



**Wake Forest Planning Board  
Agenda  
May 4, 2010**

**NOTICE**

For people with impaired hearing: Special equipment is available at Town Hall during the meetings with prior notice of the meeting time. Please call the Town Clerk at (919) 554-6190.

**CABLE AND ONLINE BROADCAST OF  
JOINT PUBLIC HEARINGS AND PLANNING BOARD MEETINGS**

All Joint Public Hearings and Planning Board meetings are broadcast on Time Warner Cable Community Channel 10 beginning at 7:30 p.m. Meetings are also aired online on the official Town of Wake Forest website at [www.wakeforestnc.gov](http://www.wakeforestnc.gov). Archived meeting videos are also provided and available for one year after the original air date.

The meeting agenda is available at [www.wakeforestnc.gov](http://www.wakeforestnc.gov) by 12 noon on the Thursday prior to the Joint Public Hearings and Planning Board meeting on the first Tuesday. Citizens may request copies of the agenda or agenda items by calling the Town Clerk's Office at (919) 554-6190. Questions concerning the agenda items should be directed to the Town Clerk at (919) 554-6190. Citizens may also receive copies of the agenda by enrolling in the E-Notifier subscription service. For more information visit [www.wakeforestnc.gov/enotifier.aspx](http://www.wakeforestnc.gov/enotifier.aspx).

When an agenda item is denoted as a Public Hearing, persons attending shall be permitted to address the Planning Board and Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given five minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed five minutes each to express his/her comments, ideas, concerns, expressions, and desires.

**7:30 p.m. Planning Board Meeting Begins**

**1. Joint Public Hearings with Board of Commissioners**

**A.** Consideration of the update to the Wake Forest Transportation Plan, 2010.

**B.** Case: ZA-10-04: Amendment to Article III, Section 2. Definitions of Specific Words and Terms; and Article V, Section 25 HB, Highway Business District of the Wake Forest Zoning Ordinance.

**2. Regular Business**

**A.** Approval of minutes from April 6, 2010 meeting.

**3. New Business**

**A.** Action on public hearing item(s).

**4. Old Business**

**5. Adjournment**



## STAFF REPORT

Attachment

**TO:** Planning Board  
**DATE:** April 20, 2010  
**CASE:** TP-10-01  
**PREPARED BY:** Ann Ayers, Assistant Planning Director

### GENERAL INFORMATION

**Applicant:** Town Planning Staff

**Requested Action:** Hold the Public Hearing, Review and Approve the Wake Forest Transportation Plan Update, 2010.

### SPECIAL INFORMATION

The Town of Wake Forest hired Kimley-Horn and Associates, Inc. with Henderson Consulting to update the Wake Forest Transportation Plan. The Wake Forest Transportation Plan was adopted by the Board of Commissioners in the beginning of 2003. While all plans should be reevaluated on a regular basis, the subsequent years held remarkable growth for the town of Wake Forest. These significant changes made it all the more important that we examine our Transportation Plan to take into account more rapid urbanization, newly developed bicycle and pedestrian plans, bus service, the US-1 Corridor Study and the many other changes occurring in the surrounding jurisdictions.

For continuity, many of the same people who worked on the advisory committee for the previous transportation plan worked to guide the development of its update. The diverse group included town staff from planning, engineering and administration, local officials, transportation planning professionals and citizens met to provide informed guidance throughout the planning process. Beginning with a kick-off meeting on February 23, 2009, the group met periodically to fulfill its mission of examining the existing deficiencies and potential solutions for driving, bicycling, walking, and transit use. The committee's duties included serving as a sounding board for project team ideas, participating in visioning and mapping exercises, providing feedback to the project team, and spearheading the promotion of other public involvement efforts.

A public meeting held at Town Hall on September 22, 2009 provided an opportunity for the project team to discuss with citizens a variety of transportation findings. These included current and anticipated traffic problems, areas of concern, future projects and expansion plans, and potential corridor alignments. Road, bicycle, pedestrian, bus, and passenger rail initiatives were mapped and presented to the public. In addition to discussing the *Plan's* potential impact on their respective interests, several themes emerged from the public meeting. These themes included:

Attachments:

Draft Wake Forest Transportation Plan Update, 2010

On-line: [http://www.wakeforestnc.gov/residents/planning\\_services\\_transportation\\_plan\\_update\\_2009.aspx](http://www.wakeforestnc.gov/residents/planning_services_transportation_plan_update_2009.aspx)

- Blending bicycle improvement recommendations to ensure smooth, seamless transitions for cyclists riding between Wake Forest and surrounding cities, towns and counties. Providing wide, striped shoulders on roads would benefit bicyclists and motorists by creating a safe separation for road sharing. These and other bicycling initiatives should lead to a coveted designation of Wake Forest as a bicycle-friendly community by the League of American Bicyclists.
- Additional traffic signs at various locations in Wake Forest informing motorists of posted speed limits as well as lane assignments (left, through, right) were suggested.
- Angled curbs at intersections were identified as a suggestion by a motorist who frequently hits them when turning right.

A draft report and corridor profiles have been available for review and comment on the Town website since September 2009.

Public comment received through these various mechanisms has largely been incorporated into the attached draft plan, which is crafted to provide for the future multi-modal needs of the community in a manner that is consistent with anticipated growth and community expectations.

The attached plan is grouped into sections designed to take the reader from the high level – big picture view of the community as a whole to the specifics of individual street corridors as follows:

**Chapter 1 About the Plan**

Transportation Plan Purpose, Planning Process & Report Organization

**Chapter 2 Designing Our Future**

Wake Forest Community Plan & Other Planning Studies

**Chapter 3 Area Growth Dynamics**

Future Outlook & Land Use and Transportation Connection

**Chapter 4 Existing and Future Conditions**

Walking, Bicycling, Bus Riding, Driving, Future Travel Conditions, Complete Streets

**Chapter 5 The Recommended Plan**

2003 Wake Forest Transportation Plan — Updates and Amendments & The Recommended Plan

**Chapter 6 Implementation**

Overview, Table of Recommendations

**Appendices**

Appendix A — Corridor Profiles

Appendix B — Additional Data

Appendix C — Comprehensive Transportation Plan

Appendix D — Neighborhood Traffic Calming Policy

**RECOMMENDATION**

Staff recommends approval of the Wake Forest Transportation Plan Update, 2010.

Attachments:

Draft Wake Forest Transportation Plan Update, 2010

On-line: [http://www.wakeforestnc.gov/residents/planning\\_services\\_transportation\\_plan\\_update\\_2009.aspx](http://www.wakeforestnc.gov/residents/planning_services_transportation_plan_update_2009.aspx)

## STAFF REPORT

**TO:** Planning Board  
**DATE:** April 20, 2010  
**CASE:** ZA-10-04  
**PREPARED BY:** Charlie Yokley, Senior Planner

### **GENERAL INFORMATION**

**Requested Action:** Amend Article III, Section 2 Definitions of Specific Words and Terms; and Article V, Section 25 HB, Highway Business District of the Wake Forest Zoning Ordinance.

### **SPECIAL INFORMATION**

A Sweepstakes Center is a commercial operation in which a customer pays for internet access and logs on using a computer provided by the business. The customer has the option to use the computer for general purposes or to play a game of chance installed on the machine. When playing the game of chance, the customer has the opportunity to win monetary prizes which are paid on-site.

### **ANALYSIS**

Sweepstakes Centers are not yet subject to state law, but can be regulated through zoning by local ordinances. Because Sweepstakes Centers are not specifically listed or defined in the Wake Forest Zoning Ordinance, Planning Staff has made the interpretation that they are an *Indoor Recreation Facility* and thus are only permitted in the NB, Neighborhood Business District with an approved Special Use Permit. No other requirements or limitations are attached to the use.

The proposed amendment specifically defines Sweepstakes Centers and lists them as a Permitted Use in the HB, Highway Business Zoning district with specific requirements regarding location, size, and operation. Planning Staff believes that the proposed amendment will provide enhanced regulation and control to reduce the negative externalities that may be associated with the Sweepstakes Center use.

### **RECOMMENDATION**

Staff recommends approval of the amendments.

Attachments:

- Proposed amendments

**Amendments to Article III, Section 2. Definitions of Specific Words and Terms; and Article V, Section 25. HB, Highway Business District.**

Add the following to Article III, Section 2, Definitions of Specific Words and Terms:

***###Sweepstakes Center: A business enterprise, whether principal or accessory, where persons may play games on-site, including machines/terminals/computers, that reveal the results of sweepstakes or similar contests associated with the on-site purchase of internet time, phone time, office supplies or other retail goods; and where redeemable cash sweepstakes awards in amounts of \$10 or more may be received. This definition does not apply to any game or process prohibited by N.C.G.S§ 14-304 through 14-309 or to any game regulated by the North Carolina Education Lottery Commission.***

Add the following to Article V, Section 25. HB, Highway Business District.

**A. Permitted Uses**

Stores retailing: automobile accessories, groceries, drugs, notions, fish, meat, antiques, hardware, upholstery, paints, furniture, appliances, radio and television, automobiles, bicycles, motorcycles, paint and wallpaper, electrical and plumbing fixtures, nursery stock and supplies, bakeries, book stores, candy, clothing, dry goods, gifts, hobbies, and crafts, jewelry, leather goods, magazines, musical goods, pets, seed and feed, sporting goods, shoes and toys.

Child care center, video sales and rentals. Motels, banks, tourist homes, barber and beauty shops, shoe repair, laundry and dry cleaning, dry cleaning pick up stations, restaurants, ABC stores, service stations, parking lots, radio and television repair, funeral homes, drive-ins dispensing foods, radio and television broadcasting stations, offices, nursing and rest homes, automobile wash, wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale, tire recapping and retreading, business offices, cafeterias, financial offices, florists, governmental offices, medical offices, household equipment, greenhouses, and nurseries, guest houses, hotels, libraries, pool halls, theaters, washerettes, professional offices, repair and services of offices.

Self-service storage facility

***Sweepstakes Centers (subject to the following restrictions):***

- 1. No more than 20 machines/terminals/computers for sweepstakes operations shall be permitted per location.***
- 2. No Sweepstakes Center shall be located within one-half mile of another sweepstakes center, family care home, child care facility, church, school, or any non-residential enterprise primarily attended by or serving persons under the age of 18 years.***
- 3. No on premise sale or consumption of alcoholic beverages.***

Veterinary Clinics

Signs subject to requirements of Article VI, Section 5.

Dog Kennel

Schools, public and private (primary, secondary, collegiate, and instructional, personal skills, technical, business, vocational, or professional training).

Uses and buildings accessory to permitted uses.

**B. Special Uses**

After due notice and public hearing and subject to conditions and safeguards to be fixed by the Board of Commissioners, based on a recommendation of the Planning Board in each case a special use permit may be granted by the Board of Commissioners for uses listed below, subject to the requirements of Article VIII.

Shopping centers.

Wireless Telecommunications Facilities.



## **PLANNING BOARD MEETING MINUTES**

**April 6, 2010**

**Members Present:** Chairman Bob Hill, Steve Stoller, Kim Parker, Sarah Bridges, Al Merritt, Grif Bond, and Greg Harrington.

**Members Absent:** Ward Marotti and Zachary Donahue

**Town Staff Present:** Chip Russell, Planning Director  
Chad Sary, Assistant Planning Director  
Charlie Yokley, Senior Planner  
Eric Vernon, Town Attorney  
Jim Furr, Town Attorney  
Deeda Harris, Town Clerk

### **CALL TO ORDER**

The regular meeting of the Wake Forest Planning Board was called to order by Chairman Hill at 7:30 p.m.

### **REGULAR BUSINESS**

**ITEM:** **Approval of Minutes**

**ACTION:** The minutes of the March 2, 2010 meeting were submitted with the agenda packet. Al Merritt made a motion and Grif Bond seconded to approve the minutes. Motion carried unanimously (7-0).

### **NEW BUSINESS**

**ITEM:** **\*Discussion of Case ZA-10-02: An amendment to Article III, Section 2. Definitions of Specific Words and Terms; and Article V, Section 3.E. Historic Landmarks Overlay District of the Wake Forest Zoning Ordinance.**

*\*The required public advertisement notices were not met, therefore, no public hearing for this item was held, however, since the planning board meeting is a public meeting,*

*discussion on this topic was conducted and no formal action was taken.*

**DISCUSSION:**

Chairman Hill stated that this was not a formal public hearing, since the notice was not published the Planning Board members could use this time as a discussion. Senior Planner Charlie Yokley stated that what prompted the ordinance was that requests for sweepstakes centers had increased in the town since people have found loopholes in the state law. A few people had contacted the Planning Department to inquire about opening an establishment in Wake Forest. Assistant Planning Director Sary and Planner Yokley visited an sweepstakes center in Youngsville. Mr. Yokley stated that a person can go into the business and purchase "time" to use the computer stations there to play games. Once you finish playing you can cash in your "credits" for cash.

Planning Staff have drafted an ordinance to restrict such uses. Currently there is no legal protection requiring the use, but it could be regulated by zoning. There is discussion that the state legislature will be addressing this in their session. Some municipalities have opted for a moratorium before that address it to give time for the legislature to address.

Town Attorney Furr said that it would be hard to totally exclude it. The town could 1) Ignore it; 2) Wait for the state to outlaw it entirely; 3) Tax it and use to get revenue (some towns have adopted a fee per machine or set a high limit on the privilege license); or 4) Address it in the zoning by controlling the location.

Planning Board Member Griff Bond asked if someone came in today and asked for it now, could they use the special use form. Mr. Yokley stated that because Sweepstakes Centers are not specifically listed or defined in the Wake Forest Zoning Ordinance, Planning Staff has made the interpretation that they are an Indoor Recreation Facility and thus are only permitted in the NB, Neighborhood Business District with an approved Special Use Permit. No other requirements or limitations are attached to the use.

The proposed amendment specifically defines Sweepstakes Centers and lists them as a Permitted Use in the HB, Highway Business Zoning district with specific requirements regarding location, size, and operation. Planning Staff believes that the proposed amendment will provide enhanced regulation and control to reduce the negative externalities that may be associated with the Sweepstakes Center use.

**ACTION:**

None

**ADJOURNMENT**

**ACTION:** There being no further business, the Planning Board Meeting was adjourned by Chairman Hill at 7:58 p.m.

Respectfully submitted,

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Chip Russell, Secretary

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Bob Hill, Chairman