



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
479-575-8323 TDD - 479-
521-1316

Legislation Text

File #: 2014-0554, Version: 1

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4875, FOR APPROXIMATELY 20.54 ACRES, LOCATED AT THE WEST END OF TRUCKERS DRIVE FROM R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT, PARK WEST 05-1796, TO RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby changes the zone classification of the following described property from R-PZD, Residential Planned Zoning District, Park West 05-1796, to RMF-12, Residential Multi Family, 12 units per acre, as shown on Exhibits "A" and "B" attached hereto and made a part hereof.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

ORDINANCE NO.

AN ORDINANCE REZONING THAT PROPERTY DESCRIBED IN REZONING PETITION RZN 14-4875, FOR APPROXIMATELY 20.54 ACRES, LOCATED AT THE WEST END OF TRUCKERS DRIVE FROM R-PZD, RESIDENTIAL PLANNED ZONING DISTRICT, PARK WEST 05-1796, TO RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE.

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Section 2: That the City Council of the City of Fayetteville, Arkansas hereby amends the official zoning map of the City of Fayetteville to reflect the zoning change provided in Section 1.

PASSED and APPROVED this day of , 2014.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

City of Fayetteville Staff Review Form

2014-0554

Legistar File ID

12/16/2014

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Jeremy Pate 

11/24/2014

City Planning /
Development Services Department

Submitted By

Submitted Date

Division / Department

Action Recommendation:

RZN 14-4875: Rezone (WEST END OF TRUCKERS DR./LEGACY BANK, 208/209): Submitted by ENGINEERING SERVICES, INC. for property located at WEST END OF TRUCKERS DR. The property is zoned RPZD-RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 20.54 acres. The request is to rezone the property to RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE.

Budget Impact:

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>NA</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>No</u>	Item Cost
Budget Adjustment Attached? <u>NA</u>	Budget Adjustment
	Remaining Budget \$ -

V20140710

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Approval Date: _____

Comments:

MEETING OF DECEMBER 16, 2014

TO: Fayetteville City Council

THRU: Andrew Garner, Planning Director

FROM: Quin Thompson, Current Planner

DATE: November 24, 2014

SUBJECT: **RZN 14-4875: Rezone (WEST END OF TRUCKERS DR./LEGACY BANK, 208/209):** Submitted by ENGINEERING SERVICES, INC. for property located at WEST END OF TRUCKERS DR. The property is zoned RPZD-RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 20.54 acres. The request is to rezone the property to RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE.

RECOMMENDATION:

The Planning Commission and City Planning Staff recommend approval of an ordinance to rezone the property to RMF-12, Residential Multi-family, 12 units per acre.

BACKGROUND:

The subject property is zoned R-PZD, Residential Planned Zoning District /Park West (05-1796) and contains 20.54 acres west of Arkansas HWY 112 at the north end of Truckers Drive.

On January 17, 2006 the City Council rezoned the Park West property from R-A Residential Agricultural to R-PZD, Residential Planned Zoning District/Park West. The Park West project was a master plan development for 856,000 square feet of commercial space and 1,712 dwelling units. The R-PZD zoning expired in 2011 and the property is effectively without a zoning designation at this time.

Surrounding Land Use Compatibility:

In staff's opinion, this property is compatible with surrounding uses to the north and south. The property to the north has recently been rezoned and a large church facility has received approval (LSIP 14-4821). The property to the south contains an institutional memory care facility. RMF-12 allows residential uses and densities that will be compatible with these existing and planned facilities.

Land Use Plan Analysis:

City Plan 2030 Future Land Use Plan designates this site as City Neighborhood Area. This designation supports the widest spectrum of uses and encourages density in all housing types. Development patterns allowed under the proposed RMF-12 zoning district are generally compatible with this designation. Property to the west is currently undeveloped and the Future Land Use Map designates this area as Residential Neighborhood Area, which may be developed with housing ranging from single-family to multi-family developments in the future. Property to the east is undeveloped and designated as City Neighborhood Area, and likely to be developed with

a higher intensity commercial use based upon its location along Arkansas Highway 112. Property to the north has recently been re-zoned to CS, Community Services, and is in the process of being developed with a large church facility.

In staff's opinion, the proposed RMF-12 zoning is well suited to act as an appropriate transitional buffer between higher intensity future developments to the east and lower density residential developments to the west, and is an appropriate zoning between the existing CS to the north and C-PZD to the south.

DISCUSSION:

On November 24, 2014 the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 9-0-0. Discussion at the Planning Commission included concerns with a single point of access to this site from Truckers Drive, and potential for a second fire access road that may be required at the time of development.

BUDGET/STAFF IMPACT:

N/A

Attachments:

CC Ordinance

Exhibit A

Exhibit B

Planning Commission Staff Report



PLANNING COMMISSION MEMO

TO: City of Fayetteville Planning Commission

THRU: Andrew Garner, City Planning Director

FROM: Quin Thompson, Current Planner

MEETING DATE: ~~November 24, 2014~~ **UPDATED NOVEMBER 25, 2014**

SUBJECT: RZN 14-4875: Rezone (WEST END OF TRUCKERS DR./LEGACY BANK, 208/209): Submitted by ENGINEERING SERVICES, INC. for property located at WEST END OF TRUCKERS DR. The property is zoned RPZD-RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 20.54 acres. The request is to rezone the property to RMF-12, RESIDENTIAL MULTI FAMILY, 12 UNITS PER ACRE.

RECOMMENDATION:
Staff recommends approval of **RZN 14-4875**.

BACKGROUND:

The subject property is zoned R-PZD, Residential Planned Zoning District /Park West (05-1796) and contains 20.54 acres west of Arkansas HWY 112 at the north end of Truckers Drive.

On January 17, 2006 the City Council rezoned the Park West property from R-A Residential Agricultural to R-PZD, Residential Planned Zoning District/Park West. The Park West project was a master plan development for 856,000 square feet of commercial spaces and 1,712 dwelling units. The R-PZD zoning expired in 2011 and the property is effectively without a zoning designation at this time. Surrounding land use and zoning is depicted on *Table 1*.

**Table 1
Surrounding Land Use and Zoning**

Direction from Site	Land Use	Zoning
North	Undeveloped	RPZD, Residential Planned Zoning District
South	Institutional/Clarity Pointe Memory Care	CPZD, Commercial Planned Zoning District
East	Undeveloped/Agricultural	RPZD, Residential Planned Zoning District
West	Undeveloped/Agricultural	R-A, Residential Agricultural

Request: The request is to rezone the property from RPZD, Residential Planned Zoning District to RMF-12, Residential Multi-Family /12 units per acre. The applicant plans to develop the property with a retirement community.

Public Comment: Staff has not received any public comment.

INFRASTRUCTURE:

- Streets:** The subject parcel has access to Truckers Drive. Truckers Drive is a newly constructed collector street. This road would have to be extended into the property for the frontage of any proposed development. Any required improvements for this street will be determined at time of development.
- Water:** Public water is accessible to the subject parcel. An 8" public water main exists in Truckers Drive and stubs out at the south property line of the subject parcel.
- Sewer:** Sanitary sewer is available to the site. A 48" trunk line exists parallel to the southern property line of the subject parcel in a public easement. Additionally, a 12" sewer main runs along the western edge of this parcel.
- Drainage:** Any additional improvements or requirements for drainage will be determined at time of development. This property is not affected by the 100-year floodplain. This parcel contains a protected stream per the Streamside Protection map.
- Fire:** This development will be protected by Engine 2 located at 708 N Garland. It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development. The Fire Department anticipates 45 calls for service each year after the development is completed and maximum build-out has occurred. Typically, this type of development usually takes 12 – 18 months, after the development is started, before maximum build-out and the service impact to occur. The Fayetteville Fire Department feels this development could affect our calls for service or our response times.
- Police:** The Police Department did not express any concerns with this request.

CITY PLAN 2030 FUTURE LAND USE PLAN:

*City Plan 2030 Future Land Use Plan designates this site as **City Neighborhood Area**. City Neighborhood Areas are more densely developed than residential neighborhood areas and provide a varying mix of nonresidential and residential uses. This designation supports the widest spectrum of uses and encourages density in all housing types, from single-family to multi-family.*

City Neighborhood Areas encourage complete, compact, and connected neighborhoods and are intended to serve the residents of Fayetteville, rather than a regional population. While they encourage dense development patterns, they do recognize existing conventional strip commercial developments and their potential for future redevelopment in a more efficient urban layout.

DISCUSSION:

FINDINGS OF THE STAFF

RECOMMENDATION: Staff recommends approval of **RZN 14-4875** based on the findings discussed herein, that the rezoning is compatible with existing and anticipated uses in the surrounding area and is consistent with the Future Land Use Plan.

PLANNING COMMISSION ACTION:	Required	<u>YES</u>
Date: <u>November 24, 2014</u>	<input type="checkbox"/> Tabled	<input checked="" type="checkbox"/> Forwarded
		<input type="checkbox"/> Denied
Motion: <u>CHESSER</u>	Second: <u>HONCHELL</u>	Vote: <u>9-0-0</u>
CITY COUNCIL ACTION:	Required	<u>YES</u>
Date: <u>December 16, 2014</u>	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied

1. A determination of the degree to which the proposed zoning is consistent with land use planning objectives, principles, and policies and with land use and zoning plans.

Finding: Surrounding Land Use Compatibility: In staff's opinion, this property is compatible with surrounding uses to the north and south. The property to the north has recently been rezoned and a large church facility has received approval (LSIP 14-4821). The property to the south contains an institutional memory care facility. RMF-12 allows residential uses and densities that will be compatible with these existing and planned facilities.

Land Use Plan Analysis: City Plan 2030 Future Land Use Plan designates this site as City Neighborhood Area. This designation supports the widest spectrum of uses and encourages density in all housing types. Development patterns allowed under the proposed RMF-12 zoning district are generally compatible with this designation. Property to the west is currently undeveloped and the Future Land Use Map designates this area as Residential Neighborhood Area, which may be developed with housing ranging from single-family to multi-family developments in the future. Property to the east is undeveloped and designated as City Neighborhood Area, and likely to be developed with a higher intensity commercial use based upon its location along Arkansas Highway 112. Property to the north has recently been re-zoned to CS, Community Services, and is in the process of being developed with a large church facility.

In staff's opinion, the proposed RMF-12 zoning is well suited to act as an appropriate transitional buffer between higher intensity future developments to the east and lower density residential developments to the west, and is an appropriate zoning between the existing CS to the north and C-PZD to the south.

2. A determination of whether the proposed zoning is justified and/or needed at the time the rezoning is proposed.

Finding: In staff's opinion, the requested RMF-12 zoning district is justified as this time, as the property is currently within an expired Planned Zoning Development (PZD) and effectively has neither zoning nor development rights attached to it.

3. A determination as to whether the proposed zoning would create or appreciably increase traffic danger and congestion.

Finding: Rezoning the property RMF-12 will not likely increase traffic danger or congestion. The site has access to Trucker's Drive, a new "Collector" street with access to Highway 112 and Interstate 49.

4. A determination as to whether the proposed zoning would alter the population density and thereby undesirably increase the load on public services including schools, water, and sewer facilities.

Finding: Rezoning the property from PZD to RMF-12 will increase the potential population density, but is unlikely to undesirably increase the load on public services. The Police Department expressed no objections to the proposal. The Fire Department has said that the zoning may negatively affect service times to area.

5. If there are reasons why the proposed zoning should not be approved in view of considerations under b (1) through (4) above, a determination as to whether the proposed zoning is justified and/or necessitated by peculiar circumstances such as:
 - a. It would be impractical to use the land for any of the uses permitted under its existing zoning classifications;
 - b. There are extenuating circumstances which justify the rezoning even though there are reasons under b (1) through (4) above why the proposed zoning is not desirable.

Finding: N/A

BUDGET/STAFF IMPACT:

None

Attachments:

- Unified Development Code section 161.12
- Park West R-PZD Master Plan
- Fayetteville Fire Department comments
- Request Letter
- City Plan 2030 – Future Land Use Plan map
- Current Land Use Map
- Close Up Map
- One Mile Map

161.12 District RMF-12, Residential Multi-Family – Twelve Units Per Acre

(A) *Purpose.* The RMF-12 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a moderate density that is appropriate to the area.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single family	60 ft.
Two-family	60 ft.
Three and more	90 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouse: Development	10,000 sq. ft.
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
Apartments:	
No bedrooms	1,700 sq. ft.
One bedroom	1,700 sq. ft.
Two or more bedrooms	2,000 sq. ft.
Fraternity or Sorority	1,000 sq. ft. per resident

(E) *Setback requirements.*

Front	Side	Rear
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	25 ft.

