

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT**

Date: October 17, 2019

DEVELOPMENT NAME

Sherman Oaks on the Hill Subdivision

SUBDIVISION NAME

Sherman Oaks on the Hill Subdivision

LOCATION

3600 Spring Hill Avenue
(North side of Spring Hill Avenue, 105'± West of Mann Drive)

CITY COUNCIL

DISTRICT

District 7

AREA OF PROPERTY

10 Lots / 3.1 ± Acres

CONTEMPLATED USE

Planned Unit Development Approval to allow reduced side yard setbacks, and Subdivision approval to create ten legal lots of record from an existing metes-and-bounds parcel.

TIME SCHEDULE

FOR DEVELOPMENT

None provided.

ENGINEERING

COMMENTS

Subdivision: FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer):

- A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- B. Provide and label the monument set or found at each subdivision corner, including the new lots.
- C. Add Mann Drive to the vicinity map.
- D. Provide the geometric data for the proposed cul-de-sac.
- E. Based on the proposed ROW dedication label the remaining private drive as PRIVATE or COMMON AREA.
- F. Provide a bearing and distance for the northern leg of the proposed public ROW dedication along Spring Hill Ave.
- G. Provide the acreage of the proposed ROW dedication along Spring Hill Ave.
- H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- I. Provide the Surveyor's Certificate.

- J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- K. Provide adequate drainage easements, if needed, for the outfall from the proposed detention pond.
- L. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- M. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- N. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved.
- O. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile.
- P. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process.
- Q. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing.
- R. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.

Planned Unit Development: ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

- 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
- 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- 4. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site

plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area.

- 5. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy.
- 6. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
- 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lots 1 & 10 are denied direct access to Spring Hill Avenue.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).

REMARKS

The applicant is seeking Planned Unit Development Approval to allow reduced setbacks, and Subdivision approval to create ten lots from an existing metes and bounds parcel. The site is located in Council District 7, and according to the applicant is served by public water and sanitary sewer.

The subject site received Tentative Approval for a 10-lot subdivision, Sherman Oaks on the Hill Subdivision, at the Commission’s August 15th meeting. A condition of that approval was to illustrate a 25’ minimum building setback line along the frontage of the proposed street. The applicant subsequently submitted the current PUD which indicates a 15’ front yard setback along the proposed street, as well as other reduced setbacks. The 12’ side street setback along Spring Hill Avenue was verbally asked for when the subdivision was heard at the Planning Commission meeting and was granted. Since the requested 15’ setback along the proposed street does not agree with the 25’ setback required in the original subdivision approval, the subdivision is being amended to match the setback requests of the PUD.

The site has been given a Low Density Residential (LDR) land use designation, per the adopted Future Land Use Plan and Map. The Future Land Use Plan and Map complements and provides additional detail to the Development Framework Maps in the Map for Mobile, adopted by the Planning Commission at its November 5, 2015 meeting.

This designation applies to existing residential neighborhoods found mostly west of the Beltline or immediately adjacent to the east side of the Beltline.

The primary land use in the LDR districts is residential and the predominant housing type is the single family housing unit, detached or semidetached, typically placed within a street grid or a network of meandering suburban streets. The density in these districts ranges between 0 and 6 dwelling units per acre (du/ac).

These neighborhoods may also contain small-scale, low-rise multi-unit structures at appropriate locations, as well as complementary retail, parks and civic institutions such as schools, community centers, neighborhood playgrounds, and churches or other religious uses if those uses are designed and sited in a manner compatible with and connected to the surrounding context. The presence of individual ancillary uses should contribute to the fabric of a complete neighborhood, developed at a walkable, bikeable human scale.

It should be noted that the Future Land Use Plan and Map components of the Map for Mobile Plan are meant to serve as a general guide, not a detailed lot and district plan. In many cases the designation on the new Future Land Use Map may match the existing use of land, but in others the designated land use may differ from what is on the ground today. As such, the Future Land Use Plan and Map allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and, where applicable, the zoning classification.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

PUD review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and, that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and, to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

In pursuit of these purposes, the objectives to be met by a PUD are as follows: a) to encourage innovative and diversified design in building form and site development; b) flexibility, to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations; c) to encourage the most efficient and sustainable use of land,

especially tracts in the inner part of the city that remain undeveloped or that are appropriate for re-development; d) to preserve and protect as urban amenities the natural features and characteristics of land; e) to encourage the provision of common open space through efficient site design; and, f) to encourage optimum use of available public utilities, streets and community facilities.

PUD approval is site-plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission. Also, PUD approvals expire within one (1) year if no permits for the development are obtained.

The applicant has submitted separate narratives for each application. For the Subdivision, the applicant states:

Sherman Oaks Subdivision (SUB-000992-2019) has received preliminary plat approval from the Planning Commission on August 20, 2019.

