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**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

2021 JUN 17 AM 11:28

June 2, 2021
6:00 p.m.

Benton County Administration Building
215 East Central Avenue
Bentonville, AR 72712

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Torrez.

Roll Call: Bob Bracy, Sean Collyge, Theresa Neal, Terry Maienschein, Stephen Torrez, Bethany Rosenbaum, and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzle – Senior Planner, Sandra Garza – County Planner

Public Present: See sign in sheet

Disposition of Minutes: May 19, 2021

Mr. Williams motioned to approve the May 19, 2021, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein.

Motion approved: 7 – 0

General Public Comment: None

Old Business:

- I. Natural State Glamping and RV Park Site Plan Review, case no. 21-098, Golden Acres Ln, Rogers, 18-00912-000

Representative: Gavin Smith, Golden Acres Ln, Rogers, AR 72756

Staff gave presentation

Dr. Rosenbaum asks for clarification on the private roads, wants to know what road the petition is, that is on file.

Mr. Hathaway states it is for Golden Acres Ln, from highway 303 to the property is what it was for initially, but they have a sixteen-and-a-half-foot easement that they have currently, is sufficient enough for the traffic they are going to have and the volume. He states he spoke with Mark, the Hobbs State Park superintendent and he mentioned he is supportive of the project due to its uniqueness, Hobbs has a fifteen-foot easement that they grant to outside property owners that need access to their

property if there isn't another way to get to it. States that the fifteen-foot easement is enough even for utilities, also mentions that in the near future, Mark and himself will get together to redefine the boundaries of the properties so that people can see when they are on private property.

Mr. Smith adds on and states there is one pinch-point where people would have to back up, if they met head-on, that is on the portion of Golden Acres, downstream for most of Cox Ln. Two cars can easily get by on Cox Ln, on Golden Acres Ln, there is a stretch where you can start going down the road and run into a car but their consideration is that it is inconvenient, but someone can back up a little bit and you can easily get around each other on both ends of that. The check in and check out times, would keep people from running into each other.

Mr. Hathaway adds on and states that normally at every Airbnb/hotel there are certain time frames to check in and check out, so there is a gap in between for maintenance, and that is how it will be like there, so he thinks the traffic will be mitigated pretty well.

Dr. Rosenbaum asks if the glamping site will be all ready for tenants so they won't have to bring camping gear.

Mr. Hathaway states, that is correct, that is the meaning of glamping.

Dr. Rosenbaum asks if the petition for the road were to pass, it doesn't mean that the road would get widened. It would just mean that the road would get graded by the county. It doesn't mean that the county would pave it, they probably wouldn't.

Mr. Hathaway states, that is correct, mentions they do not want the road paved; they don't want to alter the road any more than they have to.

Mr. Smith says he ran a report on how much traffic passes by, the traffic is not enough to get the road paved anyway.

Mr. Torrez asks about the talk, Mr. Hathaway had with the superintendent, what about the site, was unique and why would he not have been supported of.

Mr. Hathaway states the superintendent wouldn't have been supportive of a regular camp ground/camp site, but seeing they are building a destination and going beyond just a camp ground, this project would be more of a unique stay.

Mr. Torrez asks if he happens to know around how many of these types of stays, we have in the State of Arkansas.

Mr. Hathaway answers, he does not but there is none like what they are building. He believes the closest ones around may be the treehouses in Eureka Springs, a couple in Hot Springs, in Chester, Arkansas there is an eight-unit yurt village, called Stone Wind and Stolen Retreat.

Mr. Torrez thanks Mr. Hathaway for completing what was asked.

Mr. Bracy asks how many residents are on Cox Ln, from Hwy 303 to the property

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Mr. Hathaway replies, Mr. Legg and himself are the only ones at the end of Golden Acres Ln. On Cox Ln there is a driveway to the right and a fenced in area to the left. AM 11:28

Mr. Smith mentions there are four residences when he did the analysis. DEBTSY HARRELL

Mr. Bracy asks if the only way in and out is through Cox Ln and there are four residents and then you get to Golden Acres Ln. CO & PROBATE CLERK
DEWON COUNTY, AR

Mr. Smith states you drive past one residence and the others have they're driveways, four houses use that access.

Mr. Bracy asks if the road is a gravel road, he is not clear on who maintains the road, the cost of the road.

Mr. Reamer states within the easement documents it is a private agreement between property owners that utilize the easements.

Mr. Bracy asks if there is a formal covenant stating the property owners must maintain the road and pay for the cost of this road.

Mr. Reamer states it is not explicit in the easement documents.

