



COUNTY OF LINCOLN, NORTH CAROLINA

302 NORTH ACADEMY STREET, SUITE A, LINCOLNTON, NORTH CAROLINA 28092

PLANNING AND INSPECTIONS DEPARTMENT
704-736-8440 OFFICE
704-732-9010 FAX

To: George Wood, county manager

From: Randy Hawkins, zoning administrator

Date: March 23, 2010

Re: CZ #2010-3
East Lincoln Speedway Holdings, LLC, applicant
Parcel ID# 53985, 71170 and 59382

The following information is for use by the Lincoln County Board of Commissioners and the Planning Board at their joint meeting/public hearing on April 5, 2010.

Request

The applicant is requesting the rezoning of 27.5 acres from R-T (Transitional Residential) and CU I-G (Conditional Use General Industrial) to CZ R-R (Conditional Zoning Rural Residential) to bring a nonconforming (grandfathered) racetrack into conformity and to permit facilities to be expanded. Under the Unified Development Ordinance, a nonconforming use may not be enlarged or extended. A racetrack is a conditional use in the R-R district. If this request is approved, the future development and use of this property would be subject to the approved site plan and any conditions mutually approved by the county and the applicant.

Site Area & Description

The property is located on the east side of Mariposa Road about six-tenths of a mile south of Old Plank Road. It is surrounded by property zoned R-T. Property zoned R-R is located about a half mile to the west. Land uses in this area are predominantly residential. The Lincoln County Land Use Plan classifies this area as Suburban Residential.



Conditional Zoning District Application

Lincoln County Planning and Inspections Department
Zoning Administrator
302 N. Academy St., Suite A, Lincolnton, NC 28092
Phone: (704)736-8440 FAX: (704)732-9010

PART I

Applicant Name East Lincoln Speedway Holdings, LLC

Applicant Address 130 Infield Ct, Mooresville, NC 28117

Applicant Phone Number 704-360-1500

Property Owner Name East Lincoln Speedway Holdings, LLC

Property Owner Address 130 Infield CT, Mooresville, NC 28117

Property Owner Phone Number 704 - 360 - 1500

PART II

Property Location See Attached

Property ID (10 digits) _____ Property size _____

Parcel # (5 digits) _____ Deed Book(s) _____ Page(s) _____

PART III

Existing Zoning District R-T Proposed Zoning District C2 R-R

Briefly describe how the property is being used and any existing structures.

Property is used as a race track. Structures include restrooms, concession stands, control tower, VIP suite grandstands and storage.

Briefly explain the proposed use and/or structure which would require a rezoning.

Property will continue to be operated as a race track. Additional parking, grandstands, restrooms and a new concession / storage building will be added.

\$1,000 APPLICATION FEE* MUST BE RECEIVED BEFORE PROCESSING.

***SEE PLANNING DEPT. FOR PLANNED DEVELOPMENT FEES.**

I hereby certify that all knowledge of the information provided for this application and attachments is true and correct to the best of my knowledge.

John Vice President

2/19/10

Applicant's Signature

Date

EAST LINCOLN SPEEDWAY HOLDINGS, LLC

CONDITIONAL ZONING DISTRICT APPLICATION

PART II

Property Location: Mariposa Road, Stanley, Lincoln County, NC

Property A

Property ID: 3681747204 Property Size: 19.12 acres

Parcel# 53985 Deed Book(s): 2079 Page(s): 419

Property B

Property ID: 3681733665 Property Size: 7.34 acres

Parcel# 71170 Deed Book(s): 1886 Page(s): 83

Property C

Property ID: 3681730340 Property Size: 2.16 acres

Parcel# 59382 Deed Book(s): 1886 Page(s): 87

East Lincoln Speedway

FACILITY HISTORY

The East Lincoln Speedway first opened for racing in 1990 and was built and owned by local businessman Ralph Nantz. Throughout its nearly 20 year history, the track has been operated by a variety of promoters and has run several types of racing ranging from Super Late Models to go-karts. The facility has also operated on various nights of the week including Tuesday, Thursday, Friday, Saturday and Sunday. For the past several years, the regular nightly racing program has been held on Saturday nights. In addition to a regular nightly racing program, the track has historically been open for testing, special events and for use as a movie set. The East Lincoln Speedway is believed to be the largest entertainment venue in Lincoln County.

In November 2008, the land and buildings that comprise the East Lincoln Speedway were acquired by East Lincoln Speedway Holdings, LLC, a holding company owned by former NASCAR Crew Chief and team owner Ray Evernham and local businessman Robert Mack. The company is headquartered in Mooresville, NC.

PROJECT NARRATIVE

The project is located as shown on the Vicinity Map, attached as Exhibit A.

The purpose of the application is fourfold: (a) to expand the available parking at the speedway by adding approximately 9 acres of new land for fan parking; (b) to clarify and define allowable future expansion and renovation at the facility including safety improvements, modernized and expanded grandstands, additional restrooms, a new concession building in the outside pit area and a new general storage building in the outside pit area; (c) to clarify and define operating parameters and hours of the facility and (d) properly zone and condition the existing "grandfathered" track parcel (approximately 19 acres) and the Stone Mechanical Resources property so that the entire operation will be a conforming use under the Lincoln County Unified Development Ordinance. Exhibit B Map shows the entire property including the original track property and the Stone Mechanical Resources property that East Lincoln Speedway Holdings, LLC is planning to acquire. Both the existing track property and the majority of the Stone Mechanical Resources property are currently zoned R-T (Transitional-Residential). A small portion of the Stone Mechanical Resources property is zoned CU I-G (Conditional Use General Industrial). This portion was rezoned in 1995 to accommodate a landfill that has since been closed.

The East Lincoln Speedway currently operates a regular racing program on Saturday nights beginning in late March and ending in early October. The track runs six racing divisions most nights with 60-90 race cars participating. 22 regular season races were completed at the facility in 2009 with 4 rainouts. The track was rented out for practice and testing on numerous occasions and a charity event to benefit Susan G Komen for the Cure was also held. Paid attendance for 2009 ranged from 500 – 1,100 fans,

crew members and competitors each race night. Children 10 and under are admitted for free. The Speedway has two full time staff and approximately 25 additional contract employees for racing events. Security and ambulance services are contracted through Lincoln County.

The East Lincoln Speedway generated significant, positive exposure for Lincoln County in 2009 as it was featured on in a variety of national media including Speed Channel, 3 Wide Life, Car and Driver Magazine, ESPN.com, NASCAR Scene, NASCAR.com and a wide variety of dirt racing publications.

Following its acquisition of the speedway in late 2008, ELSH made significant investments in improving the appearance, function and safety of the facility. Those investments included:

- Addition of 104 loads of clay to the racing surface
- Grading of the infield and planting of grass
- Grading of the outside race car pits and the addition of new gravel
- Installation of new digital scales
- Installation of a new sound system
- Repair and upgrading of toilets and sinks in all restrooms
- Painting of all buildings, water towers and walls
- Addition of handrails in the grandstands and bleachers
- Installation of “softwalls” and other safe barriers in high risk areas
- New radios for all officials and the addition of RACEceiver radios for all competitors
- Improved fire safety equipment
- Improved safety inspection equipment
- Increased secondary medical coverage for all competitors

While significant improvements were made in 2009, several operational challenges were discovered including:

- Grandstand parking is insufficient for the current grandstand seating capacity (1,000 people) resulting in fans parking along Mariposa Road
- Outside pit parking is insufficient for the typical number of race cars participating in the events, requiring the Speedway to park race cars in the infield, thereby increasing safety risks.
- Additional catch fencing is needed from turn 1 through turn 3 to prevent a race car from exiting the track over the outside wall. In addition, the outside wall in turn 1 needs to be higher.
- The grandstand capacity is not sufficient to allow ELSH to host “premier” racing events and the existing bleachers need to be upgraded to more modern structures.
- The existing storage, concession and track operations buildings in the outside pits are too small and result in inefficient operations.

It is the goal of ELSH to continue to invest in the East Lincoln Speedway to make it the safest and most well run short track in the United States and for it to be considered a major entertainment asset for Lincoln County and a model for other race track owners and operators.

To make further progress towards that goal, ELSH plans to make the following staged investments in the speedway facility:

Phase 1 – (2010- 2011)

The primary focus of Phase 1 will be to address several safety concerns at the facility through the expansion of both parking for fans and the outside pits for competitors and the discontinuation of the past practice of parking competitors in the infield. The major activities in Phase 1 include:

- Acquisition of the adjacent 9 acres owned by Stone Mechanical Resources
- Clearing and grading of 3 acres of that property to create an additional 250 parking spaces
- Clearing of the scrub trees along Mariposa Road, moving the fence out to the property line and planting a road buffer in accordance with the Unified Development Ordinance.
- Expansion of the outside pits to accommodate 30 additional race cars to allow the track to discontinue to historic practice of parking race cars in the infield.
- Increased parking lot lighting
- Removal of the inside guardrail and widening of the race track to decrease accidents.
- Creating a concrete block barrier around the existing infield buildings
- Adding an 8-10 foot high catch fence behind the outside wall from turn 1 through turn 3
- Increasing the height of the concrete outside wall in turn one

The completion of these activities would significantly improve both fan and competitor safety. Fans would have ample, lighted parking and would not be walking down Mariposa Road. Competitors would not be in the infield which would reduce the risk of someone being injured by a loose wheel or other debris and it would significantly reduce the number of people crossing the race track between races. In addition, it would make security easier for the Lincoln County Sheriff's department as all competitors and crew would be in one area. The new catch fence would increase safety for open wheel cars which run wider racing tires and tend to "bounce" in accident situations. The removal of the inside guardrail and widening of the racing surface would decrease accidents and damage to the cars.

In addition to the above, the owners of the speedway have donated a new fire safety vehicle to the track for 2010. The new fire truck will have a 60 gallon tank of Cold Fire Foam, a variety of other safety and extraction equipment and will accommodate four safety officials.

Phase 2 (2011-2013)

Phase 2 would begin an upgrade and limited expansion of the fan seating capacity at the track, along with the parking and restroom capacity to accommodate the additional people. The major activities in Phase 2 would include:

- The addition of 500 additional bleacher seats and grandstand seats
- The clearing and grading of 3 acres and the addition of 250 parking spaces
- Additional grandstand restrooms
- Replacement of the exiting concession, track operations and storage buildings (4 total) with one larger structure.

Completion of Phase 2 will give the speedway the capacity required to host a limited number of special racing events including touring late model and sprint car series.

CONDITIONS

East Lincoln Speedway Holdings, LLC proposed the following conditions for the Conditional Use Permit to continue to operate the East Lincoln Speedway:

1. No more than 35 racing events will be held on weekend (Friday or Saturday) evenings and all weekend racing events will end by midnight.
2. No more than 15 racing events will be racing events will be held on weekday (Sunday-Thursday) evenings and all weekday racing events will end by 10:00 PM.
3. No racing or testing will be conducted on Wednesday evenings.
4. No racing or testing will be conducted on Sunday before 12:00 noon.

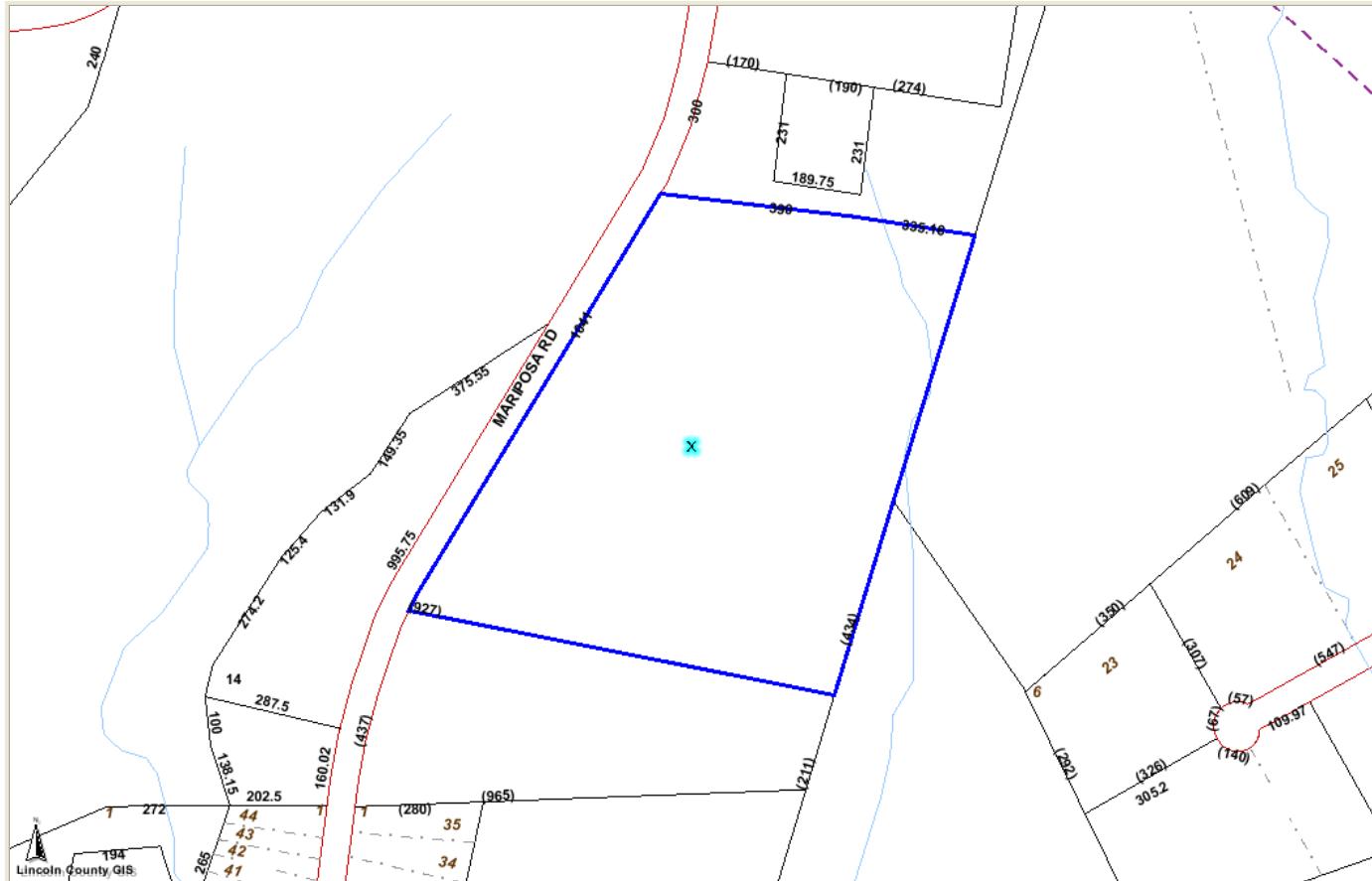
BENEFITS TO THE LOCAL COMMUNITY AND LINCOLN COUNTY

The East Lincoln Speedway is the largest entertainment venue in Lincoln County and provides low cost, family centric entertainment to county residents. Addressing the parking and safety issues described in this report will improve the experience at the track for both fans and racers. The addition of new and expanded grandstands will allow the speedway to bring in a small number of special racing events each year, which will bring additional excitement, visitors and exposure to the county.



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
Lincoln County and its mapping contractors assume no legal responsibility for
the information contained on this map. This map is not to be used for land
conveyance. The map is based on NC State Plane Coordinate System 1983 NAD
Date: 2/19/2010 Scale: 1 Inch = 400 Feet



PHOTOS



53985



m34330

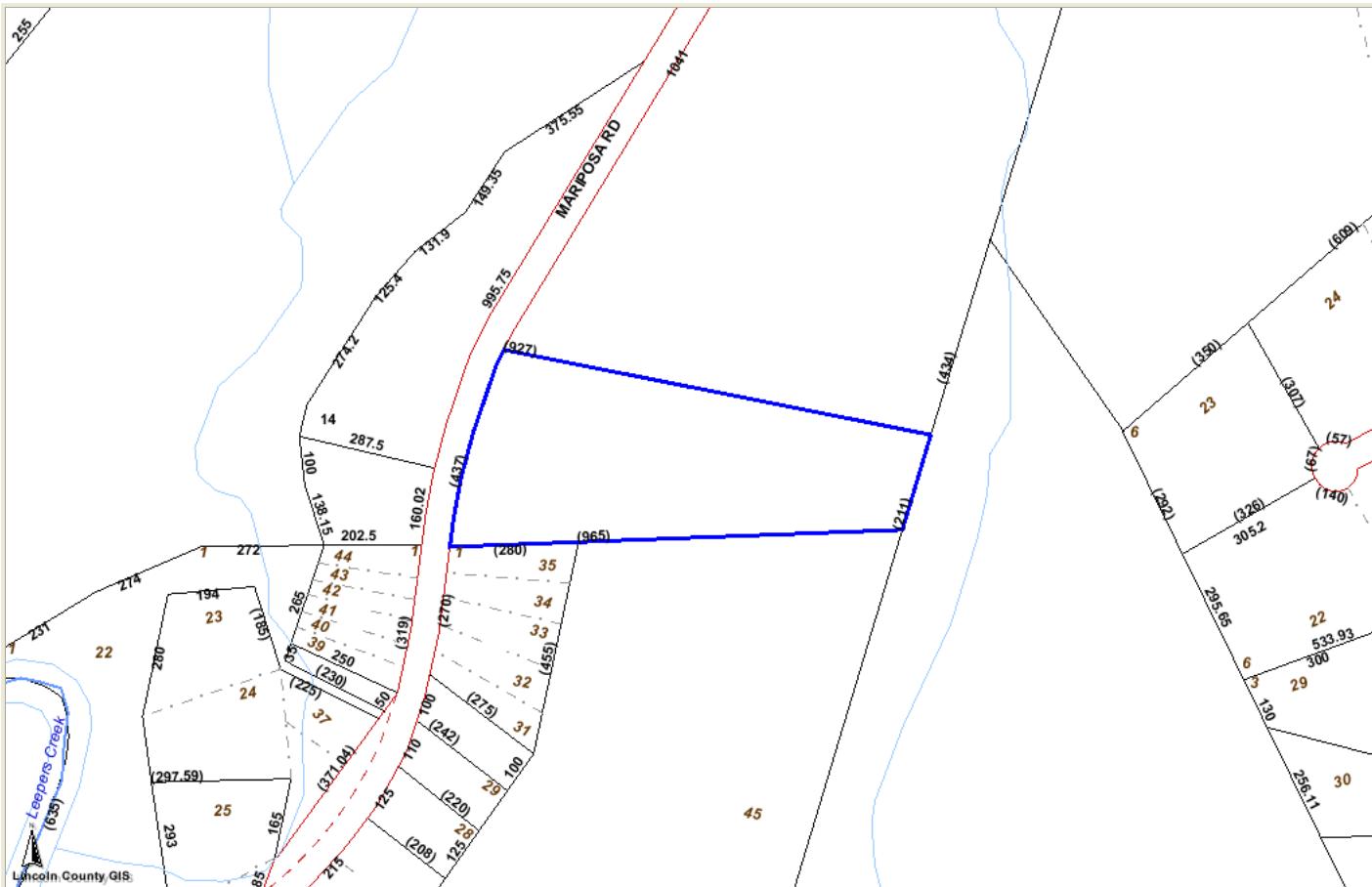
PARCEL INFORMATION FOR 3681-74-7204

Parcel ID	53985	Owner	EAST LINCOLN SPEEDWAY HOLDINGS LLC		
Map	3681-02	Mailing Address	8632 CAMBERLY RD HUNTERSVILLE NC 28078		
Account	0216392	Recorded	11/24/2008		
Deed	2079-419	Total Value	\$350,000		
Land Value	\$167,426	\$226,210			Previous Parcel
----- All values are for tax year 2010. -----					
Description	SPEEDWAY		Deed Acres	19.11	
Address	MARIPOSA RD		Tax Acres	18.39	
Township	CATAWBA SPRINGS		Tax/Fire District	ALEXIS	
Main Improvement		BLEACHERS		Value	\$18,600
Main Sq Feet	9300	Stories	0	Year Built	1989
Parcel ID	M34330	Owner	EAST LINCOLN SPEEDWAY HOLDINGS		
Map	3681-02	Mailing Address	6420 OLD PLANK RD STANLEY NC 28164		
Account	0218115	Recorded	12/31/2008		
Deed	222-222	Total Value	\$500		
Land Value	\$0				Sale Price
----- All values are for tax year 2010. -----					
Description	1990 08 X 20 OFFICE		Deed Acres	0	
Address	MARIPOSA RD		Tax Acres	0	
Township	CATAWBA SPRINGS		Tax/Fire District	ALEXIS	
Main Improvement		MANUFACTURED HOME		Value	\$500
Main Sq Feet	160	Stories	1	Year Built	1990
Zoning		Calculated Acres		Calculated Acres	
District					18.4
R-T		18.4			
Watershed Class			Sewer District		
Not in a watershed		18.4	Not in the sewer district		18.4
2000 Census County			Tract	Block	
37109			071000	1009	0.69
37109			071000	1019	17.71
Flood		Zone Description		Panel	
X		NO FLOOD HAZARD		3681	18.4



Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
 Lincoln County and its mapping contractors assume no legal responsibility for
 the information contained on this map. This map is not to be used for land
 conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.
Date: 2/19/2010 Scale: 1 Inch = 400 Feet

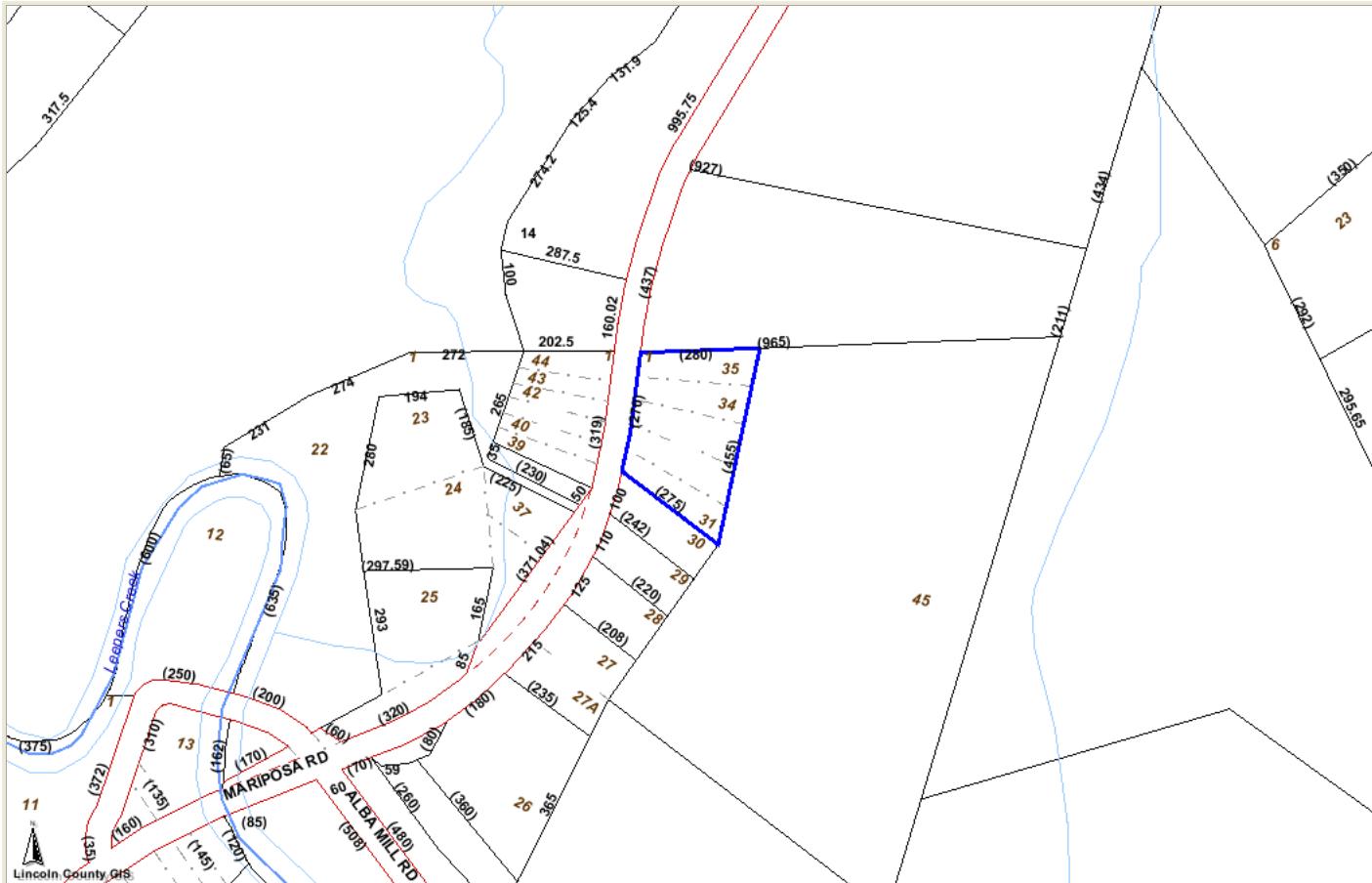
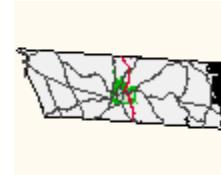


Parcel ID	Owner	Voting Precinct		Calculated Acres
71170	STONE MECHANICAL RESOURCES INC			
Map 3681-04	19425-G LIVERPOOL PARKWAY			
Account 0199871	CORNELIUS NC 28031			
Deed 1886-83	Recorded 1/2/2007	Sale Price \$14,000		
Land Value \$92,818	Total Value \$92,818	Previous Parcel 30096		
----- All values are for tax year 2010. -----				
Description VACANT LAND RD 1412	Address MARIPOSA RD	Tax/Fire District ALEXIS	Deed Acres 7.34	
Township CATAWBA SPRINGS	Improvement No Improvements	Block 1009	Tax Acres 6.93	
Zoning R-T	Calculated Acres 6.06	Tract 071000		
Watershed Class I-G PCUR	0.87	Block 1019		
Not in a watershed 6.94		Panel 3681		
2000 Census County 37109	Zone Description NO FLOOD HAZARD	Calculated Acres 6.94		
37109		0.01		
37109		6.93		
Flood X				

