letter, opinions of private counsel are not binding upon the Town and do not constitute official zoning determinations. Any interpretation rendered by the Town remains subject to the procedures for administrative review and appeal established by the Town Code and Arizona law. The Town's review will include consideration of the nature, intensity, and operational characteristics of the proposed uses, as well as whether the proposed uses fall within the classifications identified in the Town Code.

In addition, several significant issues remain unresolved irrespective of the ultimate zoning classification of the proposed uses.

First, throughout this process your client has offered numerous proposals for this property. Please confirm that the previously discussed uses, including an indoor or outdoor rodeo arena, drive-in movie theater and tiny homes, are no longer being proposed. Based upon the information currently available to the Town, those uses do not appear to be permitted within the zoning district.

The Town understands that the current proposal may include small cabins, a restaurant, and an enclosed assembly facility. The Town will evaluate the classification and entitlement requirements applicable to those uses upon receipt of a complete application and supporting materials.

The Town also reserves the right to evaluate whether the proposed convention center constitutes a separate principal use, an accessory use, a commercial recreation use, an assembly use, an event venue, or another classification under the Town Code based upon the actual design, capacity, frequency of events, and operational characteristics of the facility.

Second, the Town continues to have substantial concerns regarding wastewater capacity. Based upon the development concepts discussed to date, including approximately 100 cabins, approximately 200 RV spaces, and associated convention and restaurant facilities with approximately 20 toilets and 20 drains, preliminary evaluations indicate that the existing sewer system may not be capable of accommodating the anticipated demand without substantial improvements. The Town is continuing to evaluate available options but has not reached any conclusions regarding the feasibility or timing of necessary infrastructure improvements. Nothing in this correspondence should be construed as a representation that adequate sewer capacity presently exists to serve the proposed development.

Third, water availability remains a significant concern. The Town is currently operating under water conservation measures and must carefully evaluate the long-term impacts of any development of this scale. Information regarding the proposed private well, including production capacity, sustainability, testing results, and long-term operational data, remains necessary before the Town can adequately assess the project. The Town also reserves the right to require hydrological studies, engineering reports, and other information necessary to evaluate the impacts of the proposed development on the Town's water resources and infrastructure.

Fourth, the Town has not completed its review of traffic circulation, ingress and egress locations, roadway impacts, emergency access requirements, or other transportation-related issues associated with the project. Additional information and engineering review will be required before these matters can be evaluated.

The Town expressly reserves all rights to require additional applications, permits, studies, engineering reports, development agreements, utility improvements, dedications, or other approvals that may be required under the Town Code, subdivision regulations, engineering standards, or applicable law.

The Town looks forward to continuing to work cooperatively with the applicants as additional information becomes available. Nothing in this correspondence should be construed as a final zoning determination, approval, denial, waiver of any Town requirements, or limitation on the Town's authority to interpret and enforce its zoning regulations and development standards.

Please feel free to contact the Town if you wish to discuss these matters further.

Sincerely,

Brett Rigg, Esq.



**Apache County Department of
Economic Development**

P.O. Box 428

St. Johns, AZ 85936

Preston Raban, Director

praban@apachecountyaz.gov

To the Honorable Members of the Eagar Planning & Zoning Commission,

I would like to express my sincere appreciation for your willingness to serve the Town of Eagar. I recognize that land use decisions are rarely simple, and I have complete faith that you will carefully consider the needs of your community before making your decision regarding the proposed zoning change for the Old Sawmill property.

I simply ask that, as you deliberate, you consider the long-term economic value of what is currently the only shovel-ready industrial site in all of Apache County.

Industrial development requires far more than vacant land. Hundreds of thousands—often millions—of dollars must be invested to provide the infrastructure necessary to support manufacturing and other industrial operations. Much of the agricultural land throughout our county would require substantial investment before it could accommodate any project of scale. At this time, neither local governments nor private developers are positioned to make those improvements on a large scale.

The Old Sawmill property is different.

