

**From:** Alice Helms <helms.alice@gmail.com>  
**Sent:** 10/4/2018 2:19:06 PM  
**To:** Asheville City Council <AshevilleNCCouncil@ashevillenc.gov>  
**Cc:**  
**Subject:** Vote "no" to request for Conditional Zoning on Maxwell Street on October 9

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Dear Mayor and City Council members,

I'm writing to ask you **not** to approve the request by Reid Thompson for conditional zoning on Maxwell Street at your October 9th meeting.

The staff report concerning this request points out many good reasons why this application should not be approved, including the fact that it would be inconsistent with council's past actions taken to eliminate STVRs in residential neighborhoods.

His justification for this request does not make sense--I do not see how the street can be uninhabitable to long term tenants and at the same time ideal for STVRs. This neighborhood is a good location for much needed long term rentals; walkable to downtown and shopping, and near a bus line.

Please don't be swayed, as the Planning and Zoning Commission apparently was, by Mr. Thompson's claim that the situation with Whole Foods (Green Life) Grocery somehow justifies his request to create a Lodging Zone on Maxwell Street. I live in the Five Points Neighborhood, and have often walked on that street in the past five years. I agree that allowing Green Life Grocery to install an unbuffered loading dock on Maxwell Street was a huge mistake, and that it causes regular visual and audible disruptions to residents on the block. And, in my opinion, the city should be trying to solving that problem. But, I do not agree with Mr. Thompson that the solution is to make Maxwell Street a Lodging Zone which would allow STVRs.

Thank you.

Alice Helms  
131 Hillside Street



**From:** Joe Ebel <joeebel@gmail.com>  
**Sent:** 10/13/2018 7:28:33 PM  
**To:** jtweed@ashbevillenc.gov  
**Cc:**  
**Subject:** Traffic light at Chestnut and Merrimon

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Mr. Tweed,

My wife and I live in North Asheville. She is a native of Asheville and I have lived here for 20 years. We often shop at what I call the "holy triumvirate" of grocery stores: Trader Joe's, Greenlife, and Harris Teeter.

However, I am often stuck on West Chestnut, eastbound, at least a block before Trader Joe's waiting on a car at the intersection attempting to turn left. I have experienced multi-block lines of traffic with only one vehicle proceeding left through the green light.

Is it possible to add a left turn arrow for Chestnut Street eastbound traffic at Merrimon? I'm sure it would improve traffic flow.

Just wanted to voice an opinion. Have a great day!

Joe Ebel  
828-242-2021





**From:** Reid Thompson <reidtd4@gmail.com>  
**Sent:** 10/12/2018 8:56:12 AM  
**To:** Cathy Ball <cball@shervillenc.gov>, ashevillencouncil@shervillenc.gov, esthermanhimer@avlouncil.com  
**Cc:** juliemayfield@avlouncil.com, gwenwisler@avlouncil.com, keithyoung@avlouncil.com, Sheneika Smith <sheneikasmit@avlouncil.com>, Vijay Kapoor <vijaykapoor@avlouncil.com>, Brian Haynes <brianhaynes@avlouncil.com>  
**Subject:** Selective enforcement continues.  
**Attachments:** [image1.jpeg](#), [Attachment.txt](#), [image2.jpeg](#), [Attachment.txt](#)

Shannon Tuch never took this through conditional zoning as required and directed by a previous council. Council must've been complicit because they took no further action. It was all a charade for the public  
Different levels of enforcement depending on your political connections. Does this look residential to you? This is a commercial use of a residential street for a private business gone unmitigated for 14 years... Are the Turner is the only stakeholders in the community? Why wasn't this covered in the staff report, it certainly relevant.

Council members are personal friends with the owners of the property. In fact Charles Worley, a sitting mayor and the Turner's attorney at the time, went behind closed doors with the rest of council to discuss, years ago, he felt no need to recuse himself...

long-standing tradition of abusing the neighbors on Maxwell Street.

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0



**From:** Polly McDaniel <pmcdaniel@ashevillenc.gov>  
**Sent:** 10/17/2018 8:37:48 AM  
**To:** Virginia Dafron <vdafron@mountainx.com>  
**Cc:**  
**Subject:** Regarding your question

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Hi Virginia,

You may attribute this to me:

The City is reviewing ways to bring the trucks delivering items to Greenlife into compliance, with stricter enforcement, to include more ticketing if necessary.

No Notice of Violations have been filed or are in process.

Thank you and I hope to see you later today,  
Polly

Polly McDaniel

Communication Specialist | City of Asheville

828-232-4507 – Office | 828-774-7602 – Cell

[pmcdaniel@ashevillenc.gov](mailto:pmcdaniel@ashevillenc.gov)

[Asheville City Source](#)

[www.ashevillenc.gov](http://www.ashevillenc.gov)



**From:** glsbrae@gmail.com <glsbrae@gmail.com>  
**Sent:** 11/11/2018 5:50:25 PM  
**To:** webmaster@ashvillenc.gov  
**Cc:**  
**Subject:** Reducing Charlotte St. Lanes to 3; Giant Building at Fuddrucker's Site

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It seems to me that you are ignoring traffic consequences for those who live along the N. Charlotte corridor, myself included. If the lanes are reduced from 4 to 3, and this very large residential building is built in the same vicinity, where will residents park (who park on the streets now), and how will residents even drive to their houses in a timely fashion? The plan reminds me of the Greenlife/Trader Joe's/Harris Teeter debate on Merrimon. I no longer go to Trader Joe's b/c there is never enough parking space, and Chestnut St. is totally overburdened with traffic from 4 directions. I think your plans are terribly flawed. Susan Hunt, living 1.5 miles from the Charlotte/Chestnut St. intersection



**From:** Joel Tweed <jtweed@ashvillenc.gov>  
**Sent:** 10/16/2018 5:48:40 AM  
**To:** Joe Ebel <joeebel@gmail.com>  
**Cc:**  
**Subject:** Re: Traffic light at Chestnut and Merrimon

Joe,  
No problem, If I can help with anything else let me know.  
Joel

On Mon, Oct 15, 2018 at 11:48 PM, Joe Ebel <joeebel@gmail.com> wrote:  
Thanks for the info! I should have known US 25 belonged to NCDOT!! D'oh!!

Joe

On Oct 15, 2018, at 8:59 AM, Joel Tweed <jtweed@ashvillenc.gov> wrote:

Mr. Ebel,  
That traffic signal is maintained by NCDOT. You can contact them with your concerns at 828-298-0094  
Thank you,  
Joel

On Sat, Oct 13, 2018 at 8:28 PM, Joe Ebel <joeebel@gmail.com> wrote:

Mr. Tweed,

My wife and I live in North Asheville. She is a native of Asheville and I have lived here for 20 years. We often shop at what I call the "holy triumvirate" of grocery stores: Trader Joe's, Greenlife, and Harris Teeter.

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Joe Ebel  
828-242-2021

*Paul C. Tward*

Signal Supervisor

Traffic Engineering | Transportation Department

City of Asheville | P.O.Box 7148 | Asheville, NC 28802

Phone: 828-259-5873

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

*Paul C. Tward*

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Traffic Engineering | Transportation Department

City of Asheville | P.O.Box 7148 | Asheville, NC 28802

Phone: 828-259-5873

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**From:** Joel Tweed <jtweed@ashvillenc.gov>  
**Sent:** 10/15/2018 7:59:14 AM  
**To:** Joe Ebel <joeebel@gmail.com>  
**Cc:**  
**Subject:** Re: Traffic light at Chestnut and Merrimon

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**To:** 'Cathy Ball' <cball@ashvilleenc.gov>  
**Cc:** 'Brian Haynes' <brianhaynes@avl.council.com>; councilmembers@avl.council.com; 'Tammy Hooper' <thooper@ashvilleenc.gov>; 'Ken Putnam' <kputnam@ashvilleenc.gov>; 'Harry Brown' <hbrown@ashvilleenc.gov>  
**Subject:** RE: Maxwell Street

I hope the parking dept data is better on the trucks than this. These stats would seem to bear out the concern that we've heard that residents are bearing most of the brunt of the increased enforcement.

**From:** Cathy Ball [mailto:cball@ashvilleenc.gov]  
**Sent:** Sunday, November 18, 2018 1:00 PM  
**To:** Julie Mayfield <juliemayfield@avl.council.com>  
**Cc:** Brian Haynes <brianhaynes@avl.council.com>; councilmembers@avl.council.com; Tammy Hooper <thooper@ashvilleenc.gov>; Ken Putnam <kputnam@ashvilleenc.gov>; Harry Brown <hbrown@ashvilleenc.gov>  
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Julie,

We have gotten the initial numbers from APD and are waiting on the numbers from Parking Services.

The data from APD is:  
9% Permitted Parking Only: 6  
9% Parking against traffic: 3  
9% Gross vehicle weight restriction violation: 1  
9% Total since last Tuesday: 10  
9% Grand Total since 10/22/18: 44  
9% Cars: 39  
9% Trucks: 5  
I will update you on the parking numbers when I get them.

Cathy

Cathy D. Ball, PE  
Interim City Manager  
City of Asheville  
P.O. Box 7148  
Asheville, NC 28802  
(W) 828-259-5939  
(C) 828-691-4623

On Fri, Nov 16, 2018 at 4:56 PM Julie Mayfield <juliemayfield@avl.council.com> wrote:

Cathy â€œ do you know yet how many trucks have been tickets since we started posting someone out there?

Julie

**From:** Brian Haynes [mailto:brianhaynes@avl.council.com]  
**Sent:** Friday, November 16, 2018 12:36 PM  
**To:** Cathy Ball <cball@ashvilleenc.gov>; councilmembers@avl.council.com  
**Subject:** Maxwell Street

As he routinely does, Reid Thompson just visited me at the Habitat ReStore. Sometimes he's just shopping, but more often than not, he is seeking relief from what he perceives as the daily injustice that takes place on Maxwell St.

He approached me today in tears from this morning's events. He informed me of multiple tickets that he and his neighbors have been written and this morning was told to move the rental car he was sitting in from the front of his home or he would be ticketed.

He stated that someone from Parking Enforcement has been parked on Maxwell St. ticketing the cars parked in violation but no trucks are being written citations. He said the officer told him he was there strictly for that purpose. If that's the case then I see no reason for them being there.

When Council asked that violations be enforced on Maxwell Street it was meant to address Whole Foods violations not to further disturb the quality of life for the residents.

I'm extremely disappointed in how we've dealt with this matter and think more often than not the wrong parties have been targeted.



**From:** Brian Haynes <brianhaynes@avl.council.com>  
**Sent:** 11/18/2018 7:25:52 PM  
**To:** Cathy Ball <cball@ashville.nc.gov>  
**Cc:** Julie Mayfield <juliemayfield@avl.council.com>, Harry Brown <hbrown@ashville.nc.gov>, Tammy Hooper <thooper@ashville.nc.gov>, Ken Putnam <kputnam@ashville.nc.gov>, councilmembers@avl.council.com  
**Subject:** Re: Maxwell Street

Council asked for citations to be issued for violations by Whole Foods and their delivery trucks with hopes of improving conditions for residents on Maxwell St. These numbers would suggest that we've managed to make matters worse.

On Nov 18, 2018 12:59 PM, "Cathy Ball" <cball@ashville.nc.gov> wrote:  
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A Brian.

A

A

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**From:** Julie Mayfield <juliemayfield@avl.council.com>  
**Sent:** 11/16/2018 4:56:02 PM  
**To:** 'Brian Haynes' <brianhaynes@avl.council.com>, 'Cathy Ball' <cball@ashvillenc.gov>, councilmembers@avl.council.com  
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**From:** Chase Cutshaw <[ccutshaw@ashவில்லenc.gov](mailto:ccutshaw@ashவில்லenc.gov)>  
**Sent:** 11/14/2018 12:03:05 PM  
**To:** Ken Putnam <[kputnam@ashவில்லenc.gov](mailto:kputnam@ashவில்லenc.gov)>  
**Cc:**  
**Subject:** Re: Maxwell Street

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Yes sir. 828-772-1382

On Wed, Nov 14, 2018 at 11:02 AM Ken Putnam <[kputnam@ashவில்லenc.gov](mailto:kputnam@ashவில்லenc.gov)> wrote:

Chase, please send me your cell phone number and I will call you in a few minutes.

On Wed, Nov 14, 2018 at 10:48 AM, Chase Cutshaw <[ccutshaw@ashவில்லenc.gov](mailto:ccutshaw@ashவில்லenc.gov)> wrote:

Good morning sir. I am over here doing the activity log and have found what I think is the right ordinance for trucks being prohibited on designated streets. I also just had a gentleman film me and then record our conversation when he came to speak with me. I have a couple of questions regarding that ordinance and what he was telling me. All help with the situation is appreciated.

Thank you,  
Chase Cutshaw



**From:** Cathy Ball <cball@ashvillenc.gov>  
**Sent:** 11/16/2018 12:42:30 PM  
**To:** Brian Haynes <brianhaynes@avlouncil.com>, Tammy Hooper <thooper@ashvillenc.gov>, Ken Putnam <kputnam@ashvillenc.gov>  
**Cc:** councilmembers@avlouncil.com  
**Subject:** Re: Maxwell Street

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Brian,

I am copying Ken and Tammy on this email. Unfortunately we cannot do selective enforcement of parking violations on the street. I received a report from Tammy earlier this week showed that we have written tickets to trucks in addition to cars.

Cathy

Cathy D. Ball, PE  
Interim City Manager  
City of Asheville  
P.O. Box 7148  
Asheville, NC 28802  
(W) 828-259-5939  
(C) 828-691-4623

On Fri, Nov 16, 2018 at 12:36 PM Brian Haynes <[brianhaynes@avlouncil.com](mailto:brianhaynes@avlouncil.com)> wrote:

As he routinely does, Reid Thompson just visited me at the Habitat Restore. Sometimes he's just shopping, but more often than not, he is seeking relief from what he perceives as the daily injustice that takes place on Maxwell St.

He approached me today in tears from this morning's events. He informed me of multiple tickets that he and his neighbors have been written and this morning was told to move the rental car he was sitting in from the front of his home or he would be ticketed.

He stated that someone from Parking Enforcement has been parked on Maxwell St. ticketing the cars parked in violation but no trucks are being written citations. He said the officer told him he was there strictly for that purpose. If that's the case then I see no reason for them being there.

When Council asked that violations be enforced on Maxwell Street it was meant to address Whole Foods violations not to further disturb the quality of life for the residents.

I'm extremely disappointed in how we've dealt with this matter and think more often than not the wrong parties have been targeted.



**From:** Julie Mayfield <juliemayfield@avl.council.com>  
**Sent:** 11/16/2018 4:56:02 PM  
**To:** 'Brian Haynes' <brianhaynes@avl.council.com>, 'Cathy Ball' <cball@ashvillenc.gov>, councilmembers@avl.council.com  
**Cc:**  
**Subject:** RE: Maxwell Street

---

Cathy â€” do you know yet how many trucks have been tickets since we started posing someone out there?

Julie

**From:** Brian Haynes [mailto:brianhaynes@avl.council.com]  
**Sent:** Friday, November 16, 2018 12:36 PM  
**To:** Cathy Ball <cball@ashvillenc.gov>; councilmembers@avl.council.com  
**Subject:** Maxwell Street

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Brian



**From:** Ken Putnam <kputnam@ashevillenc.gov>  
**Sent:** 11/14/2018 12:02:31 PM  
**To:** Chase Cutshaw <ccutshaw@ashevillenc.gov>  
**Cc:**  
**Subject:** Re: Maxwell Street

---

Chase, please send me your cell phone number and I will call you in a few minutes.

On Wed, Nov 14, 2018 at 10:48 AM, Chase Cutshaw <[ccutshaw@ashevillenc.gov](mailto:ccutshaw@ashevillenc.gov)> wrote:

Good morning sir. I am over here doing the activity log and have found what I think is the right ordinance for trucks being prohibited on designated streets. I also just had a gentleman film me and then record our conversation when he came to speak with me. I have a couple of questions regarding that ordinance and what he was telling me. All help with the situation is appreciated.

Thank you,  
Chase Cutshaw





**From:** Brian Haynes <brianhaynes@av1council.com>  
**Sent:** 11/18/2018 7:25:52 PM  
**To:** Cathy Ball <cball@ashvillenc.gov>  
**Cc:** Julie Mayfield <juliemayfield@av1council.com>, Harry Brown <hbrown@ashvillenc.gov>, Tammy Hooper <thooper@ashvillenc.gov>, Ken Putnam <kputnam@ashvillenc.gov>, councilmembers@av1council.com  
**Subject:** Re: Maxwell Street

Council asked for citations to be issued for violations by Whole Foods and their delivery trucks with hopes of improving conditions for residents on Maxwell St. These numbers would suggest that we've managed to make matters worse.

On Nov 18, 2018 12:59 PM, "Cathy Ball" <cball@ashvillenc.gov> wrote:  
Julie,

We have gotten the initial numbers from APD and are waiting on the numbers from Parking Services.

The data from APD is:

- Permitted Parking Only: 6
- Parking against traffic: 3
- Gross vehicle weight restriction violation: 1
- Total since last Tuesday: 10
- Grand Total since 10/22/18, 44
- Cars: 39
- Trucks: 5

I will update you on the parking numbers when I get them.

Cathy

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Interim City Manager  
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Q I'm extremely disappointed in how we've dealt with this matter and think more often than not the wrong parties have been targeted.

Q Brian.

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**From:** Cathy Ball <cball@ashevillenc.gov>  
**Sent:** 11/16/2018 12:42:30 PM  
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**From:** Joseph Minicozzi <joe@urban-three.com>  
**Sent:** 10/8/2018 9:14:16 PM  
**To:** dphairras@ashveillenc.gov  
**Cc:** Maggie Burleson <mburleson@ashveillenc.gov>  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

Great! I'll swing by at 10:30 to run through the computer! Thanks for your help!!  
Cheers  
Joe

On Mon, Oct 8, 2018 at 4:38 PM Dan Phairras <[dphairras@ashveillenc.gov](mailto:dphairras@ashveillenc.gov)> wrote:  
Joe,

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We could plan to meet at Council Chambers at 10:30 tomorrow morning so you can go over them too. Does 10:30 work for you?

Best,  
Dan

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### Dan Phairras

Media Specialist  
Communication & Public Engagement Department  
828.232.4594  
[www.Ashveillenc.gov](http://www.Ashveillenc.gov)



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Thanks and see you tomorrow,  
Maggie

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Joe, Dan Phairas is our "TV guy" so you two will need to touch base. A Dan, I've just got the thumb drive and I'll bring it down for you.

Thanks to both of you,  
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Hello Maggie:

Will Creasy, from our office, is walking over a thumb drive with a copy of the file. A I'm uploading copies on to Dropbox as well. A I'll follow through with a link to ensure that you get a proper file. A On the Dropbox will be the original file as well as a compressed file. A I had to do a compression to get it to fit on a portable drive. A There is some video in there, so we'll need audio in the presentation. A If that is a problem, I can bring a portable bluetooth speaker. A If possible, can I swing by tomorrow AM to double check

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Many thanks,  
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Hello Maggie:

I just unearthed this in my inbox.Â Sorry that I didn't see it until now.Â Ignore my last email.Â I will load up a version of the powerpoint.Â It will be a very large file, and won't email.Â If you have an FTP site where I can dropbox it, I can do that from here and send you a link.Â Otherwise, I can walk it over before noon.Â I use Apple's Keynote program, so I will convert it to PowerPoint and check that it formats properly in the AM.Â Finally, the presentation is loaded with a lot more than I will use for my presentation.Â A lot of it is back-up, should additional questions arise.  
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On Fri, Oct 5, 2018 at 10:42 AM Maggie Burleson <[mburleson@ashvillenc.gov](mailto:mburleson@ashvillenc.gov)> wrote:  
Joe - here is the e-mail I sent to you on Wednesday.

Hi Joe.Â If you will have a PowerPoint for the City Council public hearing on the conditional zoning on Maxwell Street on October 9, you must e-mail that to no later than Noon on Monday, October 8.Â I will have it loaded onto Chamber's laptop.Â Â

IfÂ you would like to have the PowerPoint as part of the agenda package, I must have it e-mailed to me by Noon tomorrow (Thursday, October 4).Â (That too will be loaded onto the Chamber's laptop.)

**Only a PowerPoint received by those times will be allowed to be loaded on the Chamber laptop.Â You will not be allowed to plug in your PowerPoint at the meeting.Â I MUST receive it by Noon on Monday, October 8.**

Please note that your presentation will be limited to no more than 10 minutes; and, please let me know if you have any questions.

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On Fri, Oct 5, 2018 at 10:20 AM, Jessica Bernstein <[jbernstein@ashvillenc.gov](mailto:jbernstein@ashvillenc.gov)> wrote:  
Joe,

Maggie Burleson, the City Clerk, has been trying to contact you with the instructions and parameters on the presentation. Please let me know if you did not receive her emails.

I don't have any new or additional information on Greenlife but Todd is copied on this email since you mentioned that you had been waiting to hear from him.

Thanks,  
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On Wed, Oct 3, 2018 at 10:39 PM Joseph Minicozzi <[joel@urban-three.com](mailto:joel@urban-three.com)> wrote:  
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Many thanks,  
Joe

On Wed, Sep 12, 2018 at 1:15 PM Jessica Bernstein <[jbernstein@ashvillenc.gov](mailto:jbernstein@ashvillenc.gov)> wrote:  
All,

I believe there have been a number of parallel discussions going on related to this project that I am not privy to but as far as the conditional zoning review that is scheduled for 10/6 at Council - I'm just checking to see if there is anything new to incorporate or if the proposal stands as it was last presented at P&Z.

Thanks - please let me know if you have any adjustments or revisions.

Jessica  
--

**Jessica Bernstein**  
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828.259.5525  
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Asheville's Interactive Zoning Map: [Click here](#)

TRC Development Map: [Click here](#)

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URBAN3



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**Sent:** 10/8/2018 2:58:08 PM  
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**To:** Maggie Burleson <mburleson@ashevillenc.gov>  
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**To:** dphairas@ashvilleenc.gov  
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Jessica  
\_\_

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**From:** Joseph Minicozzi <joe@urban-three.com>  
**Sent:** 10/8/2018 10:07:52 AM  
**To:** Maggie Burleson <mburleson@ashvillenc.gov>  
**Cc:**  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

---

Hello Maggie:

Will Creasy, from our office, is walking over a thumb drive with a copy of the file. I'm uploading copies on to Dropbox as well. I'll follow through with a link to ensure that you get a proper file. On the Dropbox will be the original file as well as a compressed file. I had to do a compression to get it to fit on a portable drive. There is some video in there, so we'll need audio in the presentation. If that is a problem, I can bring a portable bluetooth speaker. If possible, can I swing by tomorrow AM to double check that it all works?

Many thanks,  
Joe

On Mon, Oct 8, 2018 at 8:21 AM Maggie Burleson <mburleson@ashvillenc.gov> wrote:

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**From:** Maggie Burleson <mburleson@ashvillenc.gov>  
**Sent:** 10/8/2018 7:21:05 AM  
**To:** Joseph Minicozzi <joe@urban-three.com>  
**Cc:**  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

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**From:** Joseph Minicozzi <joe@urban-three.com>  
**Sent:** 10/7/2018 11:31:21 PM  
**To:** Maggie Burlison <mburlison@ashvillenc.gov>  
**Cc:** Jessica Bernstein <jbernstein@ashvillenc.gov>, Reid Thompson <reidtt40@gmail.com>, TC Morphis <morphis@broughlawfirm.com>, Todd Okolichany <tokolichany@ashvillenc.gov>  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

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**From:** Todd Okolichany <tokolichany@ashvevillenc.gov>  
**Sent:** 10/5/2018 10:23:57 AM  
**To:** Joseph Minicozzi, AICP <joe@urban-three.com>  
Jessica Bernstein <jbernststein@ashvevillenc.gov>, Reid Thompson <reidt40@gmail.com>, TC Morphis <tmorphis@broughlawfirm.com>  
**Cc:** Jessica Bernstein <jbernststein@ashvevillenc.gov>, Reid Thompson <reidt40@gmail.com>, TC Morphis <tmorphis@broughlawfirm.com>  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

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Joe,

Sorry for the late reply.Â

We know that a gravel lot was permitted separately for Greenlife. It was reviewed and approved as a Level I under permit number PZ 04-10000102, submitted in November 2004 and closed out in February 2005.Â We don't have a site plan for that approval so we have been trying to obtain historical aerial imagery to understand if the lot was ever expanded. During our review of this imagery we realized that some of the aerials we were looking at appeared to be of the same exact image, but that they were labeled with different dates. This imagery came from a state database and we are in the process of reconciling this information to make sure we are using accurate data.

I'll follow-up with you once we sort this out.

Regards,  
Todd Okolichany, AICP, LEED AP ND  
Director  
City of Asheville | Planning & Urban Design  
PO Box 7148 | Asheville, NC 28802  
**ph:** 828.259.5840 | **fax:** 828.250.8945 | [tokolichany@ashvevillenc.gov](mailto:tokolichany@ashvevillenc.gov)

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**From:** Todd Okolichany <tokolichany@ashvillenc.gov>  
**Sent:** 10/5/2018 9:54:33 AM  
**To:** Jessica Bernstein <jbernstein@ashvillenc.gov>  
Shannon Tuch <stuch@ashvillenc.gov>  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

---

My understanding is that the gravel lot was permitted separately from Greenlife in February 2005 but that we were also going to check historical aerial imagery.

Shannon, did you ever have a chance to check with IT about historical aerial imagery to see if that provided any more clues?

Thanks,  
Todd Okolichany, AICP, LEED AP ND  
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**Subject:** Re: Maxwell Street Re-Zoning - 10/6  
**To:** Jessica Bernstein <jbernstein@ashvillenc.gov>  
**Cc:** Reid Thompson <reidt40@gmail.com>, TC Morphis <morphis@broughlawfirm.com>, Todd Okolichany <tokolichany@ashvillenc.gov>

Hello Jessica:  
Sorry for the late reply. I've been on the road the last couple of weeks. Best that I know, we're moving ahead with the presentation that I made at the P&Z Commission. I'll bring my computer in like I did the last time. Let me know if there is anything I need to do for the hook up, or I can check in with the Clerk. Let me know who to chat with. I will leave whatever I present for the record as well. Also, I never heard back from Todd on this, but it appears that the gravel lot of Greenlife is being used without a permit or record of permit. It wasn't on the adopted plans (From 2004), nor any plans that Todd had at our July meeting. All I can piece out is that when the Council sessions of 2007 (traffic calming vs. Greenlife amend the dock) discussions were going on, that Greenlife just went ahead and started using the lot. I know that in 2005, they weren't using that lot, as I suggested that they utilize it for truck staging and John Swann told me "we don't have access to that property." Scott Shuford was in that meeting. Have you all found any new plans, and if not, have you sent out a Notice of Violation as required? If so, let me know as I will be talking about this in the presentation, and I want to be on



the same page as you all.  
Many thanks,  
Joe

On Wed, Sep 12, 2018 at 1:15 PM Jessica Bernstein <[jbernstein@ashvillenc.gov](mailto:jbernstein@ashvillenc.gov)> wrote:  
All,

I believe there have been a number of parallel discussions going on related to this project that I am not privy to but as far as the conditional zoning review that is scheduled for 10/6 at Council - I'm just checking to see if there is anything new to incorporate or if the proposal stands as it was last presented at P&Z.

Thanks - please let me know if you have any adjustments or revisions.

Jessica

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**Jessica Bernstein**  
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Asheville's Interactive Zoning Map: [Click here](#)

TRC Development Map: [Click here](#)

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**From:** Maggie Burleson <mburleson@ashvillenc.gov>  
**Sent:** 10/5/2018 9:42:23 AM  
**To:** Jessica Bernstein <jbernstein@ashvillenc.gov>  
**Cc:** Joseph Minicozzi <joe@urban-three.com>; Reid Thompson <reidt40@gmail.com>; TC Morphis <morphis@broughlawfirm.com>; Todd Okoichany <tokoichany@ashvillenc.gov>  
**Subject:** Re: Maxwell Street Re-Zoning - 10/6

Joe - here is the e-mail I sent to you on Wednesday.

Hi Joe. If you will have a PowerPoint for the City Council public hearing on the conditional zoning on Maxwell Street on October 9, you must e-mail that to no later than Noon on Monday, October 8. I will have it loaded onto Chamber's laptop. (That too will be

iff you would like to have the PowerPoint as part of the agenda package, I must have it e-mailed to me by Noon tomorrow (Thursday, October 4). (That too will be loaded onto the Chamber's laptop.)

**Only a PowerPoint received by those times will be allowed to be loaded on the Chamber laptop. You will not be allowed to plug in your PowerPoint at the meeting. I MUST receive it by Noon on Monday, October 8.**

Please note that your presentation will be limited to no more than 10 minutes; and, please let me know if you have any questions.

Thanks,  
Maggie

On Fri, Oct 5, 2018 at 10:20 AM, Jessica Bernstein <jbernstein@ashvillenc.gov> wrote:  
Joe,

Maggie Burleson, the City Clerk, has been trying to contact you with the instructions and parameters on the presentation. Please let me know if you did not receive her emails.

I don't have any new or additional information on Greenlife but Todd is copied on this email since you mentioned that you had been waiting to hear from him.

Thanks,  
Jessica

On Wed, Oct 3, 2018 at 10:39 PM Joseph Minicozzi <joe@urban-three.com> wrote:  
Hello Jessica:

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Thanks - please let me know if you have any adjustments or revisions.

Jessica

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