

Dec 21, 1990

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 90-40- CUP

Date Submitted 12/17/90

Filing Fee \$ 101<sup>00</sup>

Applicant Electric Circus Inc,

Mailing Address  
Address 2825 Anna Cade  
Rockwall, TX.

Phone No. 771-8441

Owner \_\_\_\_\_ Tenant<sup>1</sup>  Prospective Purchaser \_\_\_\_\_<sup>1</sup>

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:)<sup>2</sup>

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

Commercial Amusement

The current zoning on this property is General Retail.  
There <sup>space</sup> are/are not <sup>space</sup> 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.

John Beneditto

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

<sup>2</sup>The 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.



# City of Rockwall Planning and Zoning Applicant Receipt

Date 12/18/90

Applicant Benedetto Phone \_\_\_\_\_

Address \_\_\_\_\_

Development Electric Utility

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 \$ \_\_\_\_\_

Other 40000 plans

With this application, you are scheduled to appear before the

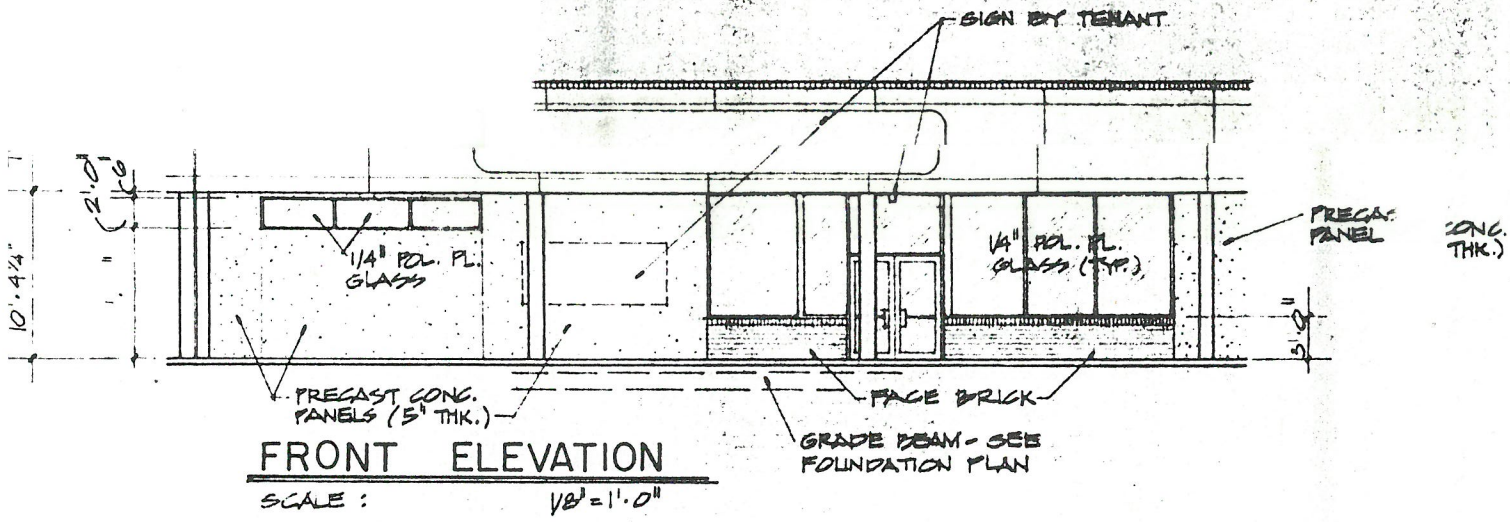
P.Z.

on January 10, \_\_\_\_\_

at 7:30 P.M. at City Hall, 205 W. Rusk, Rockwall,

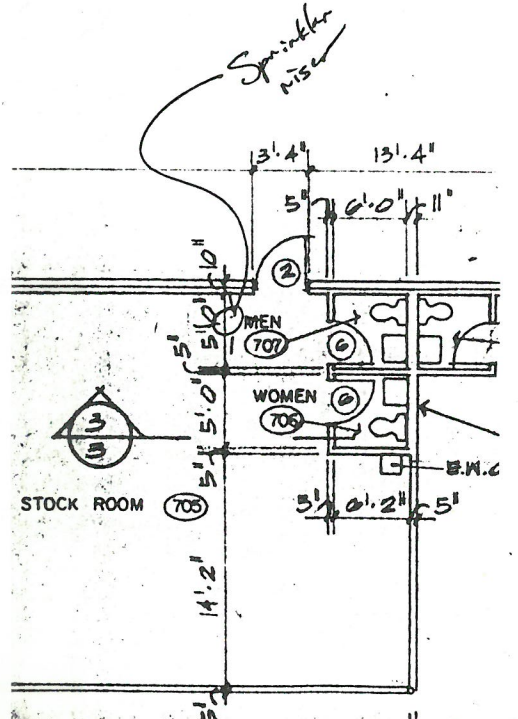
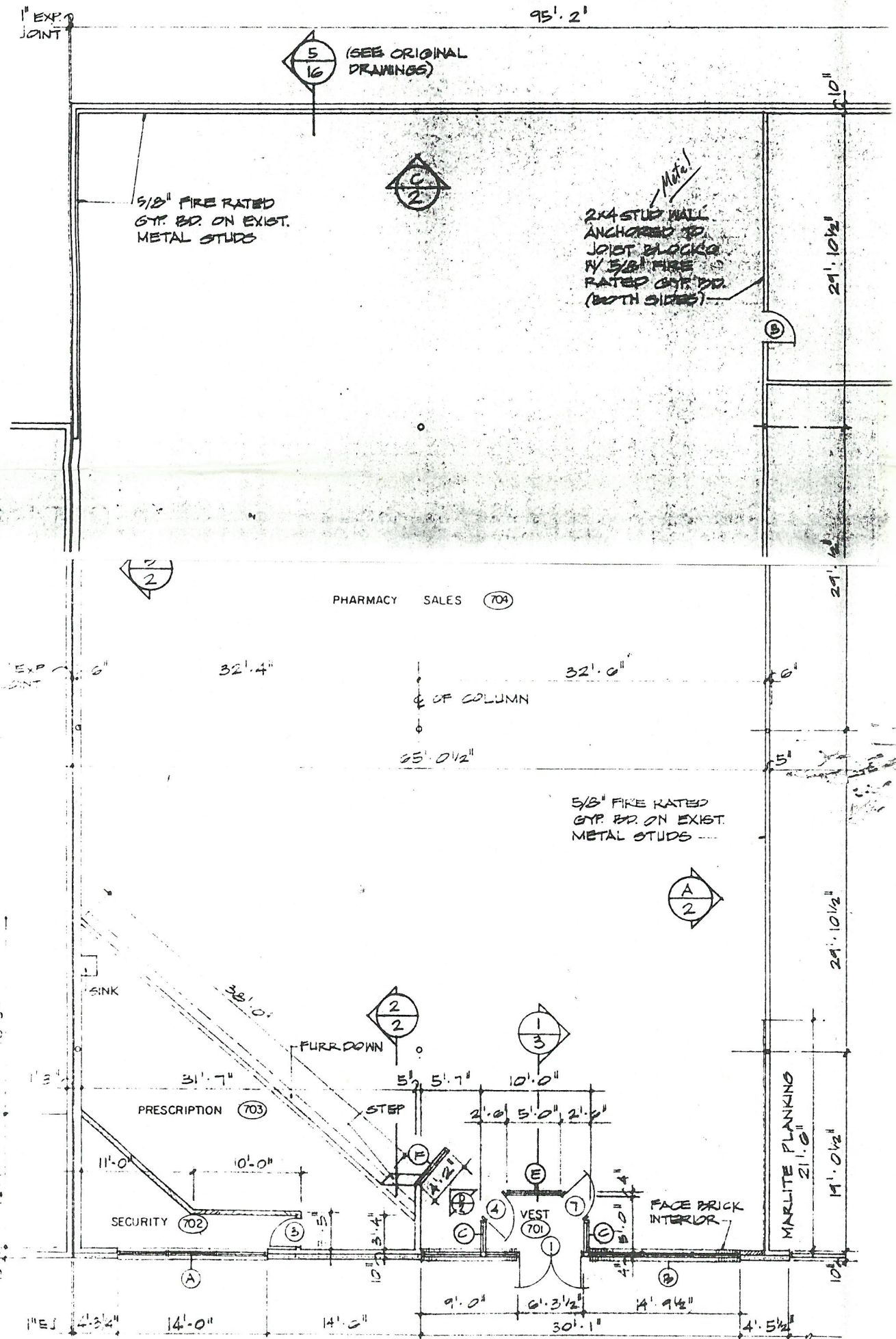
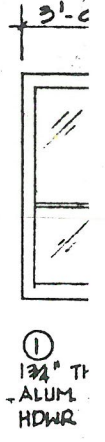
Texas.

Received By: MA



**FRONT ELEVATION**

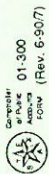
SCALE: 1/8" = 1'-0"



**FLOOR PLAN - LEASE SPACE NO. 7A**

SCALE: 1/8" = 1'-0"

ROOM NAME
VESTIBULE
SECURITY
PRESCRIPTION
PHARMACY SAL
STOCK ROOM



01-300  
REV. 6-90(7)

# TEXAS SALES AND USE TAX PERMIT

This permit is not transferable and must be prominently displayed in your place of business.

Merchants: DO NOT accept a copy of this permit in place of a resale certificate. You will be responsible for sales tax unless you have a valid resale certificate on file.

### TRADE NAME AND LOCATION ADDRESS

ELECTRIC CIRCUS INC  
491 E I-30 ROCKWALL VLG SHOPPING CTR  
ROCKWALL TX 75087

1331 Ridge Rd.

A new permit must be obtained if there is a change of ownership, location or trade name. If the location specified in this permit is closed, return this permit to the Comptroller of Public Accounts and indicate the date of the last taxable business transaction.

### TAXPAYER NAME AND MAILING ADDRESS

ELECTRIC CIRCUS INC  
2825 ANNA CADE  
ROCKWALL TX 75087

Type of permit	LIMITED SALES TAX	
Taxpayer number	1-75-2273020-3	
Outlet number	00001	Expiration date
Effective date	05-01-89	05-10-91

BOB BULLOCK  
COMPTROLLER OF PUBLIC ACCOUNTS

**TAX RECEIPT**

Rockwall County Appraisal District  
 106 N. San Jacinto  
 Rockwall, TX 75087

YEAR	1990
RECEIPT NO.	125055

AMOUNT PAID	118.26
	286.98

DISC./PENALTY/INT. ATTORNEY FEES/OTHER

DISC./PENALTY/INT.	0.00
ATTORNEY FEES/OTHER	0.00

ORIGINAL TAX

ORIGINAL TAX	118.26
	286.98

STATEMENT ID.

STATEMENT ID.	15104
	15104

ENTITY

CITY OF ROCKWALL  
 ROCKWALL ISD

PROPERTY DESCRIPTION

P32616 (48905)  
 BUSINESS PERSONAL  
 PROPERTY INV/F&F/M&E  
 7500-0200-0637-RN-QR

ELECTRIC CIRCUS 30  
 491 INTERSTATE 30  
 ROCKWALL, TX 75087

TOTAL PAID

TOTAL PAID	405.24
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BATCH

BATCH	12/10/90
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DATE PAID

DATE PAID	12/10/90
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OPERATOR

OPERATOR	RH
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PAYMENT METHOD

PAYMENT METHOD	CASH
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*THE  
CAMERON  
COMPANY*

CAMERON BUILDING • 1101 RIDGE ROAD • ROCKWALL, TEXAS 75087-4295  
ROCKWALL / METRO PHONE: 771-3878

December 17, 1990

Rockwall City Council/Planning and Zoning  
Rockwall City Hall  
Rockwall, Tx 75087

Dear Council/Commission.

The Electric Circus has our permission to apply for a Conditional Use Permit for the 8.395 square foot lease space at 1131 Ridge Road Center. It is our understanding that the permit will be valid for the applicant only and only for as long as he occupies the premises.

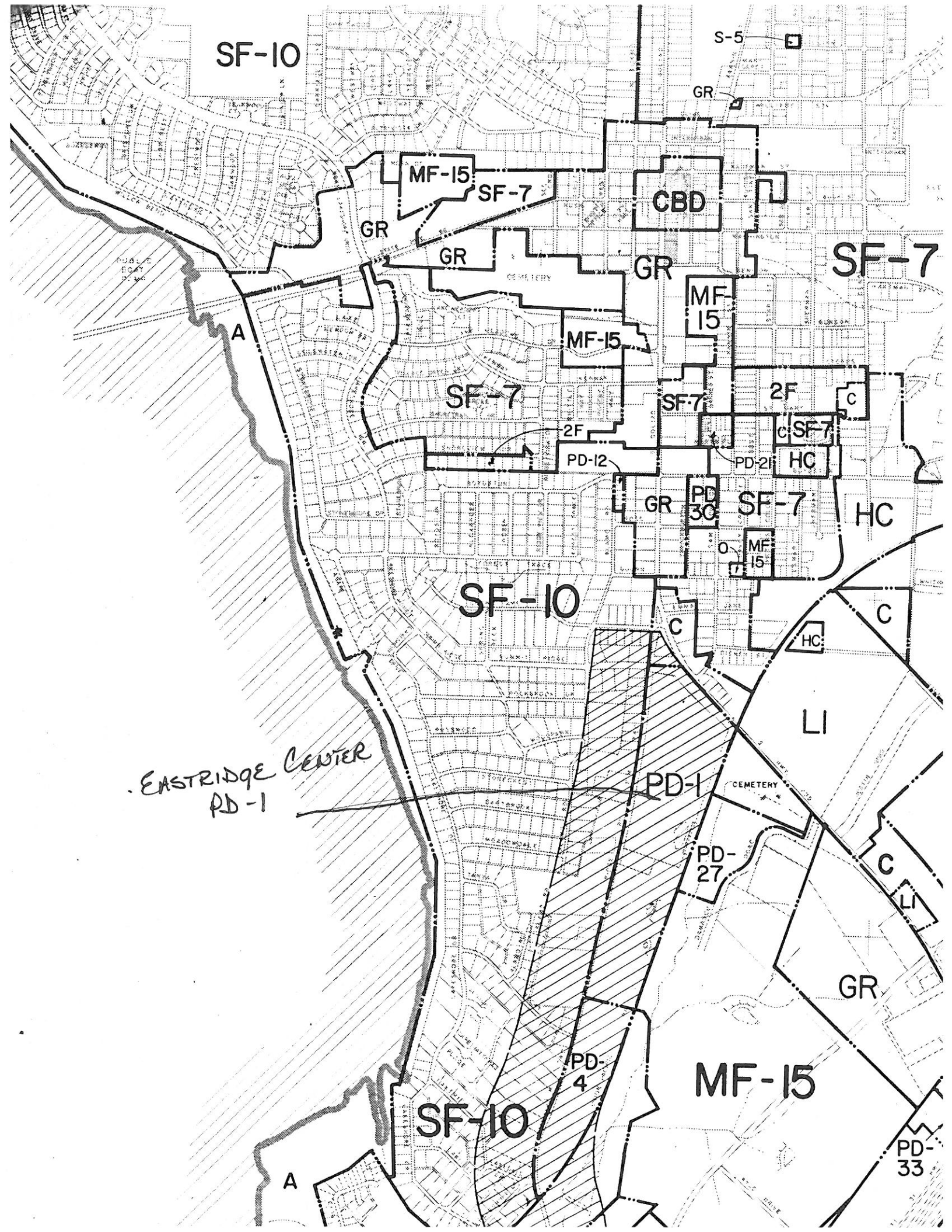
Sincerely,

Don R. Cameron, Partner  
Ridge Road S/C Partnership



PROFESSIONALS IN INVESTMENT PROPERTIES





SF-10

S-5

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MF-15

SF-7

CBD

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SF-7

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MF-15

MF-15

SF-7

SF-7

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2F

PD-12

PD-27

HC

GR

PD-30

SF-7

HC

MF-15

SF-10

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HC

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EASTRIDGE CENTER  
PD-1

PD-1

CEMETERY

LI

PD-27

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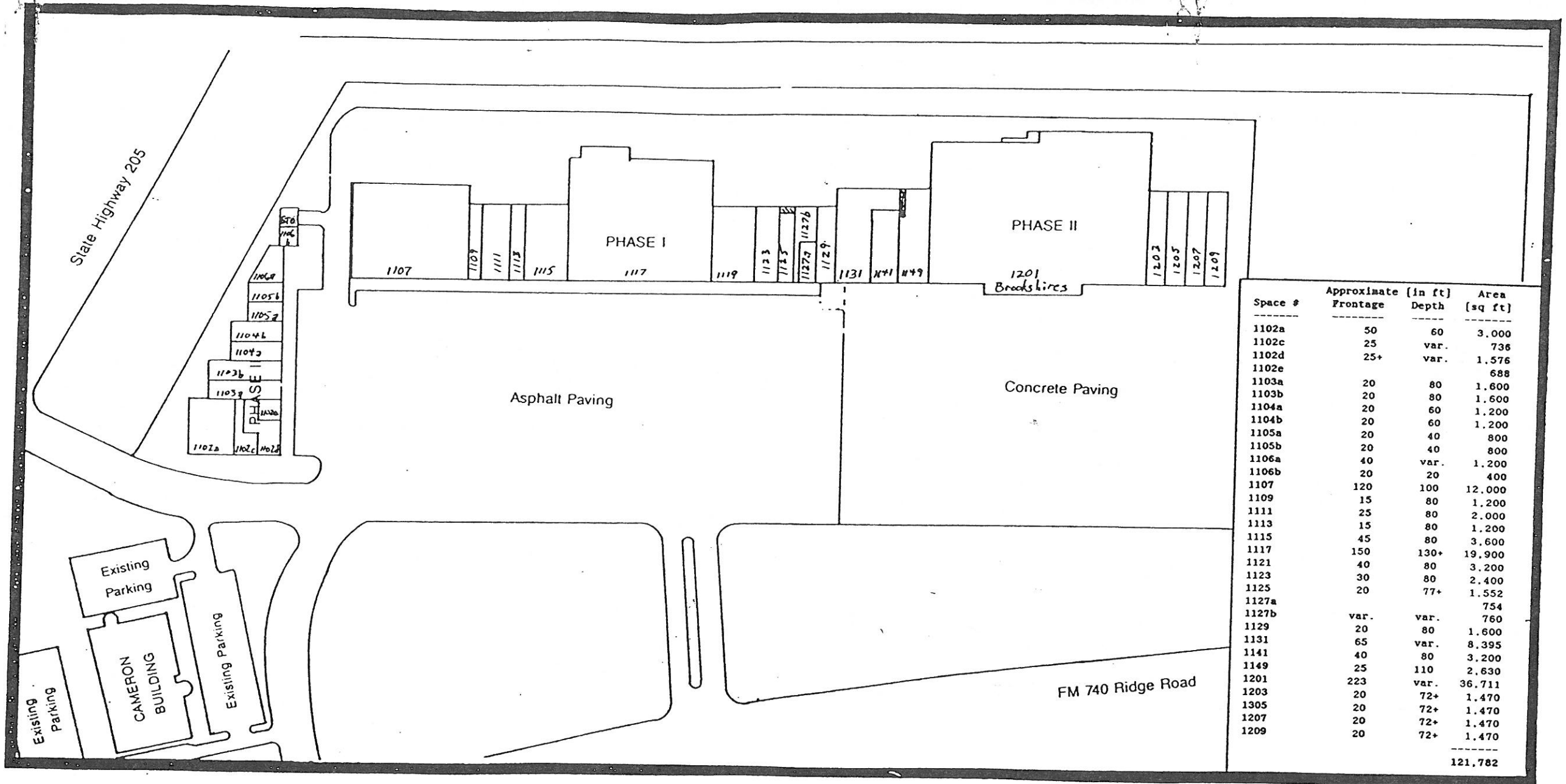
PD-4

MF-15

SF-10

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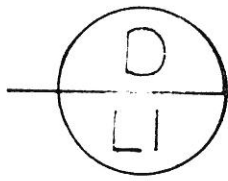
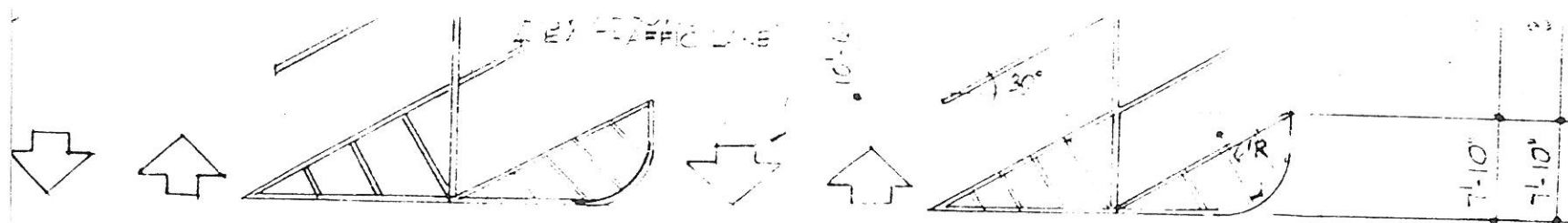
PD-33



Space #	Approximate (in ft)		Area
	Frontage	Depth	[sq ft]
1102a	50	60	3,000
1102c	25	var.	736
1102d	25+	var.	1,576
1102e			688
1103a	20	80	1,600
1103b	20	80	1,600
1104a	20	60	1,200
1104b	20	60	1,200
1105a	20	40	800
1105b	20	40	800
1106a	40	var.	1,200
1106b	20	20	400
1107	120	100	12,000
1109	15	80	1,200
1111	25	80	2,000
1113	15	80	1,200
1115	45	80	3,600
1117	150	130+	19,900
1121	40	80	3,200
1123	30	80	2,400
1125	20	77+	1,552
1127a			754
1127b	var.	var.	760
1129	20	80	1,600
1131	65	var.	8,395
1141	40	80	3,200
1149	25	110	2,630
1201	223	var.	36,711
1203	20	72+	1,470
1305	20	72+	1,470
1207	20	72+	1,470
1209	20	72+	1,470

121,782

1131 Ridge Rd.

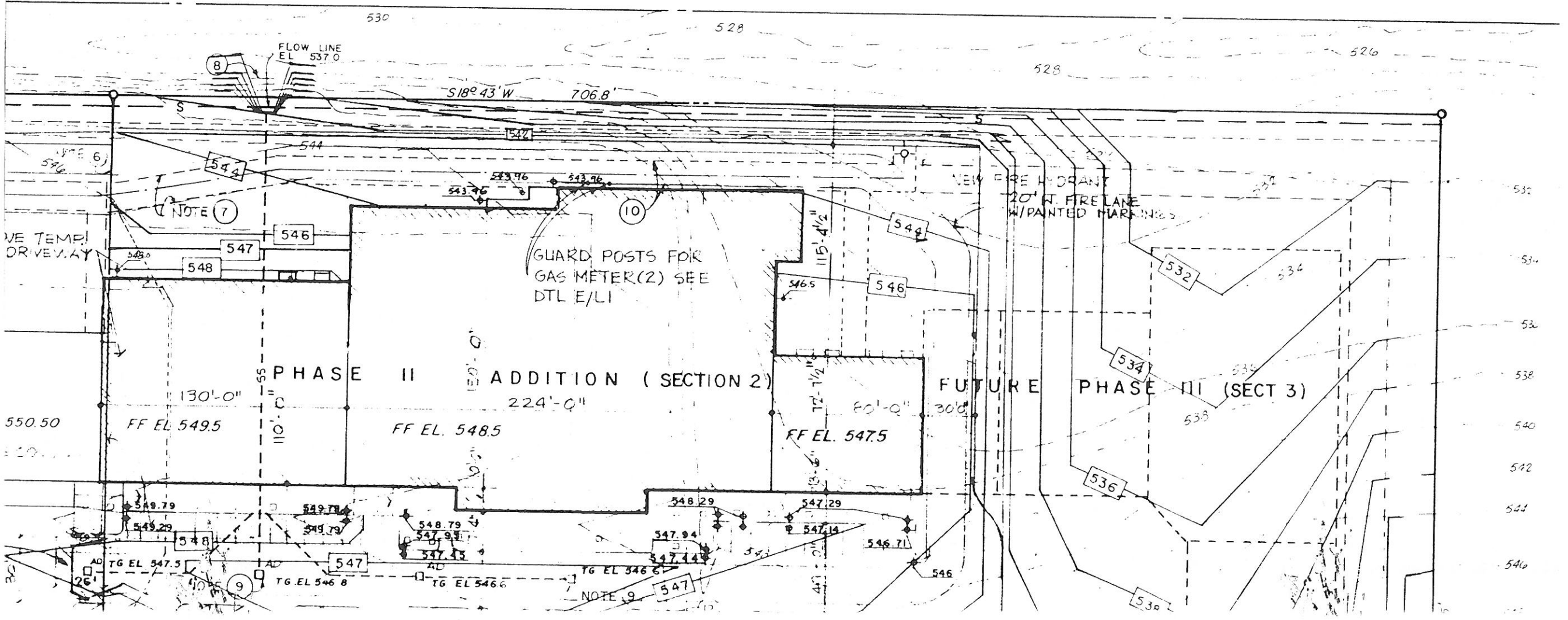


TYPICAL PARKING MARKING

REVISED DIMN

SCALE

R R



**CITY OF ROCKWALL**  
**Planning and Zoning Agenda**

**Agenda Date:** January 10, 1990

**Agenda No:** IV. A.

**Agenda Item:** P&Z 90-40-CUP - Hold Public Hearing and Consider Recommending Approval of a Request from John Benedetto for a Conditional Use Permit for a Commercial Amusement to be Located in the Ridge Road Shopping Center on FM-740

**Item Generated By:** Applicant, John Benedetto

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

**Background Information:**

John Benedetto, the former owner of the Electric Circus which was located in Rockwall Village has submitted a request for a Commercial Amusement in the Ridge Road Shopping Center. Since closing the Electric Circus the Benedetto's have been operating a Friday Night Out in one of the lease spaces in the Ridge Road Shopping Center. This use is generally a child care operation in which parents may leave their children for the evening. Mr. Benedetto has now moved in several of the video machines that were located in the Electric Circus. He has dismantled the coin operation of the machines and they can be used by the children in the Friday Night Out program just as they can all other activities. However, our definition of Commercial Amusements includes any establishment that contains four or more coin operated machines, which would include this operation. They currently have 12-15 machines that are available for use by the children.

Mr. Benedetto has an agreement with the shopping center owner to use vacant lease space on a temporary basis, but he will have to relocate or move out if the space is permanently leased. He would like the flexibility to be able to locate in any available lease space within the shopping center. If the Commission considers approving this request the following conditions are suggested:

1. That the CUP is approved for a Friday Night Out program open to children twelve years of age and under, in which one fee is paid for admission and no additional charges are required for individual activities, which operates only on Friday and Saturday evenings. Any significant expansion or change in the program as it relates to the hours or days of operation, type of program, or conversion to coin operation of approved video games, or the addition of other coin operated machines in addition to those machines approved herein, shall first be submitted for approval by the Commission.
2. That the Commercial Amusement which includes the free operation of up to 15 video machines be approved for the Ridge Road Shopping Center. Prior to the relocation of the program from the current location to another location within the shopping center the applicant shall submit such request to the Building Inspector for approval.
3. That any change in management of the program be approved by the Planning and Zoning Commission.

Attached is a layout of the Ridge Road Shopping Center with the current location of the Friday Night Out identified.

Notices Sent      /     

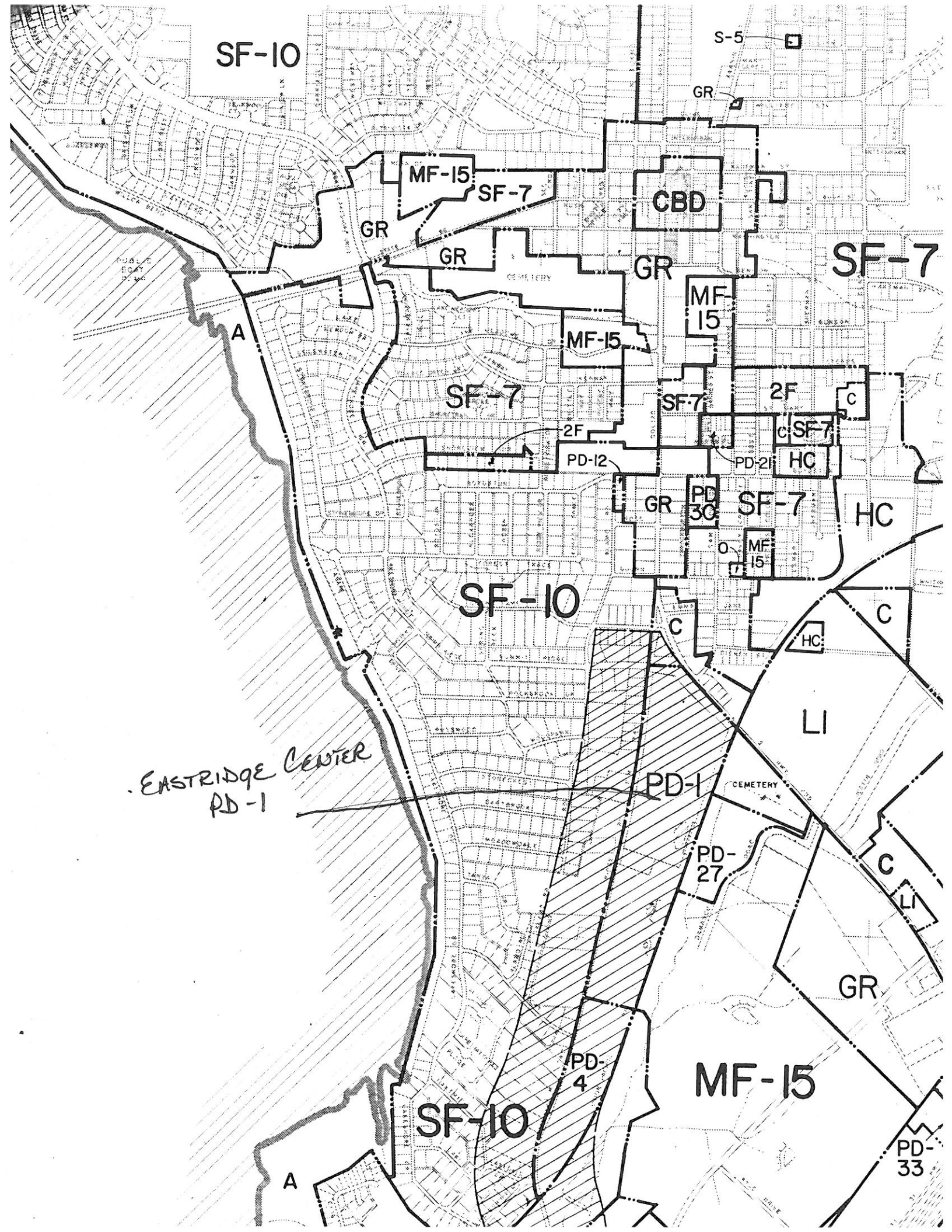
Notices Returned     0    

**Attachments:**

1. Location Map
2. Site Layout

**Agenda Item:** CUP for Commercial Amusement

**Item No:** IV. A.



SF-10

S-5

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MF-15

SF-7

CBD

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SF-7

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MF-15

MF-15

SF-7

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PD-12

PD-27

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PD-30

SF-7

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MF-15

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*EASTRIDGE CENTER  
PD-1*

PD-1

CEMETERY

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PD-27

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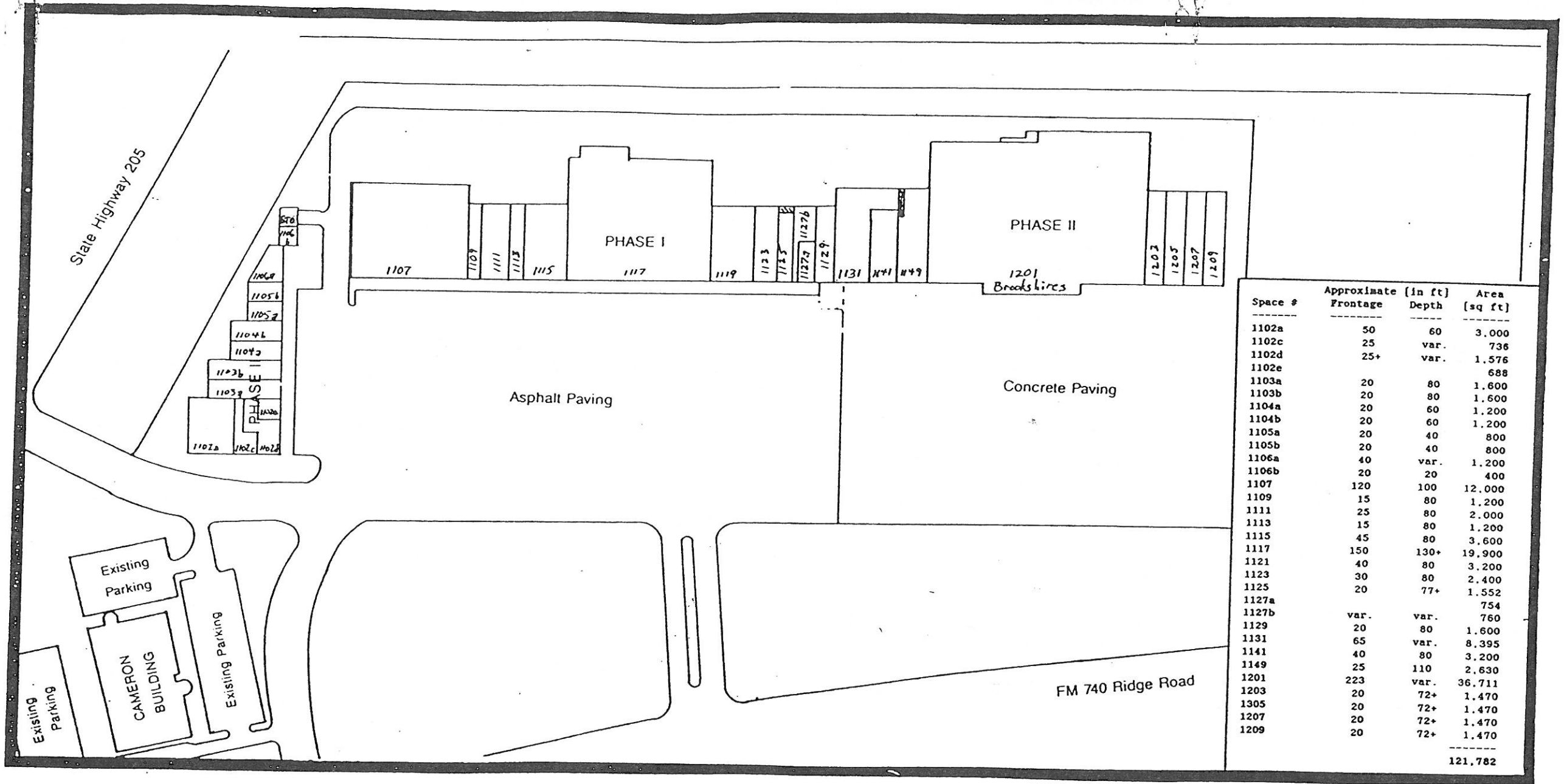
PD-4

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SF-10

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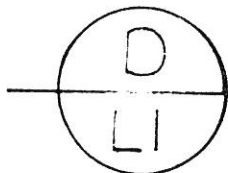
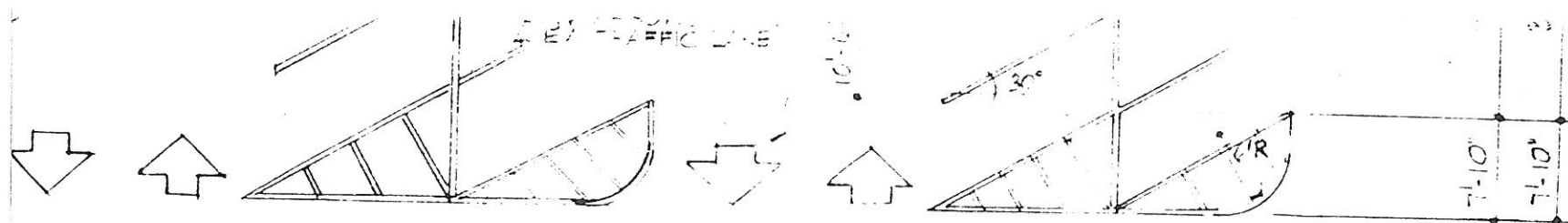
PD-33



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1103b	20	80	1,600
1104a	20	60	1,200
1104b	20	60	1,200
1105a	20	40	800
1105b	20	40	800
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1106b	20	20	400
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1109	15	80	1,200
1111	25	80	2,000
1113	15	80	1,200
1115	45	80	3,600
1117	150	130+	19,900
1121	40	80	3,200
1123	30	80	2,400
1125	20	77+	1,552
1127a			754
1127b	var.	var.	760
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121,782

1131 Ridge Rd.

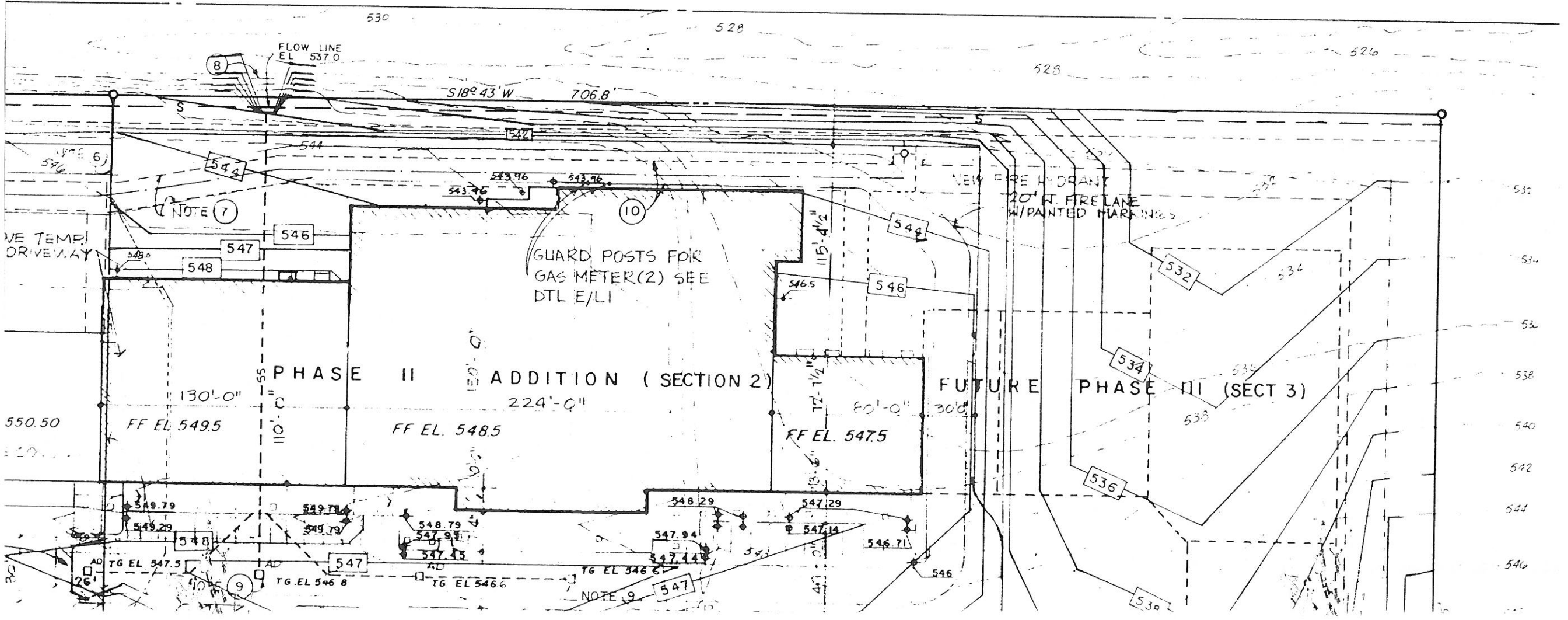


TYPICAL PARKING MARKING

REVISED DIMN

SCALE

R R



**CITY OF ROCKWALL**  
**City Council Agenda**

**Agenda Date:** January 21, 1991

**Agenda No:** VI. B.

**Agenda Item:** P&Z 90-40-CUP - Hold Public Hearing and Consider Approval of an Ordinance Granting a Request from John Benedetto for a Conditional Use Permit for a Commercial Amusement to be Located in the Ridge Road Shopping Center on FM-740

**Item Generated By:** Applicant, John Benedetto

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

**Background Information:**

John Benedetto, the former owner of the Electric Circus which was located in Rockwall Village has submitted a request for a Commercial Amusement in the Ridge Road Shopping Center. Since closing the Electric Circus the Benedetto's have been operating a Kid's Night Out in one of the lease spaces in the Ridge Road Shopping Center. This use is generally a child care operation in which parents may leave their children for the evening. Mr. Benedetto has now moved in several of the video machines that were located in the Electric Circus. He has dismantled the coin operation of the machines and they can be used by the children in the Kid's Night Out program just as they can all other activities. However, our definition of Commercial Amusements includes any establishment that contains four or more coin operated machines, which would include this operation. They currently have approximately 18 machines that are available for use by the children. He indicated that he will generally have between 100 and 125 children per evening. He also indicated at the meeting with the Commission that he would like the flexibility to have up to 25 machines.

Mr. Benedetto has an agreement with the shopping center owner to use vacant lease space on a temporary basis, but he will have to relocate or move out if the space is permanently leased. He would like the flexibility to be able to locate in any available lease space within the shopping center.

The Commission recommended approving this request with the following conditions:

1. That the CUP is approved for a Kid's Night Out program open to children twelve years of age and under, in which one fee is paid for admission and no additional charges are required for individual activities, which operates only on Friday and Saturday evenings. Any significant expansion or change in the program as it relates to the hours or days of operation, type of program, or conversion to coin operation of approved video games, or the addition of other coin operated machines in addition to those machines approved herein shall first be submitted for approval by the Commission.
2. That the Commercial Amusement which includes the free operation of up to 25 video machines be approved for the Ridge Road Shopping Center. Prior to the relocation of the program from the current location to another location within the shopping center the applicant shall submit such request to the Building Inspector for approval.
3. That any change in management of the program be approved by the Planning and Zoning Commission.

Attached is a layout of the Ridge Road Shopping Center with the current location of the Friday Night Out identified.

Notices Sent   1  

Notices Returned   0  

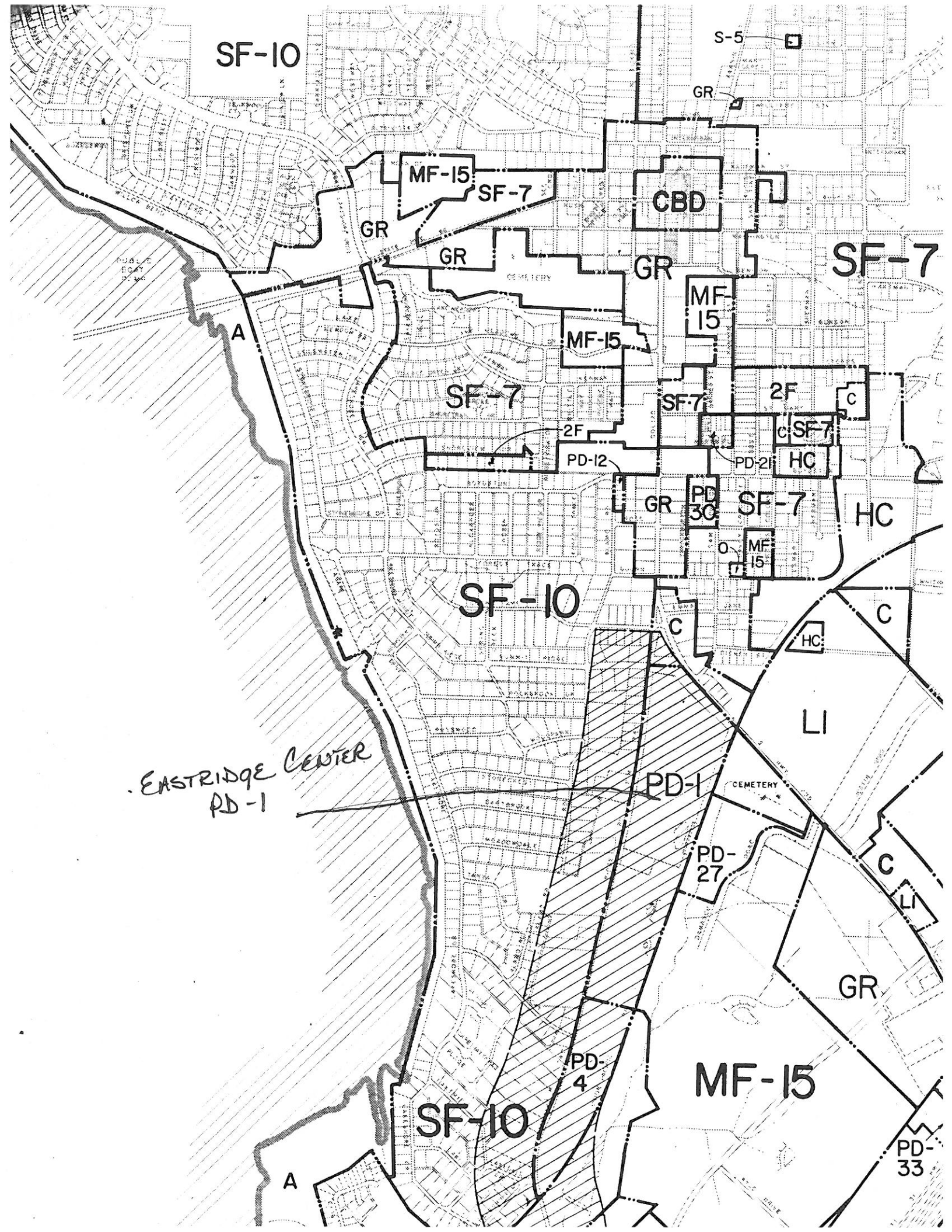
**Attachments:**

1. Location Map
2. Site Layout
3. Ordinance

**Agenda Item:** CUP for Commercial Amusement

**Item No:** VI. B.





SF-10

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MF-15

SF-7

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*EASTRIDGE CENTER  
PD-1*

PD-1

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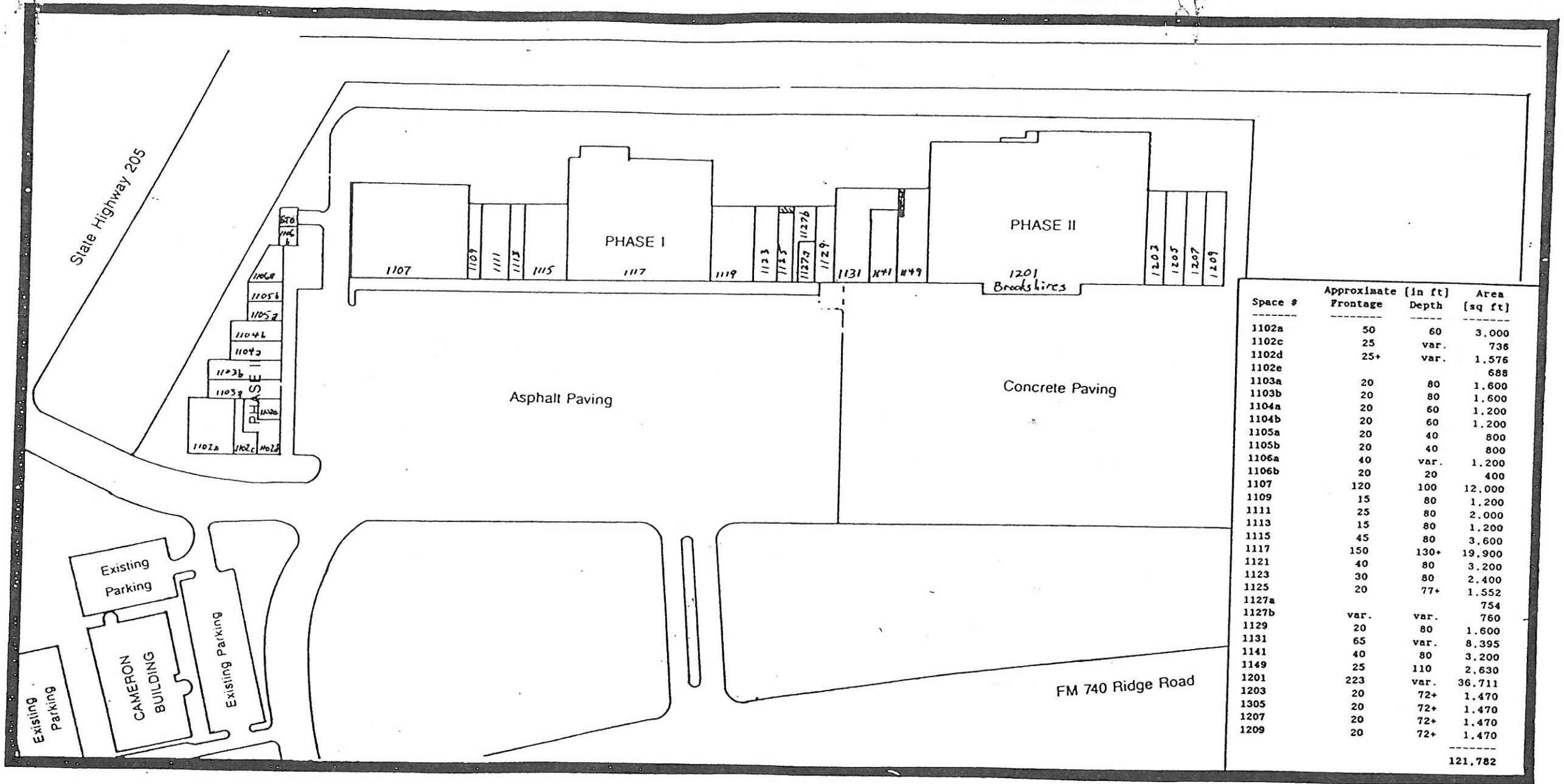
PD-4

MF-15

SF-10

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PD-33



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1104a	20	60	1,200
1104b	20	60	1,200
1105a	20	40	800
1105b	20	40	800
1106a	40	var.	1,200
1106b	20	20	400
1107	120	100	12,000
1109	15	80	1,200
1111	25	80	2,000
1113	15	80	1,200
1115	45	80	3,600
1117	150	130+	19,900
1121	40	80	3,200
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1127b	var.	var.	760
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1203	20	72+	1,470
1305	20	72+	1,470
1207	20	72+	1,470
1209	20	72+	1,470

121,782

1131 Ridge Rd.





**CITY OF ROCKWALL**  
**"THE NEW HORIZON"**

**PUBLIC NOTICE**  
**December 31, 1990**

The Rockwall Planning and Zoning Commission will hold a public hearing on Thursday, January 10, 1990, at 7:30 P.M. in City Hall, 205 W. Rusk, Rockwall, Texas, and the Rockwall City Council will hold a public hearing on Monday, January 21, 1990, at 7:00 P.M. in City Hall to consider approval of a request from John Benedetto for a Conditional Use Permit for a Commercial Amusement located within Ridge Road Shopping Center located on FM-740, further described as being a portion of Lot 1, Block A, Eastridge Center.

As an interested property owner, you may wish to attend these hearings or make your feelings known in writing by returning the form below.

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Case No. P&Z 90-40-CUP

I am in favor of the request for the reasons listed below \_\_\_\_\_

I am opposed to the request for the reasons listed below \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address