Mr. Bracy asks what the daily traffic may be, he made a note of 98, Mr. Smith stated that he estimates it would be 8.61. If there are 20 sites plus staff, would that not constitute to at least 25-50 traveling.

Mr. Smith explains the method he used to figure out traffic was, adding up the trips per day and it gives you the total trips per year. The 8.61 trips are accounted for winter days, during the week when nobody is there at all, and the peak of the season when they are full. It is an average.

Mr. Bracy asks about the petition for the road, if the county were to take over the road to maintain it, it would no longer be needed for the property owners to maintain the road.

Mr. Smith states that maybe it wasn't the best idea to petition the road to be changed. The way it works is, the person petitioning, in this case Mr. Hathaway, would have to come up with all the construction cost to bring it up to public standard, and then it would be maintained by the county.

Mr. Hathaway states the road department would just take over the maintenance of the road, he mentions that he would like to move on at the moment as is.

Mr. Bracy asks if Mr. Hathaway has made any agreements with the property owners in regards to the maintenance of the road.

Mr. Hathaway says he does not, but would like to come to an agreement with them. If it is possible, he would like to take over the maintenance of the road of the stretch from 303 to the property.

Motion to open to General Public Comment: Mr. Williams motioned to approve, Dr. Rosenbaum seconds the motion.

Motion approved: 7-0

Public comments:

Kenneth Cox, 8131 Cox Ln, Rogers, AR 72756

Comments the road that goes through his property has a twelve-foot easement. Going down on Cox Ln, has a ten-foot to twelve-foot easement until you get to Golden Acres Ln. There is a lot of problems that go on with this, how much traffic is going to be put on to Hwy 303 at a dead corner, accidents can happen at any time, so when ever you start putting in that much traffic, who's going to be responsible for all the accidents that happen there. Looking at the way this site is going to be operated, people will be having a good time and there will not be anyone to handle those situations. He says he spoke to the director of Hobbs, if Hobbs is not willing to give him a right-of-way through Hobbs which is not a residential area, you can understand how we don't want all that traffic in our area. Through his road he has put in speed bumps, he's had to fill in potholes because of the traffic that flies through there and it's not going to be any different when you have all these people coming and going. Looking at all these issues, the best solution would be to go through Hobbs, that way you don't affect any of the residents.

Dale Martyn, 8369 Campground Cir, Rogers, AR

Comments that she had someone approach her and asked her if people could come in and sign a petition against the glamp site, not because of any other reasons but she received 74 signatures, some of the people including some from the fire department because they feel that it is going to be a danger for them to get in there. States she had seven issues at her campground this past holiday weekend that they had to take care of. The only thing that concerns her is that they will not be there at night, at 2-3 o'clock in the morning she had to get up and take care of issues, who's going to be taking care of their issues. You're going to have drunks; you will have kids that are drunks and all kinds of problems. This weekend she had to call the cops twice just to get kids off her property that should have not of been there. Thing is they go and rent the cabins, their parents are the ones renting them for them, because they are not allowed to do it unless they are over the age of 21. She found kids in her cabin, there was no adult, there was only suppose to be four people and there were about twenty-six of them, so she had to kick them out. That is her concern, under age drinking, no one there to manage the situations, she heard it's going to all be done by a kiosk. Her other concern is the water pressure, she heard of the amount they are having at the glamp site, she had a fire that got out of control and they, themselves managed to get it under control, however with a two-inch pipe and the amount of water that they have, they have seventy-two-thousand-gallons of water and she doesn't even feel that is enough if there was a major fire that's their only way in and out of that cove. There's only one road in and one road out, if there is no one there watching and no one there to say there is a fire, because we are there to see that there is a fire and we have security there that go through the park all night long. She is just concerned on that and there to back the Cox couple because they are not wanting it in their area and she is not going for anything but wanting to let them know that it happens in her park and what happens at her park will happen there too. Her concern is them not manning it, how are they going to take care of issues? Because

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there are going to be issues. She goes her self every weekend to count how many people there really are at each site, every time she goes there is always 2021 JUN 17 AM 11:28 there should be. How are they going to know if they are giving it to a kid or to an adult, if it is just a kiosk?

