Pelham

A path apart.

SPECIAL CALLED CITY COUNCIL MEETING

The Pelham City Council will hold a special called council meeting in the Courtroom of the Pelham Police & Court Building, located at 32 Philip Davis Street, Pelham, Alabama, for the purpose of considering Ordinance No. 135-254, the rezoning of property located at 301 Green Park South, Pelham, Alabama 35124 changing the present zoning R-1 (Single Family Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Mobile Home Park) and/or other business which may come before the council.

Applicant: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield, Hills, Michigan 48301

Property Owner: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301

The date and time of the special meeting is as follows:

Monday, March 27, 2023 at 5:00 p.m.

THE MEETING IS OPEN TO THE PUBLIC BUT IS A NOT PUBLIC HEARING.

Posted: March 21, 2023

CITY COUNCIL MEETING AGENDA

Pelham Police & Court Building
Special Meeting
March 27, 2023 – 5:00 p.m.

BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER

Proper notice of the special meeting of the Pelham City Council was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

A. Call to Order

B. Invocation

C. Pledge of Allegiance

D. Record of Attendance

E. Consent Agenda – None

F. Public Hearing(s) – None

G. Mayor's Report/Comments

H. Proclamation(s) and Resolution(s) by the Mayor and Others – None

I. Report of the City Manager

J. Report of the City Attorney

K. Request(s) to Address the Council – None

L. Old Business / Resolutions / Ordinances / Orders and Other Business

1. **Ordinance No. 135-254** an amendment to the zone district boundaries of the City of Pelham changing the present zoning R-1 (Single Family Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Home Park) for property located at 301 Green Park South, Pelham, AL 35124. (98.778 acres)
   Applicant: FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301
   Property Owner: FSI Green Park South Property, LLC, 7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301
   First Reading was on March 20, 2023.

M. New Business / Resolutions / Ordinances / Orders and Other Business – None

N. Public Comments

Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may after being recognized approach the podium and state their name and physical address prior to making their comments in a respectful manner.

O. City Council Comments

P. Public Announcements – None

Q. Adjournment

THE COUNCIL MEETING IS OPEN TO THE PUBLIC BUT IS NOT A PUBLIC HEARING

MEMORANDUM

TO: Gretchen DiFante, City Manager
Tom Seale, City Clerk

FROM: Sherri Proctor, Planning and Zoning Administrator

DATE: February 24, 2023

RE: FSI Green Park South Inc. Planned Development, P-MHP Request

FSI Green Park South Inc. (Green Park) has filed a request to rezone the Green Park development to Planned Manufactured Home Park (P-MHP). As part of this request, several modifications were requested. Planned Unit Development (PUD) ordinances are written applicable to new development. Since the Green Park neighborhood is an existing development, several modifications (variances) are requested and are outlined in an attached memo.

The current zoning is R-1 and B-2 and the Future Land Use is Mixed Use which includes Planned Developments as a related zoning district. The requested district is the most compatible district that will allow manufactured homes and this would bring the development into compliance with the land use.

Many of the issues with the Green Park neighborhood are being addressed in what the applicants refer to as the "Revitalization Plan" which is summarized in the narrative included in the application packet. These issues include the density, existing lots within the floodway, safety and access.

During a special called meeting held on February 23, 2023, the Planning Commission voted 4 to 1 to recommend the request, including the stated modifications, to City Council.

ORDINANCE No. 135-254

AN ORDINANCE OF THE CITY OF PELHAM, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 135-254 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

SECTION ONE: The rezoning of property located at 301 Green Park South, Pelham, Alabama 35124 changing the present zoning R-1 (Single Family Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Mobile Home Park)

Applicant: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield, Hills, Michigan 48301

Property Owner: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301

Property Location: 301 Green Park South, Pelham, AL 35124. (98.778 Acres)

Shelby County Property Parcel I.D.: 13 1 01 1 001 002.000 and 13 1 01 1 001 011.000

Legal Description(s) of Subject Property:

GREEN PARK PARCEL I

A parcel of land located in Section 1, Township 20 South, Range 3 West, more particularly described as follows: Begin at the Northeast corner of said Section 1; thence South along the East Line thereof, a distance of 1326.0 feet; thence 45° 51 ' right, in a Southwesterly direction a distance of 2025.0 feet; thence 90° right, in a Northwesterly direction, a distance of 682.0 feet; thence 81° 04' right, in a Northeasterly direction, a distance of 663.0 feet; thence 90° left, in a Northwesterly direction, a distance of 500.0 feet; thence 90° right, in a Northeasterly direction, a distance of 1807.34 feet to a point on the North Line of said Section 1; thence 55° right, in an Easterly direction, a distance of 844.43 feet to the point of beginning. Situated in Shelby County, Alabama.

GREEN PARK PARCEL II

A 50 foot wide parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, thence in a Northerly direction along the Westerly Line of said quarter quarter of Section a distance of 25 feet to the point of beginning, said point being in the Center Line of herein described fifty foot wide parcel of land, said parcel being 25 feet each side of herein described Center Line; thence 89° 1 0' right, in an Easterly direction, a distance of 56.05 feet to the beginning of a curve to the left, having a central angle of 73° 32', and a radius of 119.93 feet; thence Northeasterly along said curve, a distance of 153.92 feet to end of said curve and the beginning of a curve to the right, having a central angle of 23° 18' and a radius of 242.51 feet; thence Northeasterly along said curve, a distance of 98.62 feet to end of said curve; thence Northeasterly a distance of 715.64 feet to the beginning of a curve to the right having a central angle of 16° 02' 30", and a radius of 354.83 feet; thence Northeasterly along said curve, a distance of 99.34 feet to end of said curve; thence Northeasterly a distance of 27.50 feet to the beginning of a curve to the left, having a central angle of 35° 26' 30" and a radius of 313. 17 feet; thence Northeasterly along said curve a distance of 193.72 feet to end of said curve to the right and the point of beginning of a curve to the right, having a central angle of 78° 41 ' and radius of 135.26 feet; thence Northeasterly along said curve a distance of 185.75 feet to its intersection with the westerly right of way line of U.S. Highway 31 and end of herein described 50 foot wide parcel. Situated in Shelby County, Alabama.

GREEN PARK PARCEL III

A parcel of land located in the West 1/2 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows: Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, said point being on the South right of way boundary of Trailer Park Road; thence Easterly along the North boundary of said quarter quarter Section, which is also along said South right of way boundary 55.69 feet to the point of beginning of the arc of a curve, tangent to last mentioned course turning to the left, having a central angle of 73° 32' and a radius of 144.93 feet; thence Easterly and thence Northeasterly along said arc 186.00 feet to the point of beginning of another curve, turning to the right, tangent to last mentioned curve, having a central angle of 23° 18' and a radius of 271.51 feet; thence Northeasterly along the arc of last mentioned curve 88.45 feet; thence Northeasterly along a line tangent to last mentioned arc 17.75 feet (The last mentioned three courses were along said South right of way boundary of Trailer Park Road); thence right 63° 30' in a Southeasterly direction 35 feet, more or less, to the centerline of Bishop Creek; thence Southwesterly along said centerline 486 feet, more or less, to intersection with the West boundary of said quarter quarter Section; thence Northerly along said West boundary 173 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

EASEMENT FOR WALK BENEFICIAL TO GREEN PARK

Centerline of 8.00 feet Easement for Walk Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West; thence Southerly along the West boundary of said quarter quarter Section 58.00 feet to the point of beginning of centerline herein described; thence 81° 58' left in a Southeasterly direction 28.10 feet; thence 39° 00', right in a Southeasterly direction 75 feet, more or less, to intersection with the centerline of Bishop Creek, said intersection being the terminus of centerline herein described. Situated in Shelby County, Alabama.

SOUTHGATE PARCEL I

Part of Lot 1, J H Banker's Subdivision and part of the Southeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South , Range 3 West and the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West being more particularly described as follows:

Beginning at the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence North 00° 02' 45" Section West along the East Line of said quarter quarter Section a distance of 1,151.65 feet to property corner in the centerline of Bishop Creek; thence run South 59° 29' 19" West along centerline of said Creek 59.70 feet to a property corner; thence run South 21° 16' 11" West along centerline of said Creek 159.36 feet to a property corner; thence run South 56° 34' 04" West along centerline of said creek 26.66 feet to a property corner, thence run along centerline of said creek North 87° 38' 50" West, a distance of 140.35 feet to a property corner; thence run along the centerline of said creek North 68° 19' 51 " West a distance of 53.89 feet to a property corner; thence run North 63° 53' 32" West along centerline of said creek 22.40 feet to a point on the diagonal line from the Northeast corner of subject quarter quarter Section to the Southwest corner of same said quarter quarter Section; thence continue North 63° 53' 32" West along centerline of said Bishop Creek a distance of 101 .71 feet to a property corner; thence run North 70° 16' 22" West along centerline of said creek a distance of 53.59 feet to a property corner; thence run South 59° 36' 19" West along the centerline of said creek a distance of 62.77 feet to a property corner; thence run South 56° 48' 01" West along the centerline of said creek a distance of 65.03 feet to a property corner; thence run South 40° 55' 1 0" West along centerline of said creek a distance of 68.06 feet to a property corner; thence run South 19° 36' 18" West along centerline of said creek a distance of 48.20 feet to a property corner; thence run South 24° 15' 39" West along centerline of said Creek a distance of 56.85 feet to a property corner; thence run South 29° 52' 59" West along centerline of said creek a distance of 76.33 feet to a property corner; thence run South 36° 20' 45" West along centerline of said creek a distance of 69.25 feet to a property corner; thence run South 28° 20' 41" West along centerline of said creek a distance of 50.82 feet to a property corner; thence run South 35° 34' 16" West along centerline of said creek a distance of 39.42 feet to a property corner; thence run South 08° 36' 24" East along centerline of said creek a distance of 42.56 feet to a property corner; thence run South 32° 15' 53" East along centerline of said creek a distance of 34.40 feet to a property corner on the diagonal (so called twenty acre line) between the Northeast corner of said Southeast 1/4 of the Northeast 1/4 and the Southwest 1/4 of same said quarter quarter; thence run South 45° 50' 56" West along said diagonal line a distance of 809.57 feet to a property corner representing the Southwest corner of the said Southeast 1/4 of the

Northeast 1/4 of said Section 1; thence run South 89° 43' 11" East along the South line of said quarter quarter and the centerline of same said Bishop Creek a distance of 610.01 feet to a property corner in the centerline of said creek; thence run South 60° 22' 32" East along centerline of said creek a distance of 87.16 feet to a property corner in the centerline of said creek; thence run North 67 18' 26" East a distance of 101 .94 feet to a steel rebar property corner; thence run South 67° 18' 21 " East and 4.51 feet North of and nearly parallel to an existing industrial fence a distance of 764.54 feet to a found crimped pipe corner on the Westerly margin of U.S. Highway No. 31, aka, Pelham Parkway; thence run North 27° 35' 30" East along said margin of said highway a distance of 73.53 feet to a property corner; thence run North 67° 23' 27" West a distance of 173.65 feet to a property corner; thence run North 36° 40' 19" East a distance of 46.35 feet to a property corner; thence run North 35° 01' 49" West a distance of 48.32 feet to a property corner on the East Line of the Northeast 1/4 of the Southeast 1/4 of same said Section 1; thence run North 00° 02' 19" West along the East Line of the said Northeast 1/4 of the Southeast 1/4 of same Section 1 a distance of 79.04 feet to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY HEREIN REFERED TO AS SOUTHGATE PARCEL II:

Commence at the Northeast corner of the Southeast 1f4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.35 feet to a point in the centerline of Bishop Creek and the point of beginning of the property being described; thence run North 63° 53' 32" West along the centerline of Bishop Creek a distance of 101 .71 feet to a point; thence run North 70° 16' 22" West along said centerline of said creek 53.59 feet to a point; thence run South 59° 36' 19" West along centerline of said creek 62.77 feet to a point; thence run South 56° 48' 01 " West along centerline of said creek 65.03 feet to a point; thence run South 40° 55' 10" West along the centerline of said creek 68.06 feet to a point; thence run South 19° 36' 18" West along centerline of said creek 48.20 feet to a point; thence run South 24° 14' 39" West along centerline of said creek 56.85 feet to a point; thence run South 29° 52' 59" West along centerline of said creek 76.33 feet to a point; thence run South 36° 20' 45" West along centerline of said Bishop Creek 69.25 feet to a point; thence run South 28° 20' 41" West along said centerline of said creek 50.82 feet to a point; thence run South 35° 34' 16" West along centerline of said creek 39.42 feet to a point; thence run South 08° 36' 24" East along centerline of said creek 42.56 feet to a point; thence run South 32° 15' 53" East along centerline of said creek 34.40 feet to a point; thence run North 45° 50' 56" East a distance of 607.41 feet to the point of beginning. Situated in Shelby County, Alabama.