Because of its existing infrastructure, industrial history, and proximity to biomass resources that can serve as a fuel source for certain industries, this property possesses characteristics that simply cannot be replicated elsewhere in Apache County without enormous expense. It truly represents a unique economic asset.

I certainly do not want to limit the property owners' ability to sell their land and profit from their investment. They have every right to pursue opportunities that make sense for them. My hope is simply that they, and the Commission, consider the possibility that patience could ultimately result in a far greater return. There are companies today that have expressed interest in this property specifically because of what it already offers as an industrial site. Should the right project locate there, I believe the property's value could increase significantly beyond what might be realized through an immediate change in use.

More importantly, the community stands to benefit as well.

A successful industrial project on this site has the potential to bring multiple high-paying jobs, create a stronger local tax base, support public services, and provide long-term economic stability for the Town of Eagar and Apache County. Opportunities like this are rare, and once an industrial site is converted to another use, it is extraordinarily difficult—if not impossible—to replace.

RV parks and storage facilities can be developed in many locations. A shovel-ready industrial site with existing infrastructure and access to biomass resources cannot.

Again, I offer these thoughts with the utmost respect for the Commission and for the difficult responsibility you carry. I trust your judgment and will support whatever decision you determine is in

the best interest of the Town of Eagar. I simply wanted to share the perspective of someone who understands the unique economic opportunity this property represents and the lasting impact a successful industrial project could have for our region.

Thank you for your time, your thoughtful consideration, and your continued service to the citizens of Eagar.

Respectfully,

A handwritten signature in black ink, appearing to read "P. Raban". The signature is stylized with a large, sweeping initial "P" and a horizontal line extending to the right.

Preston Raban
Economic Development Director
Apache County, Arizona



TOWN OF EAGAR
**REGULAR MEETING, PUBLIC HEARING, &
WORK SESSION**

JULY 14TH, 2026 at 6:00 PM

COUNCIL CHAMBERS, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: Nuisance Wildlife Fences

AGENDA ITEM: 10A

BUDGET IMPACT: \$0.00

HISTORY: Nuisance wildlife, most commonly elk and mule deer, have become increasingly problematic over the past several years. Multiple property owners have recently applied for conditional use permits for high fences which have been approved by the Planning and Zoning Commission, without objection from the public.

ATTACHMENTS: No attachments

STAFF RECOMMENDATION: It is recommended that a maximum height limit of eight feet is provided and that a clearly defined "see through" clause is included for multiple reasons, not limited to aesthetic and safety reasons.

[Current Code]

Walls and Fences.

1. Height. No wall, hedge or solid fence over four feet high, or other fence, such as chain link, wrought iron, split rail, peeled pole or pipe, over five feet high shall be maintained or constructed nearer to the street line than the required front or street-side building setback line or intersection visibility triangle requirements, nor be more than six feet in height in any rear or side yards, provided that fences exceeding the above heights may be built around schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants thereof, or for other uses when a conditional use permit has been secured for such purposes. These height regulations shall not apply when fences of greater height are required by the planning and zoning commission in order to provide adequate screening as required by this title.

2. Hazardous Materials. No wall or fence shall contain barbed wire or electrical current or charge of electricity (except for the containment of livestock), broken glass, or similar hazardous materials except by an approved conditional use permit. Fences containing electrical current or barbed wire are a permitted use for the containment of livestock.

3. Materials and Design. Fences and walls shall be constructed of material in good condition only. Material must be wood, woven wire, rock, masonry or pipe, of conventional design. Fences or walls of other than specified material or of other than conventional design shall be allowed only by conditional use permit.

4. Permanent Swimming Pools. All permanent swimming pools shall be enclosed by a solid wall, wood or chain link fence not less than five feet nor more than six feet in height so as to prevent uninvited access.

[Proposed Addition]

5. Fences erected exclusively to fence out nuisance wildlife, such as elk and deer, must be constructed of see through materials such as woven or welded wire or similar. Wildlife fences must be no greater than eight feet in height and must remain in good repair so that animals are not trapped or entangled in them. The specific described fence, for the specific described purpose, does not require a conditional use permit.