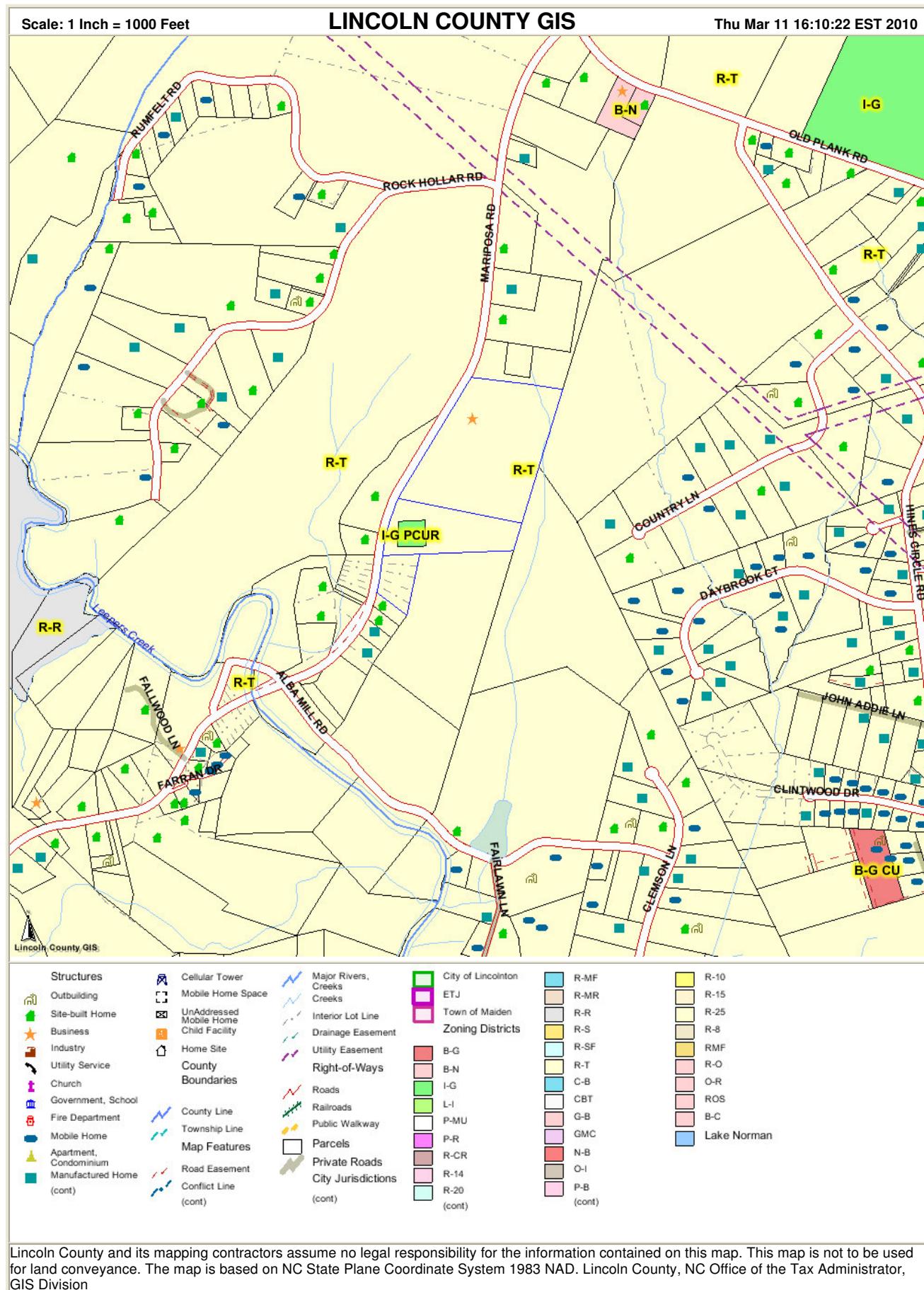


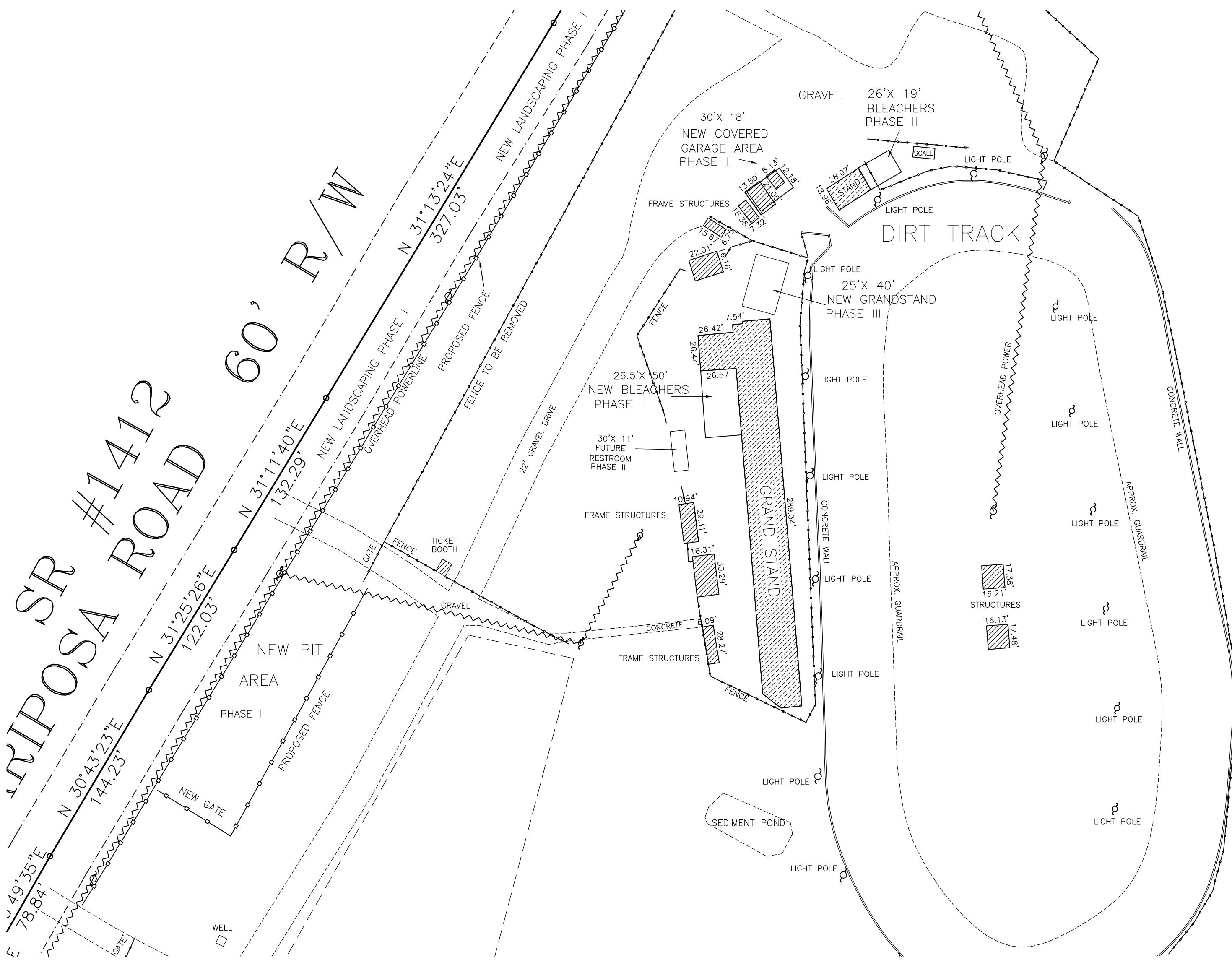
Lincoln County, NC

Office of the Tax Administrator, GIS Mapping Division
 Lincoln County and its mapping contractors assume no legal responsibility for
 the information contained on this map. This map is not to be used for land
 conveyance. The map is based on NC State Plane Coordinate System 1983 NAD.
Date: 2/19/2010 Scale: 1 Inch = 431 Feet

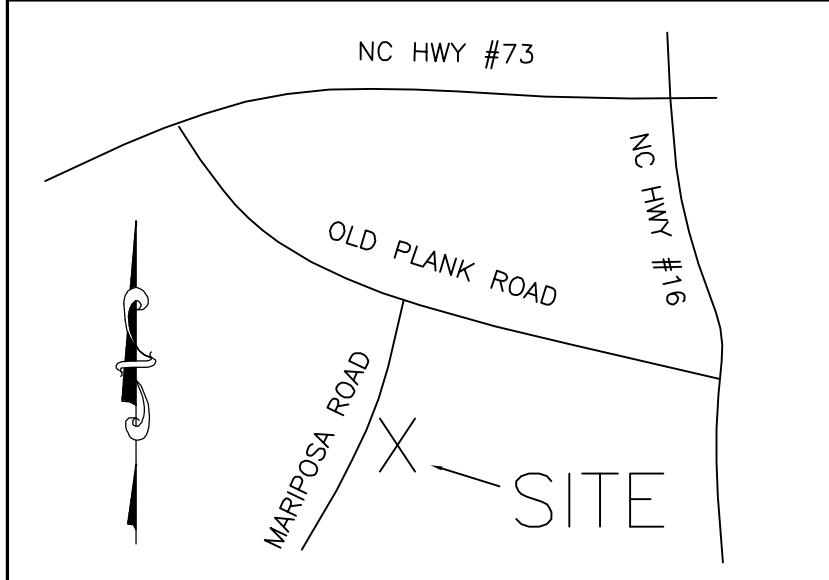


PHOTOS		PARCEL INFORMATION FOR 3681-73-0340						
 Photo Not Available		Parcel ID	59382	Owner	STONE MECHANICAL RESOURCES INC			
		Map	3681-04	Mailing Address	19425-G LIVERPOOL PARKWAY			
		Account	0199871	Recorded	CORNELIUS NC 28031			
		Deed	1886-87	Total Value	1/2/2007			
		Land Value	\$15,991		\$15,991			
----- All values are for tax year 2010. -----								
		Subdivision	Lot 31-35 ECONOMY HOMES INC					
		Description	31-35 ECONOMY HOMES SUB					
		Address	MARIPOSA RD					
		Township	CATAWBA SPRINGS					
		Improvement	No Improvements					
		Zoning District	Calculated Acres	Voting Precinct	Calculated Acres			
		R-T	2.16	LOWESVILLE WEST (LW31)	2.16			
		Watershed Class	Not in a watershed					
		2000 Census County	2.16					
		37109						
		Flood	Zone Description	Sewer District	2.16			
		X	NO FLOOD HAZARD	Not in the sewer district	Tract			
					071000			
					Block			
					1019			
					Panel			
					3681			
						2.16		





VICINITY MAP



MAGNETIC NORTH 1985

Course	Bearing	Distance
L1	N 0745'26" E	74.78'
L2	N 0745'26" E	57.45'
L3	N 1018'29" E	53.03'
L4	N 1491'19" E	61.61'
L5	N 1750'06" E	87.17'
L6	N 2014'40" E	60.13'
L7	N 2301'28" E	60.28'

NOTES:

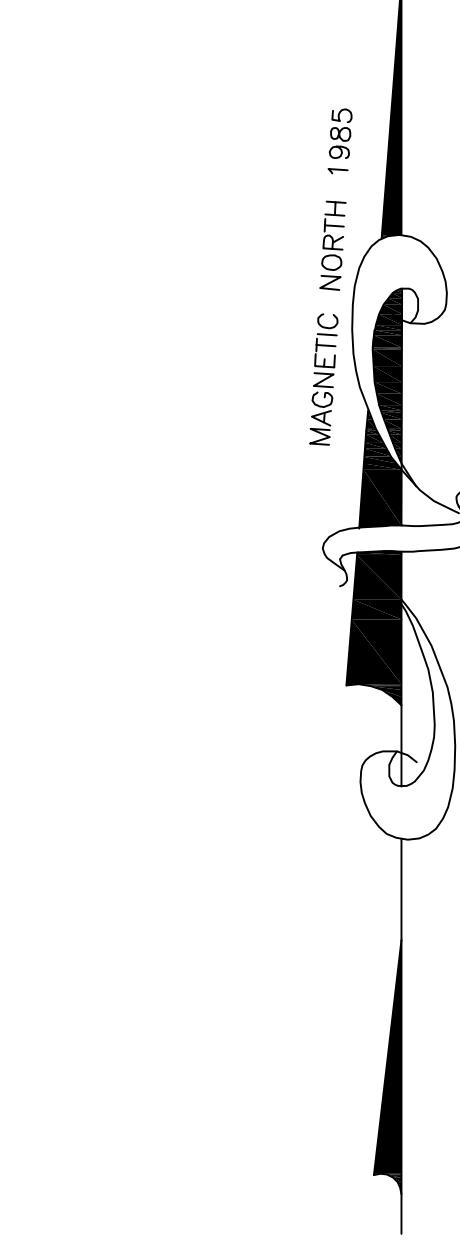
- * PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS OF WAYS OR EASEMENTS NOT OBSERVED
- * OWNER TO VERIFY ALL SETBACKS AND ZONING REGULATIONS PRIOR TO ANY PLANNING OR CONSTRUCTION.
- * DIMENSIONS OF ALL IMPROVEMENTS SHOWN ON THIS PLAT SHOULD NOT BE SCALED OR RELIED UPON FOR DESIGN OR CONSTRUCTION WITHOUT A FIELD VERIFICATION OF ALL DIMENSIONS.
- * DIGITAL COPIES OF THIS FILE ARE FOR REFERENCE ONLY AND MAY NOT BE USED FOR DESIGN WORK.
- * THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN.

LEGEND:

- BOUNDARY LINE
- - - SANITARY SEWER LINE
- - - NATURAL GAS LINE
- - - UNDERGROUND POWER
- - - OVERHEAD UTILITIES
- - - UNDERGROUND TELEPHONE
- - - WATER LINE
- - - FENCE (TYPE NOTED)
- CP = COMPUTED POINT (UNMARKED)
- R/W = RIGHT-OF-WAY
- E/P = EDGE OF PAVEMENT
- C/L = CENTERLINE
- Ø = UTILITY POLE

PHASE I - 3 AC. NEW PARKING
PHASE II - ADDITIONAL BLEACHERS & GARAGE
PHASE III - 3 AC. ADDITIONAL PARKING & GRANDSTAND

MARIPOSA SR #1412



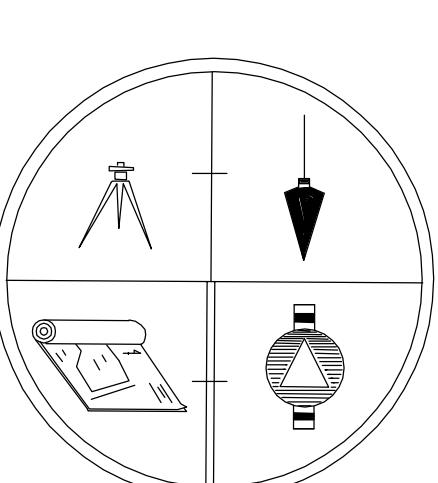
19.115 AC.+- TOTAL
18.411 AC.+- CLEAR R/W

TO BE ACQUIRED
7.35 AC.+- TOTAL
7.03 AC.+- CLEAR

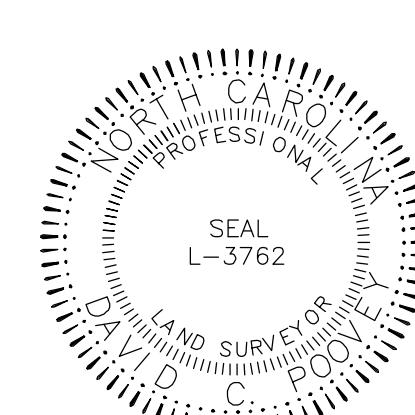
PHASE I
3 AC. ADDITIONAL PARKING

TO BE ACQUIRED
2.10 AC.+- TOTAL
ADDITIONAL PARKING
PHASE III
3 AC.+-

STATE OF NORTH CAROLINA
I, DAVID C. POOVEY, CERTIFY THAT THIS MAP WAS DRAWN BY ME
(DRAWN UNDER MY SUPERVISION) FROM (AN ACTUAL SURVEY MADE
BY ME) (AN ACTUAL SURVEY MADE UNDER MY SUPERVISION) (DEED
DESCRIPTION RECORDED IN BOOK _____, PAGE _____;
BOOK _____, PAGE _____; BOOK _____, PAGE _____;
THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND
DEPARTURE IS 1:10,000. (THAT THE BOUNDRIES NOT SURVEYED
ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND
IN BOOK _____, PAGE _____; BOOK _____, PAGE _____); THAT THIS MAP WAS
PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED.
WITNESS MY HAND AND SEAL THIS THE _____ DAY OF
A.D. 2007.



PROFESSIONAL LAND SURVEYOR - PLS #3762



I FURTHER CERTIFY THAT THE SURVEY CREATES A SUBDIVISION OF
LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS
AN ORDINANCE THAT REGULATES PARCELS OF LAND.

80 0 80 160 240
GRAPHIC SCALE - FEET

SITE PLAN
FOR
EAST LINCOLN
SPEEDWAY HOLDINGS, LLC

19.115 AC. TRACT PIN 3681-74-7204
7.350 AC. TRACT PIN 3681-73-3665
2.10 AC. TRACT PIN 3681-73-0340

DATE: 3-15-10 DB: 2079 PG: 419
SCALE: 1" = 80' DB: 1886 PG: 83
PB: XXX PG: XXX

CATAWBA SPRINGS TWSP
LINCOLN COUNTY, NC

DEDMON SURVEYS

RONNIE DEDMON, PLS #1222
CHUCK POOVEY, PLS #3762
ROBERT DEDMON, PLS #3899
PHILLIP HARRIS, PLS #4164
4837 NC HIGHWAY #16 NORTH
P.O. BOX 494 - DENVER, NC 28037
PHONE: 704/483/4908
FAX: 704/483/2170

SURV. BY: HL DRAWN: CP JOB#
RACEWAYSITEPLAN