We are resubmitting the subdivision to request reduced minimum building setbacks as shown on a companion application for a Planned Unit Development for this property. The proposed setbacks are shown on the plat and explained below.

The side yard setbacks on Lots 2,3,4,5,6,7,8, and 9 to be a total of 15 feet (7.5 feet each side), to reduce the North side yard setbacks on Lots 1 and 10 to 3 feet, the side street (Springhill Avenue) to 12 feet, as well as reduce the front yard setbacks to 15 feet on all lots.

For the PUD, the applicant states:

Sherman Oaks Subdivision (SUB-000992-2019) has received preliminary approval from the Planning Commission on August 20, 2019.

We are seeking PUD approval from the Planning Commission for two items:

- 1. To allow a 5' high fence/wall along Spring Hill Ave as shown on the attached site plan.*
- 2. To reduce the total side yard setback on Lots 2, 3, 4, 5, 6, 7, 8, and 9 to a total of 15 feet (7.5 feet each side) as shown on the attached site plan. Reduce the north side yard setbacks on Lots 1 and 10 to 3 feet. As well as reduce the front yard setbacks to 15 feet on all lots.*

It should be noted that the applicant is not requesting approval as a private street subdivision.

The site has frontage on Spring Hill Avenue, a component of the Major Street Plan, with a planned 100' right-of-way. The preliminary plat indicates a variable right-of-way width along the site frontage with 50' from centerline on the West side, then reducing to 35' from centerline from about the middle of the site to the East side. Dedication would be required to provide 50' from centerline along the entire site; this is indicated on the preliminary plat.

All proposed lots will meet the minimum size requirements of the Subdivision Regulations. As on the preliminary plat, the lot and Common Area/Detention Pond size labels should be retained on the Final Plat, or a table should be furnished on the Final Plat providing the same information. Should the proposed reduced setbacks be approved via the associated PUD, the Final Plat should retain those setbacks as approved, or amended. A note should be required on the Final Plat stating that the maximum site coverage for all lots shall not exceed 35%.

The subdivision would contain a Common Area/Detention Pond. Therefore, a note should be required on the Final Plat stating that the maintenance of the Common Area/Detention Pond is the responsibility of the property owners.

As per the Traffic Engineering comments, the driveway number, size, location and design are to be approved by Traffic Engineering and conform to AASHTO standards. Lots 1 & 10 are denied direct access to Spring Hill Avenue. A note should be required on the Final Plat stating these comments.

The site was previously approved for a 10-lot subdivision, and the lot sizes are proposed to remain the same as previously approved.

Regarding the reduced yard setbacks, as the subdivision would be considered an innovative subdivision, reduced setbacks would not be out of the ordinary for the area. It should be noted that another innovative subdivision, Tuthill Gates Subdivision, Resubdivision of, was approved by the Commission in 2010 with reduced setbacks via a PUD approximately 150' West of the subject site.

All lots would have a standard 8' rear minimum building setback from any adjacent residential properties outside of the subdivision, except Lot 6, which would have a 7.5' side yard setback along the North side. The requested 7.5' side yard setback on interior lots would be consistent with those of many approved innovative subdivisions. Corner Lots 1 and 10 are proposed to have a 3' minimum building setback line from the adjacent lots to the North, and this would also be consistent with other innovative subdivisions.

The proposed 12' setback along Spring Hill Avenue for Lots 1 and 10 was previously approved and would be reasonable for this request as a 12' setback is allowed by the Zoning Ordinance along side streets. In conjunction with the reduced setback along Spring Hill Avenue, a 5' high fence/wall is proposed within that setback, which is not unusual for innovative subdivisions or the area. However, no dimensioned setback from the right-of-way line is given. Therefore, the plat and site plan should be revised to provide the setback from the Spring Hill Avenue right-of-way line. The proposed 15' minimum front yard setback would be in keeping with other front yard setbacks in the area.

RECOMMENDATION

Subdivision: This application is recommended for Tentative Approval, subject to the following conditions:

- 1) dedication sufficient to provide 50' from the centerline of Spring Hill Avenue;

- 2) retention of the lot and Common Area size labels on the Final Plat, or the furnishing of a table on the Final Plat providing the same information;
- 3) retention of the minimum building setback lines on all lots from any required dedication;
- 4) placement of a note on the Final Plat stating that the maximum site coverage for all lots shall not exceed 35%;
- 5) placement of a note on the Final Plat stating that the maintenance of the Common Area/Detention Pond is the responsibility of the property owners;
- 6) revision of the plat to dimension the wall setback from the Spring Hill Avenue right-of-way line;
- 7) compliance with the Engineering comments: *[FINAL PLAT COMMENTS (should be addressed prior to submitting the FINAL PLAT for review and/or signature by the City Engineer): A. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. B. Provide and label the monument set or found at each subdivision corner, including the new lots. C. Add Mann Drive to the vicinity map. D. Provide the geometric data for the proposed cul-de-sac. E. Based on the proposed ROW dedication label the remaining private drive as PRIVATE or COMMON AREA. F. Provide a bearing and distance for the northern leg of the proposed public ROW dedication along Spring Hill Ave. G. Provide the acreage of the proposed ROW dedication along Spring Hill Ave. H. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. I. Provide the Surveyor's Certificate. J. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures. K. Provide adequate drainage easements, if needed, for the outfall from the proposed detention pond. L. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. M. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. N. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of new development or construction, unless a sidewalk waiver is approved. O. Add a note to the plat stating that all proposed detention facilities, common areas, and wetlands shall be the responsibility of the Property Owner(s), and not the responsibility of the City of Mobile. P. Add a note to the plat stating that all easements shall remain in effect until vacated through the proper Vacation process. Q. Provide a copy of the FINAL SUBDIVISION PLAT to the Engineering Dept. for review. No signatures are required on this drawing. R. After addressing all of the FINAL SUBDIVISION PLAT review comments by the Engineering Dept. provide the red-line markup, the ORIGINAL (with all other signatures) and one (1) copy of the revised original (signatures not required) of the revised Final Plat to the Engineering Department.];*
- 8) placement of a note on the Final Plat stating the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lots 1 & 10 are denied direct access to Spring Hill Avenue.);*

- 9) compliance with the Urban Forestry comments: *[Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.];*
- 10) compliance with the Fire Department comments: *[All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).];*
- 11) placement of a note on the plat stating that the site is limited to an approved Planned Unit Development;
- 12) submittal to and approval by Planning and Zoning of a revised PUD site plan prior to the signing of the Final Plat.

Planned Unit Development: Based upon the preceding, staff recommends to the Planning Commission the following findings of facts for Approval of the Planned Unit Development:

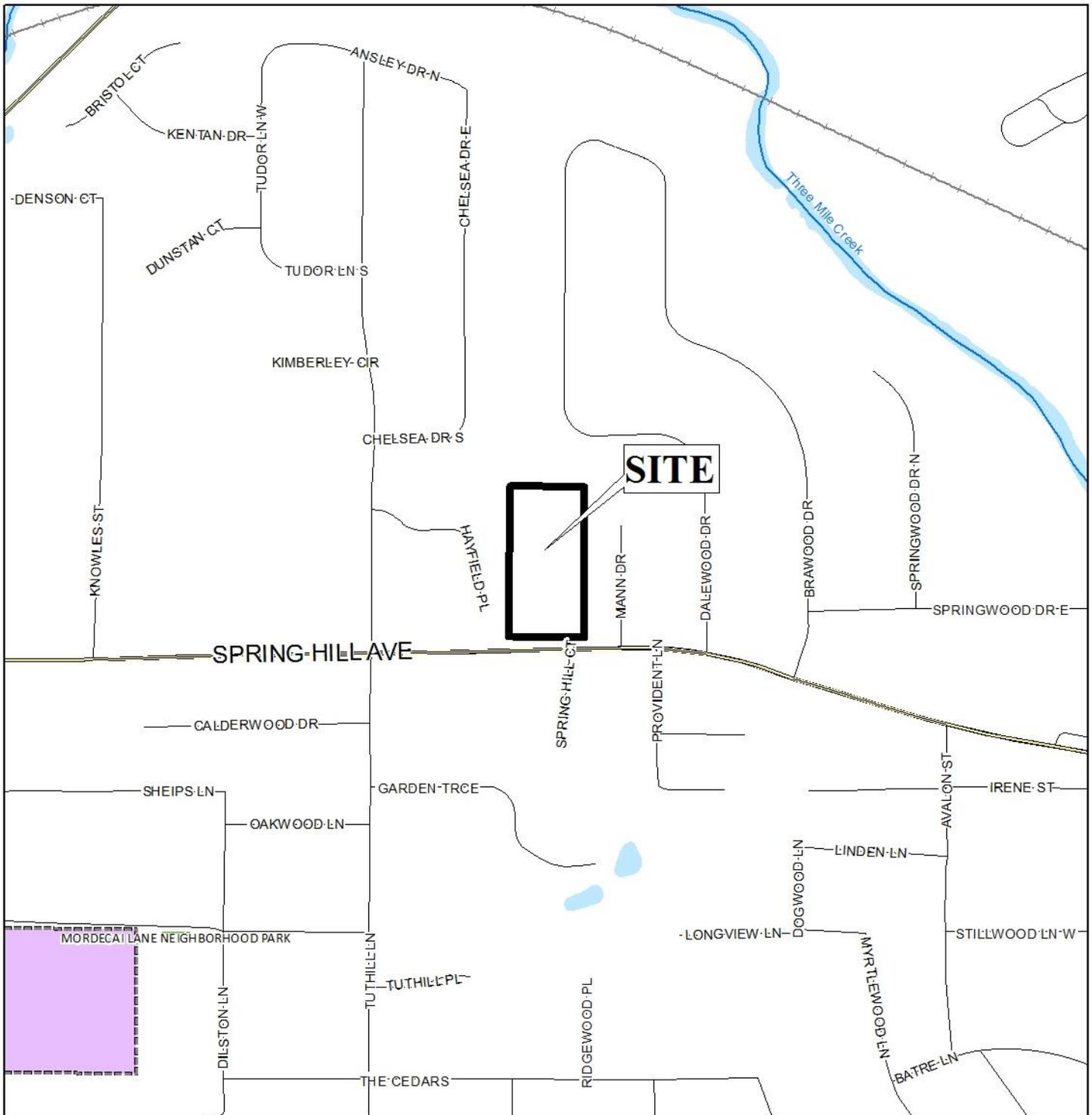
- a) the proposal promotes the objective of Creative design (to encourage innovative and diversified design in building form and site development), because it allows for the configuration of a site to meet housing needs;
- b) the proposal promotes the objectives of Flexibility (to permit greater flexibility in the location and arrangement of buildings and uses than is generally possible under district regulations), because building setbacks can be reduced and still retain standard site coverage allowances and setbacks from properties outside the PUD;
- c) the proposal promotes the objective of Efficient land use (to encourage the most efficient and sustainable use of land, especially tracts in the inner part of the city that remain undeveloped or that are appropriate for redevelopment), because of utilizing infill development practices;
- d) the proposal promotes the objective of Public services (to encourage optimum use of available public utilities, streets and community facilities), because the requirement for street frontage dedication allows for future widening along Spring Hill Avenue and no new public infrastructure must be constructed to develop the site as planned.

Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) dedication sufficient to provide 50' from the centerline of Spring Hill Avenue;
- 2) retention of the lot and Common Area size labels on the site plan, or the furnishing of a table on the site plan providing the same information;
- 3) retention of the minimum building setback lines on all lots from any required dedication;
- 4) placement of a note on the site plan stating that the maximum site coverage for all lots shall not exceed 35%;
- 5) placement of a note on the site plan stating that the maintenance of the Common Area/Retention Pond is the responsibility of the property owners;
- 6) revision of the site plan to dimension the wall setback from the Spring Hill Avenue right-of-way line as measured from any required dedication;
- 7) compliance with the Engineering comments: *[ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such*

- as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control; the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Each Lot Owner shall be required to submit a Single Family Residential Affidavit application with the initial construction of a single family dwelling or other impervious surface (driveway, shed, slab, asphalt, gravel, etc.). The application shall include a site plan showing the proposed improvements and a verification that the amount of impervious area is less than or equal to the approved amount of impervious area. 5. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 6. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.];*
- 8) placement of a note on the site plan stating the Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering and conform to AASHTO standards. Lots 1 & 10 are denied direct access to Spring Hill Avenue.);*
 - 9) compliance with the Urban Forestry comments: *[Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 2015-116 and City Code Chapters 57 and 64). Private removal of trees in the right-of-way will require approval of the Mobile Tree Commission. Removal of heritage trees from a commercial site will require a tree removal permit.];*
 - 10) compliance with the Fire Department comments: *[All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance. (2012 International Fire Code).];*
 - 11) submittal to and approval by Planning and Zoning of a revised PUD site plan prior to the signing of the Final Plat for the subdivision; and
 - 12) full compliance with all other municipal codes and ordinances.

LOCATOR MAP



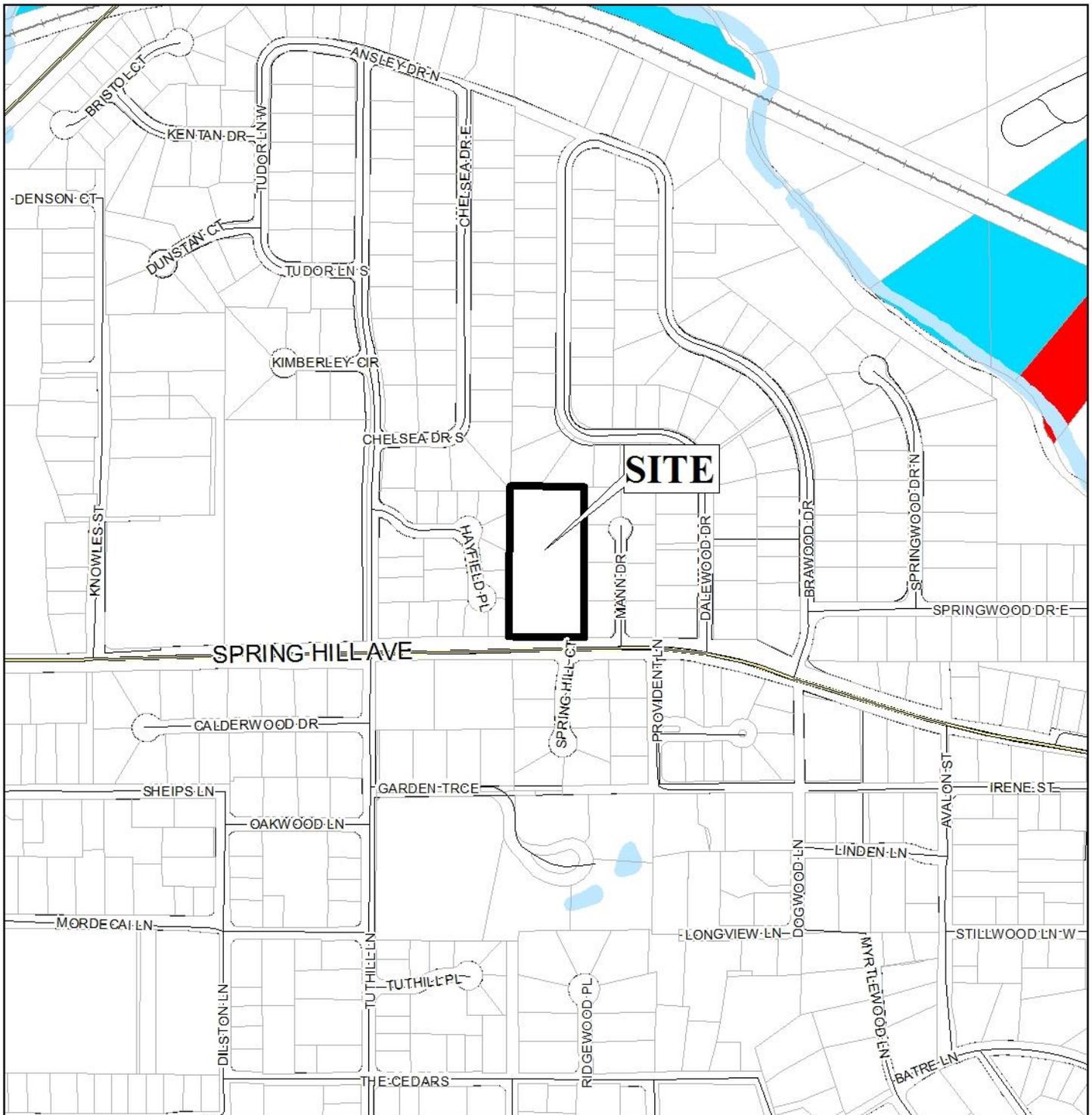
APPLICATION NUMBER 5 DATE October 17, 2019

APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD



LOCATOR ZONING MAP



APPLICATION NUMBER 5 DATE October 17, 2019

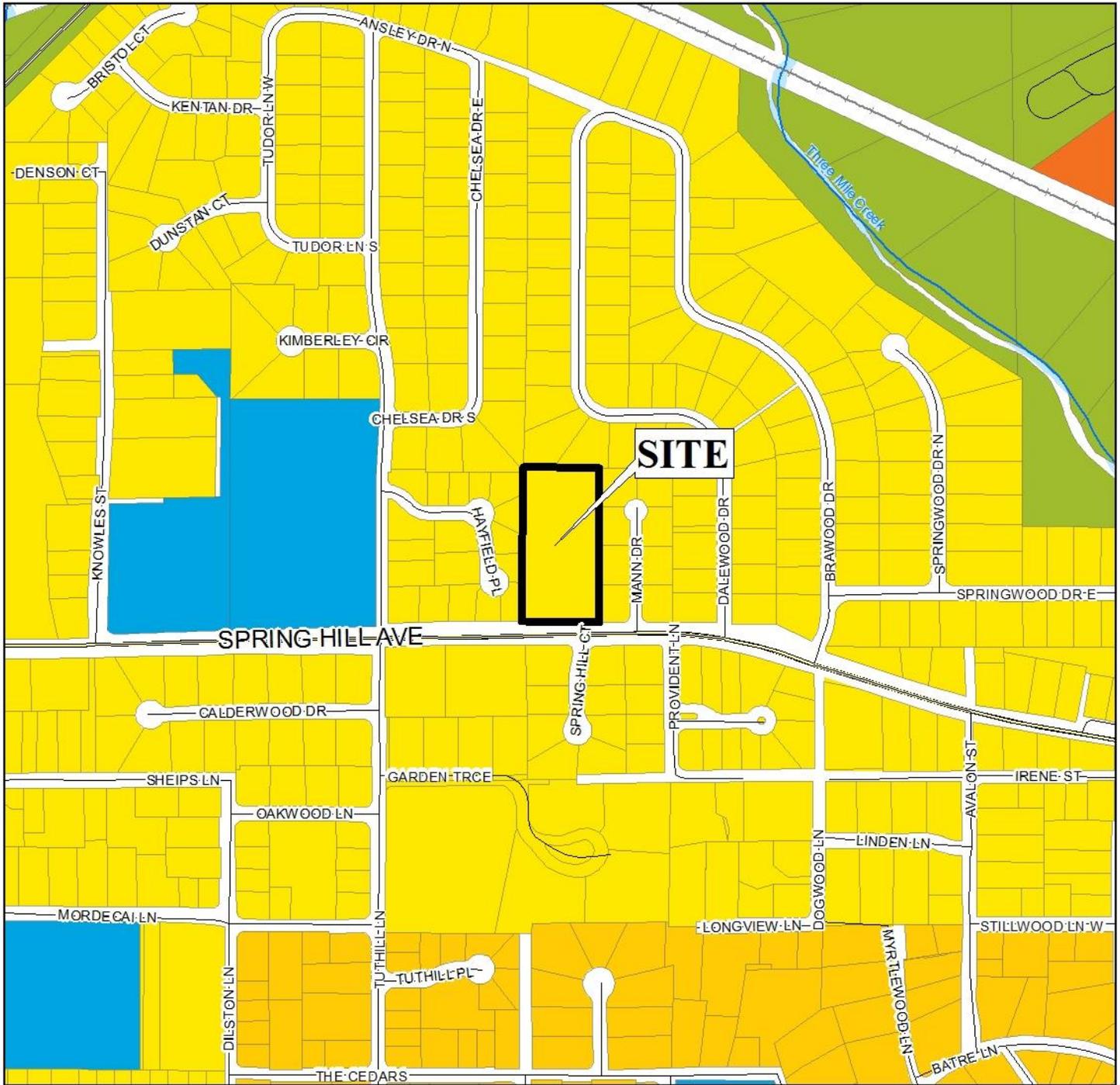
APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD



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FLUM LOCATOR MAP



APPLICATION NUMBER 5 DATE October 17, 2019

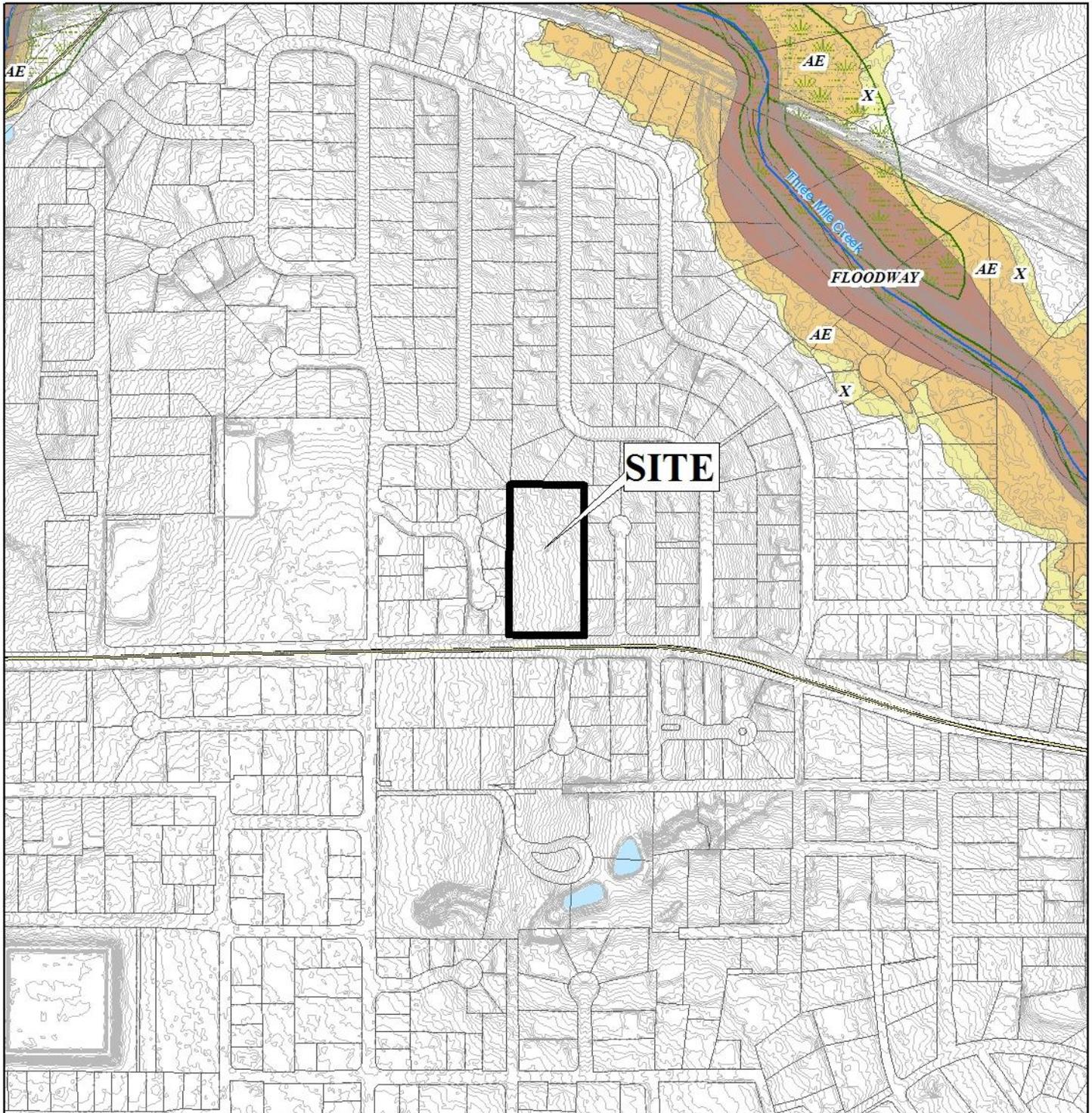
APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD

- | | | | |
|---------------------------|-----------------------------------|---------------------|--------------------|
| Low Density Residential | Neighborhood Center - Traditional | Downtown Waterfront | Parks & Open Space |
| Mixed Density Residential | Neighborhood Center - Suburban | Light Industry | Water Dependent |
| Downtown | Traditional Corridor | Heavy Industry | |
| District Center | Mixed Commercial Corridor | Institutional | |



ENVIRONMENTAL LOCATOR MAP



APPLICATION NUMBER 5 DATE October 17, 2019

APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by residential units.

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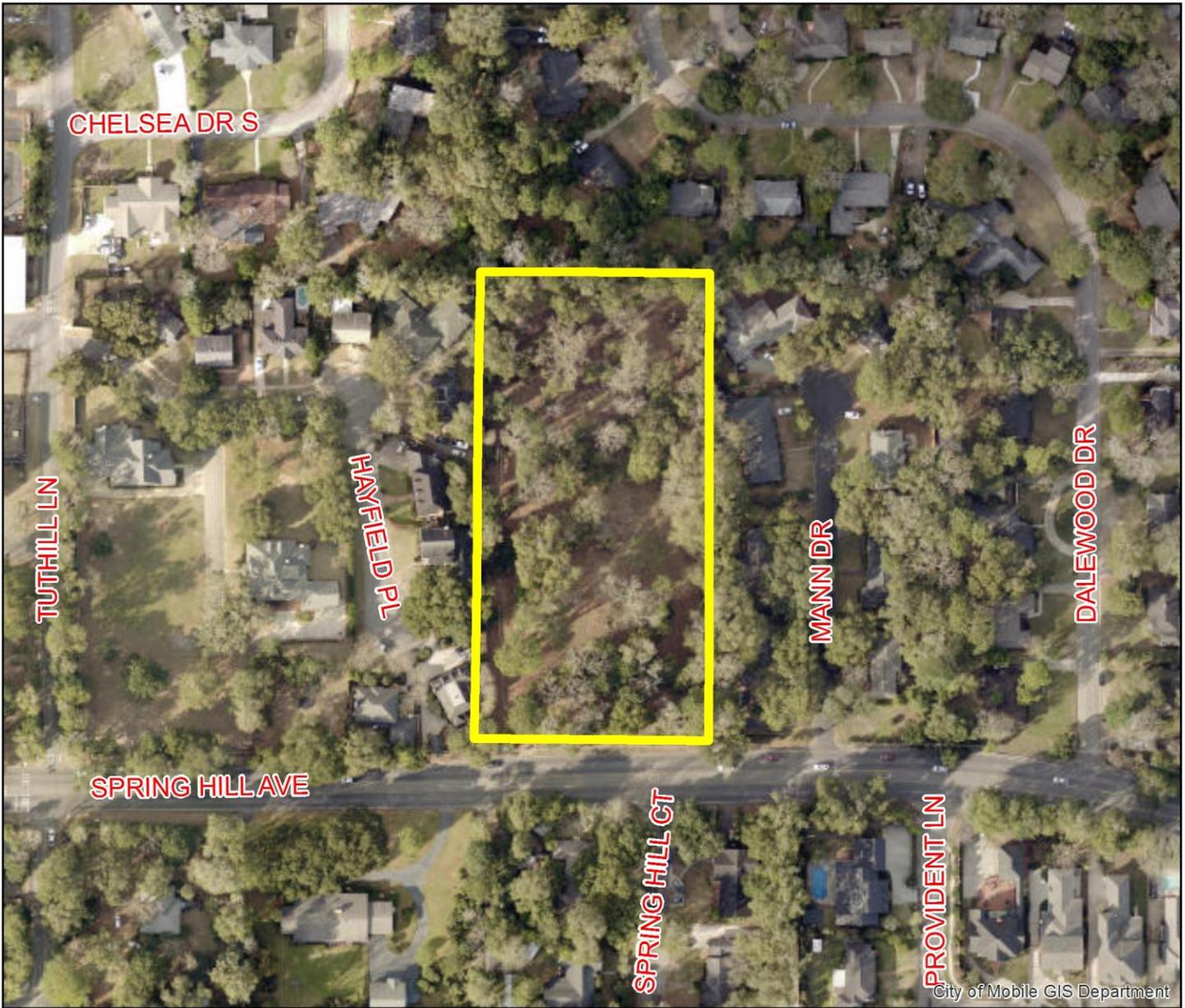
APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING AERIAL



The site is surrounded by residential units.

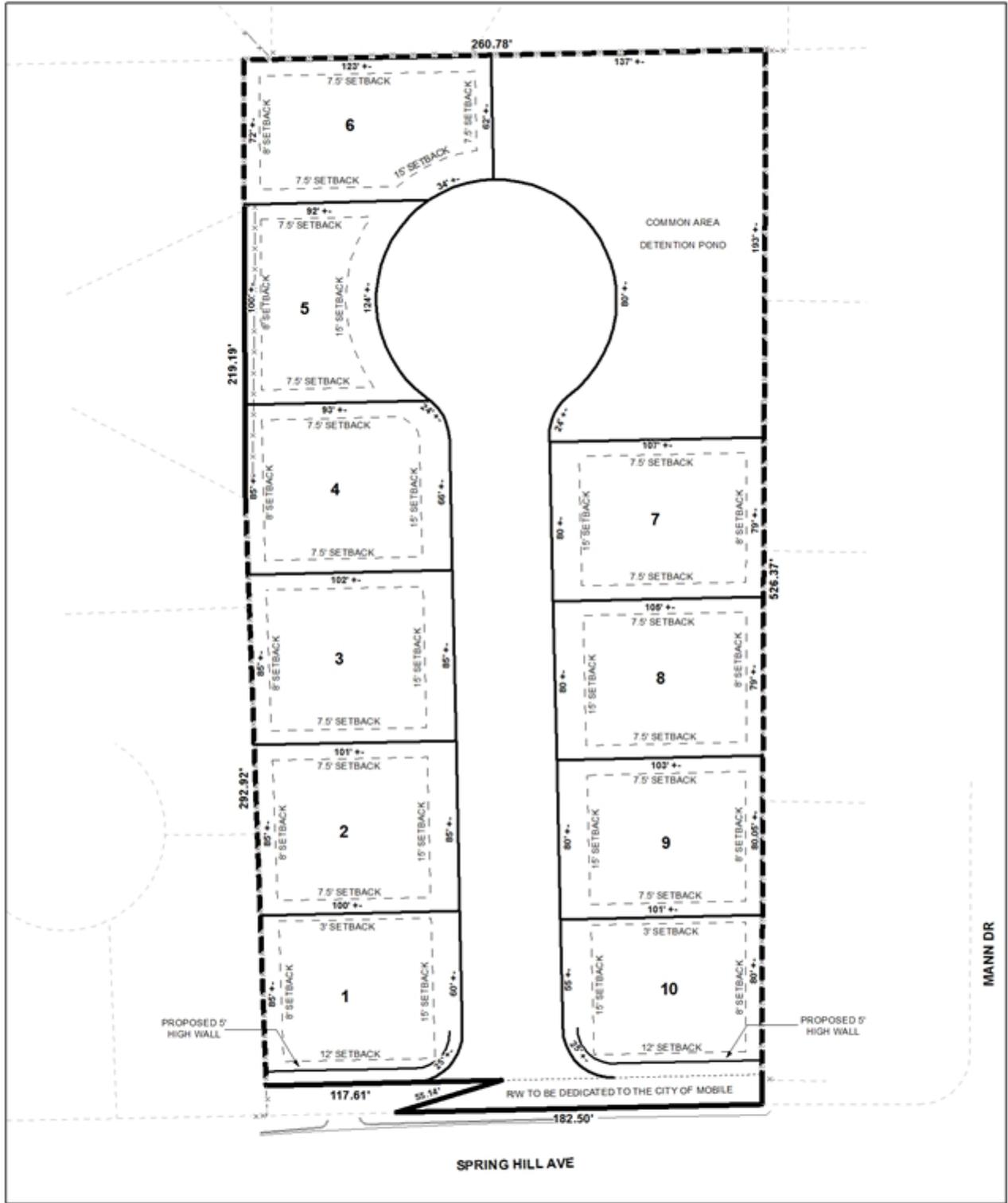
APPLICATION NUMBER 5 DATE October 17, 2019

APPLICANT Sherman Oaks on the Hill Subdivision

REQUEST Subdivision, PUD



SITE PLAN



The site plan illustrates the proposed 5' high wall and setbacks.

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APPLICANT <u>Sherman Oaks on the Hill Subdivision</u>	
REQUEST <u>Subdivision, PUD</u>	



NTS