

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 90-5- CUP Date Submitted 3-26-90

Filing Fee \$ 101.00

Applicant R.A. RYAN

Address RT 4 Box 111J
Rockwall, Tex 75087

Phone No. (214) 771-6445

Owner _____ Tenant¹ X Prospective Purchaser _____¹

Legal description of property for which Conditional Use Permit is requested (if additional space is needed, the description may be typed legibly on a separate sheet and attached hereto:)²

1003 South Goliad Rockwall
Block B PARTS OF LOT 7 AND 8

I hereby request that a Conditional Use Permit be issued for the above described property for:

BILLIARD PARLOR AND VIDEO CENTER

line The current zoning on this property is COMMERCIAL.
There ^{space} are/are not ^{space} deed restrictions pertaining to the intended use of this property.

I have attached hereto as Exhibit A a plat showing the property which is the subject of this requested Conditional Use Permit and have read the following note concerning the importance of my submitting to the City a sufficient legal description.

Robert A. Ryan

¹If the applicant is someone other than the owner, written acknowledgement by the owner of the request must also be submitted.

²The legal description is used to publish the notice of the required hearing and in the preparation of the final ordinance granting the Conditional Use Permit. The description must be sufficient so as to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having a surveyor or his attorney approve his legal description. Failure to do so by the applicant may result in delay in passage of the final ordinance or the ordinance being declared invalid at some later date because of an insufficient legal description.

Nº 15722



CITY OF ROCKWALL
 "THE NEW HORIZON"
 Rockwall, Texas 75087-3628
 (214) 771-1111

Cash Receipt

Name Robert Ruzan Date 7-27-90

Mailing Address _____

Job Address _____ Permit No. _____

Check Cash Other
7214

DESCRIPTION	Acct. Code	Amount	DESCRIPTION	Acct. Code	Amount
Building Permit	01-3601		Water Tap	02-3311	
Fence Permit	01-3602		10% Fee	02-3311	
Electrical Permit	01-3604		Sewer Tap	02-3314	
Plumbing Permit	01-3607		Water Availability	33-3835	
Mechanical Permit	01-3610		Sewer Availability	34-3836	
Zoning, Planning, Board of Adj.	01-3411	<i>101.00</i>	Meter Deposit	02-2201	
Subdivision Plats	01-3412		Portable Meter Deposit	02-2202	
Sign Permits	01-3628		Misc. Income	02-3819	
Health Permits	01-3631		NSF Check	02-1128	
Misc. Permits	01-3625		Meter Rent	02-3406	
Misc. Income	01-3819		Penalties	20-3117	
Sale of Supplies	01-3807		Hanger Rent	20-3406	
Municipal Pool	01-3402		Tie Down Fees	20-3407	
Cemetery Receipts	10-3830		Land Lease	20-3804	
Hotel/Motel Tax	15-3206		Sale of Supplies	20-3807	
Marina Lease	08-3810		Exxon Payment	20-1132	
Street	25-3828		Fuel Sales	20-3809	
TOTAL OF COLUMN			TOTAL OF COLUMN		

TOTAL DUE *101.00* Received by Green

City of Rockwall Planning and Zoning Applicant Receipt

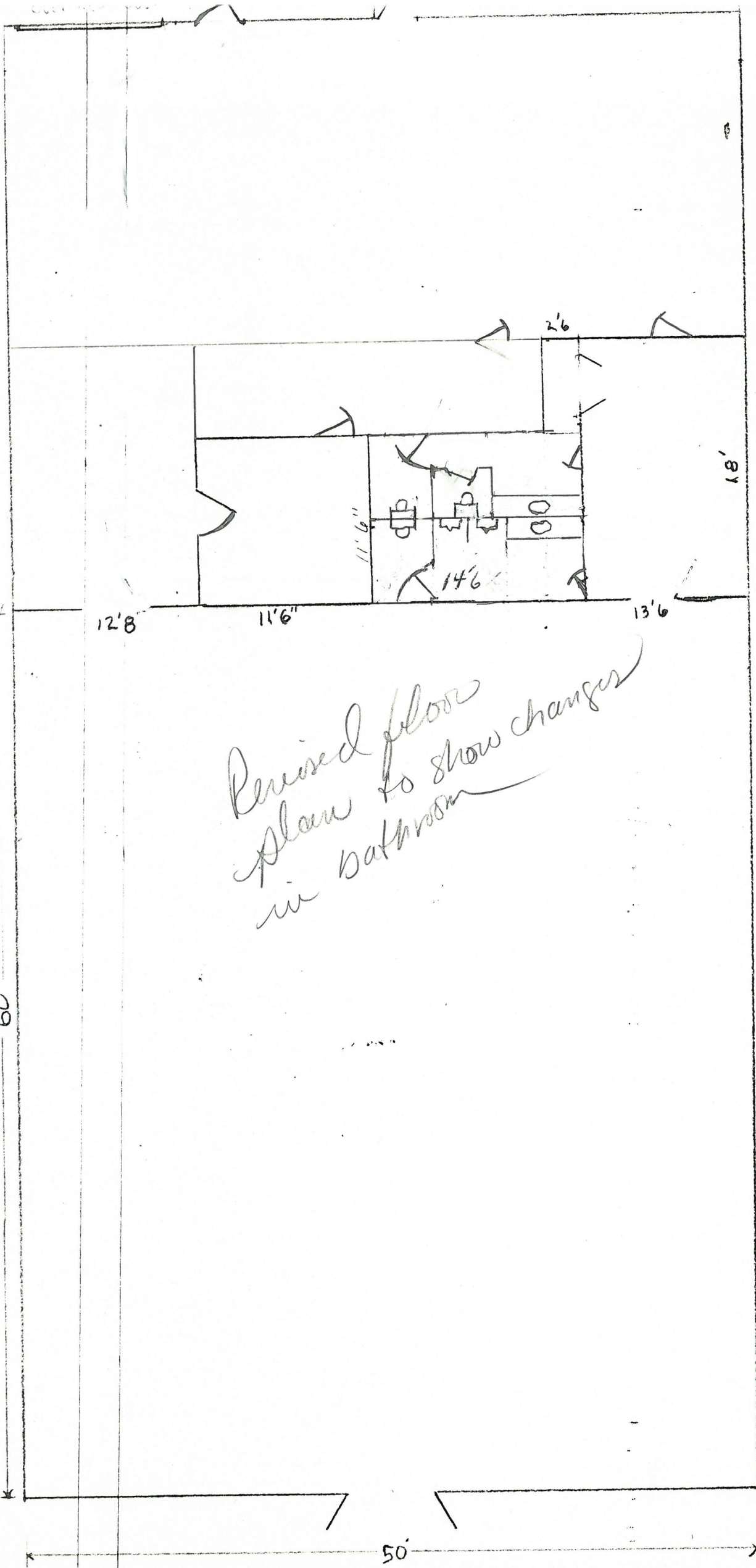
Date 3/26/90
Applicant ROBERT RYAN Phone 471-6645
Address RT 4 BOX 111J
Development BILLIARD HALL (SPORTS CENTRE)

The following items have been received on this date by the City of Rockwall Administrative Office:

- Site Plan Application
- Prel. Plat Application
- Final Plat Application
- Zone Change Application
- Sign Board Application
- Board of Adj. Application
- Front Yard Fence Application
- CUP Application
- () sets/site plans - Submission # _____
- () sets/prel. plats - Submission # _____
- () sets/final plats - Submission # _____
- () sets/executed final plats/mylars
- () sets/engineer drawings - Submission # _____
- Filing fee \$ 10.00
- Other 4 x loc plans

With this application, you are scheduled to appear before the
Planning & Zoning Commission
on April 12, 1990
at 7:30 P.M. at City Hall, 205 W. Rusk, Rockwall,
Texas.

Received By: MR



Revised floor
 plan to show changes
 in bathroom

1 1/2" To 12'

1 1/2"

3.575: 41

ZONING CHANGE/CONDITIONAL USE PERMIT/PLANNED DEVELOPMENT/
PRELIMINARY PLAN/DEVELOPMENT PLAN

ACTION RECORD

Case No: PZ 90-5-CWP

Location: South Colliad

Application Reviewed.....

File Created

Filing Fee Paid/Receipt in File.....

Issued Receipt for Application.....

Review form prepared/^{initial}partial review completed.....

Circulated Review through:

Staff Review:.....

Assistant City Manager.....

Scheduled for P&Z meeting.....

Notice Sent:

Newspaper..... ^{3/27/90}

Surrounding property owners..... ^{3/30/90}

Sign placed on property..... ^{3/20/}

Tallied responses to notices

Prepared notes and supporting
information for P&Z.....

Notified applicant of results ^{and of}.....
_{Council date}

after P&Z consideration.
~~If approved:~~

- Scheduled for City Council....._____
- Notice sent to newspaper....._____
- Notice sent to property owners....._____
- Prepared notes and supporting information for City Council....._____

If approved:

- Notified applicant of results....._____
- Prepared ordinance....._____
 - 1st reading of ordinance....._____
 - 2nd reading of ordinance....._____
 - Caption to newspaper....._____
- Update office map....._____
- Notified Inspection Dept. of change....._____
- Included map in update file....._____
- Included in CUP list (if applicable)....._____
- Permit activated within 6 months....._____
- If not activated, applicant notified permit is void....._____
- Included in PD file (if applicable)....._____

March 26, 1990

City of Rockwall
205 W. Rusk
Rockwall, Texas 75087

REF: 1003 S. Goliad
Block B, Parts of Lot 7 and 8
Rockwall, Texas

To Whom It May Concern:

This is to request that a Conditional Use Permit be issued to Mr. R. A. Ryan for the property referenced above; to be used for a Billiard Parlor and Video Center.

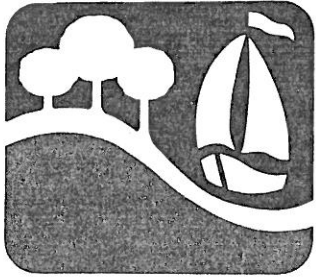
Thank you for your consideration in this matter.

Sincerely,



Richard L. Cullins

RLC:jc



CITY OF ROCKWALL
"THE NEW HORIZON"

March 27, 1990

Mr. Robert Ryan
Rt 4 Box 111 J
Rockwall, TX 75087

Dear Mr. Ryan:

We have received your application for a Conditional Use Permit for a Commercial Amusement on a tract of land located on South Goliad. The Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, to consider approval of your request. It is important that your interests be represented at this meeting.

Please contact Julie Couch at 771-1111 should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mary Nichols".

Mary Nichols
City Secretary

CITY MANAGER
SUBJECT: MANAGEMENT OF RECREATION CENTER
1003 S. GOLIAD
ROCKWALL, TEXAS 75087

THE PROPOSED CENTER WILL BE OPEN TO ALL AGES, WITH A MATURE STAFF RUNNING THE OPERATION. THERE WILL BE A DRESS CODE ENFORCED. HOURS OF OPERATION WILL BE FROM 10 AM TILL 12 PM WEEKDAYS, 2 AM ON WEEKENDS.

I AM A RETIRED AIR TRAFFIC CONTROLLER. DURING THE LAST TWELVE YEARS I HAVE RUN MY OWN BUSINESS AND MANAGED SEVERAL OTHERS INCLUDING A FLEET FUEL CENTER IN GREENVILLE.

MY WIFE BARBARA (CO-OWNER) AND I HAVE WORKED WITH CHILDREN FOR THE LAST SEVEN YEARS STAGING TALENT AND BEAUTY PARENTS AROUND THE COUNTRY. WE ARE STILL ACTIVELY INVOLVED IN THE ACTIVITY.

FOR PERSONAL REFERENCES YOU MAY CONTACT PEGGY YORK, OWNER OF ALL STAR KIDS AT 494-4299. JOHN FOOTE, VICE PRESIDENT AT COLONIAL BANK IN GREENVILLE, TX. AT 455-4373.

I WILL BE HAPPY TO FURNISH A COMPLETE WORK HISTORY WITH BUSINESS REFERENCES UPON REQUEST.

ROBERT & BARBARA RYAN
RT. 4 BOX 111 J
ROCKWALL, TEXAS 75087
771-6445

To: The City Council

4-11-90

From: Bill Efeney

Subj. - Robt. Ryans request for Conditional use permit for billiard parlor in previous Sports Center building.

The above request for a permit to open a billiard parlor will present the following potential problems for the city and neighbors.

First there is not enough parking for this type of business to sustain itself, even with the parking in the rear of the bldg.

Traffic could be a major problem if this is a typical billiard/game parlor, where without police supervision it becomes a teenage hangout. If this is the case, traffic problems at this intersection will present even a greater problem, than the problems already existing. Southbound traffic now is at a stand still, when you have many northbound Hy 205 traffic, and one car is turning into the Sonic. If you have this same car turning into Sonic, and one car trying to turn onto Hy 740 Southbound, from northbound Hy 205, traffic is locked up. I think police accident records will indicate this as one of the most serious accident areas in Rockwall.

Since I assume NO Alcohol will be permitted on the premises, we can assume children will be allowed who do not drive. If they are walking AND coming from the west side of Hy 205, (which is the most likely situation due to population AND money to spend,) they will have to cross Hy 740 AND Hy 205 to get to the premises. Since there are no crosswalks for pedestrians at these intersections, this causes a serious threat to these young people's lives.

The last potential problem in any billiard parlor is the most serious AND it is gambling, alcohol AND drugs. This type establishment is one of the most common for drug pushers/dealers to start working.

I hope this letter helps you to make the best decision for all concerned. Once a business like this is allowed AND if it becomes a problem, it is very difficult to close down.

Sincerely,
Bell Sperry

4-12-'90

To: Lowell Planning and
Zoning Commission

Hearing: Mon. Apr. 16, 1990

In reference to the request
to open an Amusement to
allow a billiard/corn operated
machine business:

As an interested property
owner (Sonic) I would
object to this new business
because, I think parking
(even with rear parking)
would create a problem.

Also, our business is
designed for automobile park-
ing, and we try to discourag-

persons on our lot out
of their cars. We think
this business would create
walking traffic - adult
as well as children.

Thank you for your consider-
ation.

Guy Warner

MEMORANDUM
April 13, 1990

TO: Mayor and Members of the City Council
FROM: Julie Couch, Assistant City Manager
RE: Certain April 16 Agenda Items

Wednesday's draft of the agenda lists several planning and zoning cases that were heard by the Commission on Thursday night. Item V. C. was a request from Robert Ryan for a CUP for a Commercial Amusement to be located in the old Sports Center building. Mr. Ryan received a negative recommendation from the Commission. Mr. Ryan has withdrawn his request at this time, therefore the item has been removed from the agenda.

Item V.D. was a request from Richard Slaughter for a change in zoning for a tract of land located at the intersection of SH-66 and Alamo. The Commission tabled action on this item and it has also been pulled from the agenda.

Attached, you will find supplemental notes regarding Commission action on Item V. E. as well as two additional items that have been added to the agenda.

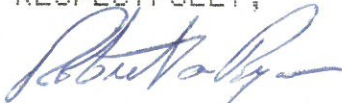
As was mentioned in the Manager's Notes at the last meeting, we will be filming portions of the meeting Monday night for Mary's City Secretary seminar.

ATTN: CITY MANAGER
REFERENCE: C U P @ 1003 GOLIAD FOR
CITY COUNCIL MEETING, APRIL 16, 1990

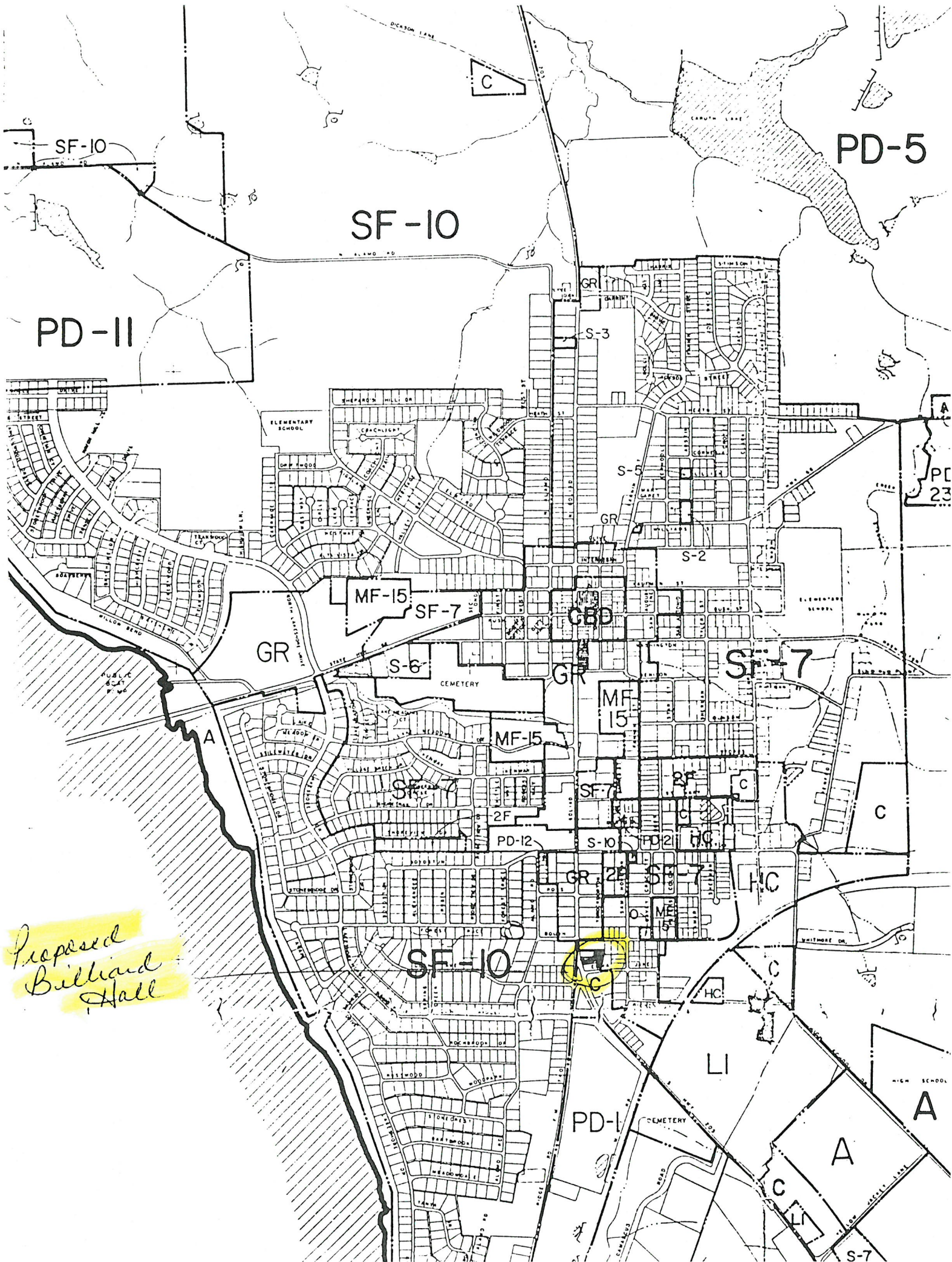
DUE TO THE NEED FOR MULTI-VARIANCE PERMITS AT 1003
GOLIAD, AND THE DECISION OF THE P & Z COMMISSION, AND IN THE
INTEREST OF NOT WASTING THE CITY COUNCILS TIME, I
RESPECTFULLY REQUEST THAT THE CONDITIONAL USE PERMIT FOR THE
SPORTS CENTER BE REMOVED FROM THE AGENDA ON APRIL 16, 1990.

I WANT TO THANK THE P & Z COMMISSION FOR THEIR OUTPUT.
I WILL REEVALUATE MY PLANS FOR A CONDITIONAL USE PERMIT IN
THE ROCKWALL AREA AT A DIFFERENT LOCATION AND RESUBMIT THIS
PLAN AT A LATER DATE.

RESPECTFULLY,

A handwritten signature in blue ink, appearing to read "Robert Ryan", with a stylized flourish at the end.

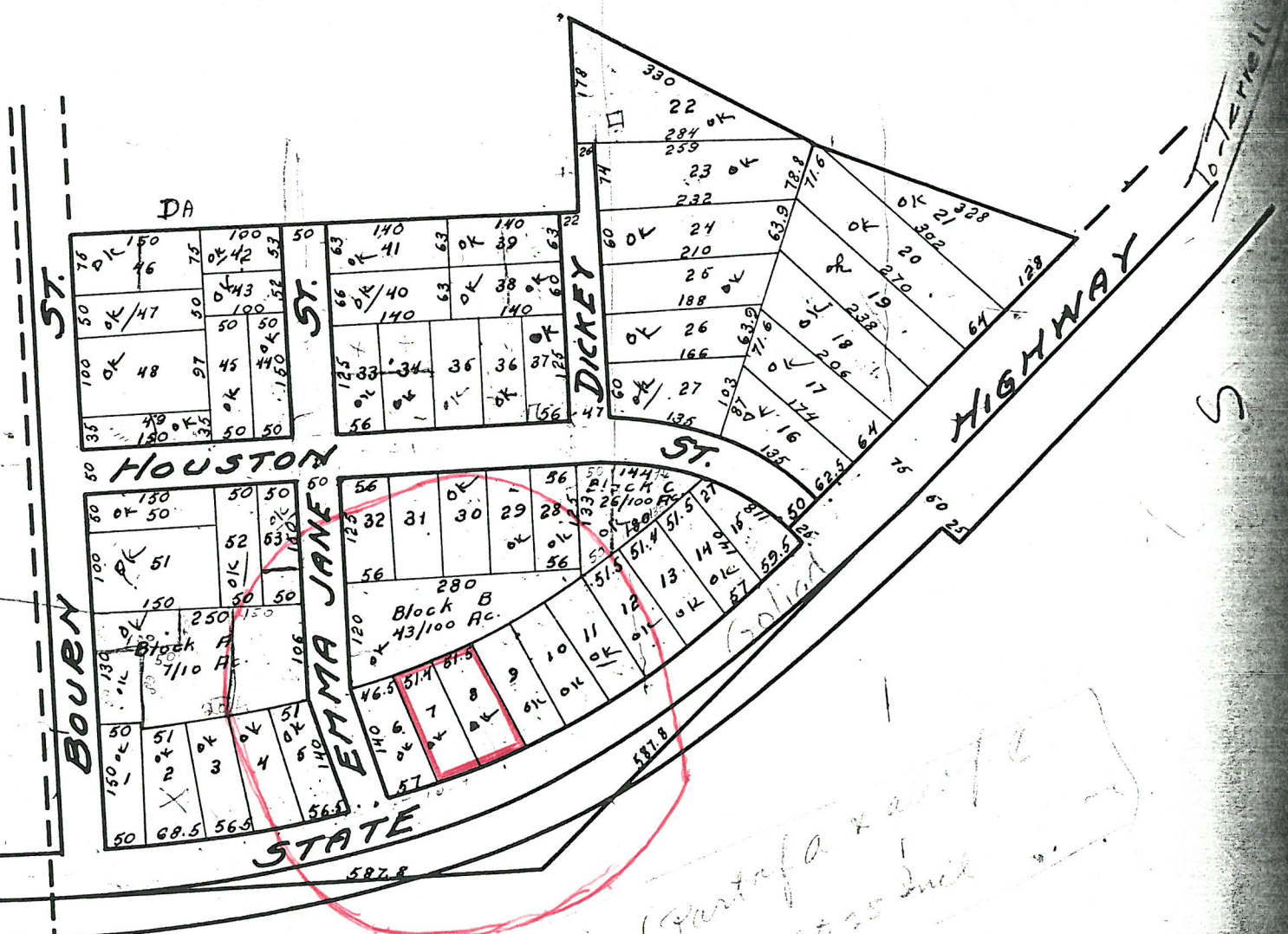
ROBERT RYAN



Proposed
Billiard
Hall

or Addition **CANUPS**

Vol. 39, PAGE 244 Rockwell Co. Records

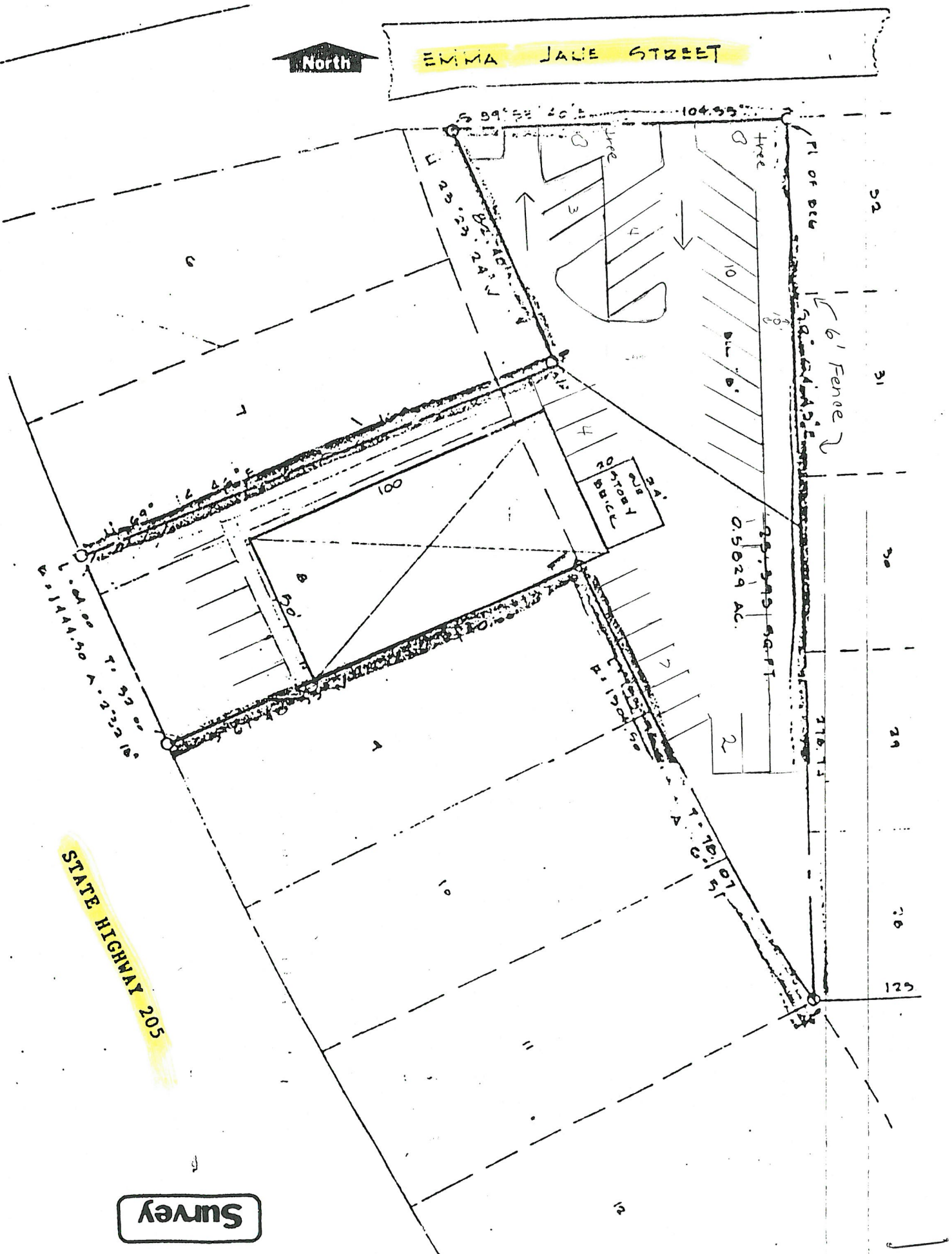


Yamaha R7 Canup / Part of a x 2076
 Late 1900s incl

S

North

EMMA JANE STREET

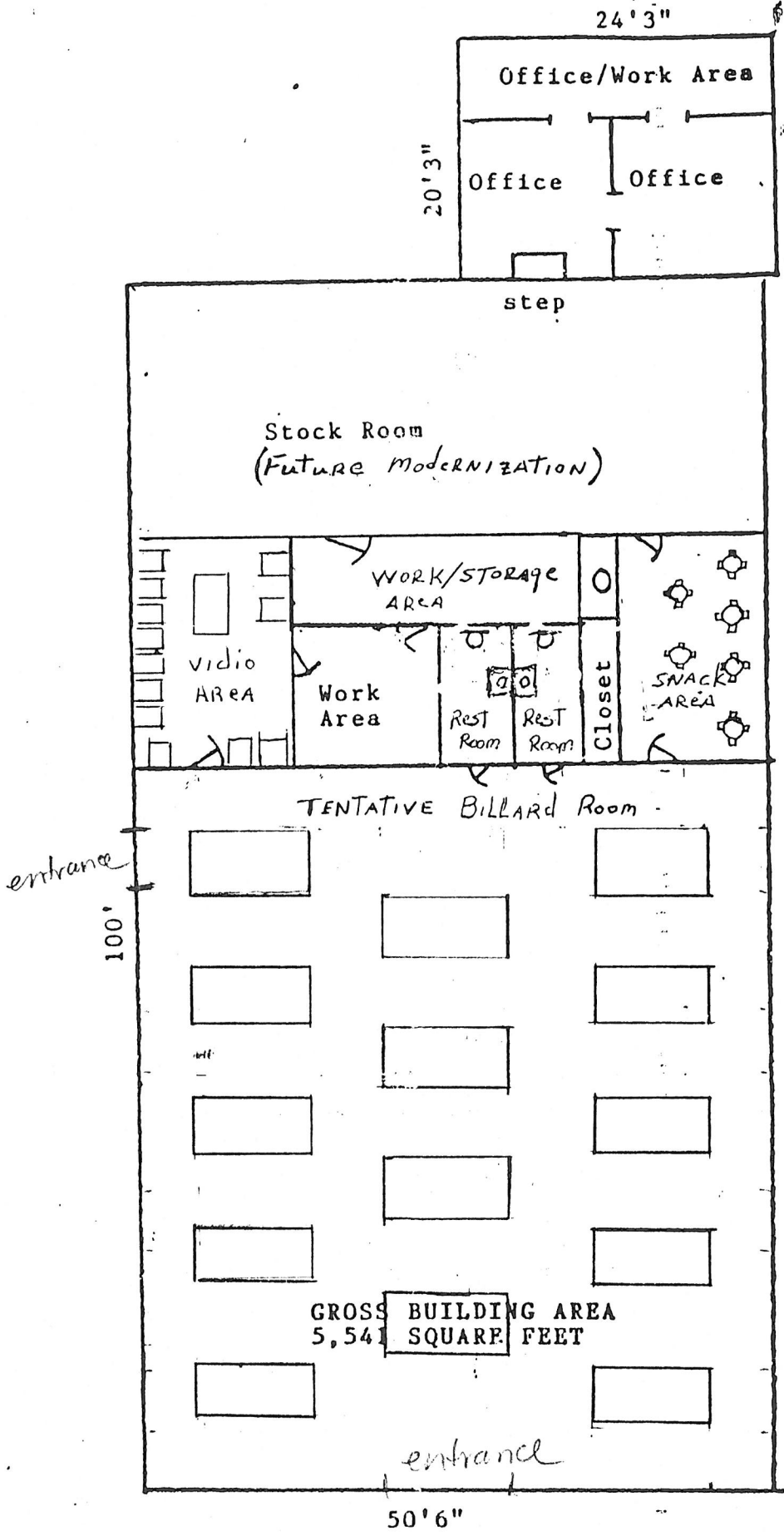


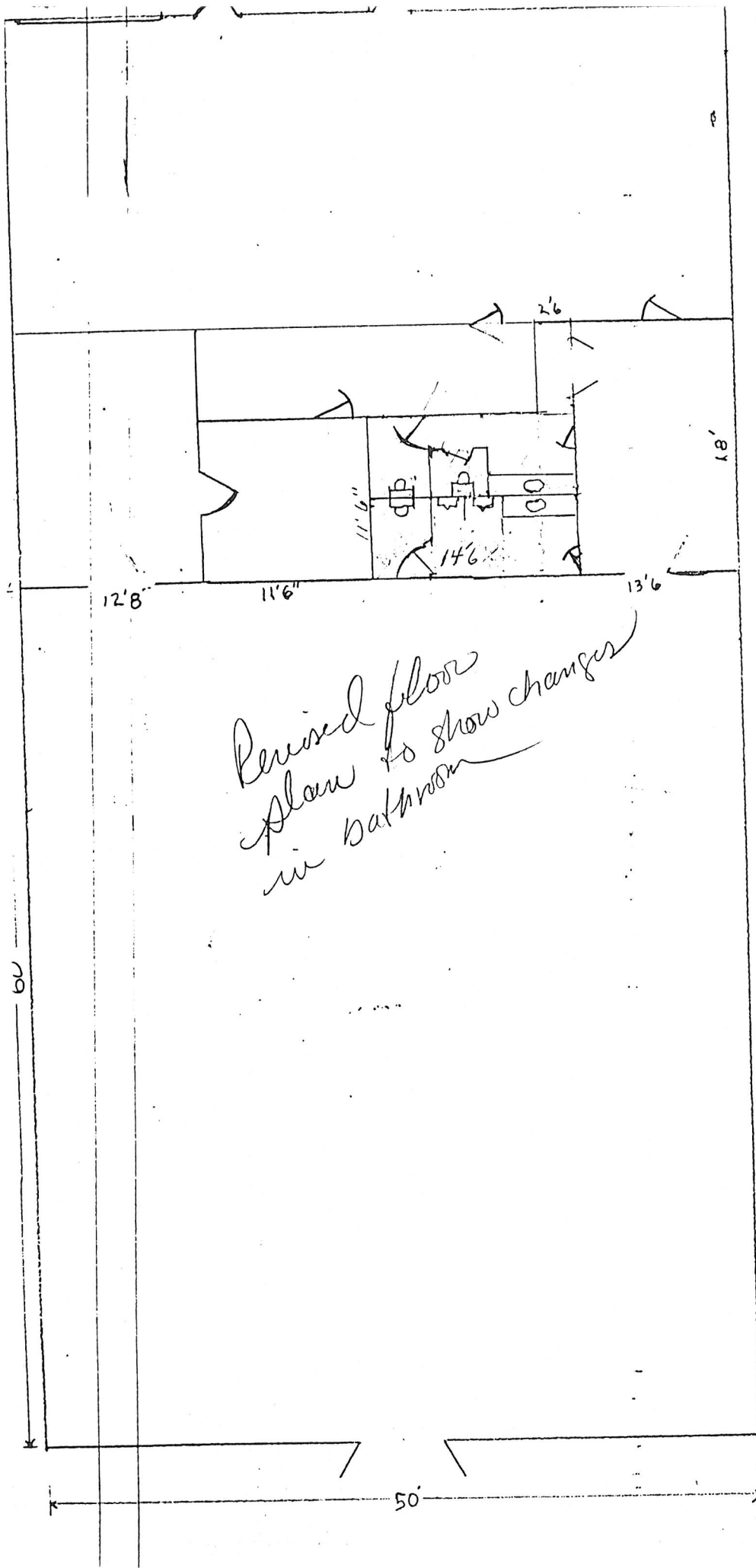
STATE HIGHWAY 205

Survey

Floor Plan

sports center file





Revised floor
plan to show changes
in bathroom

1 1/2" To 12'

1 1/2"

3.575. 4 +

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: April 12, 1990

Agenda No: III. A.

Agenda Item: P&Z 90-5-CUP - Hold Public Hearing and Consider Recommending Approval of a Request from Robert Ryan for a Conditional Use Permit for a Coin Operated Machine and Billiard Facility to be located on SH-205 and Consider a Request for a Waiver to Certain Landscaping Requirements

Item Generated By: Applicant, Robert Ryan

Action Needed: Hold public hearing and consider recommending approval of the request including any conditions for approval in the motion.

Background Information:

A request for a billiard and video game facility has been submitted by the prospective operator, Robert Ryan. He plans to utilize the old Sports Center building located on SH-205 for this use. There is a vacant tract of land located to the rear of the building that is under the same ownership as the building that would be used for the required parking. The issues regarding this request are as follows:

Parking - The existing building was constructed prior to the current zoning ordinance being adopted. It was constructed with only 5-6 parking spaces located in front of the building. The building could continue to be occupied as a retail use without providing additional parking, but the occupancy cannot increase the required parking by more than 50% without providing all required parking. The tenant's use will require 39 parking spaces. With 7 in front an additional 32 spaces would need to be provided in the rear. Attached you will find a site plan that demonstrates that the required parking spaces can be provided. Mr. Ryan does plan to go to the Board of Adjustments and request a variance to the parking requirements in order to reduce the amount of parking that is required in the back. He does plan to utilize some adjacent parking for some of the hours that he is open and hopes that will satisfy the requirement. However, if the variance is not granted he does plan to meet the requirement. He does plan to meet our standards with an asphalt parking lot. The access to the parking lot will be from Emma Jane Street and customers will access the building from a new side entrance. The parking lot will be lit with security lighting located on the building.

Landscaping - The new parking lot will need to be landscaped in accordance with our landscaping ordinance. The site will contain adequate area for the parking lot. He will be required to plant two large trees in the buffer along Emma Jane. The landscaping ordinance provides that all residential areas be separated with a 6' masonry screen. He does plan to screen the site, but he would like authorization to use an existing 6' wood fence that is already located along the property line. If it is approved the fence will need to be repaired.

Security - There were several questions regarding the operation of the facility. The operator does plan to run the operation himself. He plans to install security cameras both in the building and in the parking lot.

Setback - The Zoning ordinance requires that commercial amusements must be setback from residentially zoned areas by 300 feet, unless specifically waived by Commission and Council. this property is within 300 feet of residentially zoned property. He is asking that this requirement be waived for this location.

Hours of Operation and Clientele - Mr. Ryan does plan to open the facility to all ages and his projected hours of operation are from 10:00 AM to 12:00 PM during the week and until 2:00 AM on the weekends. He has indicated that mature supervision will be on duty at all times.

Building Improvements - The building will have to be redone on the inside to accommodate additional bathroom facilities and to provide for an additional entrance/exit on the side of the building. A proposed floor plan is attached.

Attachments:

1. Location Map, Site Plan, Floor Plan

Agenda Item: CUP for Billiard and Game Machines

Item No: III. A.

CITY OF ROCKWALL
City Council Agenda

Agenda Date: April 16, 1990

Agenda No: V. C.

Agenda Item: P&Z 90-5-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from Robert Ryan for a Conditional Use Permit for a Coin Operated Machine and Billiard Facility to be located on SH-205 and Consider a Request for a Waiver to Certain Landscaping Requirements (1st Reading)

Item Generated By: Applicant, Robert Ryan

Action Needed: Hold public hearing and consider recommending approval of the request including any conditions for approval in the motion.

Background Information:

A request for a billiard and video game facility has been submitted by the prospective operator, Robert Ryan. He plans to utilize the old Sports Center building located on SH-205 for this use. There is a vacant tract of land located to the rear of the building that is under the same ownership as the building that would be used for the required parking. The issues regarding this request are as follows:

Parking - The existing building was constructed prior to the current zoning ordinance being adopted. It was constructed with only 5-6 parking spaces located in front of the building. The building could continue to be occupied as a retail use without providing additional parking, but the occupancy cannot increase the required parking by more than 50% without providing all required parking. The tenant's use will require 39 parking spaces. With 7 in front an additional 32 spaces would need to be provided in the rear. Attached you will find a site plan that demonstrates that the required parking spaces can be provided. Mr. Ryan does plan to go to the Board of Adjustments and request a variance to the parking requirements in order to reduce the amount of parking that is required in the back. He does plan to utilize some adjacent parking for some of the hours that he is open and hopes that will satisfy the requirement. However, if the variance is not granted he does plan to meet the requirement. He does plan to meet our standards with an asphalt parking lot. The access to the parking lot will be from Emma Jane Street and customers will access the building from a new side entrance. The parking lot will be lit with security lighting located on the building.

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Building Improvements - The building will have to be redone on the inside to accommodate additional bathroom facilities and to provide for an additional entrance/exit on the side of the building. A proposed floor plan is attached.

The Planning and Zoning Commission will consider this request at their meeting on Thursday night. We will forward their recommendation and a proposed ordinance to you on Friday.

Attachments:

1. Location Map, Site Plan, Floor Plan

Agenda Item: CUP for Billiard and Game Machines

Item No: V. C.



CITY OF ROCKWALL

"THE NEW HORIZON"

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, at 7:30 P.M. and the Rockwall City Council will hold a public hearing on Monday, April 16, 1990, at 7:00 P.M. in City Hall, 205 West Rusk, to consider approval of a request from Robert Ryan for a Conditional Use Permit for a Commercial Amusement to allow a billiard and coin operated machine business on a tract of land located on South Goliad south of Emma Jane, more particularly described as being parts of Lots 7 and 8, Canup Addition, more commonly known as the previous Sports Center. As an interested property owner you may wish to attend these meetings or express your opinion in writing to the Council or Commission.

205 West Rusk

Rockwall, Texas 75087

(214) 771-1111

PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, April 12, 1990, at 7:30 P.M. in City Hall, 205 W. Rusk, to consider recommending approval of the following:

1. A request from Richard Slaughter for a change in zoning from Central Business District to General Retail on a tract of land located at Rusk and Alamo, currently known as Steve's Mobil.
 2. A request from Robert Ryan for a Conditional Use Permit for a Commercial Amusement to allow a billiard and coin operated machine business on a tract of land located on South Goliad south of Emma Jane, currently known as the Sports Center
 3. A request from Elmer Newman Woodard for a change in zoning from Commercial to Planned Development including Commercial uses and limited Heavy Commercial uses including auto truck and trailer repair, service, and sales; warehousing; building supply and commercial or industrial machinery sales; wood working or assembly uses on a tract of land located on I-30 west of SH-205 further described as Lot 1, Block A, Newman Center.
-

Canup Addition
Parts of Lot 7+8, Blk B

Block A	Salvador Bales, Sr P.O. Box 912 Forney TX 75126	Henry Mims 206 Emma Jane	Lot 28 30
	D & A Leasing Co. 208 W Heath	Emmanuel Tabernacle 1008 Sam Houston	Lot 29
	Rockwall Floor Covering 903 S Colliad	U.S. Government Housing 575 Coitler #106 Dallas, TX 75202	Lot 30 32
Block C	Brady Hill 1010 Sam Houston	Leonard Guthrie c/o Ernestine Thomas 3333 Edgewood St #1310 Dallas, TX 75215	52
Lot 3	Jerry Larue 903 S Colliad	Cleo Williams c/o Beatrice Douglas 905 Sam Houston	Lot 53
Lot 4,5	Desville Peoples 208 W Heath	William Paul Davis Jr 101 N Colliad	
Lot 6,7,8	Senis Dine In 1001 Colliad		
Lot 9	William M Epeney 1406 Lakeshore Dr		
Lot 10,11	Charles E Davis Box 214		
Lot 12,13 14,15	Rogers & Rogers 1013 S Colliad		