NOTE: SOUTHGATE PARCEL II DESCRIBED HEREIN IS WRITTEN WITHIN THE BOUNDS OF SOUTHGATE PARCEL I

SOUTHGATE PARCEL Ill

Beginning at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.34 feet to a point in the centerline of Bishop creek; thence run South 63° 53' 32" East along said centerline of said creek 22.40 feet to a point; thence run South 69° 19' 51" East along said centerline of said creek 53.89 feet to a point; thence run South 87° 38' 50" East along said centerline of said creek 140.35 feet to a point; thence North 56° 34' 04" East along said centerline of said creek 26.66 feet to a point; thence run North 21° 16' 11" East along said centerline of said creek 159.36 feet to a point; thence run North 59° 29' 19" East along centerline of said creek 61.31 feet to a point on the East Line of said Southeast 1/4 of the Northeast 1/4 of said Section 1; thence run North 00° 30' 24" West along said East Line of said quarter quarter, a distance of 173.00 feet to the point of beginning. Situated in Shelby County, Alabama.

All being situated in Shelby County, Alabama.

END OF LEGAL DESCRIPTION

SECTION TWO: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

SECTION THREE: This ordinance shall become effective upon its passage and publication or posting as required by law.

THEREUPON _____, a councilmember moved and _____, a councilmember seconded the motion that Ordinance No. 135-254 be given vote. The roll call vote on said motion was as follows:

Maurice Mercer, Council President ____

David Coram, Councilmember ____

Larry Palmer, Councilmember ____

Rick Wash, Councilmember ____

Mildred Lanier, Councilmember ____

Ordinance No. 135-254 passed by majority vote of the Council and the Council President declared the same passed and adopted.

ADOPTED this 27th day of March 2023.

_____
Maurice Mercer, Council President

_____
David Coram, Councilmember

_____
Larry Palmer, Councilmember

_____
Rick Wash, Councilmember

_____
Mildred Lanier, Councilmember

[SEAL]

ATTEST

APPROVED:

_____
Tom Seale, MMC, City Clerk/Treasurer

_____
Gary W. Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 135-254 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 27th day of March 2023 and duly published by posting an exact copy thereof on the 28th day of March 2023 four public places within the city, including the Mayor's Office at City Hall, City Park, Water Works and Library, and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the Office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the Office of the City Clerk/Treasurer during normal business hours.

_____
Tom Seale, MMC, City Clerk/Treasurer

[SEAL]

PLANNING COMMISSION MEETING
FEBRUARY 2023 MINUTES

I. Meeting called to order at 6:00 PM, with Kim Speorl presiding.

II. Invocation led by Russell Biciste.

III. Roll call was taken with the following members present: Kim Speorl, Russell Biciste, Chad Hester, Joey Pitts, Mayor Waters, David Russell, Rick Wash. Members absent: Chad Leverett, Claude Peacock. Staff present were Josh Arnold, City Attorney and Sherri Proctor, Planning and Zoning Administrator.

IV. Motion to approve December 8, 2022 minutes was made by Chad Hester, seconded by Joey Pitts. All ayes, motion carries.

V. Hearing of cases

1. FSI Green Park South Property, LLC
Rezone property from R-1, Single Family Residential and B-2, General Commercial to P-MHP, Planned Mobile Home Park
Property located west side of Pelham Pkwy, approximately 1500 feet South of the intersection of Green Park Road and Pelham Pkwy.
Parcel ID: 13 1 01 1 001 002.000, 13 1 01 1 001 011.000

Spenser Templeton, representing FSI Green Park South Inc., was present to discuss the case. Ch. Speorl opened the public hearing. There being no one to speak for or against the request, Ch. Speorl closed the hearing and called for discussion. After discussion regarding the density, enforcement measures and the requested variances, Ch. Speorl called for the motion:

Motion by Joey Pitts, seconded by Russell Biciste to recommend the rezoning with the requested modifications, including the condition on density, as presented in the staff report. Vote recorded as follows: Ayes - Biciste, Waters, Russell, Pitts, Speorl; Opposed - Hester. Kim Speorl and Rick Wash abstained. Motion to approve passed with a vote of 4 to 1.

VI. Other Business

1. The next regularly scheduled meeting will be held March 9, 2023 at the Pelham Public Library.

With no further business to come before the commission, motion by Russell Biciste, and seconded by Chad Hester to adjourn the meeting at 6:22 PM.

MEMORANDUM

TO: MEMBERS OF THE PLANNING COMMISSION

FROM: Sherri Proctor, Planning and Zoning Administrator

DATE: February 17, 2023

RE: Rezoning Request – FSI Green Park South

FSI Green Park South is requesting the Green Park neighborhood be rezoned from R-1 and B-2 to P-MHP (Planned Manufactured Home Park). The site is an existing, non-conforming manufactured home park with 415 pads. The intent is to bring the use of the manufactured home park into compliance with the appropriate zoning. The zoning ordinance does not offer a standard manufactured home park district, only that of Planned Unit Development District – Manufactured Home Park. The existing park does not comply with the requirements and development guidelines of the P-MHP district, therefore several modifications are being requested. These are outlined and included with this report.

Since this is an existing development, much of the documentation and requirements are not applicable. Several modifications were requested regarding submittal documents. These are noted and provided with this report. Staff has reviewed the requested modifications and finds there is reasonable justification for granting these in order to help this development achieve compliance.

Being an existing manufactured home park, there are some challenges to meeting the intent of a planned unit development. However, the request to rezone the property is favorable as it will bring the land use into conformity with an appropriate zoning district.

The density is exceeded but it is recognized that over the course of time, some homes will be removed with no option to replace. One of the modifications requested is regarding the density:

> *2.1 Area/density requirements – Existing Green Park South property is 98.778 acres as shown on survey prepared by Buckley D. Blew dated 05/13/2020 and contains 415 mobile home units including approximately 40 units in the current FEMA floodway. Existing density is 4.2 units/acre. Maximum allowed density pursuant to Article XX Section 2.1 is 3.5 units per acre. Green Park South requests a variance to allow the current 415 units to remain until such time as units lying within the FEMA floodway are:*

(1) Substantially Damaged from flooding, require structural alterations and/or repairs valued at more than 50% of the value of the unit at which point the units shall be removed from Green Park South

(2) Removed from the floodway for any other reason

Units removed from the floodway may not be replaced within Green Park South. The corresponding maximum number of units allowed shall be reduced cumulatively from 415 for each unit removed from the floodway.

Staff can support this modification with the conditions stated above.

The Narrative details other planning criteria and how the development will comply regarding future improvements to include landscaping and buffers, new home requirements, neighborhood restrictions and amenities.

Summary of Modifications to the P-MHP Request

Sec. 2.1 Modification to the maximum density of 3.5 units per acre –The current density is 4.2 units per acre based off the total land area of 98.778 acres and existing 415 lots/sites.

4. e. Modification to submit without a master development plan. Since this is an existing development, a master development plan is not warranted.

4. f. Modification to planning criteria. Planned Developments require submission of data to evaluate the development:

a. Identifying various land use districts: ***the PUD consists of only one land-use (manufactured home park)***

b. Setbacks, heights, building locations and footprint: ***This information is difficult and onerous to provide for existing structures.***

c. available water, sewer facilities, drainage structures and compatibility with surrounding area. ***This data is already established for the existing park.***

d. A traffic study is not warranted.

e. A watershed drainage study is not warranted.

All other submittal requirements and planning criteria documentation are addressed within the *Narrative* submitted with the application.

Property Rezoning Application

P.O. Box 1479, Pelham, Alabama 35124 | 205.620.6411
permits@pelhamalabama.gov

The undersigned of the following described premises (herein called "Applicant"), located at 301 Green Park South, Pelham, Alabama 35124 hereby requests a new zoning classification for the property described above.

NAME OF APPLICANT: FSI Green Park South Property, LLC

ADDRESS: 7457 Franklin Road, Suite 300 PHONE NUMBER: _____

Bloomfield Hills, MI 48301 EMAIL ADDRESS: _____

NAME OF LEGAL OWNER(S): Swoop MHP HV Holdings, LLC

ADDRESS: _____ PHONE NUMBER: _____

_____ EMAIL ADDRESS: _____

NAME OF LEGAL OWNER(S): _____

ADDRESS: _____ PHONE NUMBER: _____

_____ EMAIL ADDRESS: _____

NAME OF NEW OWNER: _____

ADDRESS: _____ PHONE NUMBER: _____

_____ EMAIL ADDRESS: _____

PRESENT ZONING CLASSIFICATION: (CHECK ALL THAT APPLY):

A-1 AGRICULTURAL DISTRICT
R-2 TWO-FAMILY RESIDENTIAL DISTRICT
R-A APARTMENT RESIDENTIAL DISTRICT
B-1 NEIGHBORHOOD BUSINESS DISTRICT
B-4 MINIWAREHOUSE DISTRICT
E-1 ESTATE RESIDENTIAL DISTRICT
R-G GARDEN HOME RESIDENTIAL DISTRICT
PUD PLANNED UNIT DEVELOPMENT
B-2 GENERAL BUSINESS DISTRICT
M-1 LIGHT INDUSTRIAL DISTRICT
R-1 SINGLE FAMILY RESIDENTIAL DISTRICT
R-T TOWNHOUSE RESIDENTAIL DISTRICT
O-I OFFICE AND INSTITUTIONAL DISTRICT
B-3 WAREHOUSE BUSINESS DISTRICT
M-2 HEAVY INDUSTRIAL DISTRICT

REQUESTED NEW ZONING CLASSIFICATION:

A-1 AGRICULTURAL DISTRICT
R-2 TWO-FAMILY RESIDENTIAL DISTRICT
R-A APARTMENT RESIDENTIAL DISTRICT
B-1 NEIGHBORHOOD BUSINESS DISTRICT
B-4 MINIWAREHOUSE DISTRICT
E-1 ESTATE RESIDENTIAL DISTRICT
R-G GARDEN HOME RESIDENTIAL DISTRICT
PUD PLANNED UNIT DEVELOPMENT
B-2 GENERAL BUSINESS DISTRICT
M-1 LIGHT INDUSTRIAL DISTRICT
R-1 SINGLE FAMILY RESIDENTIAL DISTRICT
R-T TOWNHOUSE RESIDENTAIL DISTRICT
O-I OFFICE AND INSTITUTIONAL DISTRICT
B-3 WAREHOUSE BUSINESS DISTRICT
M-2 HEAVY INDUSTRIAL DISTRICT

REQUIRED INFORMATION:

STATE THE USE TO WHICH THIS TRACT WILL BE PUT IF REZONED AS REQUESTED.
(ATTACH PLANS, PICTURES, OR DRAWINGS OF COMMERCIAL OR INDUSTRIAL BUILDINGS)

The subject property will continue its use as a manufactured housing park. See attached drawings, narrative, and variance request.

