

C7  
1

**SUBDIVISION REVIEW SHEET**

**CASE NO.:** C8-2011-0050.0A

**P.C. DATE:** August 23, 2011

**SUBDIVISION NAME:** Ahuja Subdivision

**AREA:** 0.67 acres

**LOTS:** 1

**OWNER/APPLICANT:** Bhupen Ahuja

**AGENT:** Rivera Engineering  
(Mike Rivera)

**ADDRESS OF SUBDIVISION:** 6030 W US Hwy 290 WB

**GRIDS:** D-19

**COUNTY:** Travis

**WATERSHED:** Barton Creek

**JURISDICTION:** Full Purpose

**EXISTING ZONING:** GR-CO-NP

**PROPOSED LAND USE:** Commercial

**NEIGHBORHOOD PLAN:** Oak Hill Combined Neighborhood Plan Area

**SIDEWALKS:** Sidewalks will be provided on US Hwy 290 WB and Harper Park Drive prior to lots being occupied.

**VARIANCE:** From LDC 25-6-381(A) to allow a lot direct access onto a major roadway with less than 200 feet of frontage (SEE Attached Memo dated July 5, 2011).

**DEPARTMENT COMMENTS:** The request is for approval of a variance from Land Development Code 25-6-381(A) and a subdivision namely, Ahuja Subdivision. The proposed subdivision consists of one lot on 0.67 acres.

**STAFF RECOMMENDATION:** The staff recommends approval of the variance and the subdivision plat. This plat will meet all City of Austin Land Development and State Local Government Code requirements with the approval of the variance.

**PLANNING COMMISSION ACTION:**

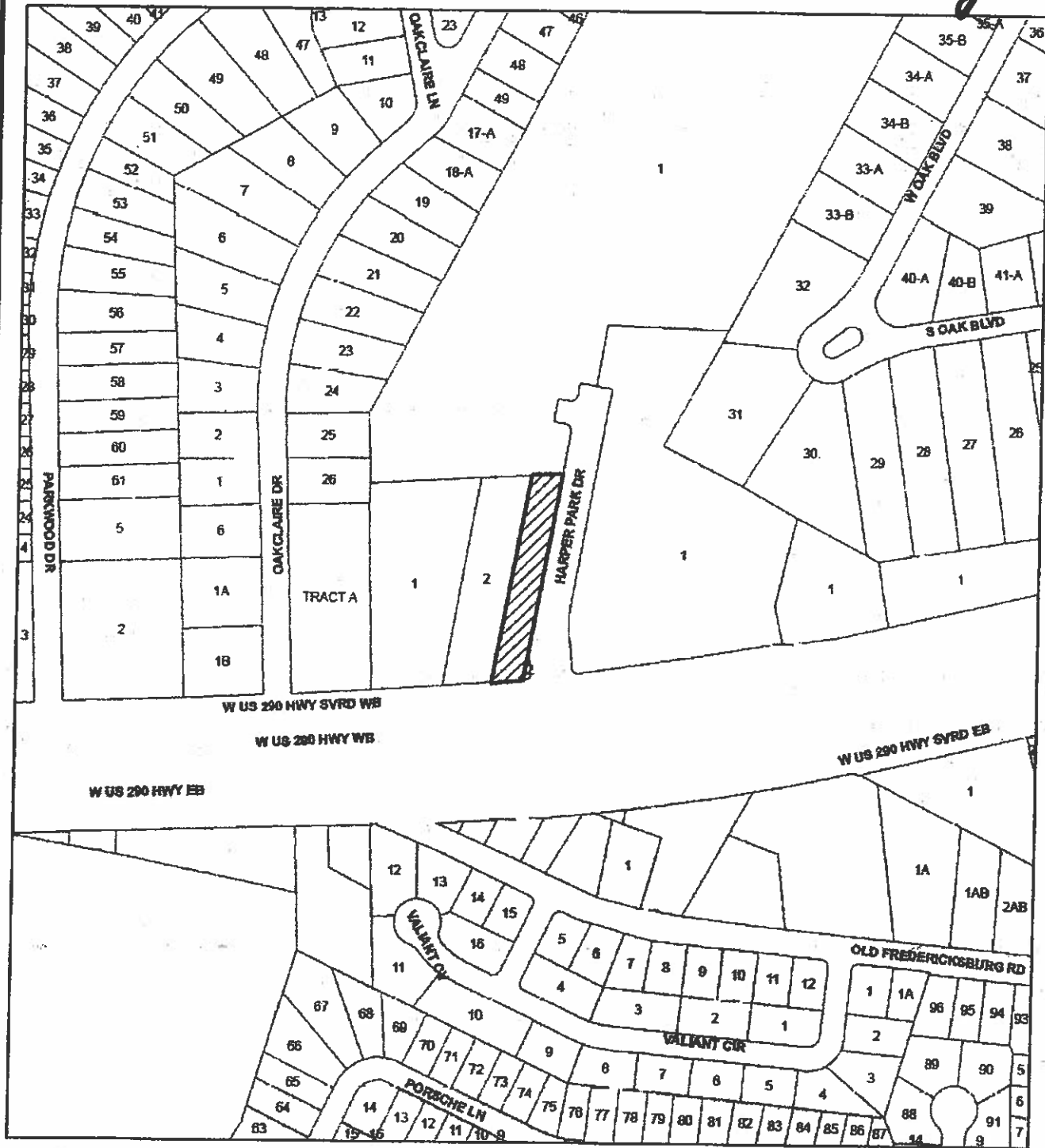
**CASE MANAGER:** Sylvia Limon  
Email address: [sylvia.limon@ci.austin.tx.us](mailto:sylvia.limon@ci.austin.tx.us)



**PHONE:** 974-2767

**Transportation Review:** Candace Craig  
Email address: [canace.craig@ci.austin.tx.us](mailto:canace.craig@ci.austin.tx.us)

**PHONE:** 974-2788

C17/2



-  Subject Tract
-  Base Map

Ahuja Subdivision  
 C8-2011-0050.0A  
 6030 W U S 290 Hwy  
 Sylvia Limon

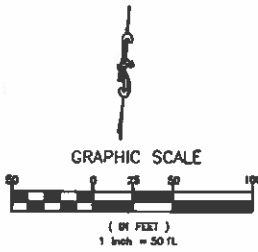
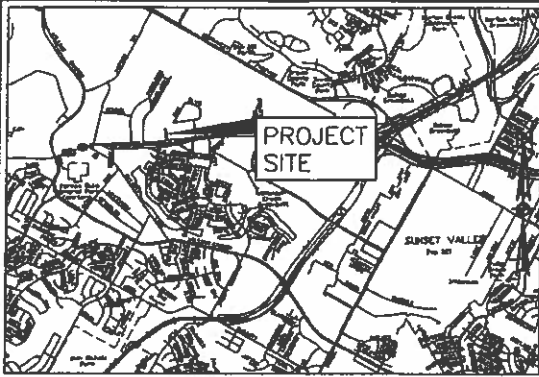
1" = 400' OPERATOR: A. BARANOVICHT

This map has been produced by Notification Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

# AHUJA SUBDIVISION

BEING A 0.670 ACRE OF LAND, MORE OR LESS, OUT OF 7. ANDERSON LEAGUE SURVEY NO. 17, IN TRAVIS COUNTY TEXAS

C7/3

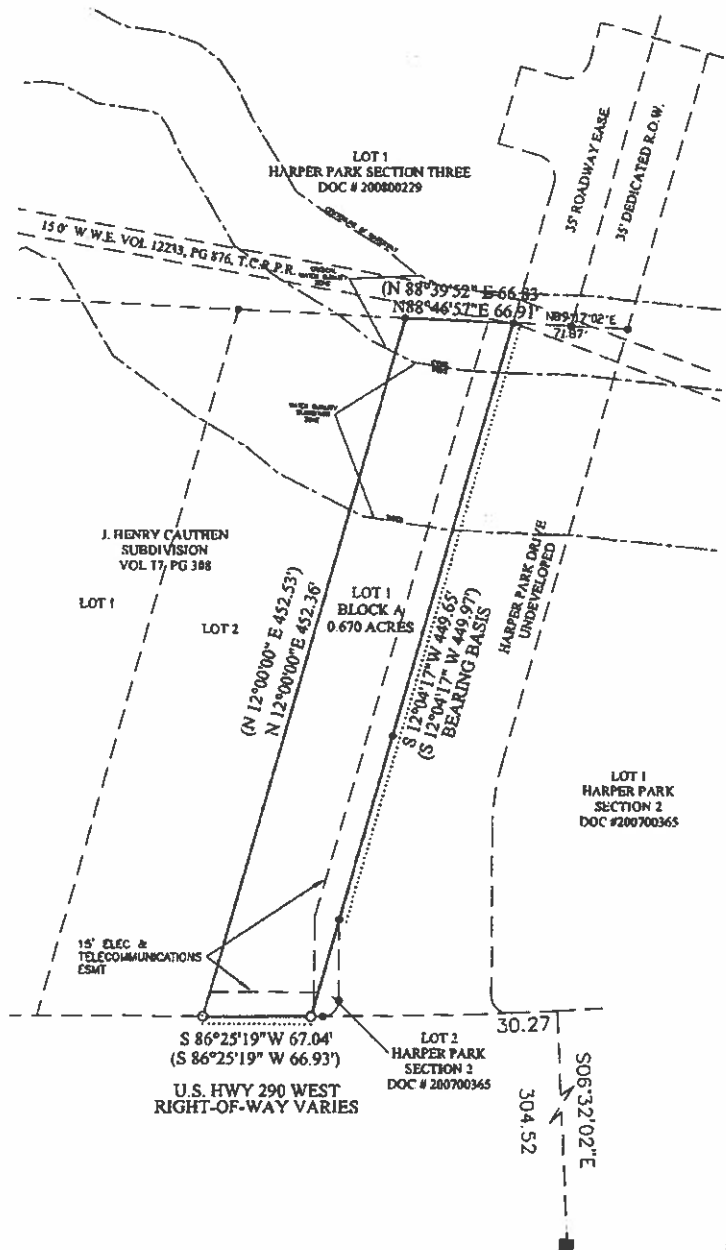


VICINITY MAP  
K.T.S.

### LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR SET
- ( ) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- ON INSIDE OF SUBJECT BOUNDARY
- ▲ MAG NAIL SET

1. SURVEYED BY:  
ALL STAR LAND SURVEYING  
9020 ANDERSON MILL ROAD  
AUSTIN, TEXAS 78759  
PHONE: (512) 249-8149  
FAX: (512) 331-5217
2. TOTAL ACRES: 0.670
3. TOTAL NUMBER OF LOTS: 1
4. 0 LF OF NEW STREET



# AHUJA SUBDIVISION

BEING A 0.670 ACRE OF LAND, MORE OR LESS, OUT OF T. ANDERSON LEAGUE SURVEY NO. 17, IN TRAVIS COUNTY TEXAS

C7/4

STATE OF TEXAS: KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TRAVIS:

1. BRUPEN AHUJA OWNER OF 0.670 ACRE OF LAND, MORE OR LESS, OUT OF T. ANDERSON LEAGUE SURVEY NO. 17, IN TRAVIS COUNTY TEXAS, AS CONVEYED TO BE BY DOCUMENT # 2009210018 AND BEING THE SAME PROPERTY CONVEYED BY ROBERT BROWN SPEER, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF DOROTHY L. SPEER, DECEASED TO MAHIL ZARE AND AZAR ZARE IN A DEED DATED JULY 1, 2002, RECORDED IN DOCUMENT NUMBER 2002127766, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

DOES HEREBY SUBDIVIDE PURSUANT TO CHAPTER 212.004, OF THE LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

AHUJA SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS OUR HANDS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

BRUPEN AHUJA OWNER  
4808 COMANCHE CREEK DRIVE  
AUSTIN, TEXAS 78735

THE STATE OF TEXAS:  
COUNTY OF TRAVIS:

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

WITNESS MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

NOTARY PUBLIC IN AND FOR  
TRAVIS COUNTY, TEXAS

MY COMMISSION EXPIRES \_\_\_\_\_

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE \_\_\_\_\_ OF THE CITY OF AUSTIN ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

GREG GUERNSEY, DIRECTOR  
PLANNING & DEVELOPMENT REVIEW DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

CHAIRPERSON \_\_\_\_\_ SECRETARY \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF TRAVIS:

1. DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FORGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. AND DULY RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011 A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. OFFICIAL PUBLIC RECORDS OF

SAID COUNTY AND STATE IN DOCUMENT # \_\_\_\_\_ WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, A.D.

DANA DEBEAUVOR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

DEPUTY \_\_\_\_\_

1. WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT WITH IMPERVIOUS COVER IN EXCESS OF 20% OF THE NET SITE AREA OF EACH LOT PURSUANT TO CITY OF AUSTIN LAND DEVELOPMENT CODE.

2. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON PROPERTY, PURSUANT TO CITY OF AUSTIN LAND DEVELOPMENT CODE.

3. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

4. THE OWNER/DEVELOPER OF THE SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND Ongoing MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

5. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.

6. "PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG US 290 WEST AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT; THE SIDEWALKS ALONG US HIGHWAY 290 WEST ARE SUBJECT TO THE APPROVAL OF THE TEXAS DEPARTMENT OF TRANSPORTATION AT THE SITE PLAN PHASE. THE REQUIRED SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY." (LOC. 25-6-351)

7. "PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: HARPER PARK DRIVE. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY." (LOC. 25-6-351)

8. NO BUILDING, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY.

9. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER AND ALL ASSIGNS.

10. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFF SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHODS.

11. [LOC25-5-1]: PRIOR TO CONSTRUCTION, EXCEPT SINGLE FAMILY AND/OR DUPLEX ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.

12. APPROVAL OF THIS FINAL PLAT DOES NOT CONSTITUTE APPROVAL OF ANY DEVIATION FROM THE CITY'S LAND DEVELOPMENT REGULATIONS IN THE FINAL PLAT, CONSTRUCTION PLAN OR SITE PLAN STAGE, UNLESS SUCH DEVIATIONS HAVE BEEN SPECIFICALLY REQUESTED IN WRITING AND SUBSEQUENTLY APPROVED IN WRITING BY THE CITY. SUCH APPROVALS DO NOT RELIEVE THE ENGINEER OF THE OBLIGATION TO MODIFY THE DESIGN OF THE PROJECT IF IT DOES NOT MEET ALL OTHER CITY LAND DEVELOPMENT REGULATIONS OR IF IT IS SUBSEQUENTLY DETERMINED THAT THE DESIGN WOULD ADVERSELY IMPACT THE PUBLIC SAFETY, HEALTH, WELFARE OR PROPERTY.

13. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.

14. THE LANDOWNER MUST PAY THE TAP AND IMPACT FEE ONCE THE LANDOWNER MAKES AN APPLICATION FOR A CITY OF AUSTIN WATER AND WASTEWATER UTILITY TAP PERMIT.

15. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.

16. THIS SITE IS WITHIN THE AUSTIN INDEPENDENT SCHOOL DISTRICT.

17. FOR A MINIMUM TRAVEL DISTANCE OF 25' FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH SPECIFIC APPROVAL OF SURFACE AND GEOMETRIC DESIGN PROPOSALS BY THE CITY OF AUSTIN.

18. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT CACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

19. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.

20. A VARIANCE TO SECTION \_\_\_\_\_ OF THE LAND DEVELOPMENT CODE, WAS GRANTED BY THE PLANNING COMMISSION ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

21. THE MAXIMUM PORTION OF ANY COMMERCIAL, MULTI-FAMILY, OR SINGLE FAMILY/DUPLEX LOT THAT MAY BE ESTABLISHED AS TURF OR LANDSCAPED IS 15 PERCENT. HOWEVER, NO LOT SHALL BE RESTRICTED TO LESS THAN 2000 SQUARE FEET OF TURF OR LANDSCAPED AREA. UNDISTURBED NATURAL AREAS OR AREAS RESTORED TO NATURAL CONDITIONS SHALL NOT BE CONSIDERED LANDSCAPING OR TURF.

22. THIS SITE IS SUBJECT TO THE CITY OF AUSTIN VOID AND WATER FLOW MITIGATION RULE.

23. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR OWNERS OF THE LOTS BEING OCCUPIED. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.

24. DEVELOPMENT OF THIS SUBDIVISION IS RESTRICTED TO USES OTHER THAN RESIDENTIAL.

25. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENT AUTHORITIES.

26. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.

27. ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT OWNER'S EXPENSE.

28. DIRECT ACCESS FROM THIS PROPERTY TO THE FRONTAGE ROAD OF US 290 WILL BE GRANTED ON A TEMPORARY BASIS. A PERMANENT ACCESS CONNECTION WILL BE REQUIRED TO THE PLATTED HARPER PARK DRIVE ONCE IT IS CONSTRUCTED AND ACCEPTED. SEE MEMORANDUM FROM TEXAS DEPARTMENT OF TRANSPORTATION REGARDING THE SUBDIVISION PLAT REVIEW DATED JULY 22, 2011.

1. EDWARD RUMSEY, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 25 OF THE AUSTIN CITY CODE OF AS CURRENTLY AMENDED, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

SURVEYED BY:  
**ALLSTAR**  
SURVEYING  
9020 ANDERSON WAY  
AUSTIN, TEXAS 78756  
(512)249-8149



EDWARD RUMSEY, RPLS # 5729

FLOOD PLAIN NOTE:  
THIS TRACT IS LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOOD PLAN OF ANY WATER WAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FROM PANEL NO. 484530580 H, DATED 26 SEPTEMBER, 2008, FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

ENGINEERED BY:

MICHAEL A. RIVERA, P.E.  
RIVERA ENGINEERING  
TX PE FIRM REGISTRATION NUMBER F-11482  
P. O. BOX 9044  
AUSTIN, TX 78709





CA  
1/5

## MEMORANDUM

TO: Sylvia Limon, Case Manager  
FROM: Candace Craig, Transportation Review  
DATE: July 5, 2011  
SUBJECT: Variance Request for Ahuja Subdivision  
Case Number – C8-2011-0050.0A  
Recommendation: To approve the variance subject to conditions

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The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-6-381(B) which requires Land Use Commission approval of a subdivision for direct access from a lot to a major roadway if the lot contains 200 feet or less of frontage on the major roadway. The variance is for Lot 1, Block A of the Ahuja Subdivision, which contains 67.04 feet of frontage on US Highway 290 West.

The proposed subdivision is located within the City of Austin at the northwest corner of US Highway 290 West and a future street (Harper Park Drive – right-of way was dedicated but not constructed) on 0.670 acre and consists of 1 commercial lot.

**Staff recommends approval of the variance for the following reason and with the following condition:**

1. US Highway 290 West is a state-controlled roadway, and the Texas Department of Transportation (TxDOT) granted a driveway permit for direct access to US 290 (enclosed) on a temporary basis. In accordance with the memorandum from TxDOT dated July 22, 2011 (enclosed), permanent driveway access must be provided on Harper Park Drive after Harper Park Drive is constructed and accepted.

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If you have any further questions or required additional information, please contact me at 974-2788.

Handwritten signature of Candace Craig in cursive script.  
Candace Craig  
Transportation Review Staff



Permit to Construct Access Driveway Facilities  
on Highway Right of Way

076

TO: BHUPEN AHUJA C/O RIVERA ENGINEERING	Highway: US290	Permit #: 015 - 11 - 32860 - DP
PO BOX 90485	Control: 113-09	Section:
AUSTIN TX 78709	Phone: 512-899-3310	35691

The Texas Department of Transportation, hereinafter called the State, hereby authorizes BHUPEN AHUJA C/O RIVERA ENGINEERING hereinafter called the Permittee, to  construct /  reconstruct a 28' COMMERCIAL TEMPORARY (residential, convenience store, retail mall, farm, etc.) access driveway on the highway right of way abutting Highway number US290 in Travis County, located 6030 HWY 290 W, NWC OLD FREDERICKSBURG RD, LAT/LON 30.23572 -097.86247, TRM 572-

Subject to the following:

1. The Permittee is responsible for all costs associated with the construction of this access driveway.
2. Design of facilities shall be as follows and/or as shown on sketch and is subject to conditions stated below:  
**CONSTRUCT ONE 28' COMMERCIAL ACCESS DRIVEWAY. MODIFY EXISTING CURB INLET AS SHOWN IN PLANS. RELOCATION OF SIGNAL & ILLUMINATION GROUND BOXES MUST BE BY APPROVED SIGNAL CONTRACTOR. DRIVEWAY IS TEMPORARY UNTIL OLD FREDERICKSBURG RD IS EXTENDED.**  
ALL construction and materials shall be subject to inspection and approved by the State.
3. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the State reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the highway. Changes in design will be made only with approval of the State.
4. The Permittee shall hold harmless the State and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
5. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect any sign on or extending over any portion of the highway right of way, and vehicle service fixtures such as fuel pumps, vendor stands, or tanks shall be located at least 3.6 meters (12 feet) from the right of way line to ensure that any vehicle services from these fixtures will be off the highway right of way.
6. The State reserves the right to require a new access driveway permit in the event of a land use change or change in driveway traffic volume or vehicle types.
7. This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.
8. The Permittee will contact the State's representative, JOE SUSTAITA, telephone (512) 288-4761, at least twenty-four (24) hours prior to beginning the work authorized by this permit.

Tuesday, June 7, 2011  
Date of Issuance

*Andy Morn*  
Texas Department of Transportation  
Authorized Representative

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the highway right-of-way.

TRAFFIC CONTROL ACCORDING  
TO TXMUTCD MUST BE IN PLACE  
PRIOR TO WORKING IN THE  
TXDOT ROW.

Signed: \_\_\_\_\_

**ORIGINAL SIGNED  
BY APPLICANT**  
(Property owner or owner's representative)



## MEMORANDUM

CM/7

**To:** Mike Rivera  
Rivera Engineering

**From:** Gary Morris

**Subject:** Subdivision Plat Review

**Project:** Ahuja Site  
6030 W US 290 WBFR  
C8-2011-0050.0A  
US290

July 22, 2011

- 
1. Currently TxDOT does not have plans to improve this section of US 290 or a requirement for additional right of way. This existing right of way is adequate.
  2. TxDOT has no objections for the developers to construct 6 ft sidewalks within the right of way of US290.
  3. Direct access from this property to the frontage road of US290 will be granted on a temporary basis. A permanent access connection will need to be to the platted Harper Park Drive once it is constructed.
  4. TxDOT has no other comments on the subdivision plat at this time.

*Gary Morris*  
Gary Morris

District Driveway and Utility Office  
832-7112 Fax 832-7314

**RIVERA ENGINEERING** TX PE FIRM REGISTRATION NO. F-11492  
P. O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Fax (512) 899-3318

C1/8

June 22, 2011

Chair Dave Sullivan  
City of Austin Planning Commission  
c/o Planning and Development Review Dept.  
505 Barton Springs Road  
Austin, Texas 78704

via Hand Delivery

**Re: Ahuja Subdivision Final Plat – 6030 U. S. Hwy. 290 West  
City of Austin Subdivision Case No. C8-2011-0050.0A  
Request for Approval of a Variance from LDC Section 25-6-381 (A)**

Dear Chair Sullivan:

Please accept this letter as our formal request for consideration of a variance from Section 25-6-381(A) of the City of Austin's Land Development Code for the Ahuja Subdivision. The subject property is located at 6030 U. S. Hwy. 290 West. Section 25-6-381(A) of the Code does not allow direct access to a major roadway from a lot with frontage less than 200 feet. The Ahuja Subdivision has approximately 67 feet of frontage along U. S. Hwy. 290 West; however, there is currently no alternative access to the property. The adjacent proposed Harper Park Drive has not been constructed by the neighboring land owner. In addition, the Texas Department of Transportation, the agency responsible for authorizing driveways on to U. S. Hwy. 290 West, has issued a driveway permit for the Ahuja property. A copy of that valid permit is enclosed.

We believe this subdivision meets the City's requirements for endorsement of the requested variance. Thank you for considering our request. Should you have any questions, please feel free to contact me.

Sincerely,



Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492