Cross reference(s)--Variances, Ch. 156

(F) *Building height regulations.*

Building Maximum	Height	30/45 ft.*
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*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

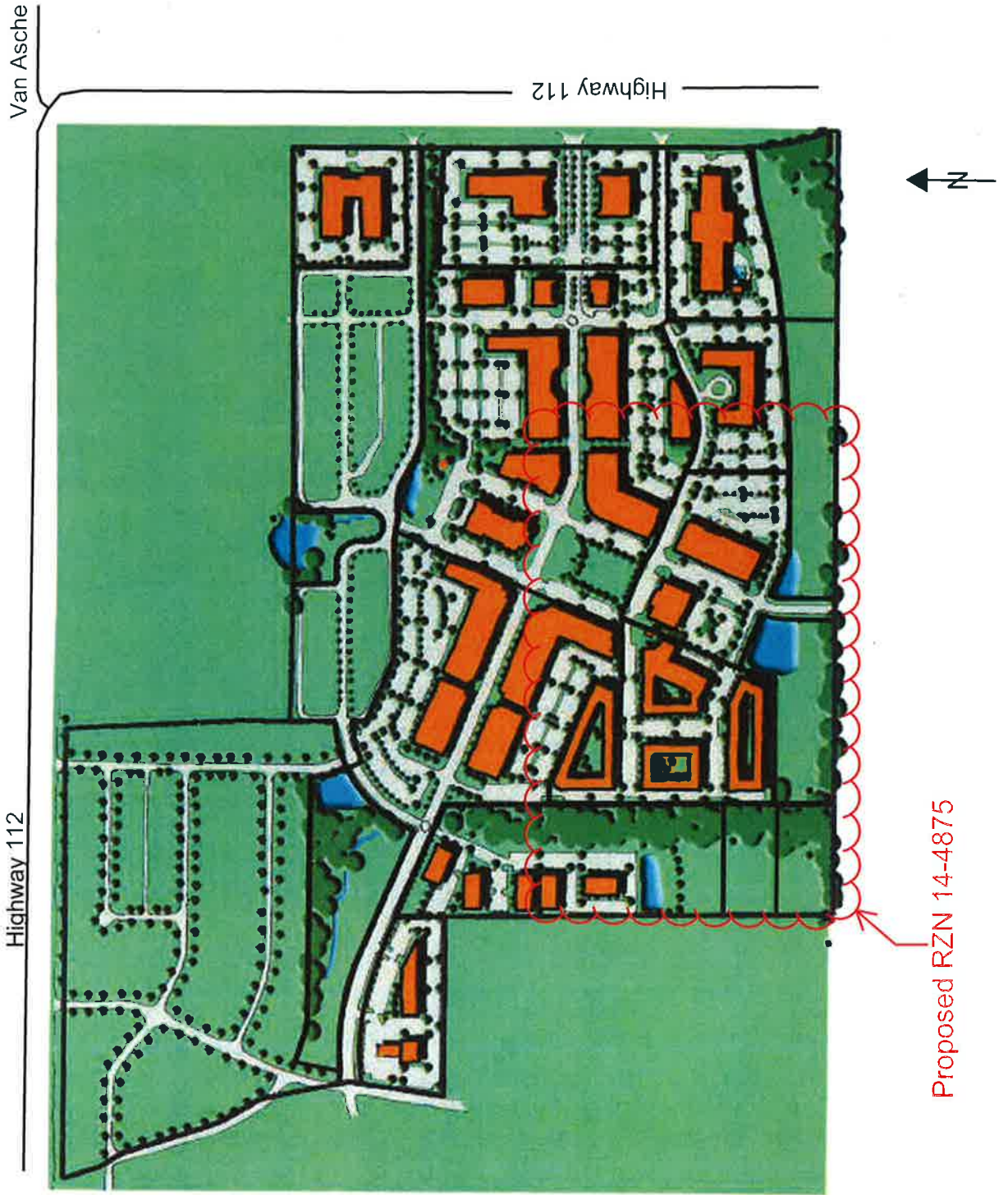
Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* None.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

Park West MDP – All Phases





The City of Fayetteville Fire Department
303 W. Center St. Fayetteville, AR. 72701

Phone (479) 575-8365 Fax (479) 575-0471

To: Engineering Services, Quin Thompson
From: Will Beeks Assistant Fire Marshal
Date: October 27, 2014
Re: 14-4875

This development will be protected by Engine 2 located at 708 N Garland.

It is 2 miles from the station with an anticipated response time of 4 minutes to the beginning of the development.

The Fire Department anticipates 45 calls for service each year after the development is completed and maximum build-out has occurred. Typically, this type of development usually takes 12 - 18 months, after the development is started, before maximum build-out and the service impact to occur.

The Fayetteville Fire Department feels this development could affect our calls for service or our response times.

If you have any questions please feel free to contact me.

Captain Will Beeks
Assistant Fire Marshal
Fayetteville Fire Department

Honor, Commitment, Courage;
Our people make the difference!

October 14, 2014

Development Services Department
City of Fayetteville, Arkansas
125 West Mountain
Fayetteville, AR 72701

RE: Rezoning Petition - RPZD to RMF-12
Parcel Number 765-15830-000

Dear Mr. Sir or Ma'am,

This letter is intended to serve as a narrative to accompany the rezoning petition for a parcel located in the City of Fayetteville. The property is currently zoned RPZD (Residential Planned Zoning District), and the request is to change the zoning of the property to RMF-12 to allow a retirement community to be built on the subject property. Enclosed, please find the following required materials:

- Completed, Signed Application for Rezoning
- Check to City of Fayetteville for \$330 (\$325.00 Application Fee + \$5.00 Sign Fee)
- Legal Description of the Property to be Rezoned
- Exhibit Showing County Parcel Map and Adjacent Property Owner information
- CD with Legal Description, application, exhibit and adjacent property owner information of Property to be Rezoned.

The following paragraphs address the items required by the rezoning application instructions:

- A) The property is currently owned by Legacy National Bank. The mailing address for the property owner is P.O. Box 6490, Springdale, AR 72766. The property is under contract to be sold pending rezoning.
- B) The property was rezoned to RPZD in 2007 by a former owner during an attempt to develop the property. The RPZD zoning had a time restriction which has since lapsed, and the approved development plan and RPZD zoning have expired. Any proposed development of the property would therefore require rezoning of the property prior to development.
- C) The proposed rezoning will be consistent with the uses of neighboring properties. The property being rezoned is a portion of an approximately 80 acre tract of land, as shown in the enclosed exhibit. The 80 acre parent tract is vacant pasture land. If the portion of the parent tract not currently being rezoned is developed in the future, it would most likely be developed for commercial use.

The adjacent properties across Highway 112 to the east are zoned C-2 (Thoroughfare Commercial), and include the 112 Drive-In movie theater and a car dealership. These properties are commercial uses.



Jerry W. Martin, PE.
Chairman of the Board

Philip C. Humbard, PE., P.L.S.
President

Brian J. Moore, PE.
Vice President

Tim J. Mays, PE.
Secretary / Treasurer

Consulting Engineers and Surveyors

www.engineeringservices.com

The properties south of the tract to be rezoned are within a commercial subdivision along Truckers Drive, and are within a CPZD (Commercial Planned Zoning District). These include vacant commercial lots and a recently completed commercial Large Scale Development.

Properties to the west are within the R-A (Residential-Agricultural) zoning district.

The property to the north is zoned CS (Community Services), and will be the site of a church which is currently under development.

The majority of properties along Highway 112 near the west end of the parent tract are commercial uses. The property north of the parent tract will be a church, and the property south of the tract to be rezoned is within a commercial PZD. The remainder of the parent tract is vacant, but if it is developed in the future, it would most likely be developed for commercial use. Given the commercial nature of these adjacent properties, no conflict with adjacent properties regarding land use is anticipated.

The property will be accessed by extending Truckers Drive, which connects to Arkansas State Highway 112, a major north-south transportation route. The proposed rezoning is not anticipated to adversely impact traffic conditions. The proposed rezoning will not change the appearance of the subject property or adjacent property, and will also not alter signage on the subject property or adjacent properties, although signage in line with City of Fayetteville ordinances may be included as part of a later site plan for development of the property.

- D) There are existing water and sewer lines in the area which can serve the property. A 10" gravity sewer main running north to south crosses the west end of the property, and a 48" gravity sewer main is located along the south line of the property. There is an 8" water line along the east side of Truckers Lane with a fire hydrant located near the end of Truckers Lane which can be extended to serve the property being rezoned.
- E) The Future Land Use 2030 information on the City of Fayetteville's GIS site which indicates the property is intended to be used for a "City Neighborhood Area", which is intended to provide a mix of residential and low-intensity uses. The intended use for the property following development is as a retirement community, with mixed housing types for seniors, including single family residential units, duplexes, and multi-unit residential structures. The proposed use of the property is consistent with the intent of the City Neighborhood Area designation.
- F) Any proposed development of the property will require the rezoning of the property. The rezoning is justified now in order to facilitate future development or sale of this property.
- G) The parent tract property is located along State Highway 112, a major north-south route through northwest Arkansas providing an alternative to Highway 71B and Interstate 49. There are several commercial uses already located along this section of the Hwy. 112, and the proposed rezoning is not anticipated to appreciably increase traffic danger or congestion on Highway 112. The property is access via Truckers Drive, which is a commercial subdivision with several existing



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commercial developments within it. The proposed rezoning is not anticipated to adversely impact traffic danger or congestion on Truckers Drive.

- H) The proposed rezoning is not anticipated to undesirable increase the load on public services such as schools, water, or sewer. Information regarding the availability of water and sewer infrastructure in the area is included above. The rezoning will not result in high-density residential development which would potentially affect schools because the primary occupants of the development will be retirees.
- I) The property is currently zoned RPZD, but the time limit on development under the approved zoning/development plan has expired. Therefore, any potential development of the property would require the property to be rezoned.

Please do not hesitate to contact me if you have any questions regarding this application or need anything further.

Thank you,



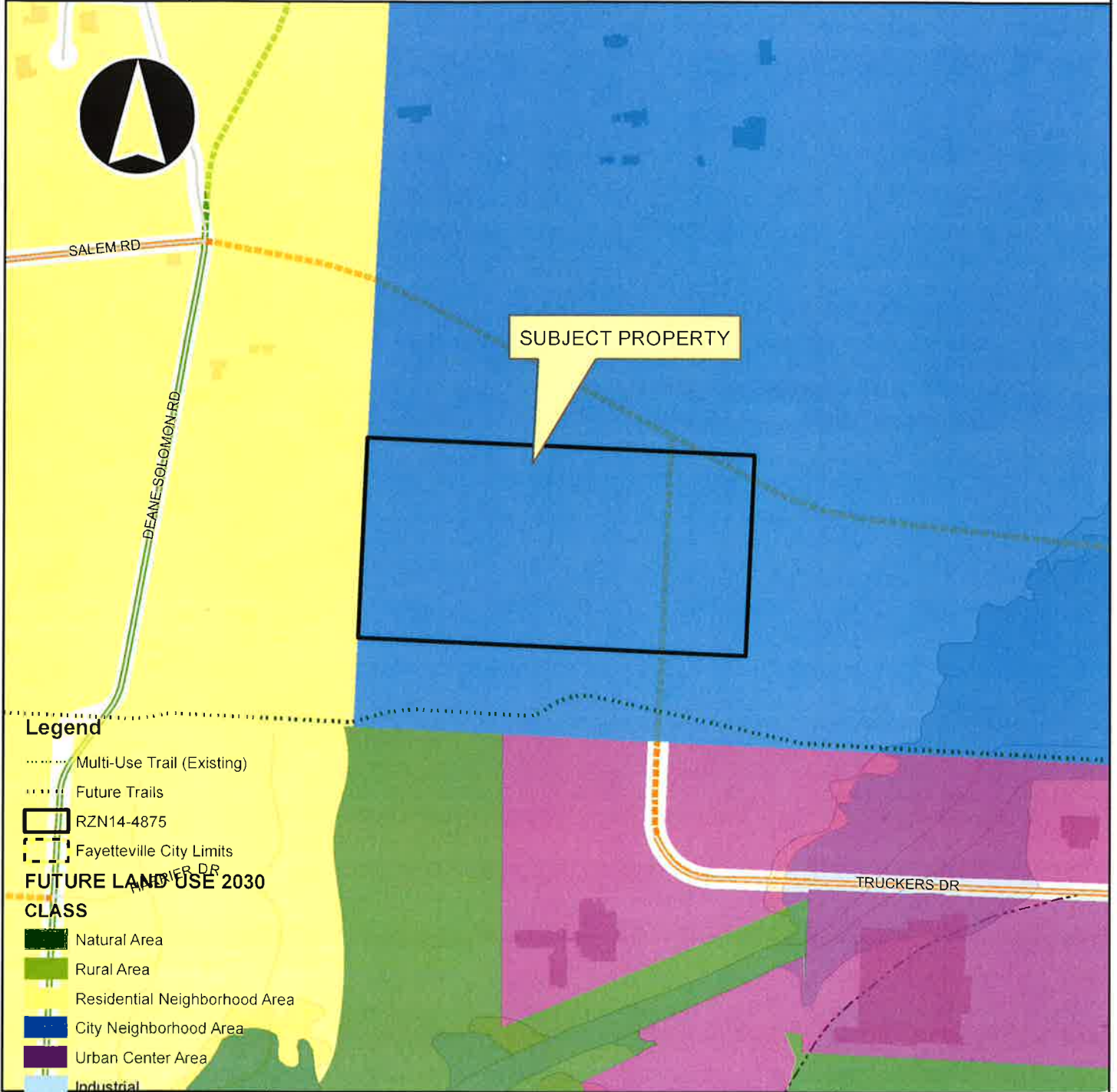
Brian Moore, P.E.
Vice President

Enclosures

RZN14-4875

LEGACY BANK

Future Land Use



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4875
- Fayetteville City Limits

FUTURE LAND USE 2030

CLASS

- Natural Area
- Rural Area
- Residential Neighborhood Area
- City Neighborhood Area
- Urban Center Area
- Industrial

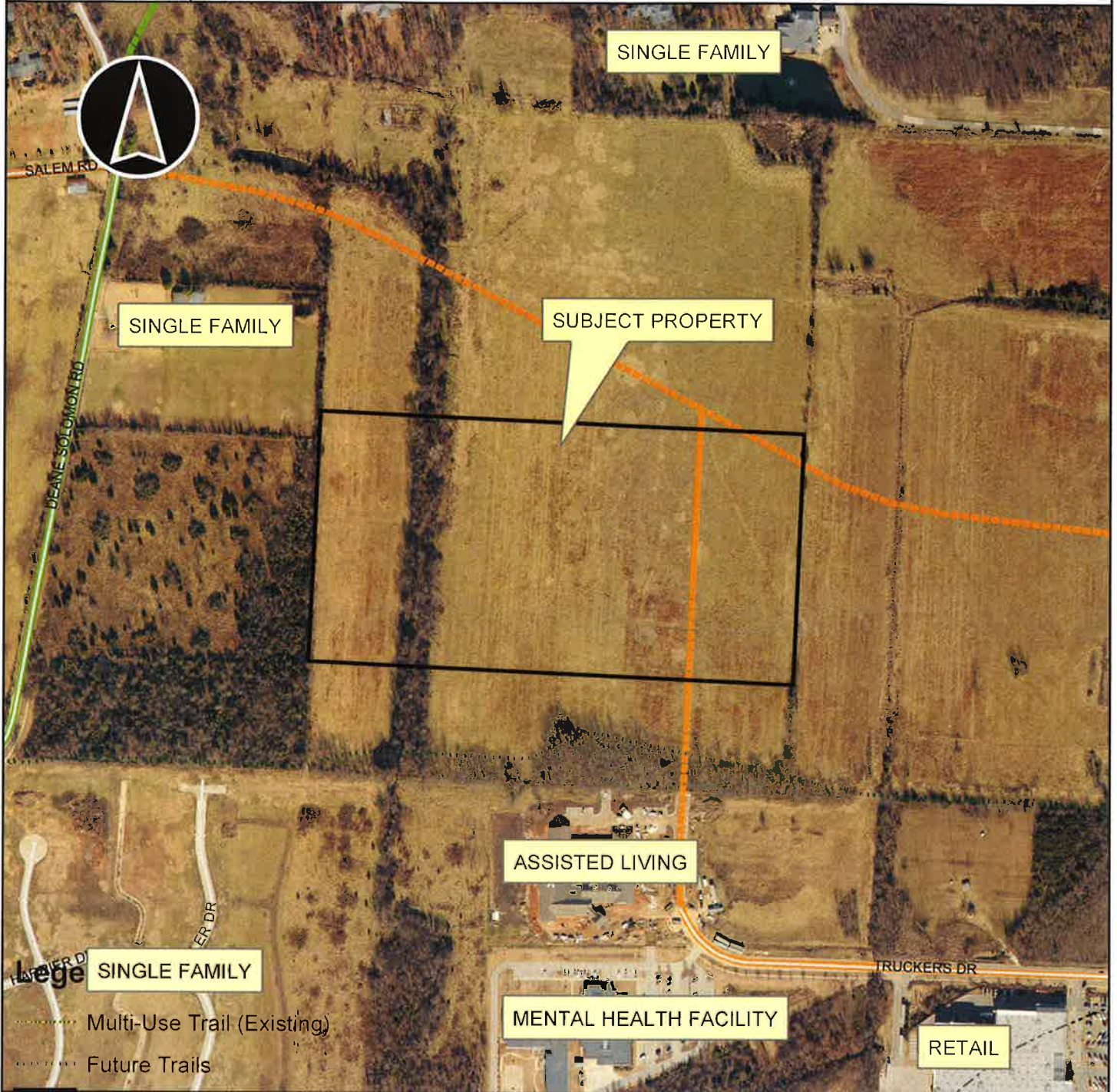
- Complete Neighborhood Plan
- Civic and Private Open Space/Parks
- Civic Institutional
- Non-Municipal Government
- ROW
- Design Overlay District
- Design Overlay District
- Planning Area



RZN14-4875

LEGACY BANK

Current Land Use



Overview

RZN14-4875

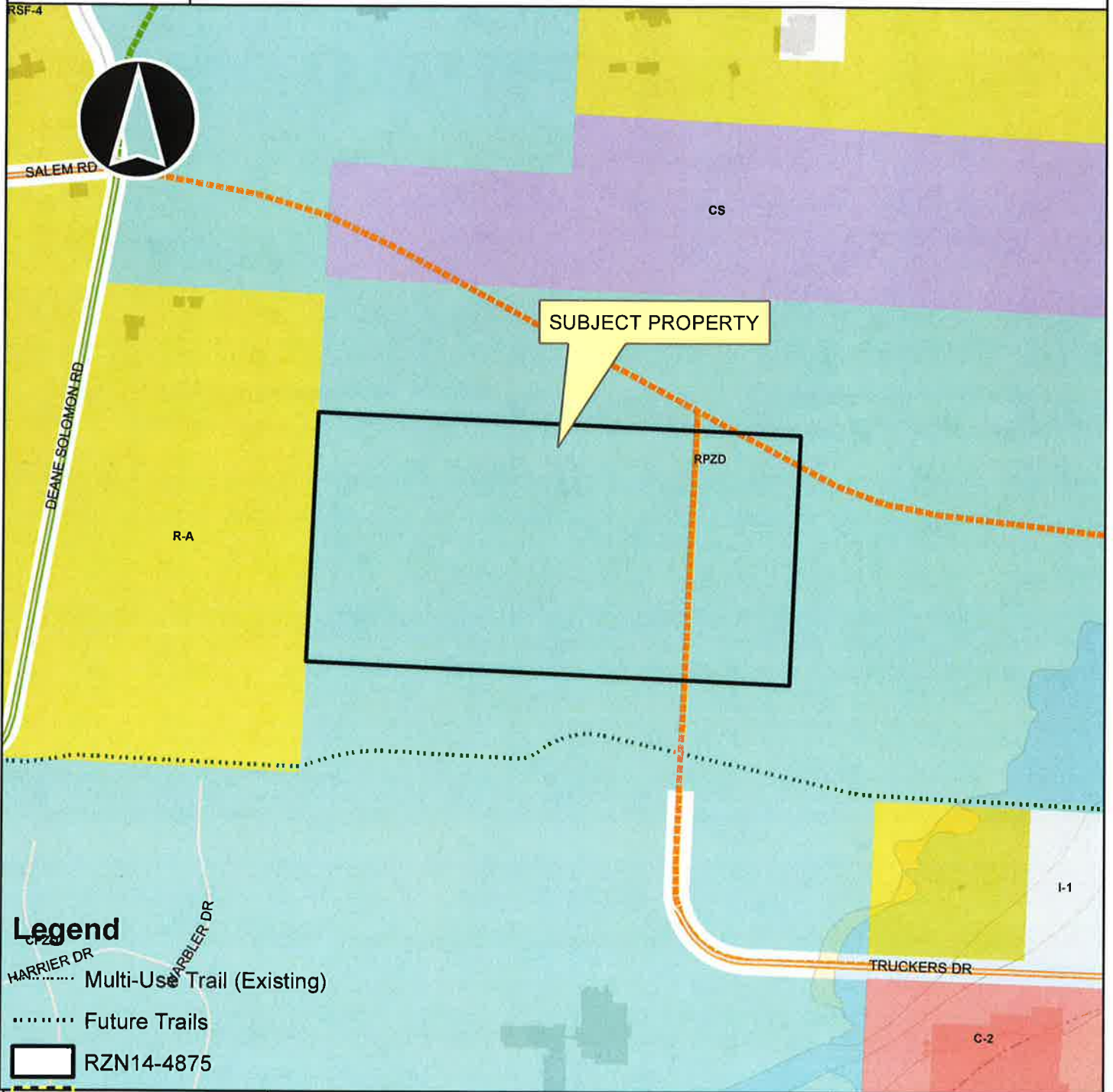
-  Fayetteville City Limits
-  Footprints 2010
-  Hillside-Hilltop Overlay District
-  Design Overlay District
-  Planning Area



RZN14-4875

LEGACY BANK







Close Up View



Legend

-  Multi-Use Trail (Existing)
-  Future Trails
-  RZN14-4875

Overview

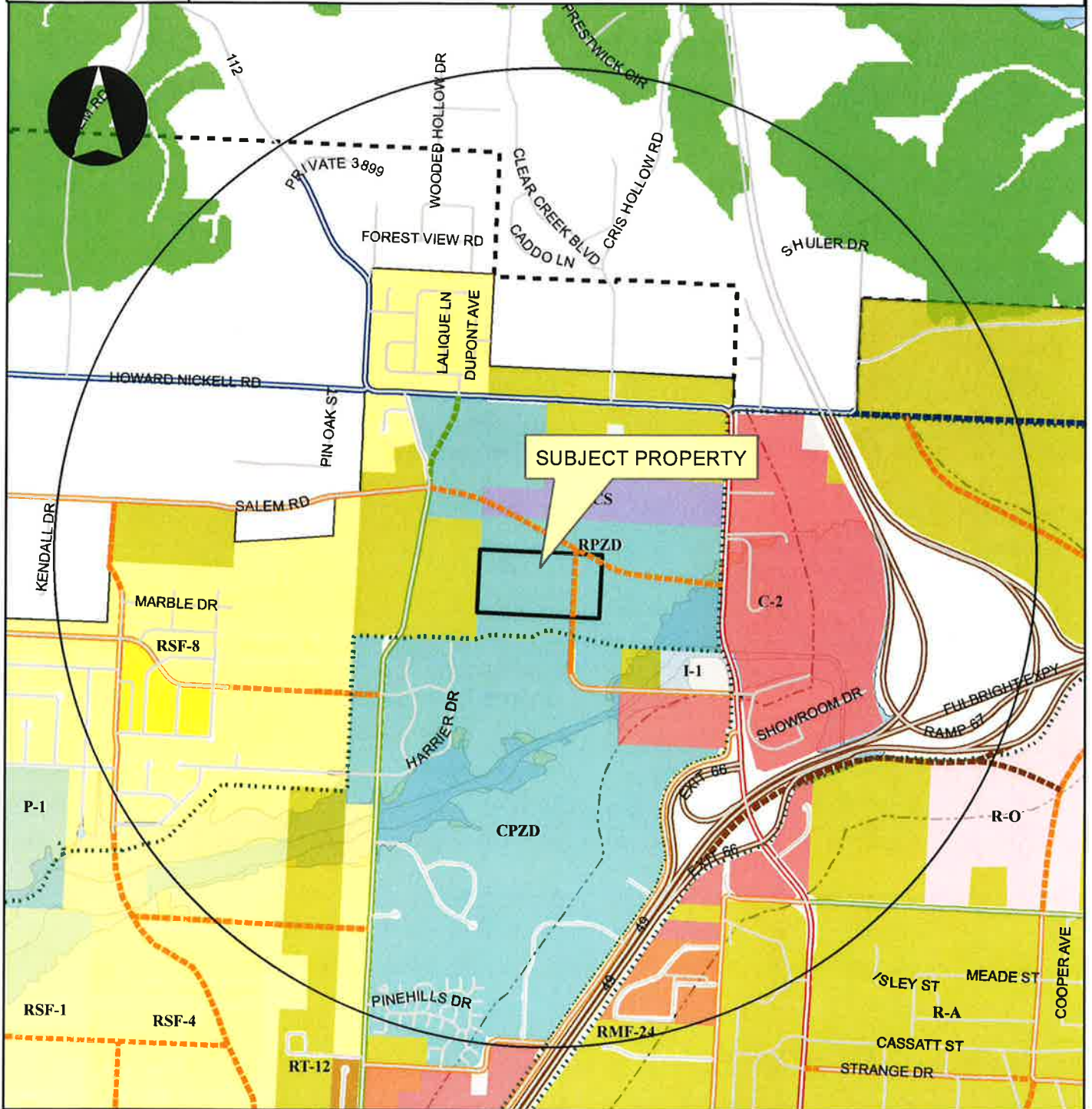
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-  Planning Area



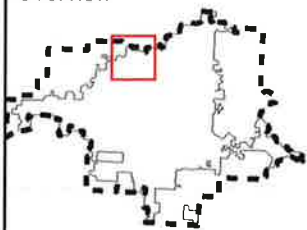
RZN14-4875

LEGACY BANK

One Mile View



Overview



Legend

Subject Property

Boundary



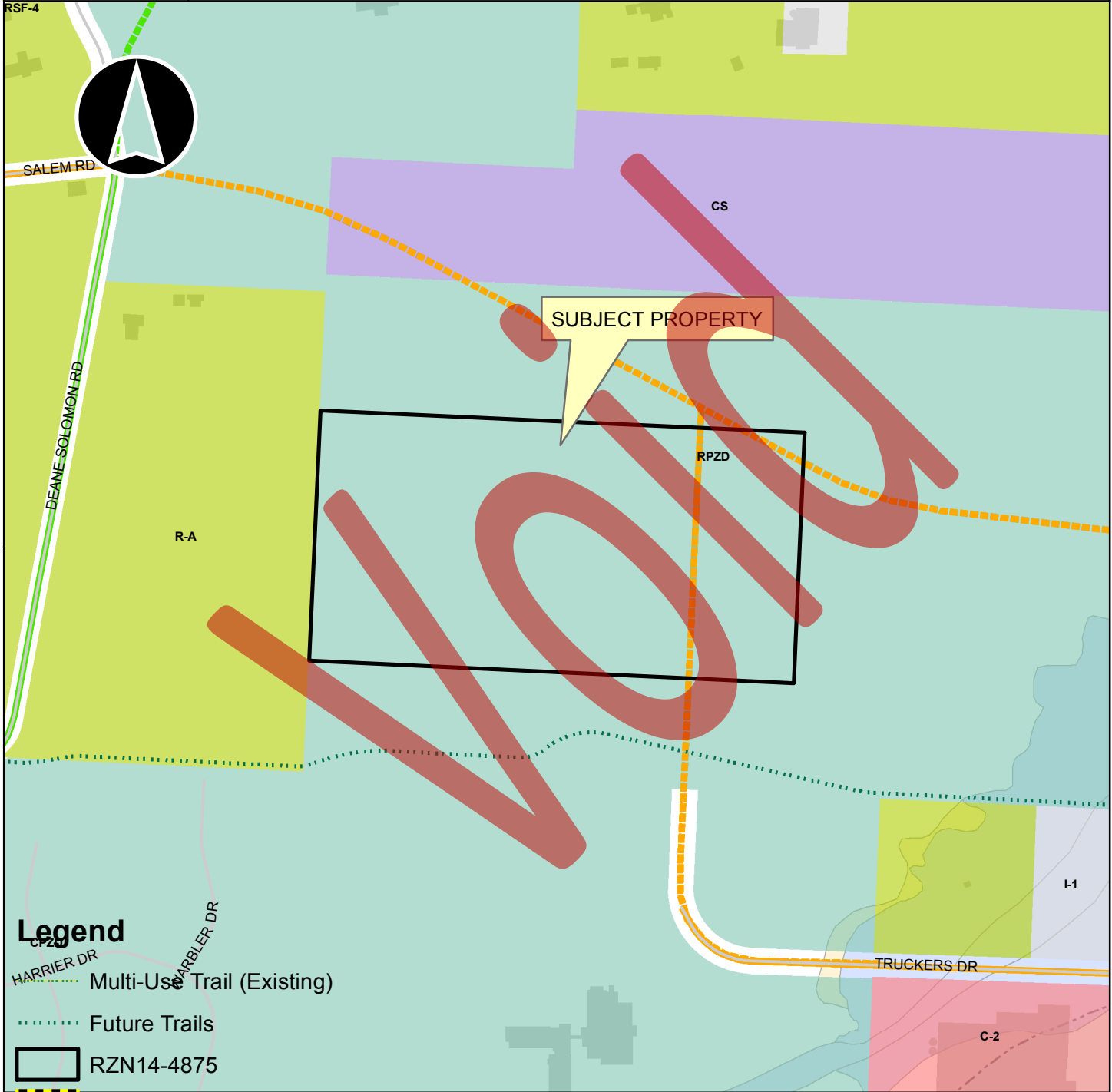
EXHIBIT 'A' 14-4875

VOID

RZN14-4875

LEGACY BANK

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4875

Overview

- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area

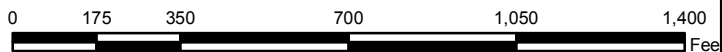


EXHIBIT 'B'
14-4875

REZONING LEGAL DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$), IN SECTION TWENTY-EIGHT (28), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

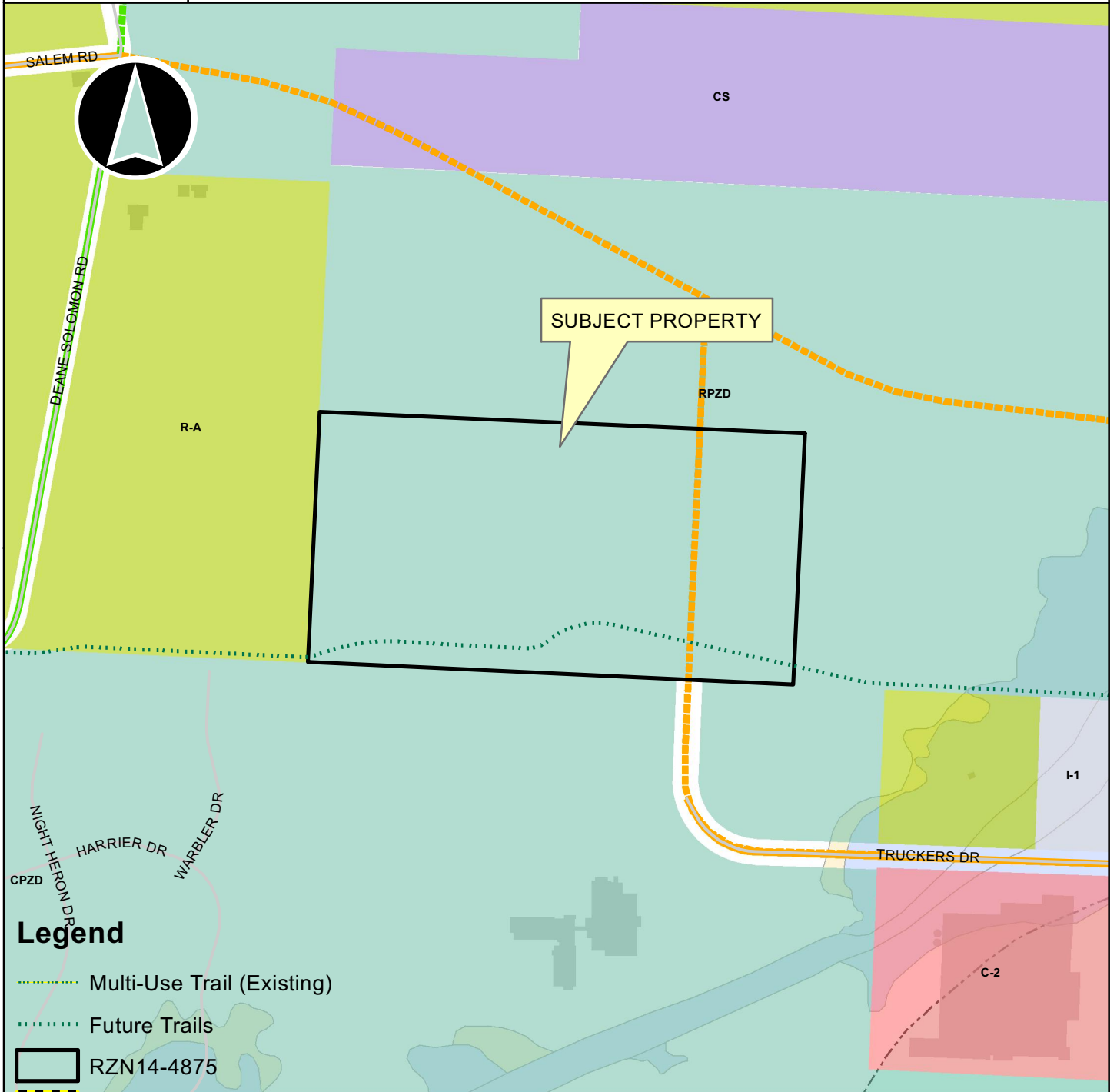
COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SAID SECTION 28 BEING A FOUND MAGNAIL IN ASPHALT ROADWAY; THENCE S02°34'52"W A DISTANCE OF 1654.44 FEET TO THE POINT OF BEGINNING; THENCE S87°26'22"E A DISTANCE OF 1315.59 FEET TO A POINT; THENCE S02°32'22"W A DISTANCE OF 680.63 FEET TO A POINT; THENCE N87°21'49"W A DISTANCE OF 1316.08 FEET TO A POINT; THENCE N02°34'52"E A DISTANCE OF 678.89 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 20.54 ACRES (894,590 SQUARE FEET), MORE OR LESS.

RZN14-4875

LEGACY BANK

Close Up View



Legend

- Multi-Use Trail (Existing)
- Future Trails
- RZN14-4875

Overview

- Fayetteville City Limits
- Footprints 2010
- Hillside-Hilltop Overlay District
- Design Overlay District
- Design Overlay District
- Planning Area

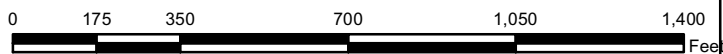


EXHIBIT 'B'

14-4875

REZONING LEGAL DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHWEST QUARTER (SW ¼), IN SECTION TWENTY-EIGHT (28), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SAID SECTION 28 BEING A FOUND MAGNAIL IN ASPHALT ROADWAY; THENCE S02°34'52"W A DISTANCE OF 1954.44 FEET TO THE POINT OF BEGINNING; THENCE S87°26'22"E A DISTANCE OF 1315.59 FEET TO A POINT; THENCE S02°32'22"W A DISTANCE OF 680.63 FEET TO A POINT; THENCE N87°21'49"W A DISTANCE OF 1316.08 FEET TO A POINT; THENCE N02°34'52"E A DISTANCE OF 678.89 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 20.54 ACRES (894,590 SQUARE FEET), MORE OR LESS.