

**ORDINANCE NO. 2242**

**AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF A PRIVATE PHILANTHROPIC CLUB, INCLUDING OFF-STREET PARKING AND ACCESSORY STRUCTURES, AT 934 PATTERSON AVENUE AND ON 2,417 SQUARE FEET OF LAND ADJACENT THERETO, 815 PATTERSON AVENUE, 820 PATTERSON AVENUE, 423 ARGYLE STREET, AND PORTION OF 401 TORCIDO DRIVE, AS AUTHORIZED BY SECTION 3-87(22) OF THE CODE OF ORDINANCES; REPEALING ORDINANCES 1756, 1757, AND 2114; ESTABLISHING PENALTIES FOR VIOLATION.**

**WHEREAS**, the property addressed as 934 Patterson Avenue, consisting of approximately 2.0929 acres and legally described as City Block 4024, block 26, lots 24A, 26A, 26B, 26C, 26E and .055 acre remainder portion of a lot (hereinafter, "Tract 1"), conditional upon replat, has been continuously operated as a private dining club, with overnight sleeping accommodations for its out-of-town members and guests since 1956, and prior to 1956 served first as a private residence and later as a restaurant and overnight inn since 1859.

**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 Tract 1 in 1955 for the purpose of leasing it to a newly formed Texas non-profit corporation ("The Argyle") with its charitable purpose to provide financial support to Texas Biomed;

**WHEREAS**, Texas Biomed was granted a variance and special exception for Tract 1 in Case No. 134 from the Board of Adjustment of the City of Alamo Heights on July 6, 1955 (attached hereto as Exhibit "C-1");

**WHEREAS**, The Argyle leased Tract 1 from Texas Biomed, at which time it renovated and restored the historic mansion on the property and opened to its members for fine dining and social events in 1956, continuing its prior use;

**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 of directors (together, the "Educational Events");

**WHEREAS**, the City of Alamo Heights (the “City”) has issued all requisite building permits, certificates of occupancy, and other necessary approvals for prior renovations of the Tract 1 property improvements;

**WHEREAS**, Texas Biomed subsequently acquired and improved additional properties in Alamo Heights for the purpose of supporting the operations of The Argyle and its philanthropic mission, including other tracts described in this Ordinance that, together with Tract 1, are collectively referred to herein as the “Argyle Properties” and depicted in Exhibit “B,” attached hereto:

**WHEREAS**, several special permits, exceptions, and/or variances from the City have been granted to the Argyle Properties, including, but not limited to the following (collectively, being defined as the “Prior Actions”):

- Board of Adjustment Resolution No. 134 (dated July 6, 1955) pertaining to Tract 1 (934 Patterson) attached hereto as Exhibit “C-1;”
- Ordinance 1756, dated February 25, 2008 (attached hereto as Exhibit “C-2”) granting a specific use permit authorizing use of property in the SF-A district for off-street parking for The Argyle, located at 815 Patterson and legally described as Lots 8, 9, 10, 11, 12 & 12 & East Five Feet of 13, Block 27, County Block 4024 (such property hereinafter referred to as “815 Patterson”).
- Ordinance 1757, dated February 25, 2008 (attached hereto as Exhibit “C-3”) granting a specific use permit authorizing use of property in the SF-A district for off-street parking for The Argyle, located at 820 Patterson and legally described as Lots 26A & 24A, Block 26, County Block 4024 (such property hereinafter referred to as “820 Patterson”).
- Ordinance 2095, dated December 11, 2017 (attached hereto as Exhibit “C-4”), abandoning 2417 square feet tract of public right-of-way at the petition from Texas Biomed, adjacent to Tract 1 (such abandoned right-of-way hereinafter referred to as “Released ROW”);
- Ordinance 2114, dated November 13, 2018 (attached hereto as Exhibit “C-5”) granting a specific use permit authorizing use of property in the SF-A district for off-street parking and employee break area for The Argyle, located at 423 Argyle Street and legally described as Lot 260, Block 26, County Block 4024 (such property hereinafter referred to as “423 Patterson”);

**WHEREAS**, The Argyle submitted a Notice of Intent to the City on November 17, 2021, for a proposed addition (the “North Addition”) to the existing building on Tract 1 (934 Patterson) and on land at 820 Patterson;

**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 an Architectural Review Board Project Review Application to the City on December 23, 2021, and again in 2024;

**WHEREAS**, The Argyle submitted its Building Permit application for the North Addition on February 15, 2022, which was assigned Project Number 49213;

**WHEREAS**, The Argyle submitted a revised Building Permit Application for the North Addition on August 3, 2022, containing modifications to the scale of the North Addition, among other revisions, and submitted a revised permit application on November 6, 2023;

**WHEREAS**, Texas Biomed has requested that the City consolidate to recognize all prior Special Actions relating to The Argyle into this omnibus Specific Use Permit (a "SUP") in keeping with the historic and current operations of The Argyle;

**WHEREAS**, The Argyle, Texas Biomed, and the City seek to minimize the effects and disturbance on the nearby residential districts by regulating improvements to property, as well as activities and events at The Argyle, including event-specific permitting thereof to enforce the provisions of this SUP;

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

**WHEREAS**, the City's Planning and Zoning Commission held a public hearing on November 4, 2024, to consider the prior SUP application, and action was taken to table to allow further clarification of certain matters;

**WHEREAS**, Texas Biomed withdrew its SUP application in February 2025 in order to submit this revised application;

**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 by majority vote to recommend to City Council that the SUP be approved;

**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 *San Antonio Express-News*, a newspaper of general circulation in the City of Alamo Heights, on March 26, 2025; and

**WHEREAS**, the City Council, having determined that the revised ordinance submitted by Texas Biomed needed be re-organized and clarified, now considers, and approves this amended ordinance;

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

**SECTION 1. SPECIFIC USE PERMIT APPROVED.** a Specific Use Permit is approved for the operation of a private philanthropic club, pursuant to Section 3-87 (22) of the City Code, subject to conditions and requirements described in Exhibit "A" to this Ordinance, on the following Argyle Properties:

- A. Tract 1 (as described in the Recitals above), addressed as 934 Patterson Avenue;
- B. 815 Patterson Avenue (as described in the Recitals above);
- C. 820 Patterson Avenue (as described in the Recitals above);
- D. A 2417 square feet tract of land adjacent to Tract 1 (being the property described in Ordinance 2095 dated December 11, 2017);
- E. 423 Argyle (as described in the Recitals above); and
- F. The northernmost one hundred fifty feet (150') of 401 Torcido (the "Tennis Court Property").

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

**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.** Ordinance 1756 (dated February 25, 2008), Ordinance 1757 (dated February 25, 2008), and Ordinance 2114 (dated November 13, 2018) are hereby repealed.

**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.** If the City determines, based on inspection or investigation, that there are reasonable grounds for revocation of this SUP, a public hearing shall be set before the City Planning and Zoning commission and, subsequently, the City Council, which may render a decision to revoke this SUP. Circumstances that warrant revocation of this special use permit include but are not limited to:

- A. Conviction of multiple violations of any of the provisions of the conditions set forth in the approval of the special use permit;
- B. The building, premises, or land uses under the special use permit are enlarged, materially modified, or otherwise significantly changed without the approval of the City through the issuance of a standard permit or a separate special use permit or amendment for such changes;
- C. The SUP was obtained by fraud or deception.

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

**ORDERED** this 11<sup>th</sup> day of August, 2025.

  
\_\_\_\_\_  
ALBERT HONIGBLUM, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
ELSA T. ROBLES, CITY SECRETARY



**ATTEST:**

  
\_\_\_\_\_  
FRANK J. GARZA, CITY ATTORNEY

## **EXHIBIT "A"**

### **Specific Use Permit Conditions**

- I. **DEFINITIONS.** In addition to defined terms in the Ordinance and its Recitals, the following words or phrases used in this exhibit shall have the following meanings:
  - A. **Maximum Occupancy.** Maximum Occupancy for all permanent structures on the Argyle Properties 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. For any specific Permitted Function, the final maximum occupancy of the event shall be solely determined by City fire department officials, based on code and safety requirements.
  - B. **North Addition.** The North Addition is the improvement to the existing building on Tract 1 and on land at 820 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 City on August 3, 2023, as Project No. 2023-887.
  - C. **Outdoor(s).** Outside of a permanent structure on the Property.
  - D. **Permitted Function.** A Permitted Function is a contracted special or social event held at the Argyle Properties (other than normal dining and bar services) for Argyle members, guests of Argyle members, or third-party organizations sponsored by The Argyle or by one or more Argyle members. Further, Permitted Functions shall be limited to private matters by invitation only, approved by the governing body of The Argyle, not open to the general public (other than Educational Events), and must comply with all requirements of this ordinance.
  - E. **Temporary Structure:** Any Outdoor structure not on a permanent foundation, including, but not limited to, event tents, food trucks, and sheds.
- II. **PERMITTED LAND USES.** Subject to the conditions herein, the Argyle Properties may only be used for a private philanthropic and non-profit club, 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.

III. **PROHIBITED USES.** The Argyle Properties may not be used for the following uses or activities:

- A. As a public event center or for trade shows, spectator sporting events, conventions, or other functions open to the general public; provided however, that Educational Events open to the public are permitted;
- B. For on-premises retail sales other than The Argyle's regular dining and bar service.
- C. To raise funds for any non-member or entity other than the non-profit entity holding title to the Argyle Properties (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 the non-profit entity holding title to the Argyle Properties.

IV. **NORTH ADDITION.** The North Addition may be constructed in substantial compliance with plans submitted to the City, subject to all applicable development and building codes, zoning codes, and the requirements of this SUP.

V. **DEVELOPMENT STANDARDS.** Unless expressly permitted in this specific use permit, development of the Argyle Properties shall comply with the requirements of the base zoning district. The following development standards shall apply:

- A. **North Addition Buffer Yard.** A rear buffer yard with a minimum depth of ten feet (10') shall be provided from the 934 Patterson and 820 Patterson property lines that abut Olmos Dam Drive, wherein no permanent or temporary structures, equipment, or signs (save and except for otherwise allowable walls or fences) may be erected, subject to City approval.
- B. **Off-Street Vehicular Drive.** If The Argyle constructs the North Addition, The Argyle shall also construct or otherwise provide for off-street drop-off and pickup pull-through lanes within the bounds of Tract 1 and the 820 Patterson property for valet and rideshare services suitable for at least eight (8) queuing passenger vehicles, substantially as depicted in Exhibit "A-1." All lanes shall be clearly marked and striped and on an all-weather surface;
- C. **Tennis Court Parking Lot.** If The Argyle constructs the North Addition, The Argyle shall also construct a new parking lot on (a) the Tennis Court Property (401 Torcido) for off-street parking consisting of no less than 56 parking spaces. The Tennis Court Property parking lot shall be designed and constructed in accordance with Section 3-59 of the City code as it applies to the Parking District, and shall further be visually shielded to any property outside of Tract 1 by a ten foot (10') wide landscape buffer adjacent to public ROW, and solid-screen fencing no less than six feet (6') tall to minimize sound and light impacts to any adjacent lots which have a residential use;
- D. **281 Parking Area.** If The Argyle constructs the North Addition, it shall also construct a new parking lot on an area located to the west of The Argyle under the elevated portion US Highway 281 that crosses East Olmos Drive, that shall consist of no less than 108 parking spaces

exclusively for use by The Argyle (the "281 Parking Area"). The 281 Parking Area shall be constructed in accordance with the requirements of the Texas Department of Transportation;

VI. **IMMEDIATE OPERATIONAL REQUIREMENTS.** The following operating requirements shall apply to permitted activities at the Argyle Properties immediately upon adoption of this ordinance approving this specific use permit. It shall be the responsibility of The Argyle to ensure compliance by its employees, hosts, vendors, suppliers, subcontractors, licensees, and/or invitees.

A. **Valet Services.** The Argyle shall provide complimentary valet parking services during all Permitted Functions. Valet attendants shall park vehicles off-street within areas designated on the parking diagram (attached hereto as Exhibit "A-1"). Upon the completion of the North Addition and drop-off drive, valet drop-off and pick-up must occur off-street but within the borders of the Argyle Properties. The Argyle shall ensure that valet attendants (a) do not park on residential streets, and (b) shall travel to and from the designated drop-off or pick-up location via Patterson Avenue, except as may be directed by signage or public safety officials due to unusual circumstances. Valet parking services shall occur in accordance with the following:

- 1) 1-100 event attendees: at least four (4) valet attendants shall be provided by The Argyle.
- 2) Over 100 event attendees: at least four (4) valet attendants plus one (1) additional valet attendant for each additional 50 attendees in excess of 100 attendees that are not expected to arrive by chartered bus.

B. **Rideshare Location.** Upon the completion of the North Addition and drop-off drive, rideshare drop-off and pick-up must occur off-street or within areas designated on the parking diagram (attached hereto as Exhibit "A-1"). Prior to that occurrence, rideshare shall be curbside at 934 Patterson. The Argyle shall use signage or traffic control persons to direct departing rideshare drivers to travel on Patterson Avenue, except as may be otherwise be directed by signage or public safety officials due to unusual circumstances.

C. **Chartered Buses and other Commercial Vehicles.** Chartered bus pickup and drop-off may only occur at either: (i) the 934 Patterson (Tract 1) curb, or (ii) within off-street areas designated on the parking diagram (attached hereto as Exhibit "A-1"). Chartered buses are prohibited from on-street idling on the residential streets proximate to the Argyle (excluding direct loading and unloading) for more than five (5) minutes. The Argyle shall take steps to further ensure that chartered buses and other commercial vehicles (a) do not park on residential streets, and (b) shall travel to and from the designated drop-off or pick-up location via Patterson Avenue, except as may be directed by signage or public safety officials due to unusual circumstances.

D. **Security.** Security shall be provided by The Argyle for and during Permitted Functions with the required strengths according to contracted attendees, as follows:

- 1) Between 101-249 event attendees: one (1) certified peace officer.



- 2) Between 250-399 event attendees: two (2) certified peace officers.
  - 3) Between 400-499 event attendees: no less than three (3) certified peace officers, with at least one officer dedicated to ensuring compliance with parking, traffic control, and other conditions of this SUP.
  - 4) Over 500 event attendees: no less than four (4) certified peace officers, with at least one officer dedicated to ensuring compliance with parking, traffic control, and other conditions of this SUP.
- E. Lights. All exterior lighting fixtures and temporary exterior lighting used for Permitted Functions shall comply with City codes.
- F. Hours of Outdoor Event Activities. Permitted Functions occurring Outdoors shall not be allowed after 4:00 pm on Sundays, after 10:00 pm Monday – Thursday, or after 12:00 (midnight) on Friday and Saturday nights.
- G. Required Departure Time for Guests. All attendees of Permitted Functions (excluding overnight guests in a guest room) must depart the Argyle Properties before 11:00 pm on Sunday – Thursday, and before 1:00 am on Saturday or Sunday mornings.
- H. Maximum Annual Number of Permitted Functions. In aggregate, The Argyle is authorized under this SUP to hold no more than 52 Permitted Functions (the “Maximum Number of Functions”) per calendar year with contracted attendance between 250 and 1200 persons, subject to the further limitations and provisions below and herein.
- 1) The Argyle shall not host more than a single Permitted Function with over 250 person-attendance on any calendar day, except as otherwise provided in this subsection;
  - 2) If The Argyle hosts two or more concurrent or overlapping Permitted Functions that each have contracted attendance less than 250 persons, but together, have a cumulative contracted attendance of more than 250 persons, such “Concurrent Event” shall be considered a single, large Permitted Function subject to the Maximum Number of Functions under this subsection in accordance with the cumulative number of persons contracted to be in attendance, as well as provisions of Article VIII, including requirements to obtain a Special Argyle Event Permit from the City demonstrating compliance with this SUP. If The Argyle hosts a Concurrent Event, it may seek an exception from the City to host a scheduled large Permitted Event (i.e., over 250 persons) on the same calendar day, but only if the following conditions are met: (a) such exceptions shall not be allowed more than three times per calendar year; (b) such exceptions shall not be allowed more than once in any calendar month; (c) the cumulative anticipated attendance of the respective Concurrent Event may not exceed 350 persons; and (d) on the specific event day, there must be at least three hours between the Permitted Functions in which no event attendance shall occur. If an exception occurs pursuant to the conditions above, whereby a Concurrent Event and large Permitted Function are allowed to occur on the same day, each such

occurrence will reduce the number of Permitted Functions available for the respective event year by two (2), (one for each event).

- 3) As a further restriction to the provisions in this subsection, there shall be no more than ten (10) Permitted Functions per calendar year with contracted attendance between 400 and 600 persons;
  - 4) As a further restriction to the provisions in this subsection, there shall be no more than six (6) Permitted Functions per calendar year with contracted attendance between 601 and 750 persons;
  - 5) As a further restriction to the provisions in this subsection, there shall be no more than two (2) Permitted Functions per calendar year with contracted attendance between 751 and 1200 persons;
  - 6) For all Permitted Functions over 600 persons, The Argyle shall post a notice of date, time, and number of attendees expected and availability of parking on their publicly accessible website; and
  - 7) The preceding limitations on Permitted Functions in this subsection do not include or restrict four historic holiday events (i.e., Easter, Mother's Day, Thanksgiving, and Christmas), or any celebration of life or funeral-related events.
- I. Parking Requirements. The Argyle shall provide adequate off-street parking for its typical member dining, employees, and Permitted Functions. Further, The Argyle shall discourage its members, guests, contractors, employees, and event attendees from parking personal vehicles on public streets proximate to Argyle Properties.
- 1) For purposes of this specific use permit, for each Permitted Function, one (1) off-street parking space shall be provided by The Argyle for guest parking or valet services, per every two and one-half (2.5) event attendees, contracted or reasonably expected (the "Required Parking Ratio") subject to the following additional considerations.
  - 2) The Required Parking Ratio may be increased for a particular Permitted Function if The Argyle satisfactorily demonstrates to the City that parking demand shall be met by: (a) contracted shuttle bus operators transporting a significant number of event attendees in lieu of arrival by personal vehicle, (b) the event is reasonably or historically expected to include a significant fraction of attendees transported by rideshare in lieu of arrival by personal vehicle, and/or (c) the event is reasonably or historically expected to have a larger average number of attendees arrive per personal vehicle.
  - 3) In order to achieve the Required Parking Ratio, The Argyle shall utilize off-street parking areas depicted on the parking diagram (attached hereto as Exhibit "A-1"), including requirements for off-site employee and vendor parking, and rideshare and traffic flow patterns. The Argyle shall ensure that its employees and contractors (a) do not park on

nearby residential streets, and (b) shall travel to and from the designated drop-off or pick-up location via Patterson Avenue, except as may be directed by signage or public safety officials due to unusual circumstances.

4) If any off-street parking indicated on the parking diagram attached as Exhibit "A-1" becomes unavailable or is removed from The Argyle's exclusive parking inventory, for any reason, there will be a reduction in Maximum Occupancy in a ratio of 2-to-1 for each space removed, until such time that additional exclusive replacement off-street parking can be provided, in locations acceptable to the local municipality governing where such replacement parking is located.

5) No additional properties within the City of Alamo Heights, other than the property located at 401 Torcido, shall be conveyed to or used for the benefit of The Argyle. The portion of the 401 Torcido property not included in the Tennis Court Property parking lot must remain for single-family residential use only.

J. Leaf Blowers. The Argyle and its subcontractors shall not use gasoline leaf blowers at the Argyle Properties. Electric or battery-operated blowers shall be permitted for use only at the following times:

Monday through Friday: 8:00 a.m. – 5:00 p.m.; and

Saturday and Sunday: 9:00 a.m. – 5:00 p.m.

K. Bi-Annual Meetings. The City will convene bi-annual meetings regarding this SUP and enforcement thereof with representatives of The Argyle and the owners of property adjacent to The Argyle property lines. For purposes of this requirement, any public right-of-way shall be assumed to be zero width for the purpose of identifying adjacent properties. One of the required bi-annual meetings shall, in addition to The Argyle's representatives, also include the owners of real property located within 200 feet of the Argyle Properties. The topics of such meetings shall be limited to the subject of the requirements of this SUP, as well as traffic management for Permitted Functions.

VII. **CONDITIONAL OPERATIONAL REQUIREMENTS**. The following conditional operating requirements shall apply to permitted activities at the Argyle Properties, once a Certificate of Occupancy (temporary or permanent) has been issued by the City for the North Addition:

A. Temporary Event Structures. Temporary event structures (i.e., tents or entrance canopies) for Permitted Events may only be erected subject to City code requirements, permitting requirements set forth in this specific use permit, and the additional following restrictions:

1) Temporary event structures may only be situated within the property bounds of Tract 1 (934 Patterson), and limited to the North side or East side of the main structure; and

2) Temporary event structures shall be no larger than 44 feet by 103 feet, which is a standard tent/canopy designed for the anchor infrastructure on The Argyle front lawn (Tract 1). This particular 44 foot by 103-foot tent/canopy or any other structural tent/canopy that utilizes an anchor infrastructure may only be installed by The Argyle if the weather forecast issued by the National Weather Service during the preceding week indicates a ten percent or greater probability of rain for the day of the Permitted Function.

3) For purposes of this SUP, the above conditions and limitations do not pertain to nor limit the reasonable use of (a) umbrellas or (b) small, portable, pop-up tents with dimensions no greater than 12 feet by 12 feet which shall be intended for providing shade or protection against inclement weather for facility staff, equipment, and guests requiring special accommodations.

B. No Amplified Music. Amplified music may not emanate from any Outdoor area of the Argyle Properties. Non-amplified live music is permitted outside within the allowed Hours of Outdoor Event Activities, except that no percussion instruments, including without limitation drums, may be played in any Outdoor area. The foregoing does not authorize music or noise that a City official may reasonably deem a public nuisance, considering time of day and the typical permitted activities associated with The Argyle's operations as addressed by this SUP.

## **VIII. ENFORCEMENT AND PENALTIES.**

A. Enforcement. The Argyle, as the historical operator of the Argyle Properties, on behalf of its owner, shall be solely responsible for compliance with all requirements of this specific use permit, the conditions herein, and other City codes. For purposes of enforcement of this SUP, The Argyle shall be responsible for actions of its members, employees, guests, contractors, and all parties contractually organizing and hosting Permitted Functions on the Argyle Properties.

B. Special Argyle Event Permits Required. For any single or concurrent Permitted Function(s) to be held at The Argyle with an expected, contracted, or cumulative attendance of 250 persons or more, The Argyle shall be required to apply for and obtain a Special Argyle Event Permit from the City prior to the Permitted Function(s), in accordance with City policies, fees, and ordinances in effect at the time of event permit application. Each application submitted for a Special Argyle Event Permit shall include required permit information that documents The Argyle's plan to comply with the requirements of this SUP as determined by the City. Upon the City's review of a timely filed and complete Special Argyle Event Permit, the City shall grant Permit. Failure to obtain a Special Argyle Event Permit for an event that takes place, any misrepresentation of facts in a specific event permit application, or failure to comply with any requirements of a Special Argyle Event Permit shall constitute a violation thereof.

C. Registration for Smaller Events. For any Permitted Function with an expected or contracted attendance between 101 and 250 persons, The Argyle shall be required, in a manner specified by the City, to electronically register such Permitted Event with the City for the purpose of

verifying compliance with provisions of this SUP. Registration shall occur at least forty-eight (48) hours prior to such Permitted Function; however, celebration of life events may provide registration within 24 hours of the event.

D. Penalties for Violation.

- 1.) Violation of Special Argyle Event Permit. Each violation of a Special Argyle Event Permit or this SUP shall be subject to fine per §3-93 or injunctive action per §3-94 of the City Code, and any continuing violation shall constitute a separate violation, each day. Following due process of alleged violation, should it be determined by the City's municipal court that a violation of a Special Argyle Event Permit did occur, The Argyle shall be fined up to the maximum amount permitted by Texas law for each violation. Further, an adjudicated court decision finding violation shall cause a one-event reduction in the Maximum Number of Functions for the subsequent calendar year, for a duration of one year.
- 2.) Failure to Pay Fines. If The Argyle fails to remit payment for any fine levied in adjudicated cases within thirty (30) days following a decision by the municipal court, the City shall suspend issuance of Special Argyle Event Permits for The Argyle until unpaid balances are fully remitted.
- 3.) Reserved Remedies. The City may exercise 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.
- 4.) Revocation of SUP. The City Council may revoke this SUP due to violations of its requirements as provided in Section 6 of this Ordinance.



**Exhibit "A-1"**  
**Parking Diagram for The Argyle**

Guest & Valet Parking Areas	Address	Owner	Spaces	Legal Status
The Argyle Club	934 Patterson	Texas Biomed	36*	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
US 281 Overpass (Planned Lot)	1454 E. Olmos Dr	TxDOT	108	Lease contingent on SUP approval**
<b>TOTAL</b>			<b>245</b>	

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

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



Source: Google Earth and Walker Consultants, 2024

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

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

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

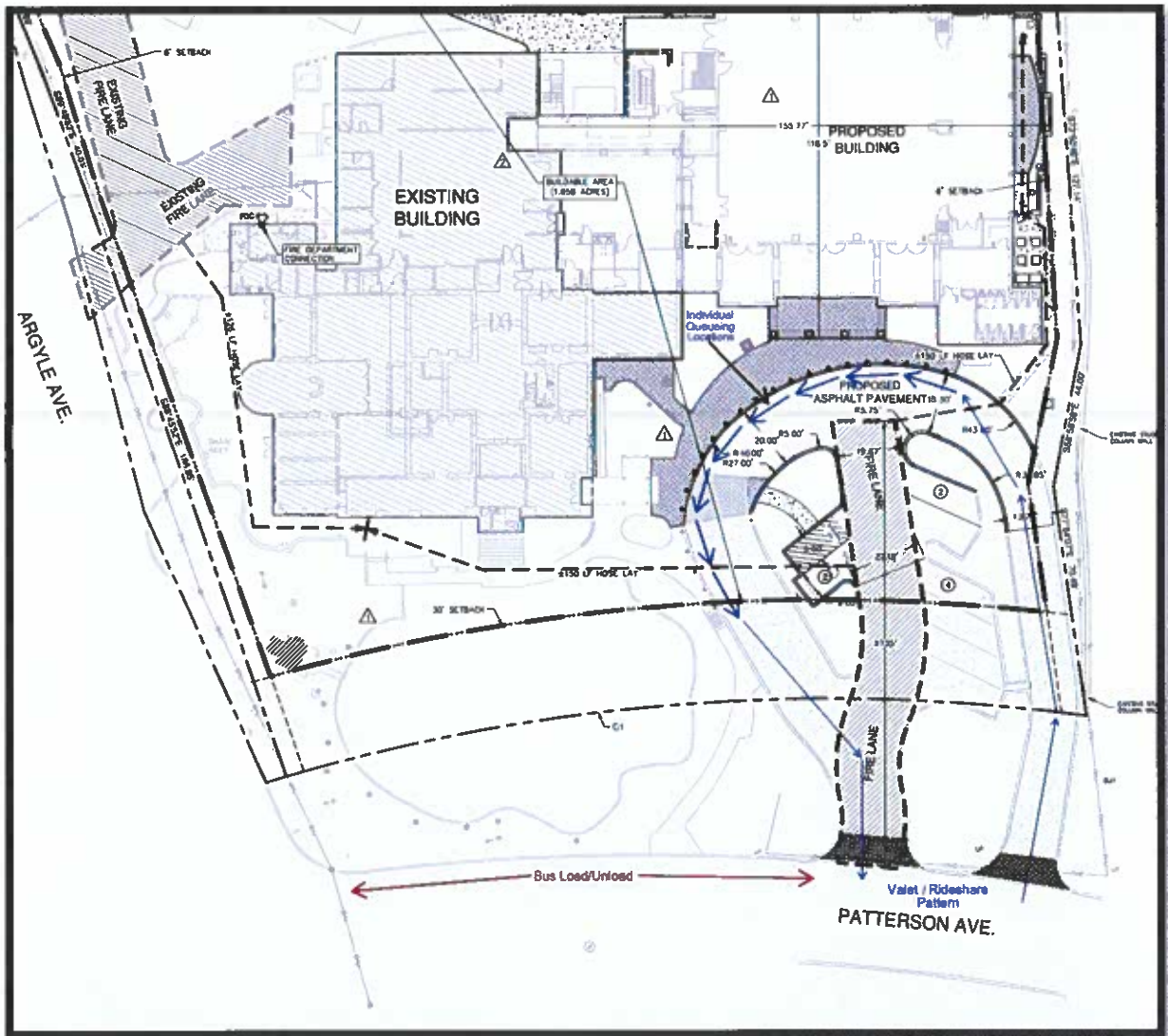


Exhibit A-1



**Exhibit "B"**  
**Argyle Properties**





**Exhibit "C-1"**  
**1955 Board of Adjustment Variance for The Argyle**

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CITY OF ALAMO HEIGHTS  
BOARD OF ADJUSTMENT  
July 6, 1955

A regular meeting of the Board of Adjustment of the City of Alamo Heights was held in the City Hall at 6116 Broadway, July 6, 1955, at 7:00 P.M.

There were present:

C. T. Weidner - Vice Chairman  
J. E. McGowen  
Dée Forgy  
Michael Peche

Composing a quorum of the Board of Adjustment. Also present:

City Engineer R. W. Stiles

There was absent:

John P. Giles - Chairman

Case No. 134

This meeting was called to continue discussion on the application of the Southwest Foundation for Research and Education to restore the Argyle Hotel and operate a social club there on the property. There were present: Mr. Edward Gesick, Mrs. George Grant, Mrs. Edgar Tobin and Mr. Jesse Oppenheimer in favor of the application; and Mr. Archie Brown, Mr. W. G. Conway and Mr. W. P. Kemper in opposition of the application.

Mr. Weidner read a draft of a proposed resolution granting a variance and special exception to Southwest Foundation for Research and Education. After he had finished reading this resolution, he presented a copy of it to Mr. Jesse Oppenheimer, attorney, and Mr. Archie Brown, attorney, for their consideration and information. Mr. Weidner then gave everyone present 15 minutes recess to look over the resolution and discuss it privately. After that time they were called back into the council room and the hearing continued.

Mr. Archie Brown spoke in behalf of his clients in opposition of this application. He brought out the fact that the application covered only Lot C of Block 24-26 and that when Lots CA, CB, CC and CD had been sub-divided and sold as single family dwelling lots they had lost all claim to the non-conforming use enjoyed by the remaining property, that is Lot C. It was further pointed out that the property development plan submitted included Lot CB, but that the Foundation only had an option to buy this lot and that they proposed to exercise this option for their own protection as well as the protection of Lot CC, and that they did not propose to use any portion of Lot CB as a part of their Club activity. Mr. Brown then stated the need for adequate parking facilities off the street but also as far away as possible from the adjoining property. Mrs. George Grant and Mr. Edward Gesick answered that question by showing Mr. Brown and his clients the proposed drawing of the parking lot, which showed that the parking was to be right around the building with fences around the lot and the lights on the ground.

The next question was the expressed use of the Club. Mr. Brown's clients had heard that the Club could be leased out to non-members for a social gathering. Mrs. Grant answered that question by stating that the Club was to be used by



members, staff and scientists only and that they would have a set of by-laws which are required by all Clubs.

Mr. W. G. Conway appeared before the Board to state that he purchased his lot and built his house to remain there for some time. He stated that any changes in the Staff of the Foundation would change the conditions of the operating of the Club. He also stated that he was not worried about what the present staff would do, but just the future staff.

The next question was in regards to outside entertaining. Mr. Jesse Oppenheimer, attorney, stated that there would be no entertainment outside. He wanted to leave that condition in the resolution because of the fact that if the resolution stated that there was to be no outside entertainment whatsoever, the members would feel very confined to the inside of the building. Mr. Brown requested that a clause be added to Section D, Page 5, in regards to outside entertainment, to the effect that there would be no entertainment whatsoever on Sundays.

The next question was in regards to the continuing of the operating of a private club when and if the property was ever sold. Mr. Weidner stated that it was his understanding that the Board had the authority to void any special exception that they had granted. He also stated that in order to void this special exception, there would have to be a violation of the restrictions that the Board had set out.

The next question was in regards to dances with music. Mrs. Grant stated that they would not have room inside for an orchestra at all but that they might have an occasion to have some music to dance to. Mr. Conway stated that it should be included in the resolution that there would be no loud music. This was agreed to by all parties.

There being no further discussion, everyone present came forward to thank the Board for their consideration and their work on this application.

Mr. McGowen moved that the resolution be adopted with the agreed modifications, and further that a condition be added requiring that the site development and restoration and remodeling of the building be carried out substantially in accordance with plans prepared by Architect John R. Walker and submitted by the Foundation with their application. This motion was seconded by Mr. Forgy and unanimously approved. A copy of this resolution is attached hereto and made a part of these minutes.

\*\*\*

Upon motion by Mr. Peche, seconded by Mr. McGowen, the minutes of the May 18th meeting were unanimously approved.

Upon motion by Mr. McGowen, seconded by Mr. Peche, the minutes of the June 17th special meeting were unanimously approved.

Upon motion by Mr. Forgy, seconded by Mr. McGowen, the minutes of the June 20th special meeting were unanimously approved.

There being no further business, upon motion by Mr. Peche, seconded by Mr. Forgy, the meeting was adjourned.

Dorothy J. Wilson  
Acting Secretary

W. G. Conway  
Vice Chairman



APPEAL NO. 134

BOARD OF ADJUSTMENT	:	A RESOLUTION GRANTING A
	:	VARIANCE AND SPECIAL EX-
CITY OF ALAMO HEIGHTS, TEXAS.	:	CEPTION TO SOUTHWEST
	:	FOUNDATION FOR RESEARCH
	:	AND EDUCATION.

WHEREAS, on the 9th day of May, 1955, the Southwest Foundation for Research and Education filed an appeal to the Board of Adjustment of the City of Alamo Heights, Texas, from a ruling of the City Engineer pertaining to the use of the property known as The Argyle Hotel, which is known as all of Lot "C", Blocks 24 and 26, in Alamo Heights, Bexar County, Texas, the same being <sup>also</sup> known as 934 Patterson Avenue. The request for a variance or special exception filed by the Southwest Foundation for Research and Education reads as follows:

"To the Honorable Board of Adjustment.

Lot No. C

"Gentlemen:

Block No. 24/26

"Now comes SOUTHWEST FOUNDATION FOR RESEARCH AND EDUCATION, a Trust of Bexar County, and affirms that on the 9th day of May, A. D. 1955, it applied for a special exception to permit them to restore the Argyle Hotel property and occupy it as a guest house for visiting and staff scientists and sponsors and trustees of the Foundation with suitable living quarters and dining facilities at 934 Patterson Avenue on a lot in a Residential "C" District as shown upon the attached plot plan and the Zoning Map of the City of Alamo Heights and to use same as a Guest House.

"The Applicant now applies, in accordance with the provisions of the Zoning Ordinance, to the Honorable Board of Adjustment to grant the heretofore special exception and to permit it to occupy, the completed premises as a Guest House for the following reasons:

"The Ordinance fails to define the contemplated use. The property is wholly unsuitable for occupancy as a residence. The proposed use is not prohibited and will not be in any way detrimental to the neighborhood. The restoration of the historic Argyle Hotel and the proper maintenance of the building and grounds will be a definite asset to the immediate area and to the community as a whole.

"Respectfully submitted,

"SOUTHWEST FOUNDATION FOR RESEARCH  
AND EDUCATION

Appellant

"BY /s/ Edward J. Gesick, Sec'y Treas.

"Address 8500 Culebra Rd., San Antonio,  
Texas.

"Telephone No. PE 4-4221.

WHEREAS, the Board of Adjustment caused to be given by publication in the official newspapers of the City of Alamo Heights, Texas, a notice stating the time and place for hearing to be had on such application for variance or special exception, which was at least five days before the date set for such hearing, and in addition thereto, the Board of Adjustment caused to have mailed notices of such hearing to the owners of property situated within 200 feet of any portion of the lot or property for which the variance or special exception was sought, and after such notices were duly and legally given, a public hearing was had on said application for variance and special exception, on the 18th day of May, 1955, at 7:00 P.M.; and

WHEREAS, the Board of Adjustment at such hearing heard evidence from a number of persons who were in favor of the granting of the variance and special exception, and also from people who were opposed to the granting of such variance and special exception; and the application for such

variance and special exception was presented to the Board by an attorney for the property owners, and the people who were opposed to such application were also represented by an attorney; and

WHEREAS, the Foundation has submitted plans prepared by Architect John R. Wilker showing the proposed property development and the remodeling and restoration of the Argyle Hotel building; and

WHEREAS, the Board of Adjustment inquired into the uses to which the property had been put in the past; and it was determined that the Zoning Ordinance was passed on the 14th day of September, 1928; and that prior to such date the property in question had been used as a hotel, which was operated by Mr. Robert O'Grady and Miss Alice O'Grady. When the property was used as a hotel there was a dining room open to the public where meals were served. Rooms were rented by the day or week or month. In general, services customarily furnished by a hotel were furnished by the Argyle Hotel. In December, 1943, Mrs. Lucy W. White purchased the Argyle Hotel property and continued to operate it up until the date it was sold to the Southwest Foundation for Research and Education. During the time Mrs. White operated the hotel she derived her revenue primarily from renting the rooms as apartments. Some rooms were rented on an individual basis. The restaurant was not regularly operated. However, by special request, dinner parties were held at the hotel. The property has further been used for dancing classes, a Christian Science Reading Room, and as a business office; and

WHEREAS, the property in question is in "C" Residential District 10, which is for single family dwellings; and the property has not been used for single family dwellings since prior to the passage of the Zoning Ordinance in 1928; and its use has been a nonconforming one; and

WHEREAS, the officers of the Southwest Foundation for Research



and Education testified that the object of the Foundation was that of conducting fundamental research in the fields of medicine, biology and agriculture, and in doing so, to advance the knowledge in these related fields. It was the plan to restore the Argyle Hotel property and use it primarily as a place where visiting scientists and other people connected with the Foundation might stay while in San Antonio, and to use the property as a private club for social entertainment of persons who are connected with, or contribute to, the Foundation. The property was to be owned by the Foundation to be leased out to a separate corporation organized to operate the property; and

WHEREAS, the Board of Adjustment, after hearing all of the evidence and considering the nature and location of the property and the uses to which it had been put in the past, finds that it would be a hardship for the property owners to be required to use it as a single family dwelling.

NOW, THEREFORE, BE IT RESOLVED: That an extension of the non-conforming uses to which the property has been put in the past should be granted, subject to the conditions herein set forth, so as to permit the property to be used for renting of rooms or apartments for daily, weekly, or for longer periods of time, and for the serving of meals to the people residing in such rooms and their guests, and for private dinner parties, and to authorize the property to be used as a place of entertainment and a private social club.

BE IT FURTHER RESOLVED: That the special exception and variance hereby granted shall remain in effect only so long as the owners and operators of such property comply with the following conditions:

(A) The service entrance and delivery dock should be located as far as possible from adjoining property. Adequate and proper recep-

tacles are to be provided for garbage and trash and they are also to be located as far as possible from adjoining property.

(B) Convenient off street parking. Parking facilities shall be adequate for normal operation of the Club and shall permit orderly parking for no less than 70 automobiles. All driveways and entrances should be conveniently laid out so as to prevent congestion. In the event that it would later be determined that provisions should be made for more than 70 automobiles to be parked on the premises of the hotel, the City Council should have the authority to require additional off street parking space.

(C) No activities shall be engaged in which would result in loud or objectionable noises coming from this property, such as shouting, cheering, honking of automobile horns, racing of motors, backfiring, or loud music or Public Address systems, and there shall be no facilities for outside entertainment on the grounds other than the existing terrace, balcony and porch.

(D) Outside entertainment must terminate by sundown, and shall not be engaged in on Sundays.

(E) Closing time for the restaurant shall be 12:00 Midnight, with no mass club activity such as dancing, continuing after that hour.

(F) Proper shielding facilities shall be provided to prevent automobile lights from disturbing adjoining property owners and still not prevent free passage of the prevailing summer breeze.

(G) Exterior light on premises shall be at very minimum, and all lights shall be so placed as to not project direct beam lighting on any adjacent property.

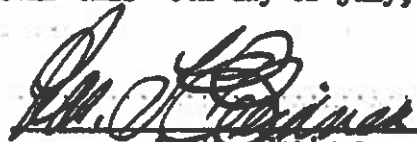
(H) The property shall be developed and the building restored





and remodeled essentially in accordance with the plans submitted by the Foundation.


BE IT FURTHER RESOLVED: That the special exception herein granted and the variance herein authorized are granted to the applicant for as long a period of time as the property is owned by the applicant, or some other philanthropic organization, and only so long as the property is used as a private club, the entire profits of which, if any, to be used for charitable or philanthropic undertakings; and that the property shall never be used for a public club and shall never be operated so as to constitute a nuisance, and shall at all times comply with all City, State and Federal Laws.

UNANIMOUSLY PASSED AND APPROVED this 6th day of July, 1955.

  
Acting Chairman

  
Member

  
Member

  
Member

**Exhibit "C-2"**  
**Ordinance 1756**

ORDINANCE NO. 1756

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF OFF-STREET PARKING FOR PROPERTY OWNED BY THE SOUTHWEST FOUNDATION FOR RESEARCH AND EDUCATION AT 815 PATTERSON AVENUE, ZONED SINGLE FAMILY - A DISTRICT, AS AUTHORIZED IN SECTION 3-87(12) OF THE ZONING CODE.

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

That Southwest Foundation for Research and Education, owner, is granted a Specific Use Permit, as authorized in Section 3-87(12) of the Zoning Code, for use of the property known as the LOTS 8, 9, 10, 11, 12 & 12 & East Five Feet of 13, BLOCK 27, COUNTY BLOCK 4024, in the City of Alamo Heights, Bexar County, Texas in order to operate off-street parking for the Argyle. Use of the property shall be as provided in the site plan approved by the City Council.

The Specific Use Permit granted herein shall not be transferable and shall expire automatically when the Southwest Foundation for Research and Education ceases to own the property or ceases to use it as off-street parking for the Argyle. This Specific Use Permit sets no precedent for other Specific Use Permits.

PASSED AND APPROVED this 25<sup>th</sup> day of February, 2008

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY

**Exhibit "C-3"**  
**Ordinance 1757**

ORDINANCE NO. 1757

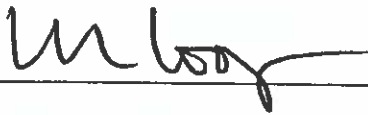
AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE OPERATION OF OFF-STREET PARKING FOR PROPERTY OWNED BY SOUTHWEST FOUNDATION FOR RESEARCH AND EDUCATION AT 820 PATTERSON AVENUE, ZONED SINGLE FAMILY - A DISTRICT, AS AUTHORIZED IN SECTION 3-87(12) OF THE ZONING CODE.

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

That Southwest Foundation for Research and Education, owner, is granted a Specific Use Permit, as authorized in Section 3-87(12) of the Zoning Code, for use of the property known as the LOTS 26A & 24A, BLOCK 26, COUNTY BLOCK 4024, in the City of Alamo Heights, Bexar County, Texas in order to operate off-street parking for the Argyle. Use of the property shall be as provided in the site plan approved by the City Council.

The Specific Use Permit granted herein shall not be transferable and shall expire automatically when the Southwest Foundation for Research and Education ceases to own the property or ceases to use it as off-street parking for the Argyle. This Specific Use Permit sets no precedent for other Specific Use Permits.

PASSED AND APPROVED this 25<sup>th</sup> day of February, 2008

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

**Exhibit "C-4"**  
**Ordinance 2095**

**ORDINANCE NO. 2095**

**AN ORDINANCE  
ABANDONING APPROXIMATELY 2417 SQUARE FEET OF THE ARGYLE  
AVENUE CITY RIGHT-OF-WAY WEST OF PATTERSON AVENUE**

**WHEREAS, TEXAS BIOMEDICAL RESEARCH INSTITUTE** (hereinafter referred to as "The Argyle") petitioned the City to abandon a portion of Argyle Avenue adjacent to The Argyle property at 934 Patterson Ave. in order to construct a new accessory structure and other improvements; and

**WHEREAS, the Planning and Zoning Commission, after public hearing was held by it on December 4, 2017, recommended that the abandonment petition be approved and**

**WHEREAS, the City Council at a public hearing held on December 11, 2017 received said recommendation from the Planning and Zoning Commission and after considering such recommendation is of the opinion that the public would not be inconvenienced by approving such abandonment and that the abandonment would be in the public interest; and**

**WHEREAS, The Argyle is a charitable non-profit institution which provides substantial funding for biomedical research beneficial to the local community and to the nation and world; and**

**WHEREAS, The Argyle is a historic landmark with a rich history of prominence in the City of Alamo Heights; and**

**WHEREAS, after consideration of the use of Argyle Avenue, the City Council finds that the requested abandonment will not materially and substantially impair access of other property owners on Argyle Avenue; and**

**WHEREAS, after consideration of the narrow configuration of the abandoned land, the City Council finds that it would burdensome and unnecessary to require a replat of the property.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS** that the petition of The Argyle to abandon a portion of Argyle Avenue described in the attached Exhibit "A" is approved. The abandoned right-of-way shall revert to The Argyle, which purports to be the owner of the fee simple title of the abandoned property. The fair market value of the right-of-way to be abandoned is determined to be \$1.97 per square foot because the land is not an individual economic unit and is encumbered by utility lines and poles traversing the entire length of the land. Upon receipt of payment for the abandoned right-of-way, the Mayor shall execute a deed without warranty to The Argyle. In accordance with Section 253.001 of the Local Government Code, the proceeds of the abandonment shall be used as required in said section of the Local Government Code. This ordinance shall be recorded with the deed without warranty.

The Argyle may relocate the utility poles and lines on and over the abandoned property provided CPS Energy and the City of Alamo Heights approves of such relocation. The Argyle may submit building plans and designs for improvement of the abandoned property and delay consummation of the purchase authorized herein until such plans are approved by the City. In no event shall new improvements to Argyle Avenue cause the curb-to-curb width to be reduced by The Argyle to less than 26 feet of paved right-of-way to assure adequate fire protection access. The abandonment approved herein shall set no precedent for future abandonment requests.

**PASSED AND APPROVED** this 11th day of December, 2017.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY



***Northstar Land Surveying, Inc.***

***9033 Aero Street, Suite 105***

***San Antonio, Texas 78217***

***(210) 826-6228***

***TBPLS FIRM REGISTRATION NUMBER 10193967***

**FIELD NOTES FOR**

**0.055 ACRES (2,417 SQUARE FEET) OF LAND OUT OF ARGYLE AVENUE, IN THE CITY OF ALAMO HEIGHTS, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 105, PAGE 180, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING:** At a found ½ inch iron rod at the intersection of the north right-of-way of Argyle Avenue and the west right-of-way line of Patterson, the southeast corner of a part of Block 26 as recorded in Volume 3813, Page 213, Deed Records of Bexar County, Texas, the beginning of a non-tangent curve to the left, the northeast corner of the herein described tract;

**THENCE:** 6.37 feet coincident with the curve to the left, concave to the east, having a central angle of 00 degrees 37 minutes 44 seconds, a radius of 580.00 feet and a chord bearing and distance of South 03 degrees 26 minutes 33 seconds West (Bearings are based on the Texas State Plane Coordinate System Grid for the South Central Zone, NAD 83), 6.37 feet to a set ½ inch iron rod, the southeast corner of the herein described tract;

**THENCE:** South 85 degrees 58 minutes 32 seconds West, 90.50 feet a set mag nail an angle point of the herein described tract;

**THENCE:** North 84 degrees 21 minutes 56 seconds West, 89.29 feet a set ½ inch iron rod, an angle point of the herein described tract;

**THENCE:** North 87 degrees 45 minutes 55 seconds West, 45.42 feet a set ½ inch iron rod, an angle point of the herein described tract;

**THENCE:** North 85 degrees 15 minutes 33 seconds West, 51.82 feet a found ½ inch iron rod on the north right-of-way line of Argyle Avenue, the southwest corner of a 0.259 acre tract as recorded in Volume 14059, Page 1071, Official Public Records of Bexar County, Texas, the west corner of the herein described tract;

Continued . . . .

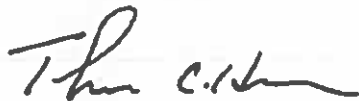
**THENCE:** With the north right-of-way line of Argyle Avenue the following:

North 87 degrees 47 minutes 23 seconds East, 49.81 feet coincident with the south line of the above referenced 0.259 acre tract, to a found  $\frac{1}{2}$  iron rod, the southeast corner of the 0.259 acre tract, the southwest corner of a 0.341 acre tract as recorded in Volume 6997, Page 287, Deed Records of Bexar County, Texas, an anglepoint of the herein described tract;

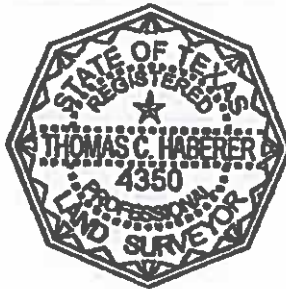
South 89 degrees 48 minutes 15 seconds East, 40.00 feet coincident with the south line of the above referenced 0.341 acre tract, to a found  $\frac{1}{2}$  iron rod, the southeast corner of the 0.341 acre tract, the southwest corner of the above referenced part of Block 26, an angle point of the herein described tract;

South 88 degrees 48 minutes 15 seconds East, 186.81 feet coincident with the south line of the part of Block 26 to the **POINT OF BEGINNING**, containing 0.055 acres.

These Field Notes are based on a survey made on the ground and a survey map prepared by employees of Northstar Land Surveying, Inc. who were working under my supervision.



Thomas C. Haberer  
Registered Professional Land Surveyor #4350  
October 27, 2017  
Job No. 7-06-0066(ROW Purchase)

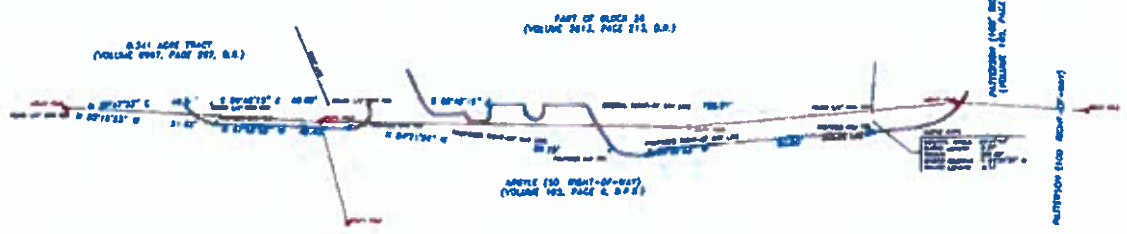




LOCATION MAP



Scale 1" = 40'  
 0 10 20 30  
 Feet  
 All measurements are given to the nearest foot unless otherwise noted.  
 All measurements are given to the nearest 0.01' unless otherwise noted.



A.S. - SEE RECORD OF DEED CHAIN, 1900  
 S.P.A. - SEE AND PLAY RECORD OF DEED CHAIN, 1900

**Northstar Land Surveying, Inc.**  
 9033 Aero St., Suite 105  
 San Antonio, Texas 78217  
 (210) 826-5228  
 TEXAS PROFESSIONAL SURVEYOR NO. 10000

A SURVEYOR'S DEED  
 A PROPOSED RIGHT-OF-WAY DEDICATION ON ACRES

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Prepared by: [Signature]  
 Checked by: [Signature]  
 Drawn by: [Signature]  
 Surveyed by: [Signature]  
 Witnessed by: [Signature]  
 Date: [Date]

**Exhibit "C-5"**  
**Ordinance 2114**

ORDINANCE NO. 2114

**A ZONING ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE CONSTRUCTION AND OPERATION OF AN OFF-STREET PARKING AREA AND EMPLOYEE BREAK AREA ON PROPERTY OWNED BY THE TEXAS BIOMEDICAL RESEARCH INSTITUTE AT 423 ARGYLE AVENUE, ZONED SINGLE FAMILY-A DISTRICT, AS AUTHORIZED IN SECTION 3-87 (12) OF THE ZONING CODE.**

**WHEREAS, TEXAS BIOMEDICAL RESEARCH INSTITUTE** requested a Specific Use Permit (hereinafter referred to as "SUP"), to construct and operate an off-street parking area and employee break area at 423 Argyle Avenue, legally described as Lot 260, Block 26, County Block 4024 in the City of Alamo Heights, Bexar County, Texas; and

**WHEREAS, the SUP** application was duly considered by the Planning and Zoning Commission at a public hearing on October 1, 2018, and after consideration, the Planning and Zoning Commission recommended that the Specific Use Permit requested by **TEXAS BIOMEDICAL RESEARCH INSTITUTE** be approved; and

**WHEREAS, the City Council** considered the recommendation of the Planning and Zoning Commission at a public hearing held on November 13, 2018, and after consideration of the application for the SUP, and after hearing comments from the public concerning the application, finds that approval of the application is in the public interest and is of the opinion that a SUP should be issued to **TEXAS BIOMEDICAL RESEARCH INSTITUTE**.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS** that **TEXAS BIOMEDICAL RESEARCH INSTITUTE** is granted a Specific Use Permit, pursuant to Section 3-87 (12) of the Zoning Code, to construct and operate an off-street parking area and employee break area at 423 Argyle Avenue, Alamo Heights, Texas.

This SUP is issued to **TEXAS BIOMEDICAL RESEARCH INSTITUTE** only. This SUP shall automatically expire if the applicant moves from, transfers, sells or otherwise disposes of applicant's property at 934 Patterson Avenue.

This ordinance shall not be severable, so that if any part of it is declared to be invalid, that will invalidate the entire ordinance.

PASSED AND APPROVED this 13<sup>th</sup> day of November, 2018.

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY