

CITY OF ROCKWALL  
205 West Rusk  
Rockwall, Texas

APPLICATION FOR CONDITIONAL USE PERMIT

Case No. 91-2- CUP Date Submitted 1-24-91

Filing Fee \$ \_\_\_\_\_

2/12/92  
728-8950

Applicant Barbara And Robert Ryan

Address RT 4 Box 111 J  
Rockwall, Tex 75087

Phone No. 771-6445

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>

CARLISLE PLAZA LOT 3

I hereby request that a Conditional Use Permit be issued for the above described property for: Recreation Center, Billiards and video games, for family entertainment.

line The current zoning on this property is Commercial. 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.

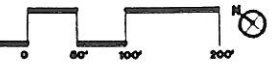
Barbara Ryan

<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.



# SITE PLAN



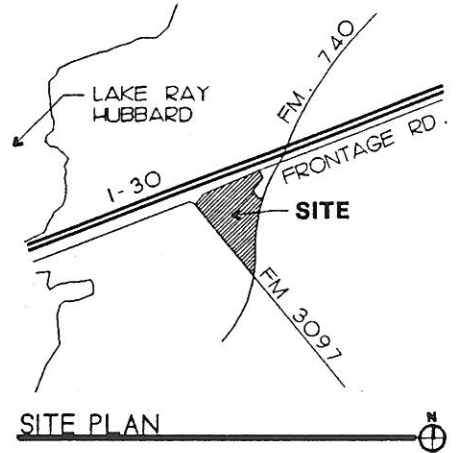
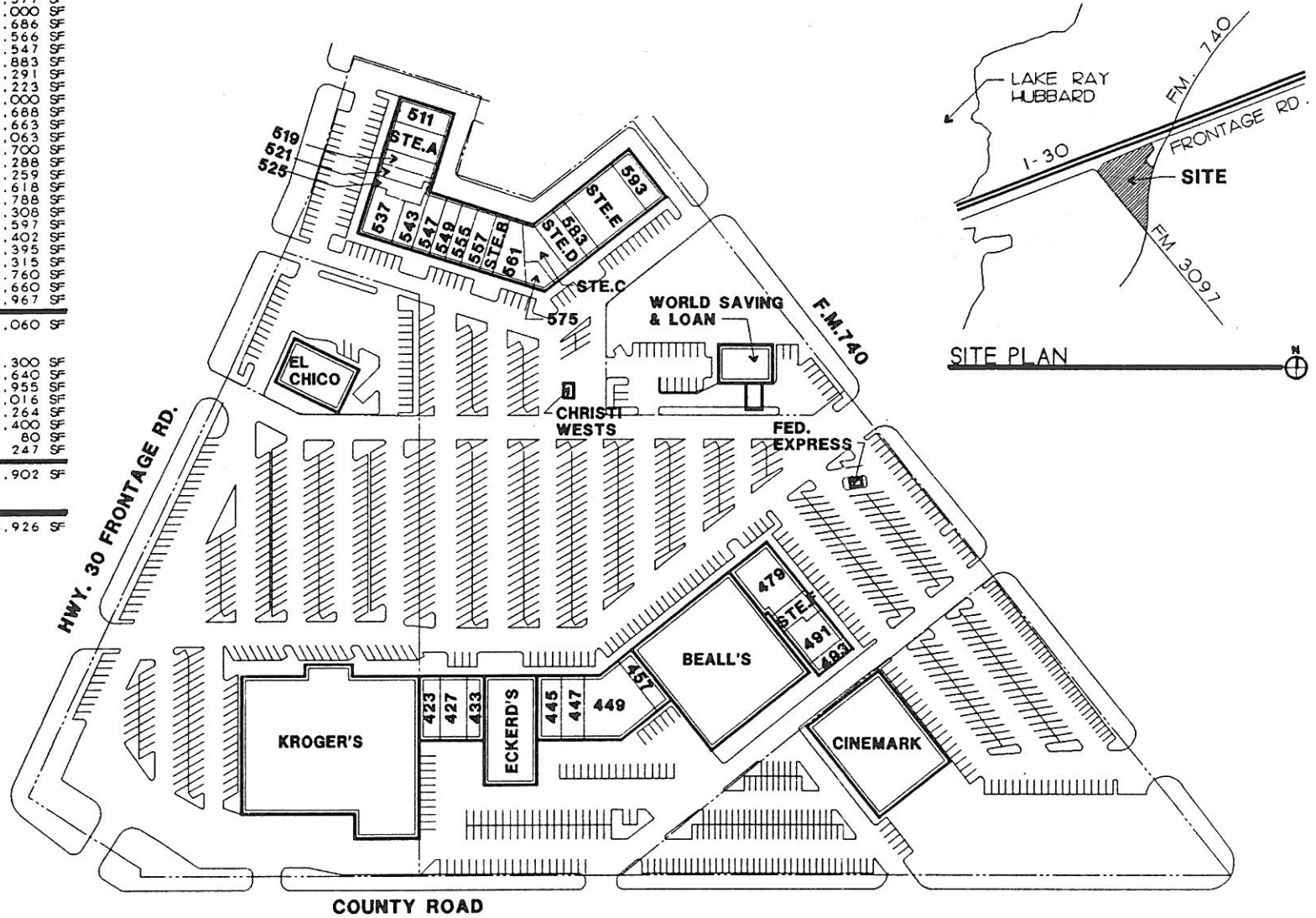
|        |                         |       |    |
|--------|-------------------------|-------|----|
| 511    | ONE HOUR MARTINIZING    | 2,100 | SF |
| STE. A | AVAILABLE               | 2,514 | SF |
| 519    | PAK 'N POST             | 1,283 | SF |
| 521    | CENTURY 21              | 1,048 | SF |
| 525    | AVAILABLE               | 871   | SF |
| 537    | AVAILABLE               | 2,577 | SF |
| 543    | BACK TO BASICS          | 2,000 | SF |
| 547    | HAIR SALON              | 1,686 | SF |
| 549    | AVAILABLE               | 1,566 | SF |
| 555    | PARTY TIME              | 1,547 | SF |
| 557    | LE CAFE                 | 1,883 | SF |
| STE. B | AVAILABLE               | 1,291 | SF |
| 561    | PIZZA GETTI             | 2,223 | SF |
| 575    | ACCEL PRINTING          | 1,000 | SF |
| STE. C | AVAILABLE               | 1,688 | SF |
| STE. D | AVAILABLE               | 2,663 | SF |
| 583    | FRAME SHOP              | 1,063 | SF |
| STE. E | AVAILABLE               | 5,700 | SF |
| 593    | SABRINA'S FLOWERS       | 2,288 | SF |
| 493    | SUBWAY                  | 1,259 | SF |
| 491    | AVAILABLE               | 3,618 | SF |
| STE. F | AVAILABLE               | 1,788 | SF |
| 497    | COURTY KITCHEN          | 5,308 | SF |
| 457    | CHERE'S DIAMONDS        | 1,597 | SF |
| 449    | VIDEO VILLAGE           | 5,402 | SF |
| 445    | RADIO SHACK             | 2,395 | SF |
| 447    | PRISST'S HALLMARK       | 2,315 | SF |
| 433    | SHELA EVANS INT.        | 1,760 | SF |
| 427    | FLOOR'S ETC.            | 2,660 | SF |
| 423    | EXCLUSIVE BEAUTY SUPPLY | 1,967 | SF |

TOTAL FOR SUITES 67,060 SF

|                 |        |    |
|-----------------|--------|----|
| KROGER          | 43,300 | SF |
| ECKERD'S        | 8,640  | SF |
| BEALL'S         | 24,955 | SF |
| CINEMARK        | 16,016 | SF |
| WORLD SAVINGS   | 3,264  | SF |
| EL CHICO        | 5,400  | SF |
| FEDERAL EXPRESS | 80     | SF |
| CHRISTI WESTS   | 247    | SF |

TOTAL FOR ACHORS & OUTPARCELS 101,902 SF

GRAND TOTAL 168,926 SF



# ROCKWALL VILLAGE

March 1, 1992

Rockwall P & Z  
Rockwall City Hall  
205 West Rusk  
Rockwall, Texas 75087

*Subject: Change in floor plan and operation.*

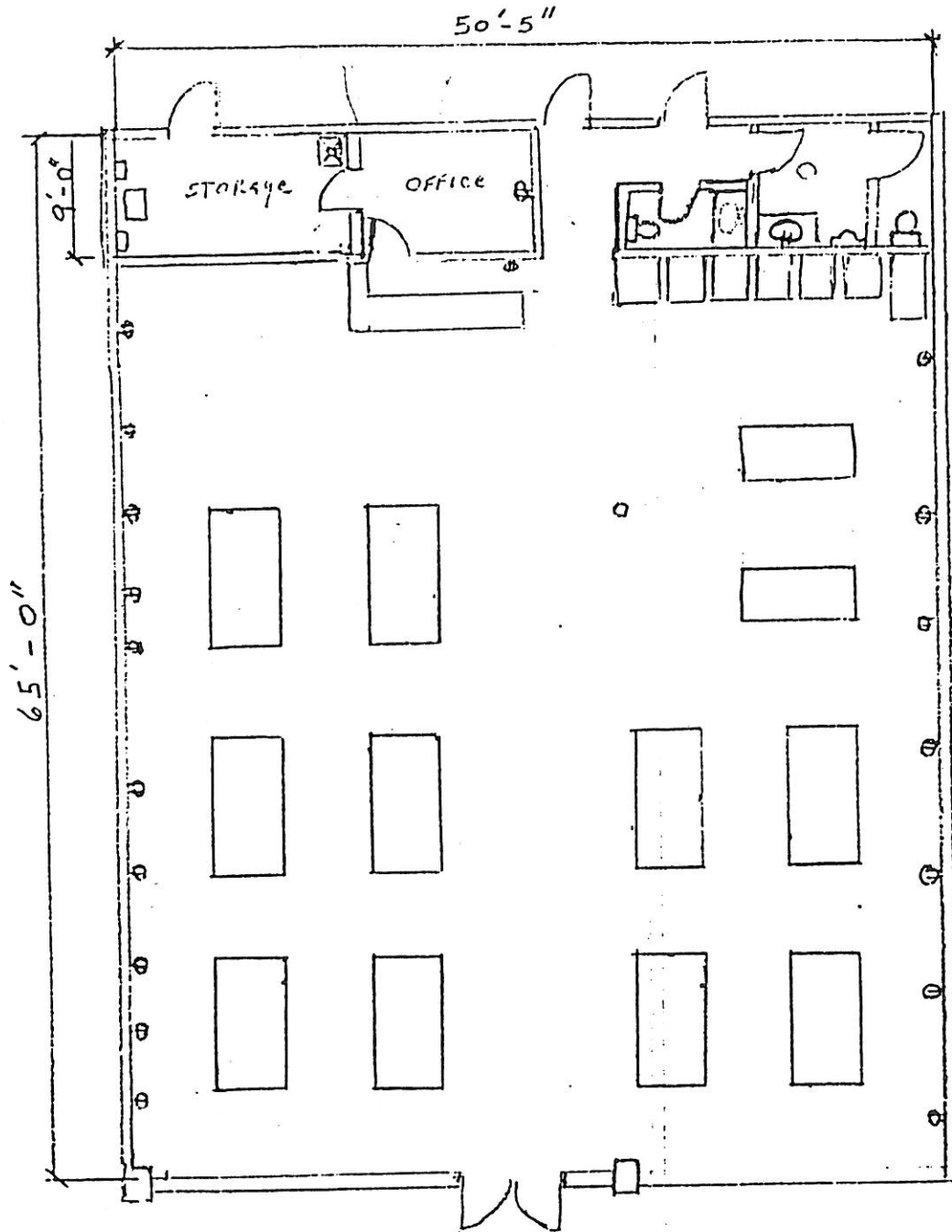
*I Requesting a change in floor plan, to convert from vending machine (soft drinks and snacks) operation to a fountain service with limited snack sales. Popcorn nacho's, microwave items, drinks, coffee and tea.*

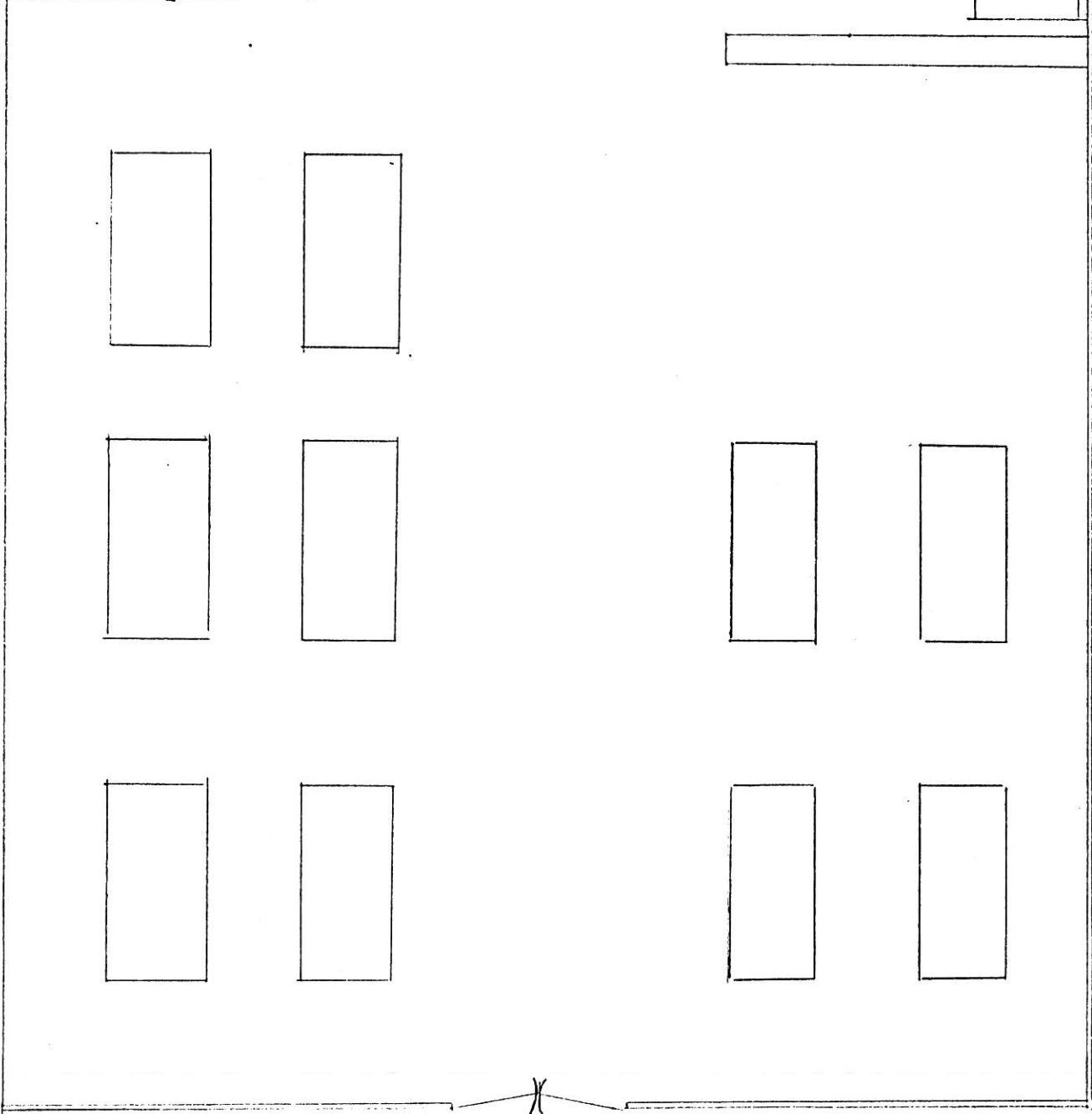
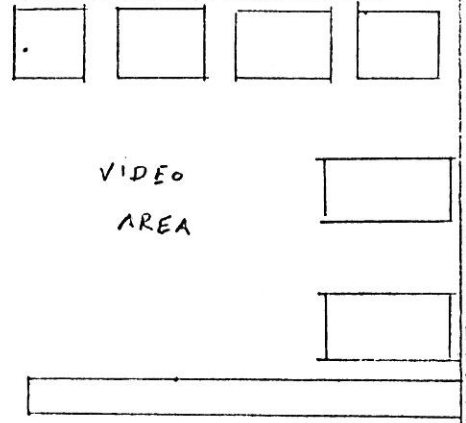
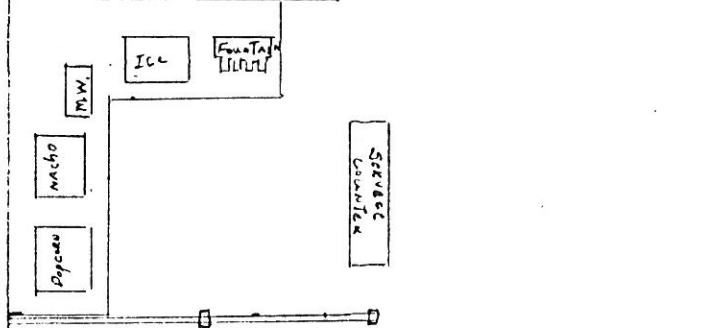
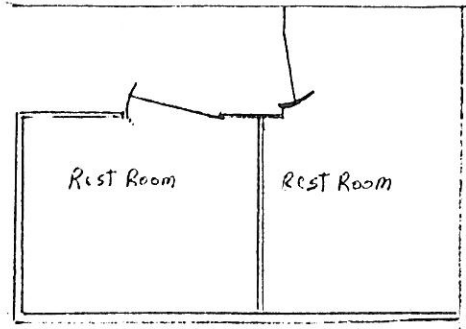
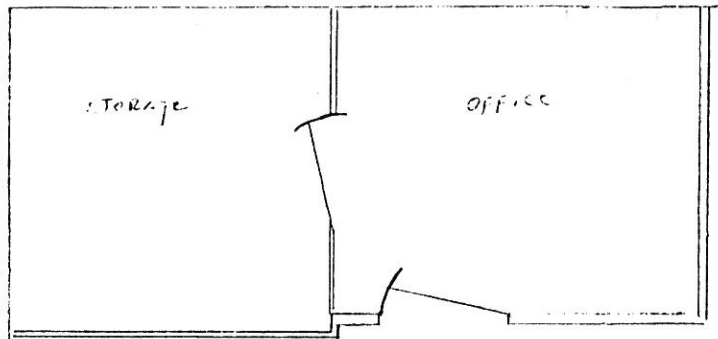
*Floor plan layout, item A full platt, item B new snack area.*

*II Request consideration of operation changes.*

*A. Private parties with close door operations, and lock-ins on special occasions, Birthday parties, Church Groups, New Years.*

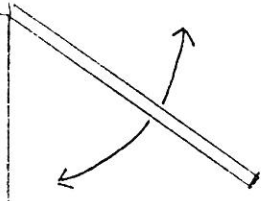
*B. Change in operating hours, from current closing at 12:00 pm till 2:00 am on weekends and during the summer.*





← 65 →





CASH REGISTER

Fountain Service

ICE Dispenser

Microwave

Microwave

Nacho Machine

Popcorn Machine





**Aetna Property Services, Inc.**

14785 Preston Rd.  
Suite 275  
Dallas, Texas 75240

(214) 458-7535  
FAX (214) 490-9440

January 21, 1991

City of Rockwall

RE: Rockwall Village Shopping Center  
Suite 491

To Whom It May Concern:

Aetna Life Insurance Company, the Landlord of Rockwall Village Shopping Center, Rockwall, Texas is familiar with the intended use of the prospective tenant, Rockwall Family Recreation Center, to use the above referenced space for billiards, video games, and as a family entertainment center. The Landlord has no objections to the permitted use as allowed Tenant under its pending Lease Agreement.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Hixson".

Chuck Hixson  
Property Manager

2-16-91

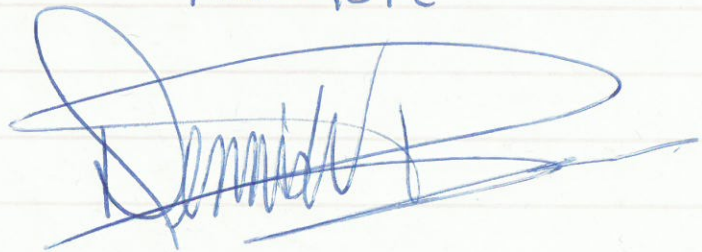
To the City of Rockwall or  
To Whom it May Concern :

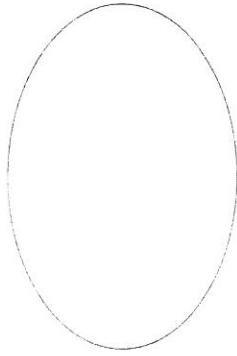
IN REGARD TO MR. Robert Ryan  
opening a billiard facility in the  
Ridge Rd SHOPPING CENTER.

As owner of Old Country Steak  
House at 479 I-30 Rockwall, we  
have no objection to this facility  
opening up. MR. RYAN and I have  
COMMUNICATED ON SEVERAL OCCASIONS and  
we feel it will be a well RUN,  
and managed facility.

PLEASE feel free to contact me  
at anytime. about this matter.

Dennis Bell  
722-1012

A large, stylized handwritten signature in blue ink, appearing to read "Dennis Bell", written over the printed name and phone number.