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Derrick Seaton, 22493 Derik Road, Springdale, AR 72764

Comments he works in Rogers, he is an Associate Director at Camp War Eagle as well as the Nature Center Director at Camp War Eagle. He is Kolby's neighbor and wants to attest to how he takes care of their road as far as being a neighbor and him being a man of integrity and a man of his word. As far as his job at Camp War Eagle he has the privilege through the Nature Center of teaching kids about the awesome outdoor opportunities in Northwest Arkansas and trying to get them exposed to nature. They teach about camping and glamping, so as far as this project, he loves hearing about it. When Kolby mentioned it to him, he mentioned to him that that was amazing in his eyes, because in Northwest Arkansas as many of the board knows, is becoming the mecca of outdoor activities. We've got people from the East Coast, West Coast, Texas, coming here for mountain bike opportunities or other adventure opportunities. So, he believes we need more state parks like this to provide for everyone coming in and all the families. He is for opportunities like this, says we need to get more people into doing more nature activities.

Kathy Cox, 8131 Cox Ln, Rogers, AR 72756

Comments, due to the fact that this site will not be manned in the evenings, it is the one single point that she loses sleep over, because her property backs up to the site. In case of an emergency or someone wanders off the path, you have a good opportunity to wander into her back yard. She is fearful of there not being any supervision and that responsibility falling onto the property owners and the county.

Mr. Torrez addresses the security issue most of the comments are about. What are the plans? Will there be someone onsite to bring to the attention anything that happens.

Mr. Hathaway states that the property will be gated property, where only the ones renting the stay, once you book you will get an email confirmation, a waiver and the access code for the gate and another for the unit where you will be staying. He is unsure where all the information is coming from about them not having any staff on-site, because that is not what they have planned. They are planning to have staff on-site and their ultimate plan is to have someone full-time living on-site to be able to take care of issues like that and re-enforcing the rules.

Mr. Torrez mentions he is not a techy person, but will you Mr. Hathaway, be receiving an alert every time someone enters the site, for example someone goes in twice or many more times, showing you that something maybe going on.

Mr. Hathaway states there are two cellphone towers on the property, they will be able to have real-time security systems installed. Video surveillance at the gate to show us who comes and goes, as well as capturing a photo and sending it to the email that was provided when booking the stay. They actually have some trespassing issues now, where they will be upping the security system some more. As far as security goes, we are planning to have someone on-site day and night.

Mr. Torrez asks if in the event that there was something to happen at midnight, there were to be a party of 50 people at one glamping tent, how would you recognize that quickly.

Mr. Hathaway states that wouldn't be allowed, to have that many people. Like mentioned earlier there would be a code and we would be to detect how many entries there have been. The way that the glamping tents are going to be set up is more for family fun, having bunk beds for the kids and a queen bed for the parents.

Mr. Torrez asks if there will be a 24-hour hotline where people can call if there are issues.

Mr. Hathaway states, that it isn't going to be something that they build and just leave it open for everyone's use. There will be strict rules and someone to enforce them as needed.

Mr. Bracy asks about the cell towers on the property, are they private cell towers or telecommunication towers?

Mr. Hathaway replies, telecommunication.

Mr. Bracy asks if there is cell service at the site

Mr. Hathaway states it is awesome.

Mr. Bracy asks if they will have a phone on site for emergencies, where the emergency services can detect the location right away.

Mr. Hathaway replies, that if the need is there to where they need to have phones displayed throughout, they would. But with everyone having cellphones, it may not be needed. Also, the staff that is on-site may be able to assist in these situations and call 9-1-1.

Mr. Bracy asks about the hours of employment and the hours they will be on-site.

Mr. Hathaway mentions he would like to try and have someone living on-site. There will be strict park hours like initiated in their letter stating there will be quite time, between 10pm and 6am. Until they did find someone to live on-site, they would have to create a work schedule.

Mr. Smith adds on and states he worked for years at the UofA and they actually have got rid of all the emergency stations with phones due to the fact that everyone has cellphones.

Mr. Torrez asks that if the need is there to have a phone on-site, will they be providing one.

Mr. Hathaway states that if there is a need to have one, they will satisfy the need. They are going to take care of everything to assure people want to come back to a safe environment.

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Dr. Rosenbaum asks about the alcohol, are there any kind of alcohol guidelines?

Mr. Hathaway states there are no guidelines at the moment.

Mr. Torrez asks about the tents; some are fancy and some are plain

Mr. Hathaway explains the differences in them, there are some that will have doors, just to keep the climate controlled with a/c units specially in the really hot summer days. The tree houses are the only ones that will have bathrooms.

Mr. Torrez asks for the date of completion.

Mr. Hathaway estimates the end of the year to complete the full project.

Mr. Torrez asks if the bathhouse will be completed in phase 1.

Mr. Hathaway states, that is the main building and will be completed before any other.

Dr. Neal asks about the noise control, how are they going to control the noise? Are you going to use camaras with video and sound to know that there is a noise disturbance or are you going to have someone tell?