IS TRANSFER OF OWNERSHIP OF THE TRACT DEPENDENT UPON THE GRANTING OF THIS REZONING? ☐ YES ☑ NO

HAS THERE BEEN A PRIOR APPLICATION TO REZONE THIS TRACT? ☐ YES ☑ NO
(OR A LARGER OR SMALLER INCLUDED TRACT)

IF SO: DATE OF APPLICATION _____

PRIOR ACTION TAKEN _____

STATE THE REASONS WHY YOU BELIEVE THE REQUESTED REZONING WILL BE BENEFICIAL TO THE NEIGHBORHOOD AND THE CITY:

The property in its current state is not properly zoned as a manufactured housing park and therefore is considered a non-conforming use. If the property were to be rezoned to a PUD-MHP zoning classification, this would allow the owners of the property to perform much needed improvements and upgrades to the park as a whole and to the homes located within the park.

REQUIRED ATTACHMENTS:

- ☐ REZONING FEE $300.00, PLUS $10.00 PER ACRE
- ☐ LEGAL DESCRIPTION OF TRACT OR TRACTS TO BE REZONED
- ☐ A SCALE PLAT OF THE TRACT OR TRACTS, SHOWING THE FOLLOWING:
  - ALL BOUNDARY DIMENSIONS
  - ALL ADJOINING STREETS AND ALLEYS
  - ALL PRESENT IMPROVEMENTS
  - ALL INTENDED IMPROVEMENTS

NARRATIVE AND VARIANCE REQUEST:

The subject property (Parcel No. 13-1-01-1-001-002.000) is a manufactured home park. The park is currently a legal nonconforming use under Article XXVI of the Zoning Ordinance of the City of Pelham, Alabama. FSI Green Park South Property, LLC ("Green Park South") submits a rezoning application requesting the City rezone the park to a PUD-MHP zoning classification. The purpose of requesting the rezoning of the park is so that Green Park South will be permitted to install new manufactured homes on the subject vacant homesite spaces within the park and to perform much needed repairs and upgrades to the current homes within the park as part of a revitalization campaign.

The City of Pelham and Green Park South (the "Parties) are currently involved in litigation and participated in mediation on September 7 and 8, 2022 which resulted in the Parties executing a mediation settlement agreement. As part of the final mediation and settlement agreement, the Parties agreed for Green Park South to submit a rezoning application to request the park be rezoned to a PUD-MHP zoning designation in an effort to demonstrate to the City of Pelham the types of home that could be installed in the park if Green Park South was permitted to operate the park in the high standard that Yes Communities operates parks around the country.

Since the park is currently operating as a manufactured housing park and is not considered a new development, the Parties also agreed for Green Park South to submit a variance application requesting that certain requirements contained in the City of Pelham's Code of Ordinances, Appendix A, Article XX – PUD Planned Unit Development District be waived. Below is a narrative summary of the intention of Green Park South and a list of certain variance requests.

City of Pelham's Code of Ordinances, Appendix A, ARTICLE XX

2. 1. Area/density requirements – CITY DRAFTING LANGUAGE

4. b. - Current zoning(s) of the property under consideration – The property is currently zoned as R-1 and B-2 and is considered a legal non-conforming use.

4. d. – WE NEED A LIST OF ALL PROPERTY OWNERS ADJOINING

4. e. - Green Park South refers the City to the attached land use map and drawings. Because the property is already an existing manufactured housing park and not a new development, Green Park South requests a variance from the requirements contained in section 4.e.ii, 4.e.iii, and the requirement to provide the location of any detention and retention areas as noted in section 4.e.vi.

4. f. - The proposed name of the development will be FSI Green Park South Property, LLC. Green Park South refers the City to the attached land use map and drawings for the legal description of the property. Given that the property is not a new development, Green Park South requests a variance for the requirements listed in section 4.f.iii, 4.f.v, 4.f.xi, 4.f.xiii, 4.f.xiv, 4.f.xv, and 4.f.xvi.

In compliance with section 4.f.iv. Green Park South is an existing mobile home community. The Community consists of a maximum of 415 home sites; Common Areas such as private

roads, amenities including offices/clubhouses, mailbox centers, playgrounds, pool, basketball court, maintenance facilities, and common parking/storage areas; and Open Space areas.

The majority of the 415 home sites are occupied by residents who own their home but lease their home site from the owner of the community. The resident owner of the home is responsible for maintaining the condition of their home and home site as outlined in the Community Guidelines (attach). These Guidelines are incorporated in and are part of the Home Site Lease (attach).

All Common Areas and Open Space areas are maintained by the Owner of the Community. This is accomplished by a combination of on-site Community Manager, on-site Maintenance, as well as the use of contractors.

FSI Green Park South Property LLC, is a fairly new owner of the community and has inherited existing community conditions that do not comply with the Community Guidelines and Home Site Lease. Therefore, FSI Green Park South Property LLC has agreed to a four-year Revitalization Campaign to achieve improvement as set forth below:

> *Revitalization Campaign*: At no cost to the City, Green Park, and/or its assigns, will cause to be performed some or all of the following items, as agreed upon by the Parties, to achieve the improvement set forth below, subject to homeowner approval. Should a homeowner deny approval, Green Park will not renew the lease and make these improvements as soon as practicable thereafter. The City shall waive permit fees normally charged by the City for any work performed under this revitalization campaign, but the work will be permitted (again, at no cost to the Plaintiff) where required by law. When a permit is required, the homeowner would apply for the permit and, subject to a separate agreement between the homeowner and Green Park, would list Green Park as a contractor if applicable and, in any event, will first obtain Green Park's written consent as the owner of the real property to apply for the permit and provide the same to the City. Green Park will complete the revitalization campaign as soon as practicable, but no later than four years. Green Park will maintain the revitalization campaign going forward. Green Park will provide the City regular updates, as agreed upon by the Parties. The Parties will cooperate regarding permit requirements.
>
> - Yard cleanup
> - Landscape cleanup
> - Add-on buildings will either be repaired or removed
> - Seal coat roofs
> - Exterior painting with approved colors
> - Skirting repairs
> - Deck repairs
> - Repairing broken windows

- Permanent landings and steps affixed to the ground provided at each exterior doorway from the door threshold to ground level on any newly constructed decks.

- Enforce no yard parking

The Management of this community is through Yes Communities. Yes has had much success taking underperforming properties and making them more desirable places for families to live affordably. Yes takes a long-term approach, building strong relationships with residents, team members, and members of the greater community. Yes calls this their "Yes Culture" which is made up of 4 Key principles. Yes, I can Help. Yes, We are a Team. Yes, We Add Value. Yes, We Build Community.

The approach starts with identifying and coaching the right on-site team to improve curb appeal of common areas and amenities, improve service to residents, improve communication and expectations with residents. Yes believes that a positive approach most often produces solid results. Expectations are set through the Site Lease Agreement and the Community Guidelines. However, a legal eviction is only considered if all else has failed. The Community Manager will first have many conversations, follow up communications, and offer them assistance before considering a legal solution. The goal is for residents to meet expectations and successfully maintain their investment in their home.

Yes has many programs and focuses that help build a community atmosphere that inspires this success and mutual relationship.

- WOW Tours. Each year every Yes community participates in a curb appeal focus to track continuous improvement. There are curb appeal standards that have been identified that are graded by all levels of management, feedback is shared for further improvement, and of course a winner is celebrated.
- Each quarter Resident quarterly activities are organized and sponsored, such as Easter Egg Hunts, 4th of July cookouts, Halloween Pumpkin patches, Coloring contests, Pool opening parties, that build community connections.
- Seasonally Resident activities that focus on curb appeal are organized and sponsored, such as Spring clean-up events, Skirting repair days, Fall Leaf pick up Contests, Yard of the Month Contests, that build and inspire community pride.
- Resident events to connect with local service providers such as the Fire Department, Police Department, and Schools.
- Resident assistance payback programs. Residents can apply for a no interest loan to assist them with exterior home improvements with affordable monthly payments.
- Hug-a-home assistance. For extreme financial or physical needs, residents can apply for up to $2,000 of free material for exterior home improvements. Yes team members and contractors partner and volunteer the labor.
- Awareness and contributing to local charities that can assist residents in need.

It is Yes' goal is to cooperate, be approachable, and maintain a positive relationship with City departments to understand their needs. These relationships typically produce strong results to meet mutually beneficial goals.

4. f. viii. Green Park South is an existing mobile home community. Each home site includes a 2-car off-street concrete parking pad. Most of the sites are occupied with a home and structures with varying footprints, heights, and locations. FSI Green Park South Property LLC has agreed to the Revitalization of these homes and structures as outlined in Section 4. F. iv. The setbacks that exist will be maintained as a minimum requirement going forward.

4. f. ix. The following standards shall apply to any new manufactured home that will be installed on a lot located in the Green Park South community:

1. Home site will be prepared, crowned to provide drainage away from the home, and crush and run gravel installed as base.
2. After home installation is complete, hitches will be removed and placed under the home. Tires will be removed from the home and property.
3. Decks will be built customized to the home at all entry/exit locations. Minimum size of any deck will be 4'X4'.
4. Skirting of the home will be a manufactured material, typically vinyl, that is designed specifically for manufactured homes. The decks of the home will also be skirted.
5. Homes will be equipped with central air conditioning.
6. Each site will be provided with a two car off-street concrete parking pad and sidewalk to entry door.
7. The manufactured home will have either vinyl or hardboard siding, singled roof, shutters on all windows facing the road, and interior window coverings (blinds).
8. Each home will have visible house numbers on address markers in the front lawn.
9. Each home will have a small landscaping package, site will be clean, and trees trimmed.
10. Storage sheds are not a part of a standard new home installation. One shed per home site may be constructed with a maximum size of ten by twelve. The exterior siding and roof will be the same or similar material and color (or neutral color) as the home. The shed will be located near the back corner of the home and will be a minimum of five feet from the home.
11. No new homes will be placed in the Floodway.
12. New homes placed in the Flood plain will comply with FEMA regulations.
13. Below is an example of the type of home and set up that would meet the above standard today. The goal in the future would be to keep up with future design innovations and industry trends that look equally as nice and continues to be desirable in the marketplace.

4. f. x. All Common Areas and Open Space areas are maintained by FSI Green Park South Property LLC. This is accomplished by a combination of on-site Community Manager, on-site Maintenance, as well as the use of contractors.

4. f. xii. The resident owner of the home is responsible for maintaining the condition of their home and home site as outlined in the Community Guidelines (attach). These Guidelines are incorporated in and are part of the Home Site Lease (attach).

4. f. xvii. & xix. The number of vehicles, trailers, and trucks in the community is currently more than the two-car parking pads on site. Many of these vehicles are essential to the residents' livelihood. Currently on street parking is prohibited and enforced. Per the Revitalization Campaign, the next step is to enforce no yard parking. In order to accomplish this, the plan is first to work with the residents to deem which vehicles are necessary, operable, and properly tagged or they must be removed from the property. The next step of the plan would be to add overflow parking areas and storage areas to accommodate essential vehicles. Some larger items may have to be stored offsite if they cannot be accommodated in overflow areas. The existing parking, current plan parking, and potential future parking areas are marked on the Land Use map. Parking could potentially be on flood lots in the common areas once vacant. Materials will match its intended use and could include asphalt/curb, asphalt/bumper, and/or crush and run/gravel.

4. f. xx. Existing landscaping in the community will be maintained. A tree management program is in place to address dead or leaning trees that pose a safety risk. Trees that are removed in the common area or open space will be replaced where reasonable.

4. f. xxi. There are two existing entrance monument signs. Any significant change to the size or location of these signs will require a permit and shall be in accordance with the City sign ordinance. Home site number yard signs will be maintained.

5. c. The designated common area will continue as common area in the future. However, additional and/or modified amenities or additional services may be added in the common area for use by the residents in the future. No rearrangement or alteration to designated open space that

would result in a reduction of the original amount of open space, not in its proportion to the overall development, shall be permitted.

5. d. All Common Areas and Open Space areas will be maintained by the Owner of the Community. This is accomplished by a combination of on-site Community Manager, on-site Maintenance, as well as the use of contractors.

9. c. ii. (similar to 4. f. viii.) Green Park South is an existing mobile home community. Most of the sites are occupied with a home and structures with varying footprints, heights, and locations. FSI Green Park South Property LLC has agreed to the Revitalization of these homes and structures as outlined in Section 4. F. iv. The setbacks that exist will be maintained as a minimum requirement going forward.

9. c. vii. See 4. f. ix.

9. c. viii. See 4. f. ix.

9. e. iii. FSI Green Park South Property LLC will work on going forward maintaining a rent roll with the leaseholder's name(s) and financially responsible party.

SURVEY & LEGAL DESCRIPTION

CDS
COMMERCIAL
DUE DILIGENCE SERVICES

1 TITLE DESCRIPTION

The Land referred to herein below is situated in the County of Shelby, State of Alabama, and is described as follows

GREEN PARK PARCEL I

A parcel of land located in Section 1, Township 20 South, Range 3 West, more particularly described as follows: Begin at the Northeast corner of said Section 1, thence South along the East Line thereof, a distance of 1326.0 feet, thence 45° 51' right, in a Southwesterly direction a distance of 2025.0 feet, thence 90° right, in a Northwesterly direction, a distance of 682.0 feet, thence 81° 04' right, in a Northeasterly direction, a distance of 663.0 feet, thence 90° left, in a Northwesterly direction, a distance of 500.0 feet, thence 90° right, in a Northeasterly direction, a distance of 1807.34 feet to a point on the North Line of said Section 1, thence 55° right, in an Easterly direction, a distance of 844.43 feet to the point of beginning. Situated in Shelby County, Alabama.

GREEN PARK PARCEL II

A 50 foot wide parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows

Commence at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, thence in a Northerly direction along the Westerly Line of said quarter quarter of Section a distance of 25 feet to the point of beginning, said point being in the Center Line of herein described fifty foot wide parcel of land, said parcel being 25 feet each side of herein described Center Line, thence 89° 1.0' right, in an Easterly direction, a distance of 56.05 feet to the beginning of a curve to the left, having a central angle of 73° 32', and a radius of 119.93 feet, thence Northeasterly along said curve, a distance of 153.92 feet to end of said curve and the beginning of a curve to the right, having a central angle of 23° 18' and a radius of 242.51 feet, thence Northeasterly along said curve, a distance of 98.62 feet to end of said curve, thence Northeasterly a distance of 715.64 feet to the beginning of a curve to the right having a central angle of 16° 02' 30", and a radius of 354.63 feet, thence Northeasterly along said curve, a distance of 99.34 feet to end of said curve, thence Northeasterly a distance of 27.50 feet to the beginning of a curve to the left, having a central angle of 35° 26' 30" and a radius of 313.17 feet, thence Northeasterly along said curve a distance of 193.72 feet to end of said curve to the right and the point of beginning of a curve to the right, having a central angle of 78° 41', and radius of 135.26 feet, thence Northeasterly along said curve a distance of 185.75 feet to its intersection with the westerly right of way line of U.S. Highway 31 and end of herein described 50 foot wide parcel. Situated in Shelby County, Alabama.

GREEN PARK PARCEL III

A parcel of land located in the West 1/2 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows: Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, said point being on the South right of way boundary of Trailer Park Road, thence Easterly along the North boundary of said quarter quarter Section, which is also along said South right of way boundary 55.68 feet to the point of beginning of the arc of a curve, tangent to last mentioned course turning to the left, having a central angle of 73° 32' and a radius of 144.93 feet, thence Easterly and thence Northeasterly along said arc 186.00 feet to the point of beginning of another curve, turning to the right tangent to last mentioned curve, having a central angle of 23° 18' and a radius of 271.51 feet, thence Northeasterly along the arc of last mentioned curve 88.45 feet, thence Northeasterly along a line tangent to last mentioned arc 17.75 feet (The last mentioned three courses were along said South right of way boundary of Trailer Park Road), thence right 63° 30' in a Southeasterly direction 35 feet, more or less, to the centerline of Bishop Creek, thence Southwesterly along said centerline 486 feet, more or less, to intersection with the West boundary of said quarter quarter Section, thence Northerly along said West boundary 173 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

EASEMENT FOR WALK BENEFICIAL TO GREEN PARK

Centerline of 6.00 feet Easement for Walk

Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 3 West, thence Southerly along the West boundary of said quarter quarter Section 56.00 feet to the point of beginning of centerline herein described, thence 81° 58' left in a Southeasterly direction 26.10 feet, thence 39° 00' right in a Southeasterly direction 75 feet, more or less, to intersection with the centerline of Bishop Creek, said intersection being the terminus of centerline herein described. Situated in Shelby County, Alabama.

SOUTHGATE PARCEL I

Part of Lot 1, J H Banker's Subdivision and part of the Southeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West and the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West being more particularly described as follows

Beginning at the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence North 00° 02' 45" Section West along the East Line of said quarter quarter Section a distance of 1 151.65 feet to property corner in the centerline of Bishop Creek, thence run South 59° 29' 19" West along centerline of said Creek 53.70 feet to a property corner, thence run South 21° 16' 11" West along centerline of said Creek 159.36 feet to a property corner, thence run South 56° 34' 04" West along centerline of said creek 26.66 feet to a property corner, thence run along centerline of said creek North 87° 38' 50" West, a distance of 140.35 feet to a property corner, thence run along the centerline of said creek North 68° 19' 51" West a distance of 53.88 feet to a property corner, thence run North 63° 53' 32" West along centerline of said creek 22.40 feet to a point on the diagonal line from the Northeast corner of subject quarter quarter Section to the Southwest corner of same said quarter quarter Section, thence continue North 63° 53' 32" West along centerline of said Bishop Creek a distance of 101.71 feet to a property corner, thence run North 70° 16' 22" West along centerline of said creek a distance of 53.59 feet to a property corner, thence run South 59° 36' 19" West along the centerline of said creek a distance of 62.77 feet to a property corner, thence run South 56° 48' 01" West along the centerline of said creek a distance of 65.03 feet to a property corner, thence run South 40° 55' 10" West along centerline of said creek a distance of 68.06 feet to a property corner, thence run South 19° 36' 18" West along centerline of said creek a distance of 48.20 feet to a property corner, thence run South 24° 15' 39" West along centerline of said Creek a distance of 56.85 feet to a property corner, thence run South 29° 52' 59" West along centerline of said creek a distance of 76.33 feet to a property corner, thence run South 36° 20' 45" West along centerline of said creek a distance of 69.25 feet to a property corner, thence run South 28° 20' 41" West along centerline of said creek a distance of 50.82 feet to a property corner, thence run South 35° 34' 16" West along centerline of said creek a distance of 39.42 feet to a property corner, thence run South 08° 36' 24" East along centerline of said creek a distance of 42.56 feet to a property corner, thence run South 32° 15' 53" East along centerline of said creek a distance of 34.40 feet to a property corner on the diagonal (so called twenty acre line) between the Northeast corner of said Southeast 1/4 of the Northeast 1/4 and the Southwest 1/4 of same said quarter quarter, thence run South 45° 50' 56" West along said diagonal line a distance of 805.57 feet to a property corner representing the Southwest corner of the said Southeast 1/4 of the Northeast 1/4 of said Section 1, thence run South 88° 43' 11" East along the South line of said quarter quarter and the centerline of same said Bishop Creek a distance of 610.01 feet to a property corner in the centerline of said creek, thence run South 60° 22' 32" East along centerline of said creek a distance of 87.16 feet to a property corner in the centerline of said creek, thence run North 67° 18' 26" East a distance of 101.94 feet to a steel rebar property corner, thence run South 67° 18' 21" East and 4.51 feet North of and nearly parallel to an existing industrial fence a distance of 764.54 feet to a found crimped pipe corner on the Westerly margin of U.S. Highway No. 31, aka, Pelham Parkway, thence run North 27° 35' 30" East along said margin of said highway a distance of 73.53 feet to a property corner, thence run North 67° 23' 27" West a distance of 173.65 feet to a property corner, thence run North 36° 40' 19" East a distance of 46.35 feet to a property corner, thence run North 35° 01' 49" West a distance of 48.32 feet to a property corner on the East Line of the Northeast 1/4 of the Southeast 1/4 of same said Section 1, thence run North 00° 02' 19" West along the East Line of the said Northeast 1/4 of the Southeast 1/4 of same Section 1 a distance of 79.04 feet to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY HEREIN REFERED TO AS SOUTHGATE PARCEL II

Commence at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.35 feet to a point in the centerline of Bishop Creek and the point of beginning of the property being described, thence run North 63° 53' 32" West along the centerline of Bishop Creek a distance of 101.71 feet to a point, thence run North 70° 16' 22" West along said centerline of said creek 53.59 feet to a point, thence run South 59° 36' 19" West along centerline of said creek 62.77 feet to a point, thence run South 56° 48' 01" West along centerline of said creek 65.03 feet to a point, thence run South 40° 55' 10" West along the centerline of said creek 68.06 feet to a point, thence run South 19° 36' 18" West along centerline of said creek 48.20 feet to a point, thence run South 24° 14' 39" West along centerline of said creek 56.55 feet to a point, thence run South 29° 52' 59" West along centerline of said creek 76.33 feet to a point, thence run South 36° 20' 45" West along centerline of said Bishop Creek 69.25 feet to a point, thence run South 28° 20' 41" West along said centerline of said creek 50.82 feet to a point, thence run South 35° 34' 16" West along centerline of said creek 39.42 feet to a point, thence run South 08° 36' 24" East along centerline of said creek 42.56 feet to a point, thence run South 32° 15' 53" East along centerline of said creek 34.40 feet to a point, thence run North 45° 50' 56" East a distance of 607.41 feet to the point of beginning. Situated in Shelby County, Alabama.

NOTE: SOUTHGATE PARCEL II DESCRIBED HEREIN IS WRITTEN WITHIN THE BOUNDS OF SOUTHGATE PARCEL I

SOUTHGATE PARCEL III

Beginning at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.34 feet to a point in the centerline of Bishop creek, thence run South 63° 53' 32" East along said centerline of said creek 22.40 feet to a point, thence run South 68° 19' 51" East along said centerline of said creek 53.89 feet to a point, thence run South 87° 38' 50" East along said centerline of said creek 140.35 feet to a point, thence North 56° 34' 04" East along said centerline of said creek 26.66 feet to a point, thence run North 21° 16' 11" East along said centerline of said creek 159.36 feet to a point, thence run North 59° 29' 19" East along centerline of said creek 61.31 feet to a point on the East Line of said Southeast 1/4 of the Northeast 1/4 of said Section 1, thence run North 00° 30' 24" West along said East Line of said quarter quarter, a distance of 173.00 feet to the point of beginning. Situated in Shelby County, Alabama.

The land shown in this survey is the same as that described in Title Commitment provided by First American Title Insurance Company Commitment Number 860975/6767.0042 with an effective date and time of September 16, 2019 at 8:00 a.m.

Approved CDS Surveyor

Surveyors Name: Blew & Associates, P.A.
Address: 3825 N. Shiloh Drive
Fayetteville, AR
Telephone Number: 479-443-4506
email: survey@blewinc.com

2 TITLE INFORMATION

The Title Description and Schedule B items hereon are from First American Title Insurance Company, Commitment No. 860975/6767.0042. Dated September 16, 2019 at 8:00 A.M.

10 BASIS OF BEARINGS

The Basis of Bearing for this survey is the Northwest line of the subject property which bears S 36°24'24" W per GPS coordinate observations Alabama State Plane, West Zone, NAD83.
Latitude= 33°19'35.86458"
Longitude= -86°47'44.42662"
Convergence Angle= 00°23'13.16321"

3 SCHEDULE 'B' ITEMS

NOTES CORRESPONDING TO SCHEDULE "B"

⑨ 9. Easement granted to Alabama Power Company, recorded April 19, 1956 as **Book 175 Page 375**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944**. (DOES NOT AFFECT)

⑩ 10. Easement granted to Alabama Power Company, recorded October 26, 1962 as **Book 223, Page 357**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (DOES NOT AFFECT)

⑪ 11. Easement granted to Alabama Power Company, recorded February 18, 1965 as **Book 234, Page 659**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (DOES NOT AFFECT)

⑫ 12. Easement granted to Alabama Power Company, recorded March 24, 1969 as **Book 255, Page 797**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen PLS No 12944. (DOES NOT AFFECT)

⑬ 13. Easement granted to W.M. Humphries Development Company, Inc., recorded August 24, 1971 as **Instrument No. 19710826000035340**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS GREEN PARK PARCEL II, BLANKET IN NATURE)

⑭ 14. Easement granted to Alabama Power Company, recorded May 1, 1972 as **Book 274 Page 574**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS GREEN PARK PARCEL I, BLANKET IN NATURE)

⑮ 15. Easement granted to Alabama Power Company, recorded May 20, 1974 as **Book 287, Page 506**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (DOES NOT AFFECT)

⑯ 16. Easement granted to City of Pelham, recorded May 21, 1980 as **Book 294, Page 271**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS GREEN PARK PARCEL II, BLANKET IN NATURE)

⑰ 17. Easement granted to Alabama Power Company, recorded August 6, 1979 as **Book 321, Page 345**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS, PLOTTED AND SHOWN)

⑱ 18. Easement granted to Alabama Power Company, recorded May 5, 1981 as **Book 333, Page 375**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS, PLOTTED AND SHOWN)

⑲ 19. Easement granted to Alabama Power Company, recorded June 23, 1993 as **Instrument No. 1994-11675**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (DOES NOT AFFECT)

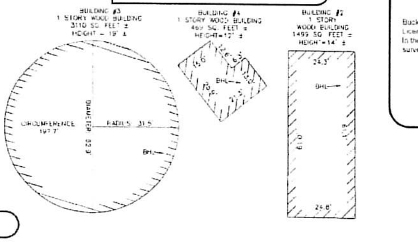
⑳ 20. Easement granted to Indian Springs Development Company, LLC, recorded February 23, 2000 as **Instrument No. 2000-08525**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS, PLOTTED AND SHOWN)

㉑ 21. Easement granted to Marcus Cable Associated, LLC, recorded September 6, 2011 as **Instrument No. 20111201080363630**, dated July 27, 2016, last revised August 2, 2016, and made by ALLSURV, LLC, S. M. Allen **PLS No 12944.** (AFFECTS GREEN PARK PARCEL I, BLANKET IN NATURE)

7 STATEMENT OF ENCROACHMENTS

NONE OBSERVED

BUILDING DETAILS - NOT TO SCALE



4 SURVEYOR CERTIFICATION

To FSI Green Park South Property LLC, Cohen Financial/Pillar/FNMA, Commercial Due Diligence Services, YES Communities OP, LP, First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 13, 14, 16, 17, 20, and 21(a) (Graphically depict in relation to the subject tract or property any offsite easements or servitudes benefitting the surveyed property and disclosed in Record Documents provided to the surveyor as part of the Schedule "A") and 21(b) (Graphically depict location of wetland areas as identified through the National Wetlands Inventory). The fieldwork was completed on 11/6/2019

Date of Plat or Map: 11/13/2019

Buckley D. Blew
License Number: 36106
In the State of Alabama
survey@blewinc.com

BUCKLEY D. BLEW
LS9272

Dated: 5/13/2020

6 CEMETERY

There is no visible evidence of cemeteries on the subject property at the time of survey.

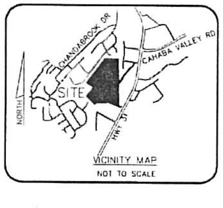
12 PARKING INFORMATION

NO DESIGNATED PARKING SPACES.

13 LAND AREA

Total Lot Area
4,302,770 Square Feet or 98.778 Acres

16 VICINITY MAP



14 BUILDING AREA

Bldg 1: 5035 square feet
Bldg 2: 1499 square feet
Bldg 3: 2646 square feet
Bldg 4: 465 square feet

15 BUILDING HEIGHT

Bldg 1: Height 18' or 1 Story
Bldg 2: Height 14' or 1 Story
Bldg 3: Height 19' or 1 Story
Bldg 4: Height 12' or 1 Story

5 FLOOD INFORMATION

By graphic plotting only, this property is located in Zone "X, X-shaded, and AE" of the Flood Insurance Rate Map, Community Panel No. 01117C0206E, which bears an effective date of February 20, 2013 and is partially located in a special flood hazard area. No field surveying was performed to determine this Zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

Zone "X" - Zone X is the area determined to be outside the 500-year flood and protected by levee from 100-year flood.

Zone "X-shaded"- Area of moderate flood hazard, usually the area between the limits of the 100- year and 500-year floods. B Zones are also used to designate base floodplains of lesser hazards, such as areas protected by levees from 100-year flood, or shallow flooding areas with average depths of less than one foot or drainage areas less than 1 square mile.

Zone "AE"- The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.

8 ZONING INFORMATION

ZONING DISTRICT: R1, Single Family Residential

CURRENT USE: Mobile Home Park, Legal Nonconforming

SETBACKS
- MIN. FRONT: 35
- MIN. SIDE: 12 Feet one side, 25 both sides
- MIN. REAR: 40

MAX. HEIGHT: 35' / 2.5 Stories
MIN. LOT AREA: 20,000 SQ. FT.
MIN. LOT WIDTH: 100'
MIN. LOT DEPTH: NO REQUIREMENT NOTED
MAX. FLOOR AREA RATIO: NO REQUIREVENT NOTED
MAX. COVERAGE: NO REQUIREMENT NOTED
MIN. PARKING: Mobile Home/Mobile Home Park, 2 Spaces per Unit. 413 pad sites, 826 spaces Required

ZONING INFORMATION OBTAINED FROM
FA COMMERCIAL DUE DILIGENCE SERVICES CO. (CDS)
3550 W. ROBINSON STREET, THIRD FLOOR
NORMAN, OK 73072
405-253-2444

JOB #: 19-10-0464.002
DATED: 12/11/2019

11 SURVEYOR'S NOTES

1. No observable evidence of earth moving work, building construction or building additions within recent months.

2. No observable evidence of changes in street right of way lines completed and available from the controlling jurisdiction and no observable evidence of recent street or sidewalk construction or repairs.

3. Property has physical access to US Highway 31, a public street.

4. All statements within the certification, and other references located elsewhere hereon, related to: utilities, improvements, structures, buildings, party walls, parking, easements, servitudes, and encroachments, are based solely on above ground, visible, evidence, unless another source of information is specifically referenced hereon.

5. In regards to ALTA Table A Item 10(A), no visible certain division or party walls with respect to adjoining properties were observed at the time the fieldwork was performed, nor were any designated by the client, necessary permissions were not provided.

6. No visible field delineation markers for wetlands were observed at the time the fieldwork was performed. Wetlands were observed online at fws.gov/wetlands/data/Mapper.html and approximate location is shown. Wetland code: PUBHx
Description for code PUBHx:
P System PALUSTRINE: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, emergents, mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean derived salts is below 0.5 ppt. Wetlands lacking such vegetation are also included if they exhibit all of the following characteristics: 1. are less than 8 hectares (20 acres); 2. do not have an active wave-formed or bedrock shoreline feature; 3. have at low water a depth less than 2 meters (6.6 feet) in the deepest part of the basin; 4. have a salinity due to ocean-derived salts of less than 0.5 ppt.
Subsystem:
UB Class UNCONSOLIDATED BOTTOM: Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
Subclass:
Modifier(s):
H WATER REGIME Permanently Flooded: Water covers the land surface throughout the year in all years.
x SPECIAL MODIFIER Excavated: Lies within a basin or channel that have been dug, gouged, blasted or suctioned through artificial means by man.

7. There is 415 pad sites on the subject property.

8. The following items, if any, are plotted on the survey to the extent referenced on the applicable title commitment: (i) all plottable areas denoted in the reciprocal easement agreements and (ii) the boundary limits only of all offsite appurtenant easements.

9. Distances shown on plat are grid. Combined scale factor (grid to ground) = 1.00003443327298

Key to CDS ALTA Survey

1 TITLE DESCRIPTION
2 TITLE INFORMATION
3 SCHEDULE 'B' ITEMS
4 SURVEYOR CERTIFICATION
5 FLOOD INFORMATION
6 CEMETERY
7 POSSIBLE ENCROACHMENTS
8 ZONING INFORMATION
9 LEGEND
10 BASIS OF BEARING
11 SURVEYOR'S NOTES
12 PARKING INFORMATION
13 LAND AREA
14 BUILDING AREA
15 BUILDING HEIGHT
16 VICINITY MAP
17 NORTH ARROW / SCALE
18 CLIENT INFORMATION BOX
19 SURVEY DRAWING
20 PROJECT ADDRESS

18 ALTA/NSPS Land Title Survey

This survey prepared in accordance with the "2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" (Effective February 23, 2016)

This Work Coordinated By
FA Commercial Due Diligence Services Co

CDS
COMMERCIAL
DUE DILIGENCE SERVICES
3550 W. Robinson Street, Third Floor
Norman, Oklahoma 73072
Office: 405-253-2444
website: www.firstamcds.com
Toll Free: 888.322.7371

Drwn By: D.L.S.	Date Revision
Surveyor Ref.No: 19-6123	Date Revision
Aprvd By: R.W.	Date Revision
Field Date: 11/8/2019	Date Revision
Scale: 1"=100'	

Prepared For:

Client Ref. No: GREEN PARK SOUTH GRE

20 PROJECT ADDRESS

301 Green Park South
Pelham, Alabama 35124

Project Name:
Yes 2019 Portfolio

CDS Project Number
19-10-0464-002

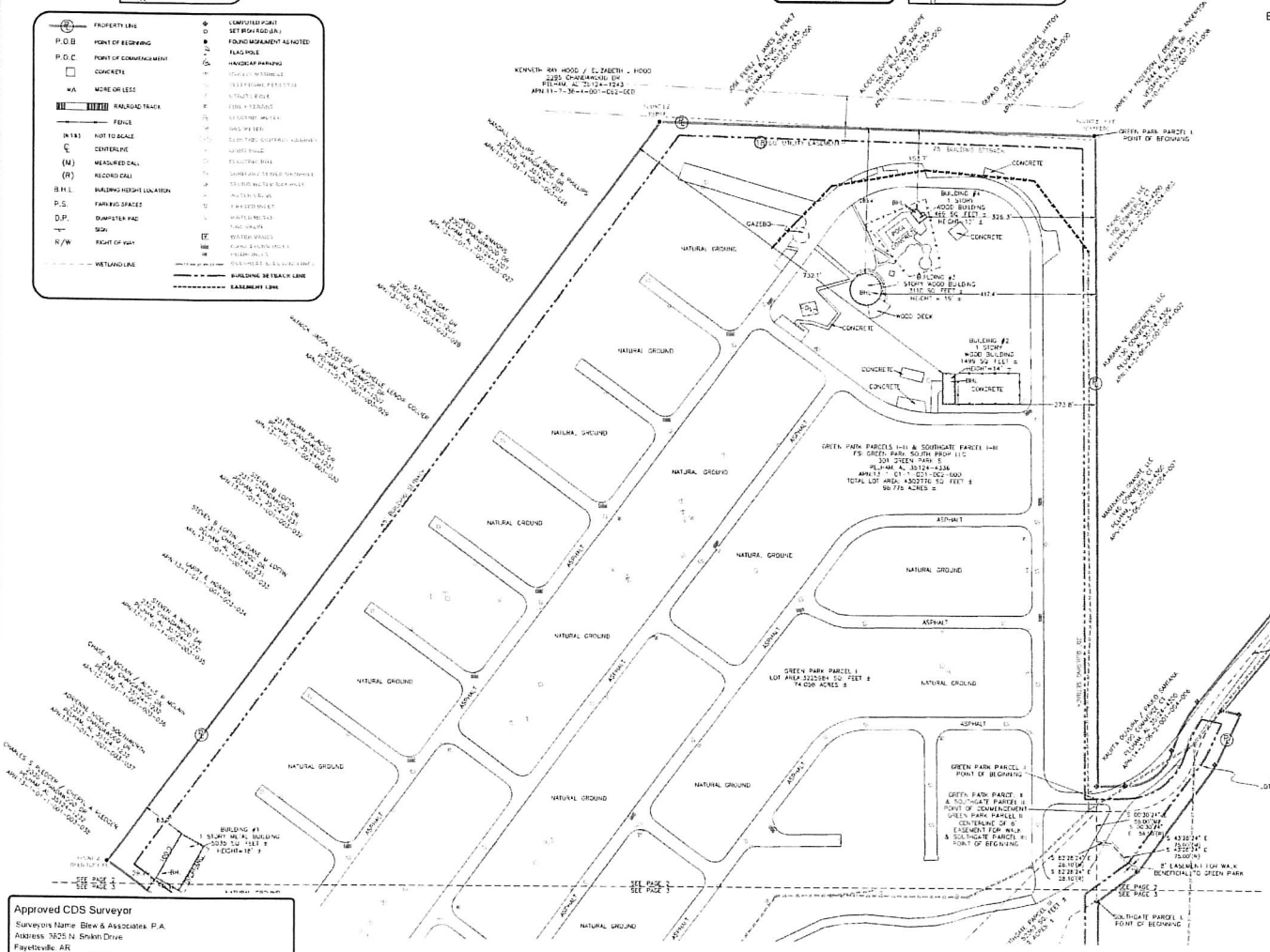
CDS COMMERCIAL DUE DILIGENCE SERVICES

9 LEGEND

PROPERTY LINE	COMPUTED POINT
P.O.B. POINT OF BEGINNING	SET IRON ROD (I.R.)
P.O.C. POINT OF COMMENCEMENT	FOUND MONUMENT AS NOTED
CONCRETE	FLAG POLE
M/A MORE OR LESS	HANDICAP PARKING
RAILROAD TRACK	
FENCE	
(N.T.S.) NOT TO SCALE	
℄ CENTERLINE	
(M) MEASURED CALL	
(R) RECORD CALL	
B.H.L. BUILDING HEIGHT LOCATION	
P.S. PARKING SPACES	
D.P. DUMPSTER PAD	
SIGN	
R/W RIGHT OF WAY	
WETLAND LINE	BUILDING SETBACK LINE
	EASEMENT LINE

19 SURVEY DRAWING

BOUNDARY DETAILS - See Page 4



17 NORTH ARROW / SCALE

0 100 200 300

18 ALTA/NSPS Land Title Survey

This survey prepared in accordance with the "2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" (Effective February 23, 2016).

This Work Coordinated By
FA Commercial Due Diligence Services Co.

CDS COMMERCIAL DUE DILIGENCE SERVICES
3550 W. Robinson Street, Third Floor
Norman, Oklahoma 73072
Office 405-253-2444
website www.fdsacmds.com
Toll Free: 888.322.7371

Drawn By: D.L.S.	Date / Revision
Surveyor Ref.No: 19-6123	Date / Revision
Approv By: R.W.	Date / Revision
Field Date: 11/8/2019	Date / Revision
Scale: 1"=100'	Date / Revision

Prepared For:

Client Ref. No: GREEN PARK SOUTH GRE

20 PROJECT ADDRESS

301 Green Park South
Pelham, Alabama 35124

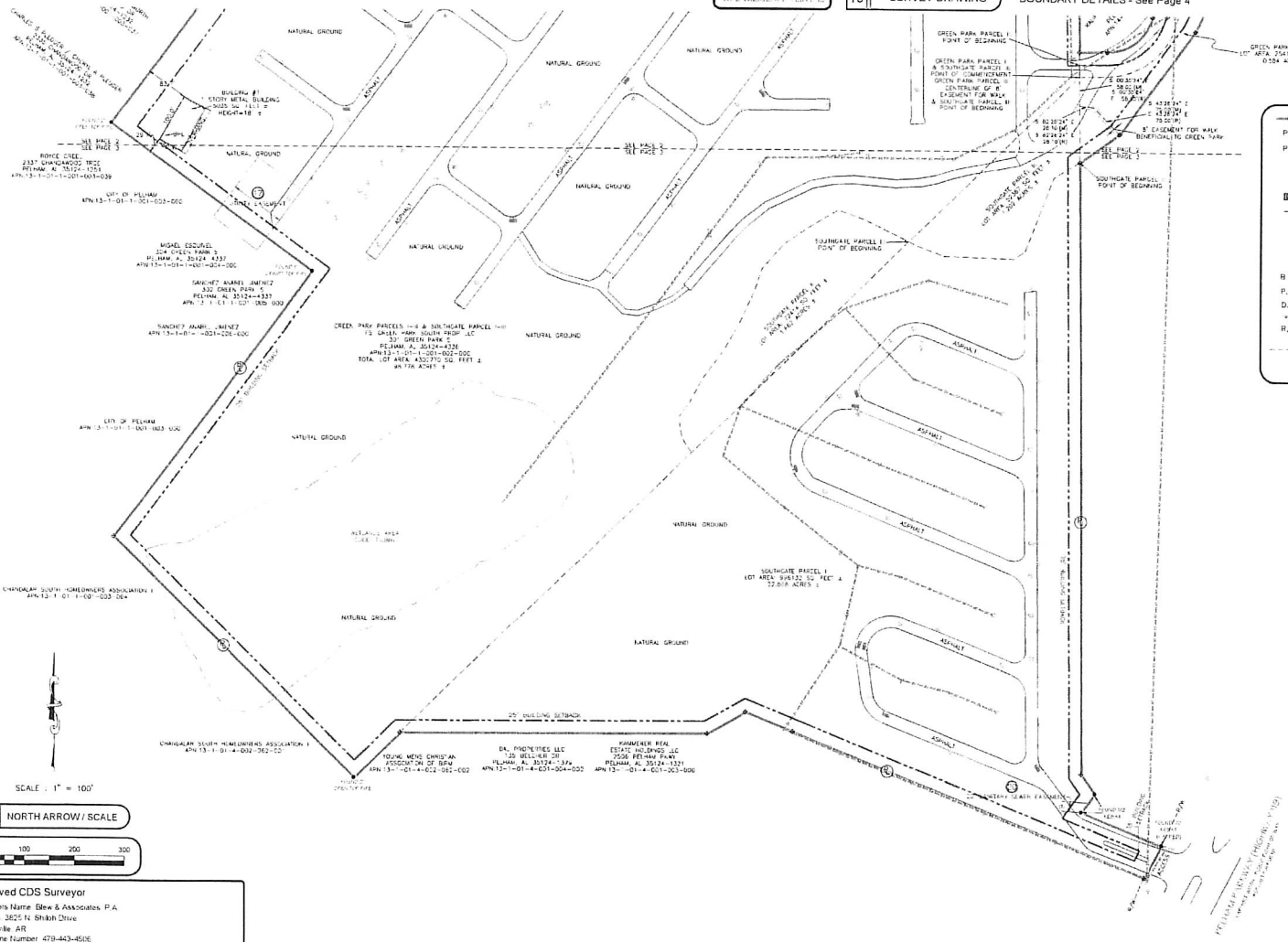
Project Name:
Yes 2019 Portfolio
CDS Project Number:
19-10-0464-002

Approved CDS Surveyor
Surveyors Name: Blew & Associates, P.A.
Address: 3825 N. Shiloh Drive
Fayetteville, AR
Telephone Number: 479-443-4506
email: survey@blewinc.com

CDS COMMERCIAL DUE DILIGENCE SERVICES

19 SURVEY DRAWING

BOUNDARY DETAILS - See Page 4



17 NORTH ARROW / SCALE

0 100 200 300

9 LEGEND

	PROPERTY LINE	O	SET IRON ROD (R.L.)
P.O.B.	POINT OF BEGINNING	●	FOUND MONUMENT AS NOTED
P.O.C.	POINT OF COMMENCEMENT		FLAG POLE
	CONCRETE		HANDICAP PARKING
w/	MORE OR LESS		UTILITY POLE
	RAILROAD TRACK		TELEPHONE PEDESTAL
	FENCE		WATER METER
(NTS)	NOT TO SCALE		GAS METER
℄	CENTERLINE		ELECTRIC CONTROL CABINET
(M)	MEASURED CALL		LIGHT POLE
(R)	RECORD CALL		ELECTRIC BOX
B.H.L.	BUILDING HEIGHT LOCATION		SOUTHERN BELL MANHOLE
P.S.	PARKING SPACES		SANITARY SEWER MANHOLE
D.P.	DUMPSTER PAD		WATER VALVE
	SIGN		WATER METER
R/W	RIGHT OF WAY		GAS VALVE
			STORM SEWER INLET
	WETLAND LINE		STORM INLET
			OVERHEAD ELECTRIC LINES
			BUILDING SETBACK LINE
			EASEMENT LINE

18 ALTA/NSPS Land Title Survey

This survey prepared in accordance with the "2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" (Effective February 23, 2016).