2-8-92

Dear Mr. Ryan,

I'm writing to say thank you! I'm a Therapist at Neurological Studies & Treatment Foundation. We treat patients who have sustained Traumatic Brain Injuries. These patients love to get out and really enjoy billiards. It is not appropriate for them to go to a pool hall type setting that serves liquor. Thanks to your Family Recreation Center, our clients have a place to go. I want to thank you so much for allowing us to play for free. Our facility is a non-profit one and generosity like yours is much appreciated. I'm am very thankful that a place like the Rockwall Family Recreation Center exists and I only wish that there were more places like this for people to go to!

Sincerely,

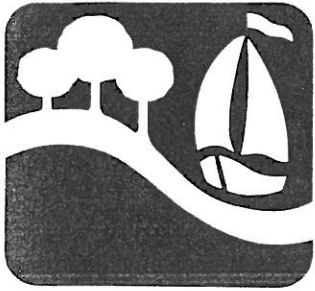
*Candace Hardin*

Candace Hardin,CTRS

*Royden Sumblin*

Royden Sumblin

Executive Director



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

March 16, 1992

Mr. Robert Ryan  
513 Shoretrail  
Rockwall, Texas 75087

Dear Mr. Ryan:

On March 12, 1992 the Rockwall Planning and Zoning Commission approved your request to amend the approved floor plan to provide for a snack bar in the billiard center located in the Rockwall Village Shopping Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Couch". The signature is fluid and cursive, with a large initial "J" and "C".

Julie Couch  
Assistant City Manager

hcc

EVERYONE BACK INTO POOL  
POCKET BILLIARDS GOES UPSCALE, UPTOWN AND UPPITY,  
FROM THE LIVING SECTION OF TIME MAGAZINE DEC. 16, 1988

PROFICIENCY AT BILLIARDS, IT HAS BEEN SAID IS A SIGN OF  
A MISSPENT YOUTH. THAT IS PUTTING IT POLITELY. POCKET  
BILLIARDS, COMMONLY KNOWN AS POOL, HAS HAD IMAGE PROBLEMS FOR  
DECADES. THE POOL HALL HOUSED ILLEGIT KINGDOMS OF NUMBERS  
RUNNERS AND GANGSTERS, WINOS AND BUMS.

FROM BOSTON TO MIAMI, FROM DALLAS TO CHICAGO, POOL HALLS  
ARE BACK, WITH YUPPIES LEADING THE WAY. POOL IS AN  
ADDICTIVE SPORT, AS SOON AS YOU SINK TWO IN A ROW, YOU WANT  
TO GET THREE. THE SIMPLICITY OF PLAY, COUPLED WITH THE  
CHANGE IN ATMOSPHERE, HAS ATTRACTED NEW CLIENTELE, INCLUDING  
WOMEN. POOL PLACES ONLY A MODEST BURDEN ON THE WALLET. ITS  
CHEAP ENTERTAINMENT. SEX AND DRUGS ARE OUT, WE'RE GOING  
BACK TO A MORE CONSERVATIVE TIME. POOL HAS CLEANED UP ITS  
ACT.

BUSINESS BEAT  
SMALL ENTERPRISE AT A GLANCE  
ENTREPRENEUR MAGAZINE, MAY 1989.

POOL HALLS GET A FACE LIFT

POOL HAS COME OUT OF THE DARK RECESSES OF THE NATION'S  
DINGIEST BARS TO EMERGE AS "POCKET BILLIARDS." POOL IS  
BECOMING THE ENTERTAINMENT OF CHOICE FOR AMERICA'S YOUNG  
PROFESSIONALS.

THE INCREASING NUMBER OF WOMEN WHO TAKE PART IN THE  
SPORT ARE A MAJOR FACTOR IN ITS NEWFOUND POPULARITY.

BILLIARD CONGRESS OF AMERICA  
FAST FACTS ABOUT BILLIARDS

ACCORDING TO THE MOST RECENT GALLUP POLL, BILLIARDS HAS  
BECOME THE #4 SPORTS ACTIVITY AMONG MEN IN THE COUNTRY..

OVERALL, BILLIARDS NOW RANKS AMONG THE TOP TEN PARTICIPATION  
SPORTS IN THE COUNTRY ACCORDING TO RECENT POLLS BY GALLUP  
AND SPORTS ILLUSTRATED.

ACCORDING TO THESE SAME POLLS, BILLIARDS IS NOW THE #2 TEAM  
SPORT IN THE COUNTRY.

MINUTES OF PLANNING AND ZONING COMMISSION  
March 12, 1992

5 Members present included Dale Morgan, Dennis Mitchell, Andrew Leonie, Robert Wilson, and Carl Mastronardi. Nell Welborn and Jim Greenwalt were not present. The meeting was called to order at 7:13 p.m. by Robert Wilson.

APPROVAL OF MINUTES

10 Morgan made a motion to approve the January 30, 1992 minutes. Leonie seconded the motion. The motion was voted on and passed unanimously. There was no quorum to approve the January 9, 1992 minutes.

15 ✓ P&Z 92-3-Z - HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF AN AMENDMENT TO PLANNED DEVELOPMENT NO. 2, TURTLE COVE BY AMENDING THE AREA REQUIREMENTS

20 Wilson opened the public hearing. Couch explained the request to amend the area requirements of PD-2 to allow side yards on both sides and permitting side yards equal to 10% of the width of the lot. John Cooper, Architect, 3302 Elkhart, Arlington, Texas representing DCT Investments addressed the Commission and was available to answer any questions. Wilson closed the public hearing. Mastronardi made a motion to approve an amendment to permit side yards equal to 10% of the width of the lot as opposed to zero lot line. Morgan seconded the motion. The motion was voted on and passed unanimously.

25 ✓ P&Z 92-2-CUP/FP - HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM ALLEN ANDERSON FOR A CONDITIONAL USE PERMIT FOR A CAR WASH IN A GENERAL RETAIL DISTRICT AND APPROVAL OF A SITE PLAN AND FINAL PLAT FOR A CAR WASH TO BE LOCATED ON YELLOWJACKET LANE WEST OF SH-205

30 Couch outlined the applicant's request for a car wash. Wilson opened the public hearing. Allen Anderson addressed the Commission and indicated he has approved financing pending Commission and Council approval of his request. Bill Atkinson, Arlington, President of Car Wash Systems, Inc. addressed the Commission, and explained the state of the art materials to be used in the construction of the car wash, and indicated they are ready to begin construction upon approval of Commission and Council. The public hearing was closed. Morgan made a motion to recommend approval with the following conditions: 1) that development comply with the site plan and elevations as approved with any significant change in site plan to be approved by the Commission, 2) that any lighting used must be shielded so as not to glare onto any adjacent property or onto the street, and 3) that the drive onto Yellowjacket into the car wash site is allowed only with the stipulation that there will be no additional drives permitted on the 370 feet of frontage along Yellowjacket, and if Mr. Anderson is able to negotiate access from the

45 shopping center drive he will eliminate the proposed drive off of Yellowjacket and will then be able to utilize an additional drive on the undeveloped eastern lot. Mitchell seconded the motion. The motion was voted on and passed unanimously.

50 ✓ P&Z 92-4-CUP - HOLD PUBLIC HEARING AND CONSIDER RECOMMENDING APPROVAL OF A REQUEST FROM MICHAEL STEPHENSON FOR A CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT TO BE LOCATED IN THE CULPEPPERS ADDITION ON I-30

55 Couch explained Mr. Stephenson's request for a conditional use permit for a commercial amusement in the Culpeppers Addition, thereby removing the private club conditional use permit. Michael Stephenson addressed the Commission and explained his request and was available for questions. The public hearing was closed. Mastronardi made a motion to recommend approval of the conditional use permit for a commercial amusement with the following conditions: 1) that the conditional use permit for the private club be deleted and no longer applicable for the portion of Lot 1, Block A, Culpeppers Addition designated on the approved site plan and the conditional use permit for the commercial amusement is limited to only that area so designated on the approved site plan, 2) that any change in ownership or management of the facility be submitted for approval by the Commission, 3) that the facility will not operate between the hours of 12:00 a.m. and 10:00 a.m., 4) that the owner and/or operator shall provide adequate security and adult supervision in the facility during the hours of operation, 5) that no smoking be allowed in the facility, and 6) that no alcohol consumption be allowed in the facility. Mitchell seconded the motion. Mastronardi recommended an addition to the conditions be that Mr. Stephenson conform to building codes. The motion was voted on and passed unanimously.

70 ✓ P&Z 91-2-CUP - HOLD PUBLIC HEARING ON THE CONDITIONAL USE PERMIT GRANTED FOR A COMMERCIAL AMUSEMENT FOR ROBERT RYAN IN THE ROCKWALL VILLAGE SHOPPING CENTER AND TAKE ANY NECESSARY ACTION

75 Couch explained that this conditional use permit was approved a year ago with the stipulation that the Commission review performance of the operation in regard to requirements of permit and to determine if there were any problems with the CUP. She indicated that Mr. Ryan would like to extend his hours of operation to 2:00 a.m. on Friday and Saturday nights and would like to make a change in the floor plan to include a small snack bar. Mr. Robert Ryan, 513 Shoretrail, addressed the Commission requesting their review of his CUP, and to consider his change in hours of operation and approving a change in floor plan. Chief Rohre then addressed the Commission. Wilson closed the public hearing. Morgan made a motion to amend the original CUP to allow a snack bar to be added to the floor plan and that the hours of operation be extended to 2:00 a.m. on Friday and Saturday nights. Mitchell seconded the motion. Morgan amended the motion in order to vote on the two separate issues. Morgan made a motion to approve extending the hours of operation to 2:00 a.m. on Friday and Saturday nights. Mitchell seconded the motion. After some discussion Morgan mad a second amendment to his motion to approve extending the hours of operation to also allow the Commission to review in six months. Mitchell seconded the motion. The motion was voted on and passed with all in favor

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

**Agenda Date:** March 12, 1992

**Agenda No:** III. D.

**Agenda Item:** **P&Z 91-2-CUP** - Hold Public Hearing on the Conditional Use Permit Granted for a Commercial Amusement for Robert Ryan in the Rockwall Village Shopping Center and Take Any Necessary Action

**Item Generated By:** Staff

**Action Needed:** Hold public hearing and take any necessary action.

**Background Information:**

Last year the Commission and City Council approved a CUP for a billiard center to be located in the Rockwall Village Shopping Center. One of the requirements of the ordinance was that the CUP would be reviewed annually in conjunction with a public hearing. We have scheduled the public hearing for this meeting. A copy of the ordinance approving the CUP as well as the original floor plan is attached. A representative of the police department will be here as well, as specified in the ordinance. We have continued to have problems in the parking lot with kids loitering, but I am not aware of any complaints that have been specifically filed against this operation.

Mr. Ryan, the owner and operator of the facility is also wanting to request several changes in his operation. Under the ordinance he is not allowed to operate between the hours of 12:00 A.M. and 8:00 A.M. He is wanting permission to be able to offer private parties and lock-ins after these prescribed hours and he would like to change the closing hours of operation on weekends from 12:00 A.M. to 2:00 A.M.

He would also like to amend the approved floor plan to provide for a snack bar. A copy of the proposed changes are attached.

The Commission could consider approval of these changes as a part of this process. If the Commission is of the opinion that there should be any changes in the CUP you could forward that recommendation to the City Council. Under the ordinance the Commission has the authority to approve the change in the floor plan. The hours of operation must be approved by the City Council as well.

**Attachments:**

**Agenda Item:** Public Hearing on the CUP for Billiard Center

**Item No:** III. D.



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

**Agenda Date:** April 9, 1992 **Agenda No:** IV. A.

**Agenda Item:** P&Z 91-2-CUP - Discuss and Consider a Request from Robert Ryan for an Amendment to a Conditional Use Permit for a Commercial Amusement Located at Rockwall Village Shopping Center to Revise the Hours of Operation

**Item Generated By:** Applicant, Robert Ryan

**Action Needed:** Discuss request and take any necessary action.

**Background Information:**

At the last meeting the Commission recommended approval of the change in the hours of operation for the billiard center by permitting the operator to stay open until 2:00 A.M. on Friday and Saturday, for a period of 6 months. This change will have to be approved by the City Council. We overlooked an additional request that Mr. Ryan had also made in regard to lock ins. Several other commercial amusements have been given approval for lock ins after hours. These have generally been in association with children who would not be permitted to leave the building once they are brought by their parents until the prescribed time. Mr. Ryan, as I understand his request, would like to be able to offer lock ins for older participants. I question his ability to keep teenagers and young adults in the building for a specific time period. It would be a way for Mr. Ryan to offer private parties after hours. He will be here to further explain his request and answer questions. I will have the response of the Police Chief on Thursday night.

**Attachments:**

**Agenda Item:** Robert Ryan CUP

**Item No:** IV. A.

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

**Agenda Date:** February 18, 1990

**Agenda No:** VI. D.

**Agenda Item:** P&Z 91-1-CUP - Hold Public Hearing and Consider Approval of an Ordinance Requested by Robert Ryan for a Conditional Use Permit for a Commercial Amusement Located in Rockwall Village Shopping Center

**Item Generated By:** Applicant, Robert Ryan

**Action Needed:** Hold public hearing and take any necessary action.

**Background Information:**

The Commission has unanimously recommended approval of the CUP with the conditions as shown in the attached copy of the draft minutes. The conditions are generally the same as those which were originally established, with the addition of a requirement that a no smoking area be established in the facility and that persons between the ages of 12 and 15 must have an ID card to be permitted in the facility.

**Attachments:**

1. Ordinance
2. Applicant Information

**Agenda Item:** Robert Ryan CUP

**Item No:** VI. D.

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

**Agenda Date:** March 4, 1990

**Agenda No:** V. D.

**Agenda Item:** P&Z 91-1-CUP - Continue Public Hearing and Consider Approval of an Ordinance Requested by Robert Ryan for a Conditional Use Permit for a Commercial Amusement Located in Rockwall Village Shopping Center

**Item Generated By:** Applicant, Robert Ryan

**Action Needed:** Hold public hearing and take any necessary action.

**Background Information:**

Mr. Ryan will be present Monday night to present his request. Mr. Ryan was granted a CUP for a billiard facility in the Ridge Road Shopping Center last year. He never opened the facility due to health problems and he is now wanting to move his location from Ridge Road Shopping Center to Rockwall Shopping Center. His previous location was going to have a small snack bar area but he has eliminated this from the new application. I have attached his application information from his previous packet and his proposed layout. I have also attached a copy of the conditions that were included in the original approval. He is aware of the concern about the kids that congregate in the parking lot in this location. He has been asked to address this issue at the meeting.

The Commission has recommended this request be approved and the attached ordinance contains the conditions that the Commission included in their recommendation.

**Attachments:**

1. Building layout
2. Previous conditions
3. Proposed Ordinance

**Agenda Item:** Robert Ryan CUP

**Item No:** V. D.

**CITY OF ROCKWALL  
City Council Agenda**

**Agenda Date:** April 20, 1992 **Agenda No:** VII. A.

**Agenda Item:** P&Z 91-2-CUP - Discuss and Consider Approval of an Ordinance Granting a Request from Robert Ryan for an Amendment to a Conditional Use Permit for a Commercial Amusement Located at Rockwall Village Shopping Center to Revise the Hours of Operation

**Item Generated By:** Applicant, Robert Ryan

**Action Needed:** Discuss request and take any necessary action.

**Background Information:**

Last year the Commission and City Council approved a CUP for a billiard center to be located in the Rockwall Village Shopping Center. The facility was approved with certain conditions which included the hours of operation from 8:00 A.M. to 12:00 A.M. Any change in these hours of operation would have to be approved by the Commission and City Council. Mr. Ryan, the owner and operator of the facility has submitted a request to be able to offer private parties and lock-ins after these prescribed hours and he would like to change the closing hours of operation on weekends from 12:00 A.M. to 2:00 A.M. Several other commercial amusements have been given approval for lock ins after hours. These have generally been in association with children who would not be permitted to leave the building once they are brought by their parents until the prescribed time. Mr. Ryan, as I understand his request, would like to be able to offer lock ins for older participants.

The Commission has recommended approval of the change in the hours of operation for the billiard center by permitting the operator to stay open until 2:00 A.M. on Friday and Saturday, for a period of 6 months and they have recommended that he be allowed to offer the facility for private parties with the conditions that they be limited to persons over 18 years of age and that the facility comply with all laws pertaining to the consumption of alcohol.

We will forward the ordinance on Friday.

**Attachments:**

**Agenda Item:** Robert Ryan CUP

**Item No:** VII. A.

Original  
Conditions

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT ON A PORTION OF LOT 1, BLOCK 1, EASTRIDGE CENTER, FURTHER DESCRIBED HEREIN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a Commercial Amusement for an entertainment and video arcade has been requested by Robert Ryan for the property described as being lease spaces 1102 E, 1103 A, and 1103 B of Lot 1, Block 1, Eastridge Center and described further on the approved site plan attached hereto as Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a commercial amusement for an entertainment, billiard and video arcade on the following described property:

Lease spaces 1102 E, 1103 A, and 1103 B  
of Lot 1, Block 1, Eastridge Center

and further described on the approved site plan attached hereto as Exhibit "A".

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. Any significant changes in the floor plan of the facility attached

hereto as Exhibit "B" must be approved by the Planning and Zoning Commission.

2. Any change in the ownership or management or addition of food service must be approved by the Planning and Zoning Commission
3. The Facility will not operate between the hours of 12:00 A.M. and 8:00 A.M.
4. The permit shall be reviewed by the Planning and Zoning Commission for compliance with all requirements at a public hearing to be held in December, 1990 and every December thereafter.
5. The owner and/or operator and a representative of the Rockwall Police Department are required to be present at the public hearing. The owner/operator must present to the Commission a written report of each incident that occurs where the Police Department is called or a complaint is registered with either the owner/operator or the Police Department.
6. The owner and/or operator shall provide adequate security and adult supervision to activities during business hours.
7. All children under the age of twelve must be supervised by an adult.
8. No smoking shall be allowed in the video game room and an efficient smoke eradicator system will be installed. The efficacy of the system will be part of the annual Planning and Zoning Commission review.

Section 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the city of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No. 83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 1990

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
APPROVED

1st Reading \_\_\_\_\_

2nd Reading \_\_\_\_\_

ORDINANCE NO. 91-13

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED SO AS TO GRANT A CONDITIONAL USE PERMIT FOR A COMMERCIAL AMUSEMENT ON A PORTION OF LOT 1, BLOCK 1, CARLISLE PLAZA ADDITION, FURTHER DESCRIBED HEREIN; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, A Conditional Use Permit for a Commercial Amusement for an entertainment and video arcade has been requested by Robert Ryan for the property described as being a portion of Lot 1, Block 1, Carlisle Plaza Addition and described further on the approved site plan attached hereto as Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Rockwall should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rockwall, Texas:

Section 1. That the Comprehensive Zoning Ordinance of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Conditional Use Permit for a commercial amusement for an entertainment, billiard and video arcade on the following described property:

a portion of Lot 1, Block 1, Carlisle Plaza

and further described on the approved site plan attached hereto as Exhibit "A".

Section 2. That the Conditional Use Permit shall be subject to the following special conditions:

1. Any significant changes in the floor plan of the facility attached hereto as Exhibit "B" must be approved by the Planning and Zoning Commission.



2. Any change in the ownership or management or addition of food service must be approved by the Planning and Zoning Commission
3. The Facility will not operate between the hours of 12:00 A.M. and 8:00 A.M.
4. The permit shall be reviewed by the Planning and Zoning Commission for compliance with all requirements at a public hearing to be held one year from date of approval and annually thereafter.
5. The owner and/or operator and a representative of the Rockwall Police Department are required to be present at the public hearing. The owner/operator must present to the Commission a written report of each incident that occurs where the Police Department is called or a complaint is registered with either the owner/operator or the Police Department.
6. The owner and/or operator shall provide adequate security and adult supervision to activities during business hours.
7. All children under the age of twelve must be supervised by an adult at least 18 years of age.
8. A designated non-smoking area shall consist of the north side of the building including the video game area and an efficient smoke eradicator system will be installed. The efficacy of the system will be part of the annual Planning and Zoning Commission review.
- 9) all persons between the ages of twelve and fifteen shall be required to obtain a picture ID to be kept on file by the owner/operator

Section 3. That the above described tract of land shall be used only in the manner and for the purposes provided for in the Comprehensive Zoning Ordinance of the city of Rockwall as heretofore amended, as amended herein by granting of this Conditional Use Permit and as may be amended in the future.

Section 4. That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

Section 5. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of TWO THOUSAND DOLLARS (\$2,000.00) for each offence and each and every day such offense shall continue shall

be deemed to constitute a separate offense.

Section 6. If any section paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Comprehensive Zoning Ordinance No.83-23 of the City of Rockwall, Texas, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable.

Section 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 1991

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
APPROVED

1st Reading 3/4/91

2nd Reading 3/18/91

## PUBLIC HEARING

The Rockwall Planning and Zoning Commission will hold a public hearing on March 12, 1992 at 7:00 p.m. in City Hall, 205 W. Rusk to consider review of the Conditional Use Permit granted to Robert Ryan for a billiard center located at Rockwall Village Shopping Center. All interested persons are encouraged to attend.