



**CITY OF ALAMO HEIGHTS
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT
6116 BROADWAY
SAN ANTONIO, TX 78209
210-826-0516**

**Planning & Zoning Commission Meeting
Tuesday, April 15, 2025 – 5:30 P.M.**

Take notice that a special Planning & Zoning Commission Meeting of the City of Alamo Heights will be held on **Tuesday, April 15, 2025 at 5:30pm** in the City Council Chamber, located at 6116 Broadway, San Antonio, Texas, 78209, to consider and act upon any lawful subjects which may come before it.

INSTRUCTIONS FOR TELECONFERENCE: Members of the public may also participate via audio by dialing 1-346-248-7799 and entering Meeting ID 89047228116. If you would like to speak on a particular item, when the item is considered, press *9 to “raise your hand”. Citizens will have three (3) minutes to share their comments. The meeting will be recorded.

The City cannot guarantee participation by phone due to unforeseen technical difficulties or provide prior notice if they occur; therefore, the City urges your in-person attendance if you require participation.

Case No. 444 – Public hearing, consideration, and action will take place on **Tuesday, April 15, 2025 at 5:30pm** regarding a request of Beth Smith of The Argyle, applicant, representing the Texas Biomedical Research Institute, owner, for a Specific Use Permit (SUP) to add on north side of existing building an addition at 934 Patterson and to consolidate all prior Specific Use Permits relating to The Argyle into an omnibus SUP to support its operation of a dining, social club and venue on the premises located at 934 Patterson Ave, 815 Patterson Ave, 820 Patterson Ave, 423 Argyle Ave, a 2,417sq ft track of land, and the northernmost one hundred fifty fee (150ft) of 401 Torcido Dr all zoned Single Family District (SF-A). ***Rescheduled from April 07, 2025.***

The City Council of the City of Alamo Heights will conduct a public hearing on **Monday, April 28, 2025 at 5:30pm** relating to the recommendations of the Planning and Zoning Commission regarding the same issues.

Plans may be viewed online* (www.alamoheightstx.gov/departments/planning-and-development-services/public-notices) and at the Community Development Services Department located at 6116 Broadway St. For additional information, please contact Lety Hernandez (lhernandez@alamoheightstx.gov), or our office at (210) 826-0516. ****Plans will not be available online for all case types and floor plans will not be available online.***

ORDINANCE NO. _____

A ZONING ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF A PRIVATE PHILANTHROPIC CLUB (“THE ARGYLE”) ON PROPERTY ZONED SINGLE FAMILY-A DISTRICT, AS AUTHORIZED BY SECTION 3-87(22) OF THE ZONING CODE; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the property located at 934 Patterson Avenue, Alamo Heights, Texas, has been continuously operated as a private dining club, with overnight sleeping accommodations for its out-of-town members and guests since 1956 (“The Argyle”), and prior to 1956 served first as a private residence and later as a restaurant and overnight inn since 1859.

WHEREAS, the Property served as the venue for all meetings of the Alamo Heights City Council (the “City Council”) from 1922 to 1927;

WHEREAS, the Texas Biomedical Research Institute (originally part of the Foundation of Applied Research, subsequently renamed the Southwest Foundation for Research and Education, subsequently separated to form the Southwest Foundation for Biomedical Research, and subsequently renamed the Texas Biomedical Research Institute) is a Texas non-profit corporation conducting applied and fundamental research since 1941. This entity and its successors or assigns shall be referred to as “Texas Biomed”;

WHEREAS, Texas Biomed acquired ownership of the Property in 1955 for the purpose of leasing it to a newly formed private club named “The Argyle,” a Texas non-profit corporation whose purpose is to provide financial support to Texas Biomed;

WHEREAS, The Argyle, in addition to providing financial support for Texas Biomed, also hosts numerous meetings and educational presentations of Texas BioMed, its scientists, and other research support organizations and other educational meetings and presentations approved in advance by The Argyle Board (“Educational Events”).;

WHEREAS, The Argyle leased the Property in 1956, at which time it renovated and restored the historic mansion on the property (built in 1859) and opened to its members for fine dining and social events, continuing its prior use;

WHEREAS, Texas Biomed, as owner of the Property, was granted a variance and special exception in Case No. 134 from the Board of Adjustment of the City of Alamo Heights on July 6, 1955;