Mr. Hathaway states, everyone will be asked to obey the rules upon stay and if you do not obey the first time, we will ask for you will be asked to leave.

Mr. Maienschein motions to approve, Mr. Collyge seconds for approval

Mr. Bracy states his concern about the security and the road responsibilities, if he were to support this project, he would have to see in the motion that there is definite commitment on the road maintenance and a definite type of security.

Mr. Torrez mentions to amend the motion to the on-site security with audio surveillance to be able to somehow monitor the property security.

Dr. Rosenbaum asks if the surveillance needs to have audio if he has someone on-site.

Mr. Torrez mentions audio is preferred. He asks Mr. Bracy to detail the road maintenance.

Mr. Bracy states that Mr. Hathaway mentioned taking over the maintenance from 303 to his property, because there isn't an agreement now with you and the other property owners, how is the maintenance of the road going to be?

Mr. Hathaway states he would gladly take over the maintenance of the road.

Mr. Williams asks if it is even possible to come to that agreement since that is private property. We haven't heard that from property owners.

Mr. Bracy states there are no covenants. We would be putting in a stipulation that any one in the future that owns this site will have to maintain the road.

Mr. Williams comments, that is taking that piece of property like if it was your own, when it is not yours to take.

Mr. Reamer states that as far as any agreement to the private driveway maintenance, that would not something the planning board would be involved in, that is a civil agreement between the property owners that utilize it. So, stipulating that one person has to maintain the driveway, would not be in the legal bounds of what we are responsible for. Based on the current easement from 303 to Mr. Hathaways property it is stated that the current land owners and future land owners for maintenance and upkeep. It is not stipulated whom, it is a collaborate effort for when things are needed.

Mr. Maienschein motions to approve, Mr. Collyge seconds for approval

Motion approved: 6-1

New Business: None

TECHNICAL ADVISORY COMMITTEE

1. **Call to Order**

2. **Old Business / Ongoing Applications: None**

3. **New Business:**

1. Oliphant Variance, case no. 21-134, 22483 Indian Point Road, Garfield, 15-03943-000

Representative: Brenda Miller, NWA Metal buildings

Staff gave presentation

Mrs. Miller comments she measured the setbacks, she had measured it straight. Mentions her client is building parallel to her house.

Mr. Torrez just asks for the plan to be revised with correct measurements.

4. **Other Business: None**

5. **Staff Updates - Administrative Approvals:**

- I. Luttrell Minor Sub, case no. 20-256, 17730 Bethel Rd, Gravette, 18-12322-000

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- II. Toney Minor Sub, case no. 21-068, 22011 Leonard Ranch Rd, Gravette, 18-14821-002
- III. Willis Minor Sub, case no. 21-078, 15040 Miser Rd, Pea Ridge, 18-05643-001
- IV. Costello Minor Sub, case no. 21-092, 17909 Peach Blossom Ln, Gentry, 18-10767-001
- V. Duncan Lot Combination, case no. 21-107, 8767 Pageant Dr, Rogers, 15-11633-000
- VI. Luneau Farms Minor Sub, case no. 21-115, 15631 Osage Hills Rd, Siloam Springs, 18-11112-000
- VII. Pickett Minor Sub, case no 21-119, 18920 Old Hwy 68, Siloam Springs, 18-12615-001
- VIII. Day Property Line Adjustment, case no. 21-131, 15047 W Spring Valley, Gravette, 15-16999-000
- IX. Wiersema Minor Sub, case no. 21-142, Ervin McGarrah Rd, Lowell, 18-02439-000
- X. Cooper Minor Sub, case no. 21-141, Peterson Rd, Gentry, 18-11628-002
- XI. Duhaime Minor Sub, case no. 21-137, Frisco Church Rd, Lowell, 18-02438-000
- XII. Clinger Minor Sub, case no. 21-143, Fred Austin Rd, Decatur, 18-14323-001
- XIII. Cothran Minor Sub, case no. 21-146, 17481 Little John Rd, Decatur, 18-11461-001
- XIV. Zimmerman Lot Combination, case no. 21-151, E Hwy 12, Rogers, 15-10803-007

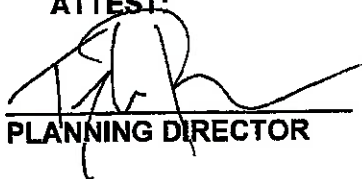
6. Discussion Item: None

Meeting Adjourned: 7:10 p.m.

Next Meeting: June 16, 2021

APPROVED THIS 16 DAY OF June, 2021.

ATTEST:


PLANNING DIRECTOR

APPROVED:


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR

