

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR ZONING CHANGE

Case No. 90-28-2 Filing Fee _____ Date 8-27-1990
Applicant John + Pam BENEDETTO Phone 771-8441
Mailing Address 2825 Anna CADE
Rockwall, TEXAS 75087

LEGAL DESCRIPTION OF PROPERTY SOUGHT TO BE REZONED: (If additional space is needed for description, the description may be put on a separate sheet and attached hereto.)¹

I hereby request that the above described property be changed from its present zoning which is

AG District Classification to

Comercial District Classification for

for the following reasons: (attach separate sheet if necessary)
Skating Rink, Retail, Concession, office, Amusement Center, 1 pool Table

There (are) (are not) deed restrictions pertaining to the intended use of the property.

Status of Applicant:² Owner _____ Tenant _____
Prospective Purchaser ✓

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

Signed John Benedetto

NOTE:

¹The legal description is used to publish notice of the required hearing and in the preparation of the final ordinance granting the zoning change. 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.

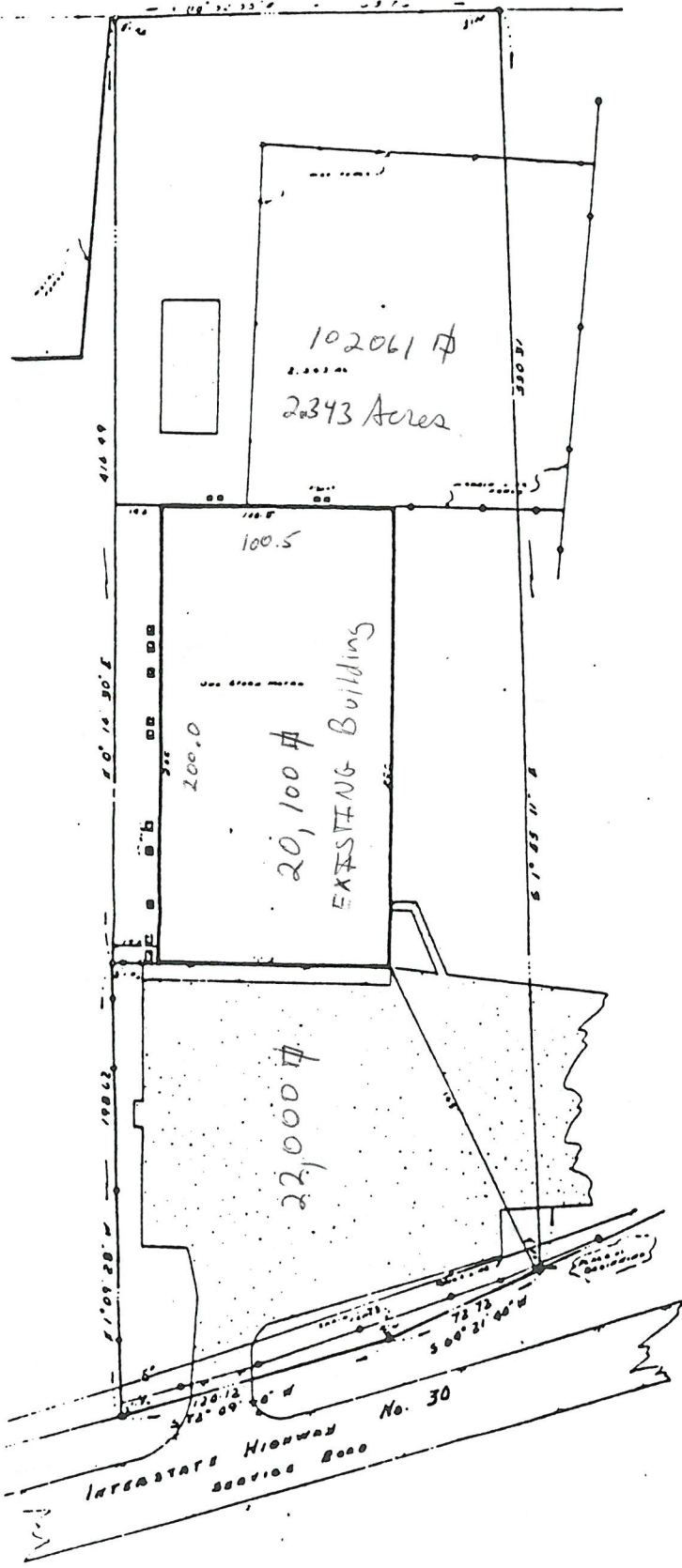
²If the applicant is someone other than the owner, written acknowledgement by the owner of the zoning request must also be submitted.

214-722-0344 John

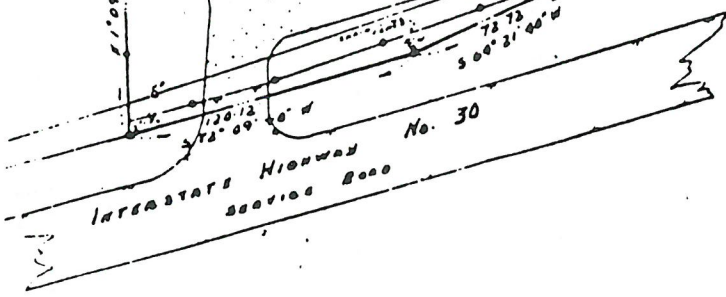


16,220 AC Φ

192.84 Frontage
Average Depth
600'



Frontage 192.84
Depth 600.00



Survey

Rear

100.5

Video
Electric Circus

67 X 30

Half Wall

Storage

Storage + office

Backrooms

Backrooms

↑ NORTH

EXIT

EXIT

Tables
&
chairs

Skate Floor
168 X 63

Storage

Concession
Stands

Ticket
Seat

EXIT

Records

Skate
Pick up

Front
Foyer

Work Bench

Front

Skating Rink by ELECTRIC Circus owner Pam + John Benedetto	
8-27-90	
Scale 1/16"	Pg. 1. <small>Drawn by J.B.</small>

200

CITY OF ROCKWALL
205 West Rusk
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 90-28-CUP

Date Submitted 8-27-1990

Filing Fee \$ _____

Applicant John + Pam Benedetto

Address 2825 Anna Cade
Rockwall, Texas 75087

Phone No. 771-8441

Owner _____ Tenant¹ _____ 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

I hereby request that a Conditional Use Permit be issued for the above described property for: Commercial Amusement Bldg.
+ Building that does not meet Masonary requirements.

The current zoning on this property is AG.
There ^{space} are/are ^{space} not 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.

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.

Rear

100.5

Video
Electric Circus

67 X 30

Half Wall

Storage

Storage + office

Bathrooms

Bathrooms

NORTH

EXIT

EXIT

Tables
&
Chairs

Skate Floor
168 X 68'

200

Storage

Concession
Stands

Ticket
Sales

EXIT

Records

Skate
Pickup

Front
Foyer

Work Bench

Front

Skating Rink by ELECTRIC Circus owner Pam + John Benedetto 8-27-90		
Scale 1/10"	Pg 1.	Drawn by J.B.

Skating Rink

not slated - must be prior to
building permit

not site planned - must be prior to
building permit

not landscape planned - must be prior
to building permit

not zoned - must be prior to CO.
and cert for Commercial Amus.

nonconforming bldg - cannot spend more than
10% of replacement cost or
need to obtain cert or
make bldg conforming



RESOLUTION TRUST CORPORATION

1213 W. Avenue A
P.O. Box 469005
Garland, Texas 75046-9005
Phone (214) 272-5524
Fax (214) 494-1661

August 28, 1990

Ms. Julie Couch
City of Rockwall
205 W. Rusk
Rockwall, Texas 75087

RE: 7091 - First Garland Savings & Loan Association
Garland, Texas - In Receivership - 6-22-90
1531 I-30 East, Rockwall

Dear Ms. Couch:

The Resolution Trust Corporation grants permission to Mr. John Benedetto to proceed with zoning changes for the above listed property to be zoned for a skating rink.

If you have any questions, please call me.

Sincerely,

A handwritten signature in blue ink that reads 'Beth Gilzean'.

Beth Gilzean
REO Manager

BG:ld

FIRST GARLAND SAVINGS

TO: Mary Nichols
(NAME AND/OR COMPANY)

DATE: 8/31/90 11:05
(CURRENT DATE AND/OR TIME)

FAX TELEPHONE NUMBER: 1-214-722-3983

COMPANY TELEPHONE NUMBER: _____

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS PAGE) 2

FROM: James Ross

TELEPHONE NUMBER: 272-5524

COMMENT IF OTHER THAN SENDER: _____

FAX TELEPHONE NUMBER: 214 494-1661

MESSAGE: _____

Skateland, Rockwall, Tx.

Situated in Rockwall County, Texas,
and being a tract of land situated
in the A. Hanna Survey, abstract
No. 99, City of Rockwall, Rockwall
County, Texas and being part of a
8.20 acre tract recorded in Volume
90, Page 542, deed of records,
Rockwall County, Texas, ~~and~~ ~~to~~

Dear: P+Z + Council Members

Concerning The Exterior
Of Said Property,
We would like to Paint
The Front Section of The
Building facing I-30 -
with colorful drawings
Clowns, animals ect,

Due to The Nature of
our business we feel its
very necessary to be Noticed.
Especially by Children!

The Sides of The Building
are fine - Basic Tan or white
with one strip of color
Blue - Red or GREEN.

We also intend to plant
a small number of Bushes
or Plants - flowers around
The exterior of The Building.

Thank you for your
consideration in this matter.

John + Pam Benedict

CITY OF ROCKWALL
Planning and Zoning Agenda

Agenda Date: September 13, 1990

Agenda No: III. C.

Agenda Item: P&Z 90-28-Z/CUP - Hold Public Hearing and Consider Recommending Approval of Establishment of Permanent Zoning for Commercial with a Conditional Use permit for a Commercial Amusement for a Skating Rink and Coin Operated Machines and a Building Not Meeting Exterior Masonry Requirements on a Tract of Land Located on I-30 East of Industrial Blvd.

Item Generated By: Applicant, John Benedetto

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

Background Information:

We have received a request for zoning and a CUP to reactivate the skating rink on I-30. The use has lost its nonconforming status because it has ceased operation for more than 6 months. Mr. Benedetto plans to reopen the skating rink and eventually move the Electric Circus to that location. he does not plan to expand the building or add additional buildings so he does not have to site plan or plat the property at this time. In order to occupy and rehab the existing building he needs zoning approval. He has requested Commercial zoning and a CUP for a Commercial Amusement. He has also requested a CUP for a structure that has less than 90% masonry exterior. The existing building is metal, which makes it nonconforming. Unless the building can be brought into zoning conformance Mr. Benedetto will be limited to spending no more than 10% of the replacement cost of the structure on his repairs.

Several of the issues that were raised during the worksession are as follows:

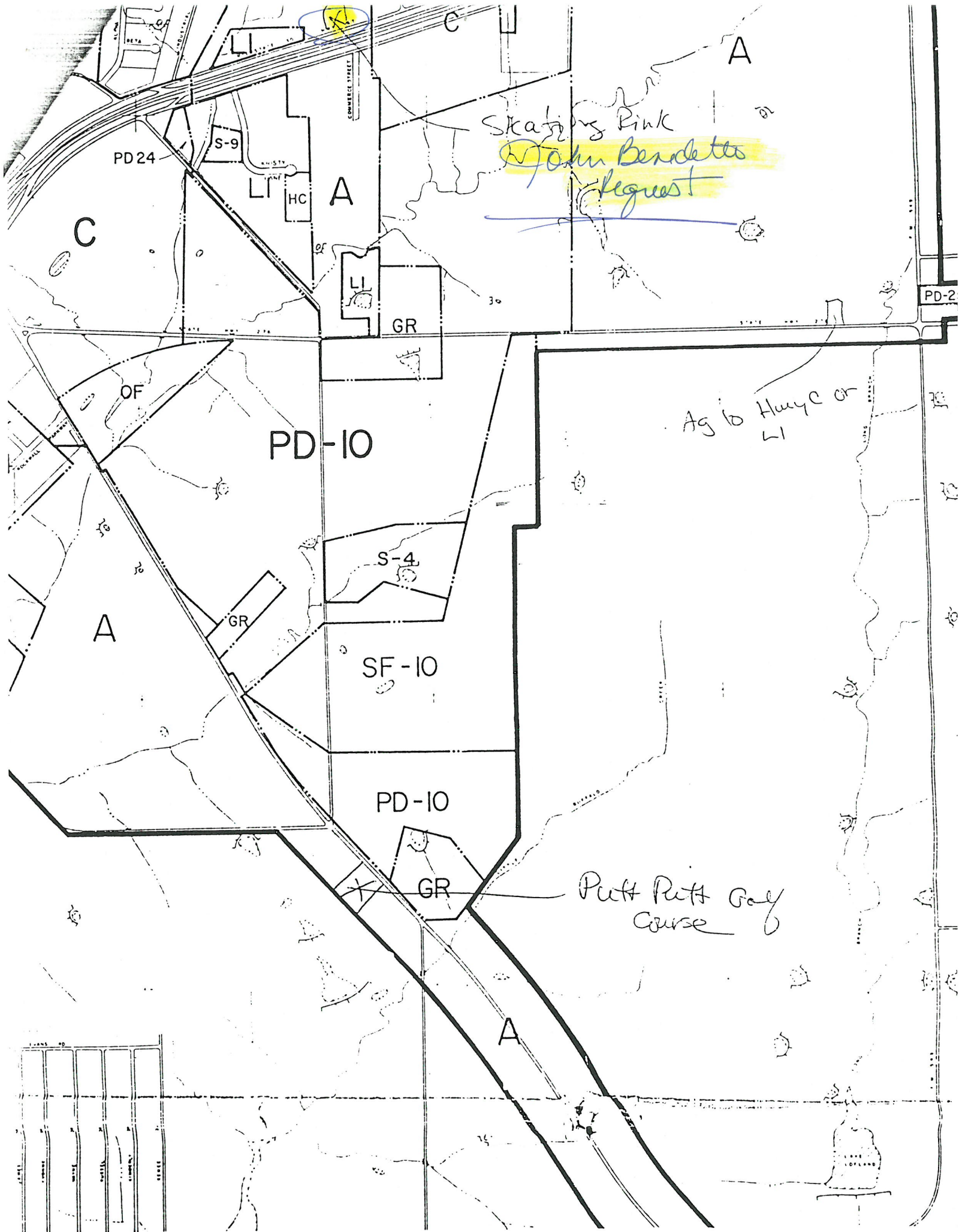
1. Mr. Benedetto indicated that they wanted to paint the exterior front of the building with bright colors, animals, balloons, etc., to appeal to children. The Commission indicated some concern as to the appearance. If this is approved the Commission could require conditions including a requirement that a specific design and color plan be submitted to the Commission for approval, or limit the area of the building that could be painted in such a manner.
2. There was some discussion about conditions on the exterior of the building including initially installing or phasing in of other exterior materials. Because it is an existing building stucco is the most feasible material to retrofit the building with if it is required. Mr. Benedetto does not want to have to stucco the building.
3. A site plan should be required to be submitted to the Commission and Council if additional buildings, expansions, or external site changes are proposed.
3. Conditions that were originally placed on the Electric Circus are as follows. You may want to consider these for this use as well:
 - a. Any change in the ownership or management must be approved by the Planning and Zoning Commission.
 - b. The facility will not operate between the hours of 12:00 A.M. and 8:00 A.M.
 - c. The permit will be reviewed by the Planning and Zoning Commission for compliance with all requirements within one year.
 - d. The owner and/or operator shall provide adequate security and adult supervision to activities during business hours.

Attachments:

1. Location Map
2. Floor Plan

Agenda Item: CUP Skating Rink

Item No: III. C.



Skating Rink
John Benedetto
request

Ag to Hwy C or
LI

Pett Pett Golf
Course

PD-24

S-9

LI

HC

A

LI

GR

PD-10

OF

S-4

SF-10

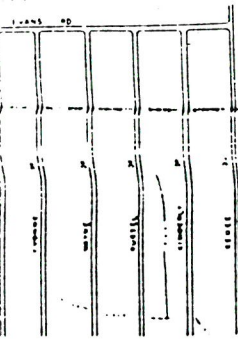
GR

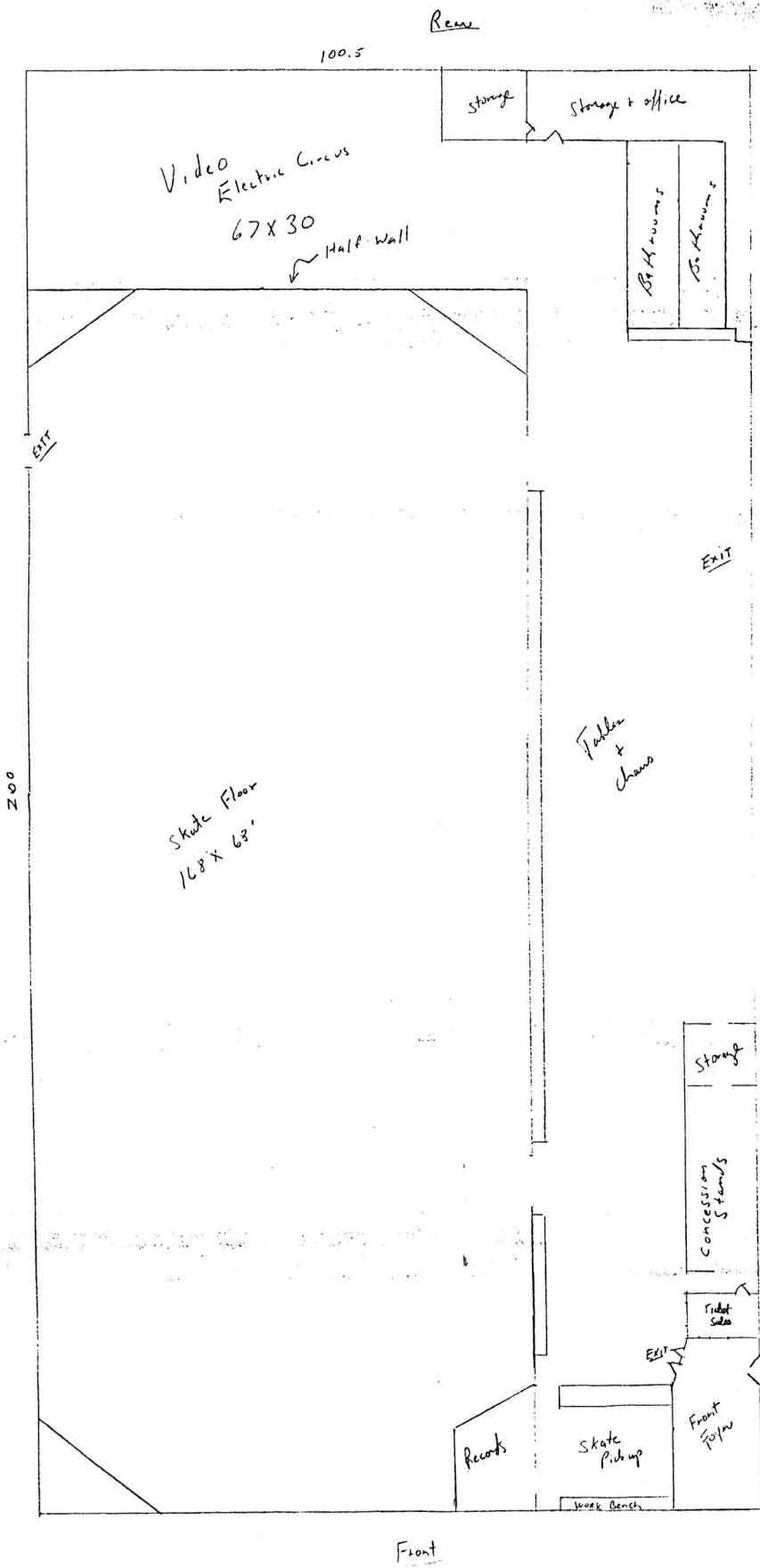
PD-10

GR

A

PD-2





↑ NORTH

SKATING RINK by
 ELECTRIC CIRCUS
 owner Pam + John Benedetto
 8-27-90
 Scale 1/8" = 1'-0" Pg. 1. DRAWN BY [Signature]

CITY OF ROCKWALL
City Council Agenda

Agenda Date: September 17, 1990

Agenda No: V. E.

Agenda Item: P&Z 90-28-Z/CUP - Hold Public Hearing and Consider Approval of an Ordinance Approving a Request for from John Benedetto for Establishment of Permanent Zoning for Commercial with a Conditional Use permit for a Commercial Amusement for a Skating Rink and Coin Operated Machines and a Building Not Meeting Exterior Masonry Requirements on a Tract of Land Located on I-30 East of Industrial Blvd.

Item Generated By: Applicant, John Benedetto

Action Needed: Hold public hearing and consider approval of the request with any conditions included in the motion.

Background Information:

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Several of the issues that have been raised by the Commission are as follows:

1. Mr. Benedetto indicated that they wanted to paint the exterior front of the building with bright colors, animals, balloons, etc., to appeal to children. The Commission indicated some concern as to the appearance. If this is approved the Commission and Council could require conditions including a requirement that a specific design and color plan be submitted to the Commission for approval, or limit the area of the building that could be painted in such a manner.
2. There was some discussion about conditions on the exterior of the building including initially installing or phasing in of other exterior materials. Because it is an existing building stucco is the most feasible material to retrofit the building with if it is required. Mr. Benedetto does not want to have to stucco the building.
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 - b. The facility will not operate between the hours of 12:00 A.M. and 8:00 A.M.
 - c. The permit will be reviewed by the Planning and Zoning Commission for compliance with all requirements within one year.
 - d. The owner and/or operator shall provide adequate security and adult supervision to activities during business hours.

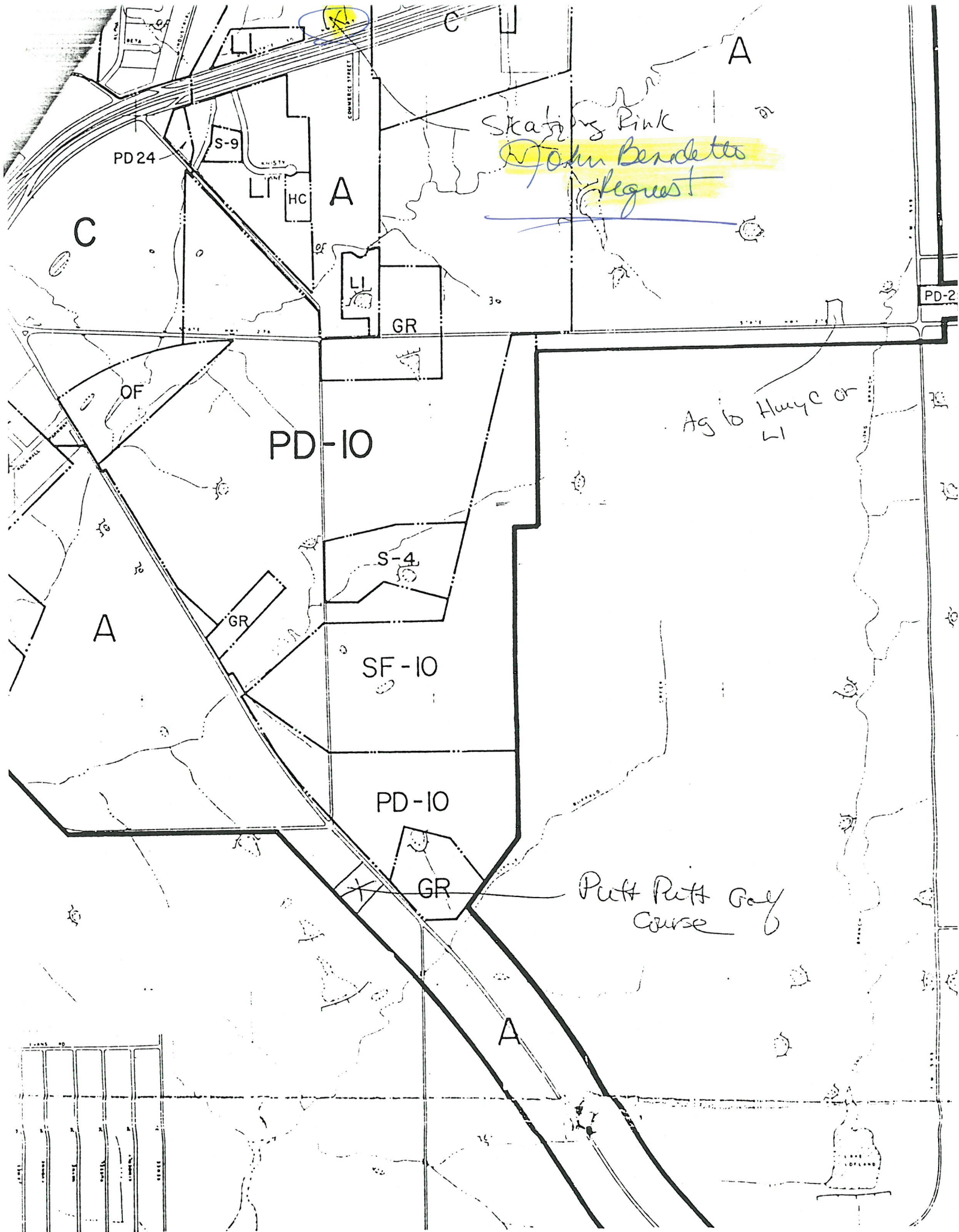
We will forward the Commission recommendation to you on Friday.

Attachments:

1. Location Map
2. Floor Plan

Agenda Item: CUP Skating Rink

Item No: V. E.



Skating Rink
John Benedetto request

Ag to Hwy C or LI

Pett Pett Golf Course

PD-24

S-9

LI

HC

A

LI

GR

PD-10

OF

S-4

GR

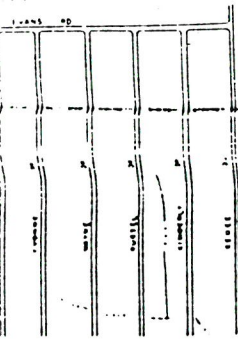
SF-10

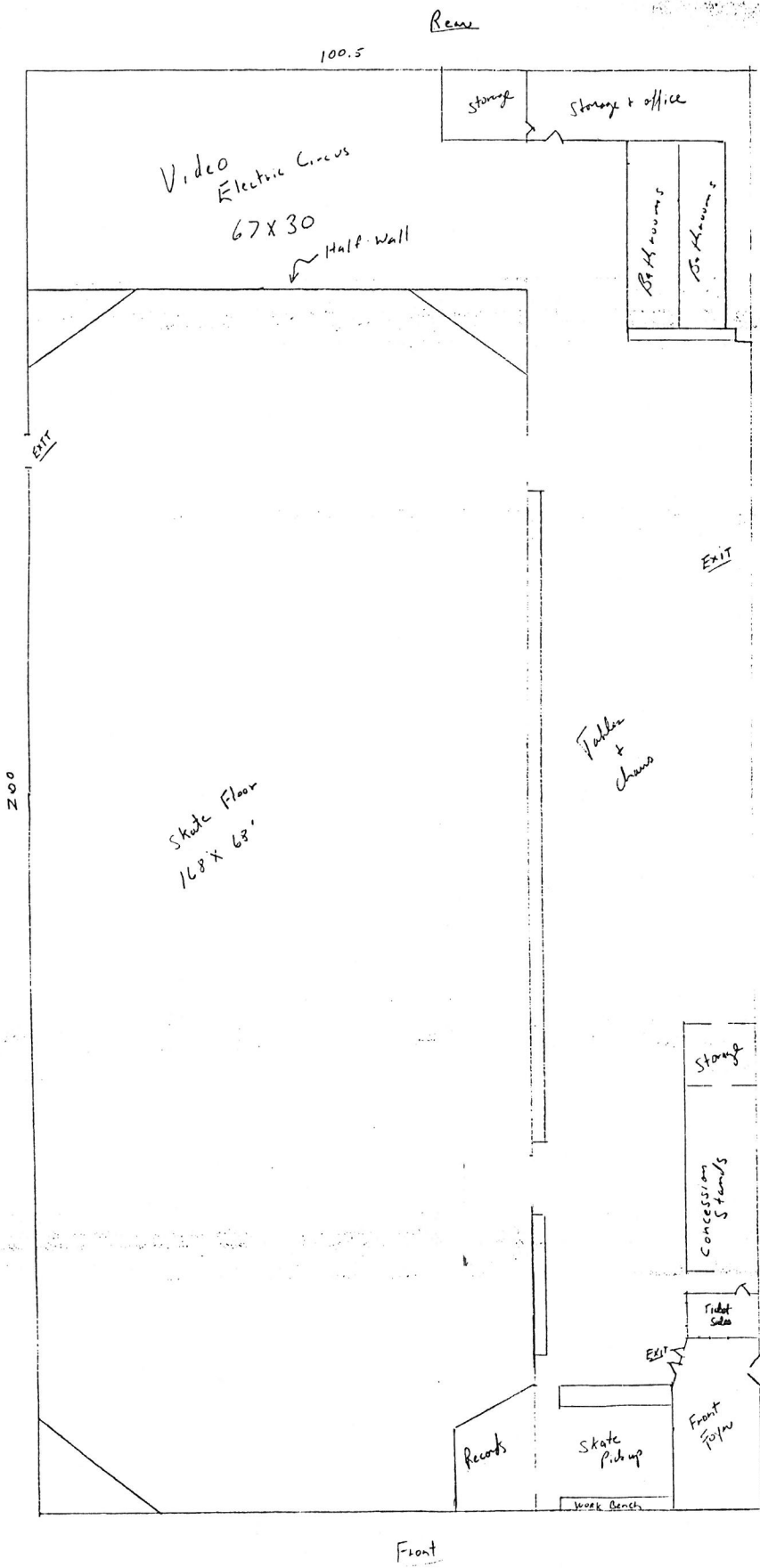
PD-10

GR

A

PD-2





↑ NORTH

SKATING RINK by
 ELECTRIC CIRCUS
 owner Pam + John Benedetto
 8-27-90
 Scale 1/16" P. 1. DRAWN BY
 J.C.



CITY OF ROCKWALL

"THE NEW HORIZON"

August 31, 1990
PUBLIC NOTICE

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, September 13, 1990 at 7:30 P.M. in City Hall and the Rockwall City Council will hold a public hearing on Monday, September 17, 1990, at 7:00 P.M. in City Hall, 205 W. Rusk, to consider approval of a request from John Benedetto for establishment of permanent zoning for Commercial and a Conditional Use Permit for a Commercial Amusement for a skating rink and coin operated machines and a building that doesn't meet exterior masonry requirements on a tract of land located on I-30 east of Industrial Blvd further described as being situated in Rockwall County, Texas and being a tract of land situated in the A.Hanna Survey, abstract No. 99, Tract 15-1 and being part of a 8.20 acre tract recorded in Volume 90, Page 542, deed of records, Rockwall County, Texas, and containing 2.34 acres of land.

As an interested property owner, you are invited to attend these hearings or make your feelings known in writing to the Commission and Council by returning the form below.

P&Z 90-28-Z/CUP

I am in favor of the request for the following reasons _____

I am opposed to the request for the following reasons _____

- 1.
- 2.
- 3.

Name

Address

Hanna TR 15-1 2.34 acres

Charles Michael Stanglin
P.O. Box 800843
Dallas, TX 75380

Creater Education Inc
c/o Rockwall Private School
P.O. Box 98

Wayco Development
Rt 4 105 A

Rose R Cade
802 N Coshad