This Work Completed By:
FA Commercial Due Diligence Services Co.

CDS COMMERCIAL DUE DILIGENCE SERVICES
3550 W. Robinson Street, Third Floor
Norman, Oklahoma 73072
Office: 405-253-2444
website: www.fnsfamcds.com
Toll Free: 888.322.7371

Drwn By: D.L.S.	Date: / Revision:
Surveyor Ref No: 19-6123	Date: / Revision:
Aprvd By: R.W.	Date: / Revision:
Field Date: 11/8/2019	Date: / Revision:
Scale: 1" = 100'	Date: / Revision:

Prepared For:

Client Ref. No: GREEN PARK SOUTH GRE

20 PROJECT ADDRESS

301 Green Park South
Pelham, Alabama 35124

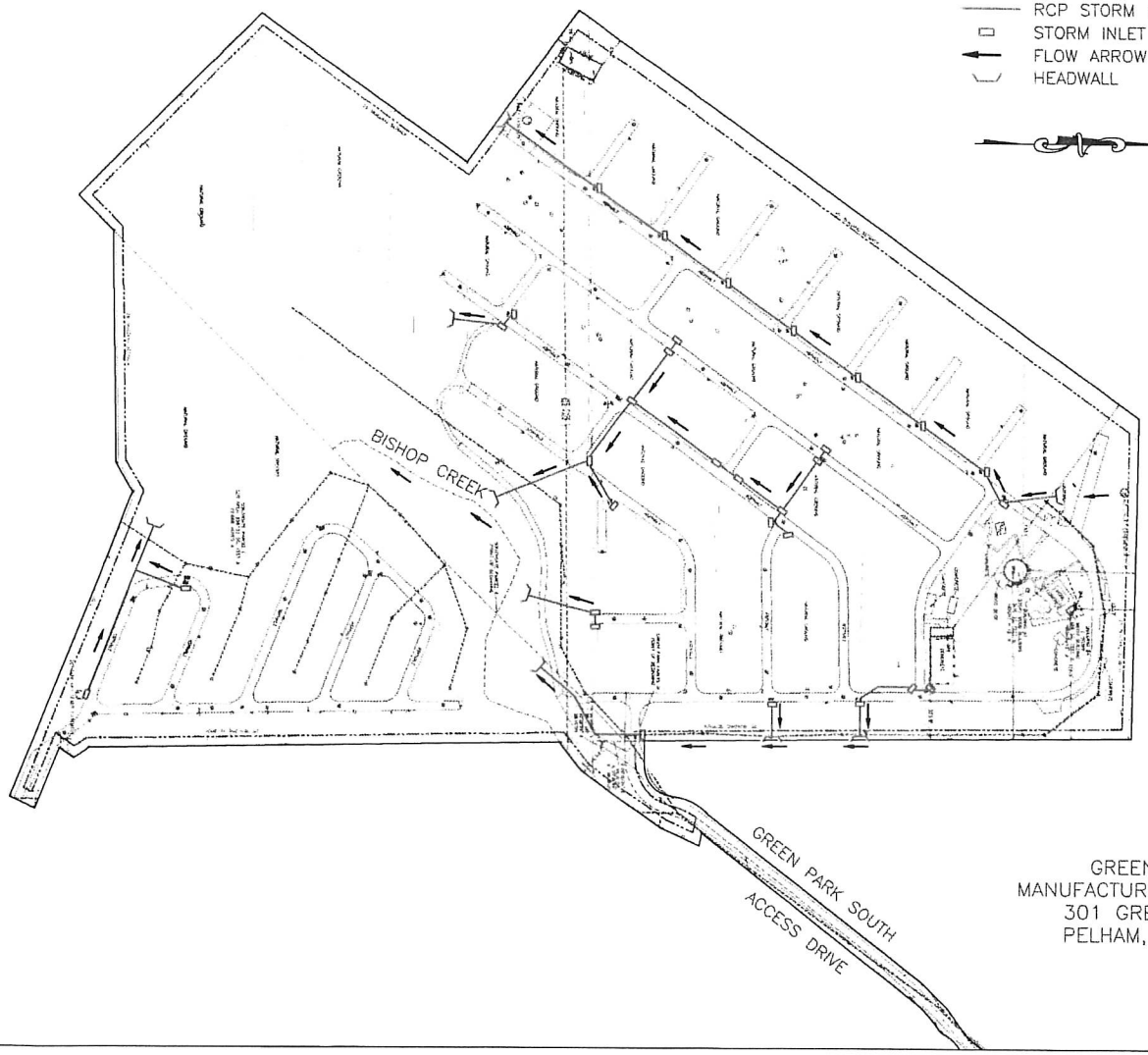
Project Name:
Yes 2019 Portfolio

CDS Project Number:
19-10-0464-002

Approved CDS Surveyor

Surveyors Name: Blew & Associates, P.A.
Address: 3825 N. Shiloh Drive
Fayetteville, AR
Telephone Number: 479-443-4506
email: survey@blewinc.com

STORM DRAINAGE NETWORK



LEGEND

- RCP STORM SEWER LINE
- STORM INLET
- FLOW ARROW
- HEADWALL

GREEN PARK SOUTH
MANUFACTURED HOME COMMUNITY
301 GREEN PARK SOUTH
PELHAM, ALABAMA 35124

REVISIONS	DATE

yes! communities

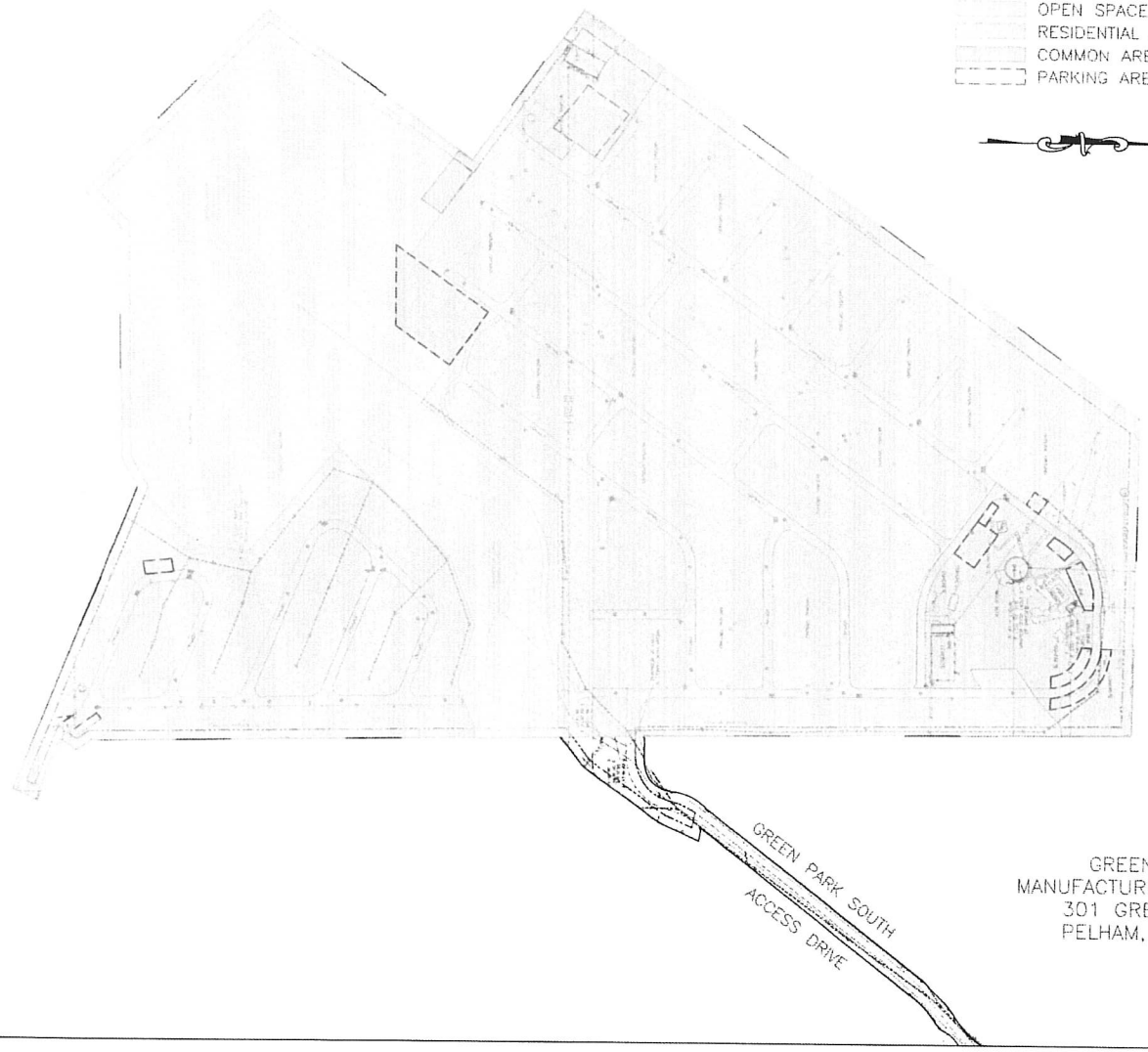
YES! COMMUNITIES
PELHAM, AL
GREEN PARK SOUTH
STORM DRAINAGE NETWORK

SHEET 1 OF 1

1/26/2023

C:\Users\AllysonO'Brien\Documents\Green Park South\Green Park South Layout.dwg

LAND USES



LEGEND

- OPEN SPACE
- RESIDENTIAL AREA
- COMMON AREA
- PARKING AREA

GREEN PARK SOUTH
MANUFACTURED HOME COMMUNITY
301 GREEN PARK SOUTH
PELHAM, ALABAMA 35124

DATE	REVISIONS

yes! communities

YES! COMMUNITIES
PELHAM, AL
GREEN PARK SOUTH
LAND USE MAP

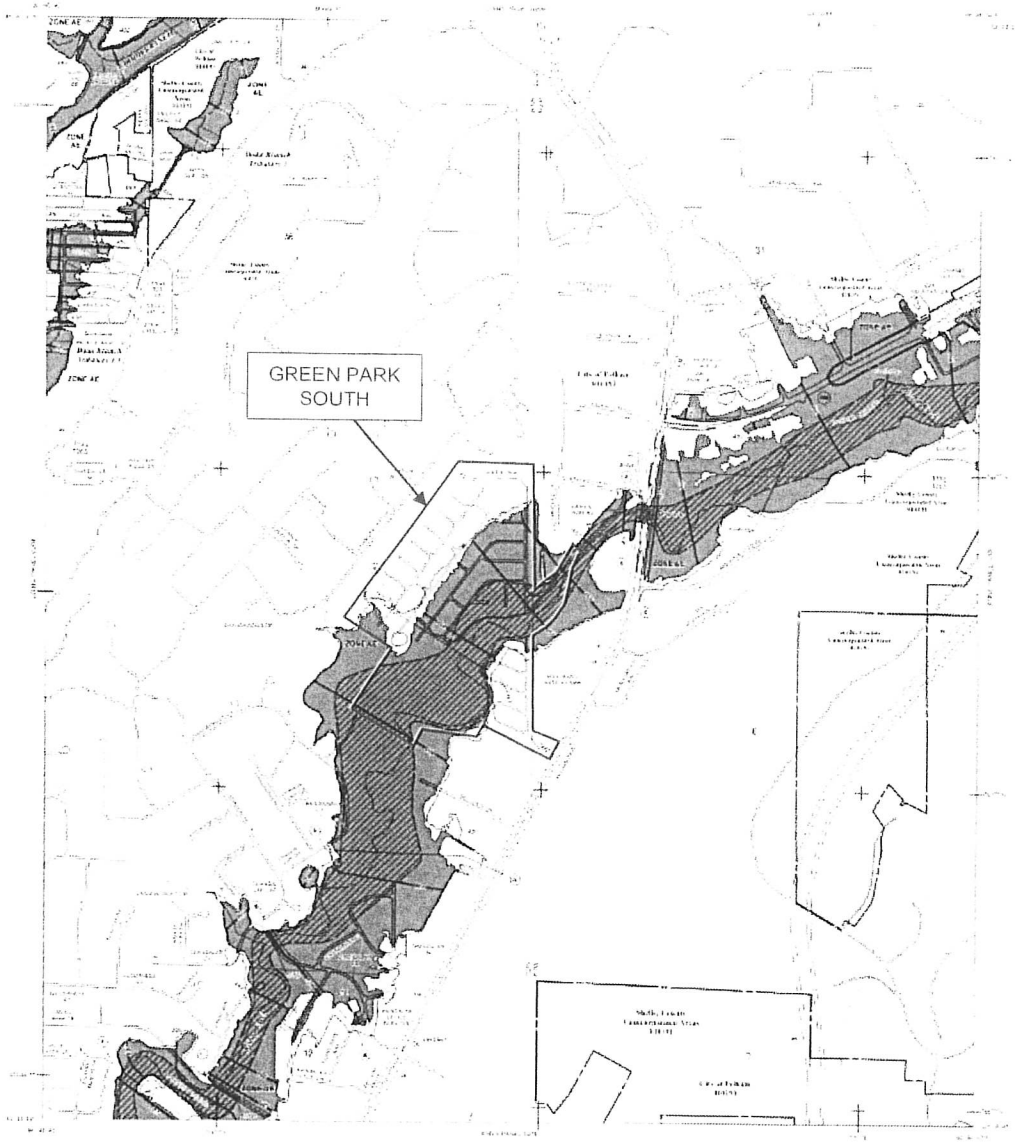
SHEET 1 OF 1

1/26/2023

C:\Users\AllysonO'Brien\Documents\Green Park South\Green Park South Layout.dwg

FEMA MAP

NOTES TO USERS



LEGEND

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 12308

FIRM

FLOOD INSURANCE RATE MAP

SHELBY COUNTY, ALABAMA AND INCORPORATED AREAS

PANEL 208 OF 500

MAP REVISED	MAP NUMBER
FEBRUARY 20, 2013	01117C0208E

Green Park South

yes! communities

301 Green Park South
Pelham, AL 35124

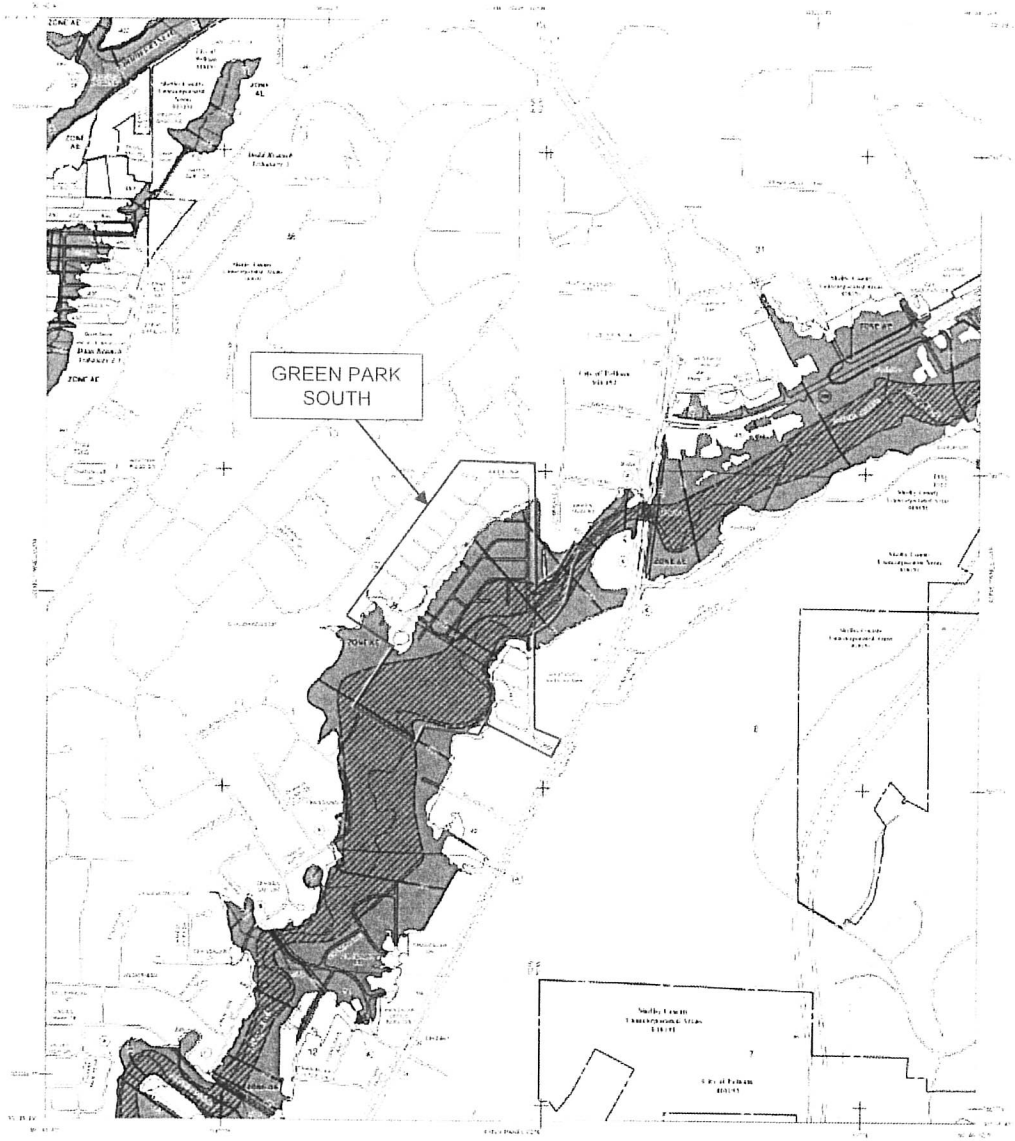
T : 205.988.4051

Visit us online at:
yescommunities.com

Number of sites: 415

Amenities:
- Swimming Pool
- Clubhouse
- Playground
- Basketball Court

NOTES TO USERS



LEGEND

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 12316

FIRM

FLOOD INSURANCE RATE MAP

SHELBY COUNTY, ALABAMA

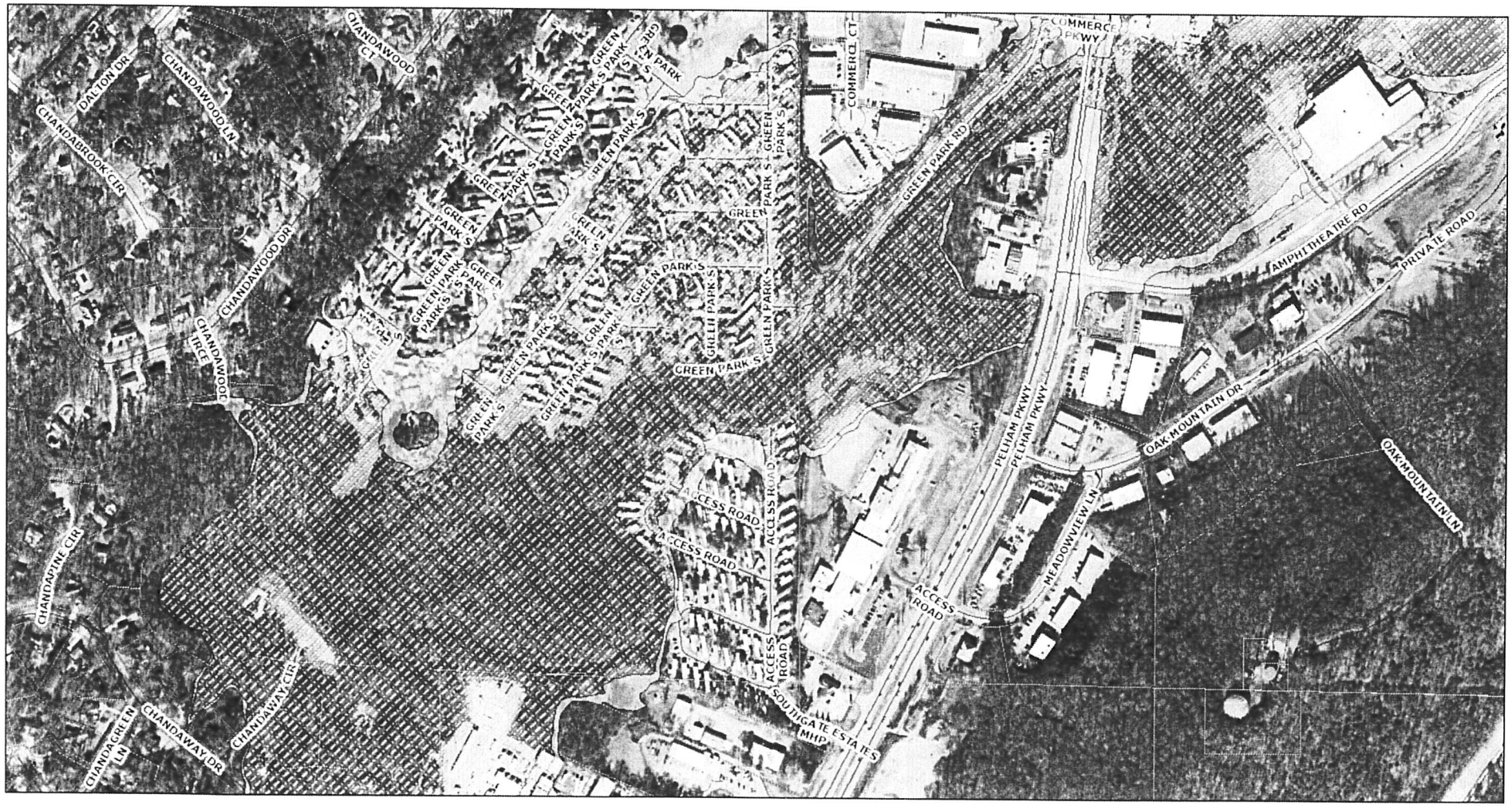
AND INCORPORATED AREAS

PANEL 208 OF 500

MAP REVISED FEBRUARY 20 2013

MAP NUMBER 01117C0208E

ArcGIS Web Map



2/22/2023, 3:50:29 PM

Flood Zones

0.2 PCT ANNUAL CHANCE

A

AE

Parcel

RdCenterline

City Limits

1:5,083

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, G-Squared LLC, Shelby County, AL, Maxar, JeffCoAL, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, Esri., Inc., City of

Web for ArcGIS

JeffCoAL, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA | G-Squared LLC, Shelby County, AL, Maxar | Esri., Inc., City of Pelham, AL, Shelby County, AL | Shelby County, AL - GIS |

SITE DATA

98.778 ACRES

ZONING:
95.3 +/- ACRES
ZONED R-1

3.4 +/- ACRES
ZONED B-2

415 PADS

CONTAINS FLOOD PLAIN, PORTIONS OF PROPERTY WITHIN FLOODWAY