



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,

Chip Russell, Secretary

Bob Hill, Chairman