

Proposed Restrictive Covenant – [Tract 34 – Lantana Neighborhood Corner of William Cannon & Rialto - NPA-2025-0025.03 C14-2025-0087]

Background: there is a proposed zoning change from business to commercial near the Lantana neighborhood in Austin, Texas (Tract 34, zip code 78735).

The ideal outcome for nearby residents is for the re-zoning to be denied and/or for this area to remain a green space. Though we (the residents within 500 feet of the site) are requesting restrictions, we are reasonable and not anti-development. We understand we cannot stop change and growth.

Intent: To allow limited development that is compatible with the surrounding residential community and their families, protective of the environment, natural land and wildlife, and respectful of neighborhood character, safety, and quality of life.

This Restrictive Covenant seeks to ensure that any redevelopment on this site enhances—not harms—the surrounding neighborhood. Residents welcome thoughtful growth but request clear boundaries to preserve the area’s safety, natural beauty, and livability for families, pets, and wildlife.

Our neighborhood sits on the **ecological edge of the Texas Hill Country**, where the Edwards Plateau transitions into the Blackland Prairie. This area is defined by its mix of **limestone terrain, mature oak and juniper woodlands, creek corridors, and diverse wildlife**, including returning hawk populations, fox families, owls, and migratory birds that rely on intact habitat connections. Because West Oak Hill lies at this geographic and ecological boundary, even small changes in development intensity can create outsized impacts on water quality, wildlife movement, light pollution, noise levels, and the health of our shared greenbelt. The Hill Country–edge environment is exceptionally sensitive: it depends on low-impact lighting, protected tree canopy, careful stormwater management, and preservation of natural corridors. For this reason, any redevelopment in our area must incorporate the same **environmental stewardship standards** expected throughout the Texas Hill Country, ensuring that growth enhances — rather than damages — this unique and irreplaceable landscape.

These requested conditions are consistent with long-established Hill Country environmental protections, including the City of Austin Hill Country Roadway Ordinance, SOS watershed standards, and regional dark-sky and wildlife-conservation principles widely adopted throughout the Texas Hill Country.

Prohibited or Restricted High-Impact Uses

Below is a comprehensive list of **high-impact, incompatible, or nuisance-prone commercial uses** to be **prohibited** through a Restrictive Covenant. These categories reflect sources of noise, traffic, safety, lighting, and environmental issues for residentially-adjacent properties and families, the natural land, and wildlife in the area.

The following uses shall not be permitted on the site:

- Gas stations, fueling stations, or automotive repair uses
- Convenience stores, liquor stores, or vape/smoke shops
- Drive-through restaurants or drive-through coffee shops
- Bars, nightclubs, or event venues
- Pawn shops, payday lenders, or storage facilities
- Multi-family or “low-income” housing developments unrelated to hotel use
- Apartments or transient living facilities not associated with the high-end hotel potentially to be developed on the site
- Car washes or vehicle rental operations
- Large retail or grocery establishments exceeding 5,000 sq. ft.
- Outdoor entertainment or amplified music areas
- Recycling centers
- Waste transfer stations
- Junkyards / salvage yards
- Hazardous materials sales, storage, or processing
- Landfills

1. Automotive-Related Uses

These create noise, fumes, late-night activity, and heavy traffic.

- Gas stations / fueling facilities
- Vehicle repair shops (major and minor)
- Car washes
- Auto sales or rental facilities
- Tire shops
- Oil change/lube shops
- Vehicle storage or impound lots

2. Late-Night & High-Turnover Retail

These drive noise, safety issues, and lighting impacts.

- Convenience stores (especially 24-hour)

- Liquor stores
 - Vape shops / smoke shops
 - Check-cashing or payday-lending businesses
 - 24-hour pharmacies or retail
 - Bars, nightclubs, lounges
 - Drive-through food or beverage establishments
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3. High-Impact Hospitality & Entertainment

These generate significant traffic, lighting, parking overflow, and nighttime activity.

- Event venues or banquet halls
 - Rooftop bars or rooftop decks
 - Large-format restaurants with amplified outdoor sound
 - Movie theaters
 - Entertainment complexes / arcades
 - Motels and/or budget hotels
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4. Industrial or Storage Uses

These generate noise, truck traffic, and visual impacts.

- Self-storage / mini-storage
 - Warehouses / distribution centers
 - Manufacturing or light-industrial uses
 - Contractor yards
 - Outdoor storage or equipment yards
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5. Waste, Recycling, and Hazardous Uses

These pose pollution, odor, and environmental risks—especially near a creek.

- Recycling centers
 - Waste transfer stations
 - Junkyards / salvage yards
 - Hazardous materials sales, storage, or processing
 - Landfills
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6. High-Nuisance Personal-Service Uses

These increase traffic, parking demand, or safety concerns without benefitting the neighborhood.

- Tattoo parlors
 - Pawn shops
 - Adult-entertainment businesses
 - Gun stores
 - Fireworks stands
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7. Social-Service and High-Density Residential Uses (Optional)

If you have concerns about density, traffic, or proximity to single-family homes.

- Shelter facilities
 - Transitional housing
 - High-density multifamily
 - Group homes or halfway houses
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Recommended Allowable Uses

If the re-zoning to commercial use is approved and development is to occur, we will support and are more open to:

- Professional office
- Medical office
- Low-impact wellness services (PT, therapy, optometry, etc.)
- Small, daytime-only service retail (boutique, coffee shop without drive-through)
- Specialty wellness/fitness studios (with hours limits)
- **A high-quality and lower-noise boutique hotel such as luxury or premium brand** with limited rooms and no outdoor amplified sound, no rooftop bar, no event venue, or late-night operations, provided it meets strict noise, lighting, traffic, and environmental standards. See more details below.

We understand that there is high likelihood for the last bulleted item in the above list, a hotel, to be built on Tract 34 in the Lantana neighborhood of Austin, Texas. As a community, and specifically as those within 500 feet of the project, we are willing to be open to this, with the following proposed permitted uses, prohibited or restricted uses, and development standards.

Please note that these permitted uses, restricted uses, and development standards apply not only to a hotel, but to any kind of land development, business, or structure build that may happen on this land site near the Lantana neighborhood, today or in the future.

Permitted Use (with conditions):

- A **high-quality and lower noise** boutique hotel such as luxury or premium brand may be permitted, provided that it:
 - Does **not** include a bar, nightclub, event venue, or late-night entertainment component.
 - Does **not** operate amplified outdoor sound.
 - Emphasizes **quiet enjoyment, design quality, and minimal visual and environmental intrusion.**
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Development Standards

- **Height:** Maximum of **60 feet to the top of the building structure**, inclusive of any decorative architecture.
- **Impervious Cover:** Maximum of **25% of net site area (NSA)** per area watershed zone regulations and **compliance with Save Our Springs ordinance.**
- **Setbacks:** Maintain enhanced setbacks and landscape buffers along all residential property lines. Minimum 150 feet to creek.
- **Lighting:**
 - All outdoor lighting shall be **Dark-Sky compliant** and directed downward.
 - No LED lighting; no uplighting into trees or sky.
 - All exterior lighting shall be warm in color temperature (not to exceed 2700 Kelvin)
 - Parking and pathway lighting shall be motion-activated or timed to reduce after-hours glare.
- **Noise Control:**
 - No amplified sound audible beyond property boundaries.
 - HVAC, generators, and service equipment shall include **sound-attenuation screening.**
 - Deliveries and trash pickup limited to **7 AM – 9 PM** only.
 - No outdoor or rooftop bars or entertainment areas
 - No outdoor restaurants
 - No outdoor pools, unless enclosed in center of hotel and surrounded by noise barriers, and with limited hours between **7 AM and 9PM** only.
 - Vegetation such as trees and/or noise barrier fencing should be considered
 - No balconies on residential side; balconies either not allowed or only allowed on William Cannon side. Balconies facing residential area risk noise across the

canyon, as well as discomfort of residents having strangers able to look into their homes.

- **Aesthetics:**
 - Architecture and materials shall be of **high design quality**, complementary to surrounding residential and natural character.
 - Facades visible from homes or public view shall incorporate **natural stone, wood, or earth-toned finishes**; no reflective glass or bright commercial signage.
 - Windows should be tested to ensure they do not reflect bright light or reflections onto nearby residences within 500 feet of the site.
- **Environmental Protection:**
 - A **minimum 150-foot vegetated buffer** shall be maintained adjacent to the creek and existing tree canopy.
 - Construction activities shall minimize runoff, sedimentation, and impact to the natural stream.
 - All chemical use, landscaping, and maintenance operations shall prioritize **non-toxic, biodegradable, and wildlife-safe materials and incorporate best practices for stormwater and air-quality management to protect adjacent residences, people, and natural systems.**
 - **Non-Toxic Landscaping:**

All landscaping and grounds maintenance shall use **non-toxic, biodegradable, and pollinator-safe products only**. Use of **glyphosate (RoundUp), neonicotinoid pesticides, or synthetic chemical herbicides** is prohibited.
 - **Rodent & Pest Management:**

No **anticoagulant rodenticides or toxic baits** that could cause secondary poisoning of wildlife (hawks, foxes, owls) may be used. Integrated Pest Management (IPM) practices shall be implemented instead.
 - **Stormwater and Runoff Protection:**

Site design shall include **bio-filtration or vegetated swales** to capture and treat runoff before it enters the creek. All stormwater must meet **City of Austin Watershed Protection Department** water-quality standards.
 - **Construction Pollution Controls:**

During construction, the developer must employ **silt fencing, erosion control blankets, and dust-suppression measures** to prevent sediment and debris from entering waterways or nearby properties.

Fuel storage and chemical mixing areas must be located **at least 200 feet from the creek**.
 - **Air Quality and Emissions:**

No idling of commercial delivery vehicles or buses on-site beyond **3 minutes**. HVAC systems and generators must meet **EPA Tier-4 emission standards or better** and include sound-attenuation screening.
 - **Hazardous Materials and Storage:**

Any cleaning, maintenance, or pool chemicals must be **stored in secondary containment** and handled under a **Hazardous Materials Management Plan** to prevent leaks, spills, or fumes affecting nearby residences.

- Conduct **wildlife and habitat assessment** prior to construction, specifically considering returning **hawk populations** and native species.
 - **Tree & Nest Preservation:** A qualified wildlife biologist shall conduct a pre-construction nesting survey. Any trees containing active raptor nests (e.g., Red-tailed or Red-shouldered hawks) must be preserved with a **minimum 300-foot no-disturbance buffer** during nesting season (**February 1 – July 31**).
 - **Construction Timing:** No land clearing, grading, or major construction shall occur within the 300-foot buffer during nesting season.
 - **Creek & Habitat Buffer:** Maintain a **continuous native vegetative corridor** along the creek and green space, using regionally native plants that support prey and pollinators.
 - **Bird-Safe Building Design:** All glazing within 40 feet of grade or facing the creek shall use **bird-safe glass treatments** (fritted, patterned, or etched) to reduce collisions; reflective and mirrored finishes are prohibited.
 - **Lighting Standards:** All exterior lighting shall be **fully shielded, downward-directed, and ≤ 2700 Kelvin** in color temperature. Motion sensors or timers shall **turn off non-essential lighting between 11 PM and 6 AM**, with no uplighting of trees or façade washing.
 - **Noise & Chemical Controls:** Outdoor amplified sound is prohibited. Mechanical equipment noise shall not exceed **60 dBA daytime / 50 dBA nighttime** at the property line. Use of pesticides or rodenticides harmful to avian prey species is prohibited.
 - **Wildlife Management Plan:** A **Wildlife and Habitat Management Plan** prepared by a qualified wildlife biologist must be submitted and approved prior to site plan approval, and verified post-construction for compliance with lighting, glazing, and vegetation requirements.
- **Traffic and Access:**
 - Submit a **Traffic Impact Analysis** and implement mitigation measures before site plan approval.
 - Primary access should be from arterial/collector streets only; **no access to neighborhood side streets**.
 - Primary entrance and exit should be accessed on William Cannon, not Rialto.
 - Prohibit ingress into property (left turn from Rialto into hotel)” given the implications on traffic and safety concerns due to limited space from the major intersection of William Cannon and Rialto and Lantana neighborhood entrance/ three-way stop.
 - Restrict access to hotel from Rialto to egress and a Right-Turn Only
 - Parking lots should be on the William Cannon side, not facing residential homes.
 - Include **pedestrian safety improvements** and crosswalks along primary frontages.
- **Safety and Security:**
 - No hourly rentals or extended-stay uses.
 - On-site security lighting limited to low-intensity, shielded fixtures.
 - Require **on-site management presence** at all times.

- **Community Integration:**
 - Include landscape features and walking paths accessible to the public, where feasible.
 - Commit to maintenance of perimeter vegetation, fencing, and litter control.
 - Encourage locally sourced materials and sustainable design (LEED or equivalent).
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Summary Statement

This Restrictive Covenant seeks to ensure that any redevelopment on this site enhances—not harms—the surrounding neighborhood. Residents welcome thoughtful growth but request clear boundaries to preserve the area’s safety, natural beauty, and livability for families, pets, and wildlife.

Thank you for your consideration and for your service to our community.

-The neighbors of Lantana

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