WHEREAS, The Argyle was designated a Recorded Texas Historical Landmark by the Texas Historical Commission in 1972;

WHEREAS, Texas Biomed and The Argyle have made various renovations to the Property over the years;

WHEREAS, the City of Alamo Heights (the “COAH”) has issued all requisite building permits, certificates of occupancy, and other necessary approvals for the prior renovations;

WHEREAS, Texas Biomed and The Argyle have been granted numerous special exceptions and variances from the COAH since the original 1955 variance which have permitted its use as a private club and place of entertainment and Educational Events consistent with its historic beginning and current operations, including, but not limited to (collectively being defined as the “Prior Entitlements”):

- 934 Patterson (being the property subject to Board of Adjustment Resolution No. 134 dated July 6, 1955);
- 815 Patterson (being the property subject to Ordinance 1756 dated February 25, 2008);
- 820 Patterson (being the property subject to Ordinance 1757 dated February 25, 2008);
- Deed to a 2417 square feet tract of land (being the property described in Ordinance 2095 dated December 11, 2017);
- 423 Argyle (being the property subject to Ordinance 2114 dated November 13, 2018);

WHEREAS, The Argyle submitted a Notice of Intent on November 17, 2021, for a proposed addition to the existing building at 934 Patterson (the “North Addition”);

WHEREAS, on October 12, 2021, The Argyle received the approval of the Texas Historical Commission for all prior renovations as well as the proposed North Addition;

WHEREAS, The Argyle submitted its Architectural Review Board Project Review Application on December 23, 2021, and again in 2024;

WHEREAS, The Argyle submitted its Building Permit application for the North Addition on February 11, 2022, which was assigned Project Number 49213;

WHEREAS, The Argyle submitted a revised Building Permit Application for the North Addition on August 5, 2022, containing modifications to the scale of the North Addition, among other revisions, and submitted a revised permit application on August 1, 2023;

WHEREAS, Texas Biomed has requested the COAH to consolidate all prior special use permits relating to The Argyle into this omnibus Specific Use Permit (the “SUP”) in keeping with the historic and current operations of The Argyle;

WHEREAS, The Argyle, Texas Biomed and the COAH intend to address the effects and disturbance on the nearby residential districts by regulating the parking, noise, crowd management

and outdoor activities inherent in the historic and current operations of The Argyle upon the completion of the North Addition;

WHEREAS, Texas Biomed submitted its application for an omnibus SUP on February 23, 2022, and submitted a revised application on August 1, 2023;

WHEREAS, the Planning and Zoning Commission held a public hearing on November 4, 2024, to consider approval of the prior SUP draft, and a motion was made and carried to table any action at that time to allow further clarification of certain matters;

WHEREAS, Texas Biomed withdrew its application for approval of the prior SUP draft in February 2025 in order to submit a revised application and SUP;

WHEREAS, the Planning and Zoning Commission, having considered this SUP application following due notice and a public hearing, and having considered all required factors and made all required findings set forth in the Texas Local Government Code and Code of Ordinances, [approved/disapproved] by majority vote to recommend to City Council that this SUP be [approved/disapproved];

WHEREAS, the City Council, having considered this SUP application following due notice and a public hearing, and having considered all required factors and made all required findings set forth in Texas Local Government Code and Code of Ordinances, has determined that this SUP should be [approved/disapproved] subject to certain terms and conditions set forth herein;

WHEREAS, two public hearings were held to discuss the SUP application described herein; with the first public hearing being conducted by the Planning & Zoning Commission on April 15, 2025, and the second public hearing being conducted by City Council on April 28, 2025; each being conducted for the purpose of providing all interested persons the opportunity to be heard concerning the proposed SUP described herein;

WHEREAS, legal notice notifying the public of both public hearings on the requested SUP was posted on the COAH's official website and published in the *Express News*, a newspaper of general circulation in the City of Alamo Heights, on _____; and

WHEREAS, Texas Biomed and The Argyle find these conditions and enforcement provisions to be reasonable;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS:

SECTION 1. SPECIFIC USE PERMIT APPROVED. Texas Biomed is granted a Specific Use Permit, pursuant to Section 3-87 (22) of the Zoning Code, to operate, lease, or assign to a tenant, subject to the conditions herein stated, a private philanthropic dinner club and place of entertainment and Educational Events at a location on the following property (the "Property") for as long a period of time as the Property is owned by Texas Biomed or any other philanthropic, charitable or non-profit entity whose primary purpose is to provide philanthropic support to Texas Biomed:

- 934 Patterson (being the property subject to Board of Adjustment Resolution No. 134 dated July 6, 1955);
- 815 Patterson (being the property subject to Ordinance 1756 dated February 25, 2008);
- 820 Patterson (being the property subject to Ordinance 1757 dated February 25, 2008);
- A 2417 square feet tract of land (being the property described in Ordinance 2095 dated December 11, 2017);
- 423 Argyle (being the property subject to Ordinance 2114 dated November 13, 2018);
- The northernmost one hundred fifty feet (150') of 401 Torcido (the "Tennis Court Property").

1) **DEFINITIONS.**

- a. **Maximum Occupancy.** Maximum Occupancy for all permanent structures on the Property upon completion of the North Addition will be 1100 persons. If an event is partially hosted in an outdoor area, Maximum Occupancy will be no more than 1200 persons.
- b. **North Addition.** The North Addition is the improvement to the existing building at 934 Patterson built substantially in accordance with plans titled 'The Argyle Permit Set' dated February 09, 2023, for which a building permit application was submitted to the COAH on August 3, 2023, as Project No. 2023-887.
- c. **Outdoor.** Outside of a permanent structure on the Property.
- d. **Permitted Function.** A Permitted Function is a special or social event held on the Property other than normal dining and bar services for members and their guests.
- e. **Temporary Structure:** Any Outdoor structure not on a permanent foundation, including, but not limited to, event tents, food trucks, and sheds.

2) **PERMITTED USES.** Subject to the conditions herein, the Property may be used for a private philanthropic and non-profit club supporting Texas Biomed, which includes these limited activities:

- a. dining and bar services for members and guests;
- b. catering and hosting of indoor and/or Outdoor Permitted Functions;

- c. off-street parking of vehicles, administrative offices, meeting rooms, and food preparation supporting and associated with such use; and
 - d. five (5) guest units at 934 Patterson for temporary overnight lodging for members and their guests.
- 3) **OPERATIONAL REQUIREMENTS.** The following requirements shall apply to The Argyle, and its hosts, vendors, suppliers, subcontractors, licensees, and or invitees, and shall be included in all contracts executed by The Argyle after the issuance of a Certificate of Occupancy for the North Addition:
- a. **Valet.** The Argyle shall provide complimentary off-street valet parking during all Permitted Functions. Valet attendants shall park vehicles off-street within areas designated on the Parking Diagram attached as Exhibit “A”. Valet drop-off and pick-up must occur off-street but within the bounds of the Property in accordance with the following:
 - i) 1-100 Attendees: four (4) valet attendants.
 - ii) Over 100 Attendees: four (4) valet attendants plus one (1) valet attendant for each additional 50 attendees in excess of 100 attendees that are not scheduled to arrive by bus.
 - b. **Rideshare.** Rideshare drop-off and pick-up must occur off-street or within areas designated on the Parking Diagram attached as Exhibit “A”.
 - c. **Buses and other Commercial Vehicles.** Bus pickup and drop-off must occur only at the 934 Patterson curb, off-street, or within areas designated on the Parking Diagram attached as Exhibit “A”. Buses are prohibited from on-street idling (excluding direct loading and unloading) for more than five (5) minutes except at the 281 Parking Area.
 - d. **Security.** Security shall be provided by The Argyle:
 - i) Under 250 Attendees: one (1) peace officer.
 - ii) 250-399 Attendees: two (2) peace officers.
 - iii) 400-499 Attendees: three (3) peace officers with one of those officers dedicated to parking, traffic control, and other provisions of this SUP.
 - iv) 500+ Attendees: four (4) peace officers with at least one of those officers dedicated to parking, traffic control, and other provisions of this SUP.

- e. **Lights.** All lighting shall comply with Code of Ordinances.
- f. **Outdoor Activities.** No Outdoor activities such as food or bar service may occur after 4:00 pm Sundays, 10:00 pm Monday – Thursday, or 12:00 midnight Friday and Saturday nights.
- g. **Guests.** All guests (excluding overnight guests in a guest room) must depart before 11:00 pm Sunday – Thursday or 1:00 am Saturday or Sunday morning.
- h. **No Amplified Music.** Amplified music may not emanate from any Outside area of the Property. Percussion instruments, including without limitation drums, must not be played in any Outside area.
- i. **Temporary Structures.** Temporary Structures intended to be utilized by attendees (such as tents or canopies):
 - i) must be located within the property bounds of 934 Patterson, and limited to the North and East side of the main structure; and
 - ii) shall be no larger than 44' X 103' (standard size designed for the anchor infrastructure on The Argyle front lawn) to be used only if the weather forecast during the preceding week indicates a probability of rain.
- j. **Number of Events.**
 - (i) There shall be no more than 90 events annually with contracted attendance between 250 and 400, and there may not be more than a single event in this category per calendar day;
 - (ii) There shall be no more than 14 events annually with contracted attendance between 401 and 600, and there may not be more than a single event in this category per calendar day;
 - (iii) There shall be no more than 6 events annually with contracted attendance between 601 and 750, and there may not be more than a single event in this category per calendar day;
 - (iv) There shall be no more than 2 events annually with contracted attendance between 751 and 1200, and there may not be more than a single event in this category per calendar day;
 - (v) For all events over 600 persons, The Argyle shall post a notice of date, time, and number of expected attendees and availability of parking; and

- (vi) The preceding caps on Number of Events do not include or restrict historic holiday events such as Easter, Mother's Day, Thanksgiving, and Christmas.
 - k. **Leaf Blowers.** The Argyle and its subcontractors shall not use gasoline leaf blowers. It will only use electric or battery-operated blowers between the hours:
 - (i) Monday through Friday: 8:00 a.m. – 5:00 p.m.; and
 - (ii) Saturday and Sunday: 9:00 a.m. – 5:00 p.m.
- 4) **PROHIBITED USES.** The Property may not be used for the following uses:
- a. as a public event center or for trade shows, spectator sporting events, conventions or other functions open to the general public; provided, however, community-wide and Educational Events open to the public are permitted;
 - b. for on-premises retail sales other than The Argyle's dining and bar service.
 - c. To raise funds for any non-member or entity other than Texas Biomed (excluding political events hosted by a member and approved by The Argyle Board) or commercially advertised goods or services of any non-member or entity other than Texas Biomed.
 - d. Functions at the Property are limited to private matters by invitation only, approved by the governing body of The Argyle, not open to the general public, and must comply with all requirements of this ordinance.
- 5) **NORTH ADDITION.** The North Addition may be constructed in compliance with plans submitted to the COAH and incorporated by reference for all purposes herein and is further subject to all applicable building codes and the requirements of this omnibus SUP. A rear buffer space wherein no permanent or temporary structures, equipment or signs (save and except for otherwise allowable walls or fences) may be erected within ten feet (10') of the property line as established on the portion of the Property adjoining Olmos Dam Drive subject to the COAH approval process.
- 6) **PARKING.** As a condition precedent to the issuance of a final Certificate of Occupancy for the North Addition:
- a. Parking requirements shall comply with the approved on-street and off-street Parking Diagram attached hereto as Exhibit "A" and incorporated herein by reference which shall identify total available off-street parking spots, including requirements for off-site employee and vendor parking, and rideshare and traffic flow patterns. In addition, all of the applicable provisions of this Section 1,

subsection 3 (Operational Requirements), parts (a-c) are incorporated herein by reference;

- b. The Argyle shall construct or otherwise provide for off-street drop-off and pick-up pull-through lanes within the bounds of the Property for valet and rideshare services suitable for eight (8) queuing passenger vehicles which are clearly marked and striped and on an all-weather surface, and as otherwise provided in Exhibit “A”;
- c. The Argyle shall construct a parking lot on (a) the Tennis Court Property for off-street parking consisting of no less than 56 spaces and (b) on an area located to the west of The Argyle under the Highway 281 overpass on E. Olmos Drive consisting of no less than 108 spaces (the “281 Parking Area”). The Tennis Court Property parking shall be in accordance with the Code of Ordinances as it applies to the Parking District and subject to the COAH approval process, and shall be shielded visually from any property outside of the Property, by a ten foot (10’) wide landscape buffer adjacent to public ROW, and fencing no less than six feet (6’) tall to minimize sound and light impacts to any adjacent lots which have a residential use. The 281 Parking Area shall be constructed in accordance with the requirements of the Texas Department of Transportation; and
- d. If any parking indicated on the Parking Diagram attached as Exhibit “A” is no longer available to be used by The Argyle, there will be a reduction in Maximum Occupancy in a ratio of 2-to-1 for each space lost unless replacement off-street parking is procured via purchase, lease or written agreement, in locations acceptable to the local municipality governing where such replacement parking is located.
- e. The Argyle shall not purchase any additional properties within the City of Alamo Heights other than the property located at 401 Torcido. The portion of the 401 Torcido property not included in the Tennis Court Property parking lot must remain single-family residential zoned.

7) ENFORCEMENT AND PENALTIES.

- a. The persons who may be cited for and are responsible for violations of the conditions of this SUP are The Argyle, its governance board, manager, or employee in charge. For violations of valet, bus, rideshare, and outdoor structure regulations, the operator and/or employees of the applicable valet service, bus, rideshare vehicle operator, or tent/outdoor structure rental company may be cited in addition to the individuals identified in the preceding sentence.
- b. The COAH is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person, firm, or corporation that remains in violation of this chapter.

SECTION 2. PUBLIC PURPOSE. The City Council finds that the SUP herein approved complies with all applicable rules and regulations set forth in the COAH's Code of Ordinances and other law and is consistent with the COAH's Comprehensive Master Plan.

SECTION 3. INCORPORATING RECITALS. The City Council approves the recitals hereto and incorporates them herein as findings of fact.

SECTION 4. REPEALING ORDINANCES IN CONFLICT AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith (including the Prior Entitlements) are hereby repealed to the extent of such conflict with all remaining portions not conflicting being saved from repeal herein.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared void.

SECTION 6. REVOCATION OF SPECIFIC USE PERMIT. This SUP may be suspended, revoked, or modified by the City Council, after public hearing, notice and report by the Planning and Zoning Commission pursuant to Texas Local Government Code 211 to determine whether any condition, stipulation, or term of the approval of this SUP has been knowingly violated. In addition and without any public hearing or public action, this SUP may be revoked and terminated following written notice to The Argyle and a subsequent ninety (90) day cure period if: (i) the Property is no longer owned by Texas Biomed or any other philanthropic, charitable or non-profit entity supporting Texas Biomed; or (ii) the North Addition is not completed within twenty-four (24) months after the building permit is issued unless there are delays due to force majeure events, threatened or actual legal action, or other delays in the construction process beyond The Argyle's control.

SECTION 7. EFFECTIVE DATE. The Ordinance shall be effective immediately following approval by City Council.

ORDERED this _____ day of April, 2025.

BOBBY ROSENTHAL, MAYOR

ATTEST:

ELSA T. ROBLES, CITY SECRETARY

EXHIBIT “A” Parking Diagram

Guest & Valet Parking Areas	Address	Owner	Spaces	Legal Status
The Argyle Club	934 Patterson	Texas Biomed	36 ¹	Own property
Argyle Club Parking Lot	815 Patterson	Texas Biomed	45	Own property
Tennis Court South	401 Torcido Dr	Timothy Dean Word Family Trust	56	Leased
U.S. 281 Bridge (Planned Lot)	1454 E. Olmos Dr	TxDOT	108	Lease contingent on SUP approval ³
TOTAL			245	



Source: Google Earth and Walker Consultants, 2024

Employee & Vendor Overflow Only ² Parking Areas	Address	Owner	Spaces	Legal Status
Episcopal Diocese	111 Torcido Dr	Episcopal Diocese of West Texas	60	Leased
TOTAL			60	

¹ Current capacity is 58 spaces. However, with the proposed north building addition, 22 spaces would be lost.

² Employee & Vendor overflow only parking to be used only during large events with minimal shuttle activity.

³ TxDOT has committed to 108 spaces for The Argyle, but continuing negotiations for an *additional* 100+ spaces.

Bus Load/Unload area and Valet/Rideshare pattern and queueing areas:

