

From: [Paul Michaud](#)
To: [Chuck Nystuen](#); [Bill Doherty](#); [James Shough](#)
Cc: [Gary Stougaard](#); [Lynn Evans](#); [Brian Nystuen](#); [Dennis Wilenchik](#); [Charles Ransom](#); [Avery Korth](#)
Subject: RE: Smoke Tree Resort Construction
Date: Wednesday, March 19, 2025 9:20:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)

Thank you for your quick response on this matter

From: Chuck Nystuen <cnystuen@tynangroup.com>
Sent: Wednesday, March 19, 2025 8:48 AM
To: Bill Doherty <BDoherty@walton.com>; Paul Michaud <pmichaud@paradisevalleyaz.gov>; James Shough <jmscapital@aol.com>
Cc: Gary Stougaard <gstougaard@chelseahp.com>; Lynn Evans <lynn@tandcshops.com>; Brian Nystuen <BNystuen@tynangroup.com>; Dennis Wilenchik <diw@wb-law.com>; Charles Ransom <cransom@paradisevalleyaz.gov>; Avery Korth <akorth@tynangroup.com>
Subject: Re: Smoke Tree Resort Construction

External email: use caution with links & attachments

Hi Paul,

I've attached the latest Site Logistics Plan and confirmed with the contractor (Clayco) they will not be using the East Entrance for construction and will only be using Quail Run. The east entrance off Lincoln would only be opened/accessed for emergency egress.

Regarding dust control, the contractor will pull a new dust permit for the building phase and implement all required controls to mitigate dust. Water truck logs will be kept and provided as required.

Currently the site is not under construction, the decommissioning of drywells is still outstanding however, and we are working with Parker from CVL (civil engineer) and Chanen Construction to complete this task before the building phase starts which is scheduled for June 2025.

Once construction starts, the TynanGroup team will be onsite daily with the contractor to oversee and manage the construction process. We look forward to working with everyone to ensure open communication and quick resolutions to any issues that may come up during this project.

Thank you for the information below, we'll pass this on to all parties involved and please let me know if you have any questions or comments.

Sincerely,



Chuck Nystuen

Project Director

1215 W. Rio Salado Parkway, Suite 213

Tempe, AZ 85281

Office: 602.522.2655 | Cell: 602.432.4685

cnystuen@tynangroup.com

From: Bill Doherty <BDoherty@walton.com>

Sent: Tuesday, March 18, 2025 11:28 PM

To: Paul Michaud <pmichaud@paradisevalleyaz.gov>; James Shough <jmscapital@aol.com>

Cc: Gary Stougaard <gstougaard@chelseahp.com>; Lynn Evans <lynn@tandcshops.com>; Dennis Wilenchik <diw@wb-law.com>; Charles Ransom <cransom@paradisevalleyaz.gov>; Chuck Nystuen <cnystuen@tynangroup.com>

Subject: RE: Smoke Tree Resort Construction

Copying in Chuck and Brian of Tynan Group.

Regards,

Bill



BILL DOHERTY | Chief Executive Officer

Walton Global

8800 N. Gainey Center Dr., Suite 345 | Scottsdale, AZ 85258

Direct: +1.480.900.3026

bdoherty@walton.com | walton.com



From: Paul Michaud <pmichaud@paradisevalleyaz.gov>

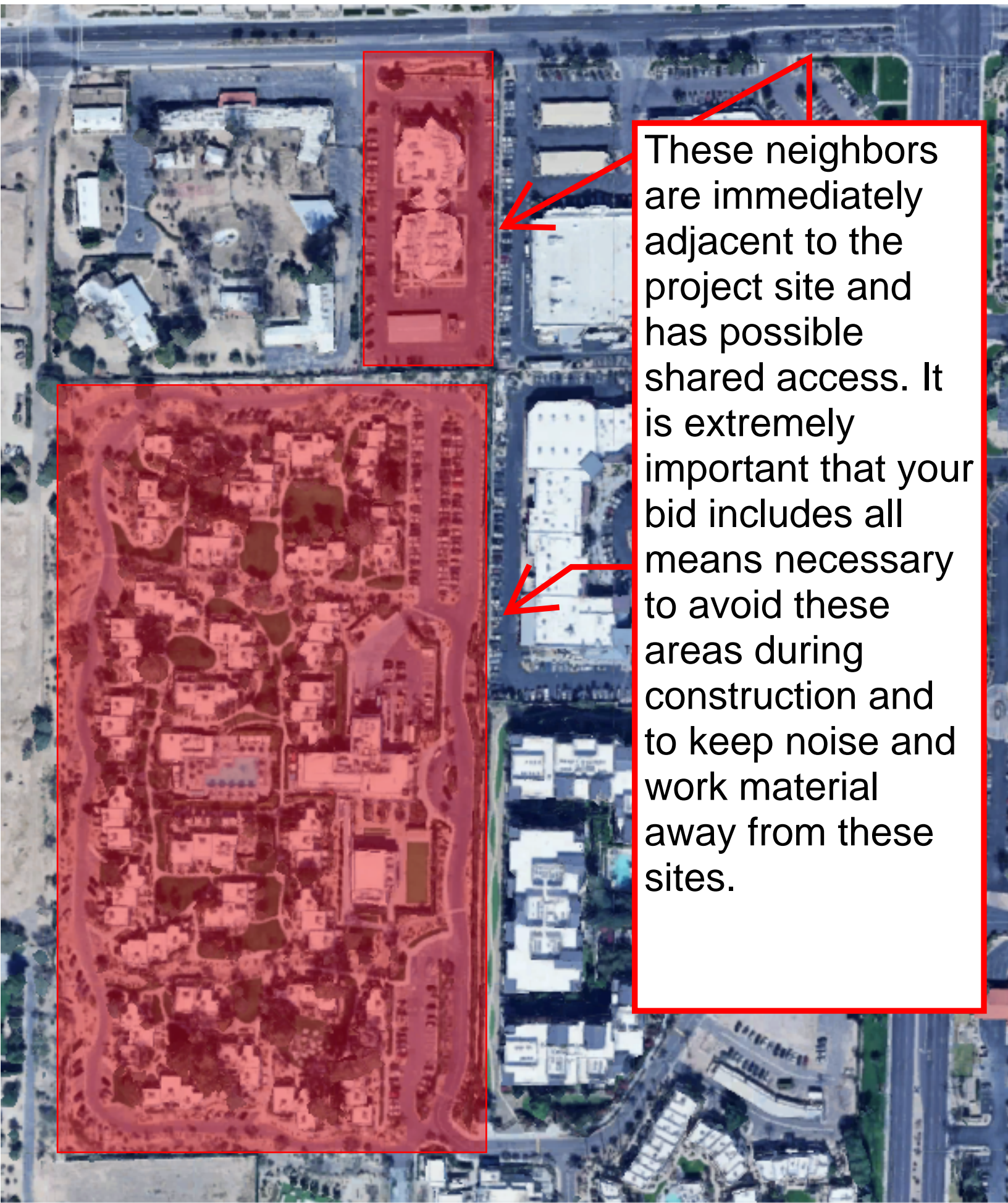
Sent: Wednesday, March 19, 2025 7:26 AM

To: James Shough <jmscapital@aol.com>

Cc: Gary Stougaard <gstougaard@chelseahp.com>; Lynn Evans <lynn@tandcshops.com>; Bill Doherty <BDoherty@walton.com>; Dennis Wilenchik <diw@wb-law.com>; Charles Ransom <cransom@paradisevalleyaz.gov>

Subject: Smoke Tree Resort Construction

Understanding our neighbors

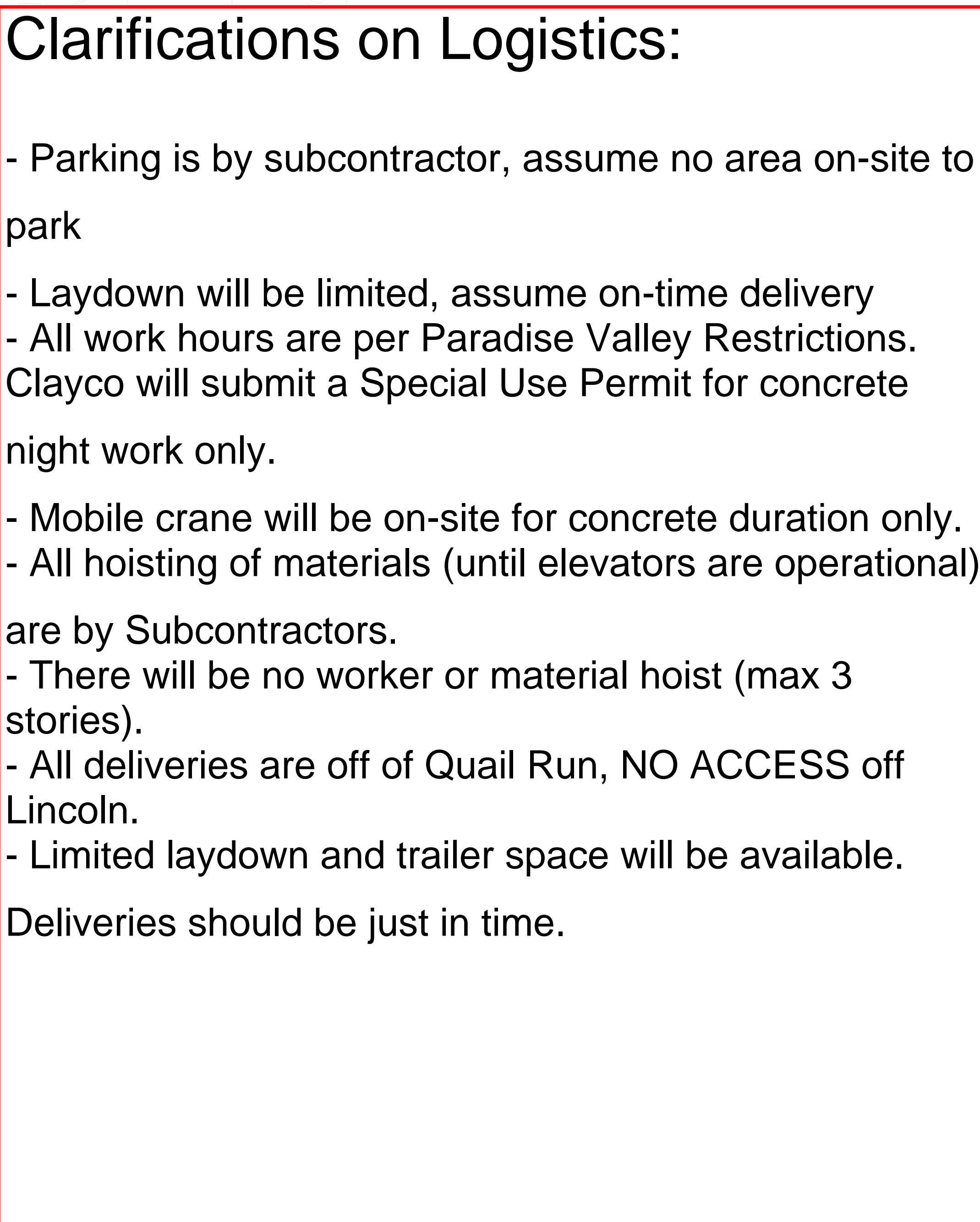


These neighbors are immediately adjacent to the project site and has possible shared access. It is extremely important that your bid includes all means necessary to avoid these areas during construction and to keep noise and work material away from these sites.

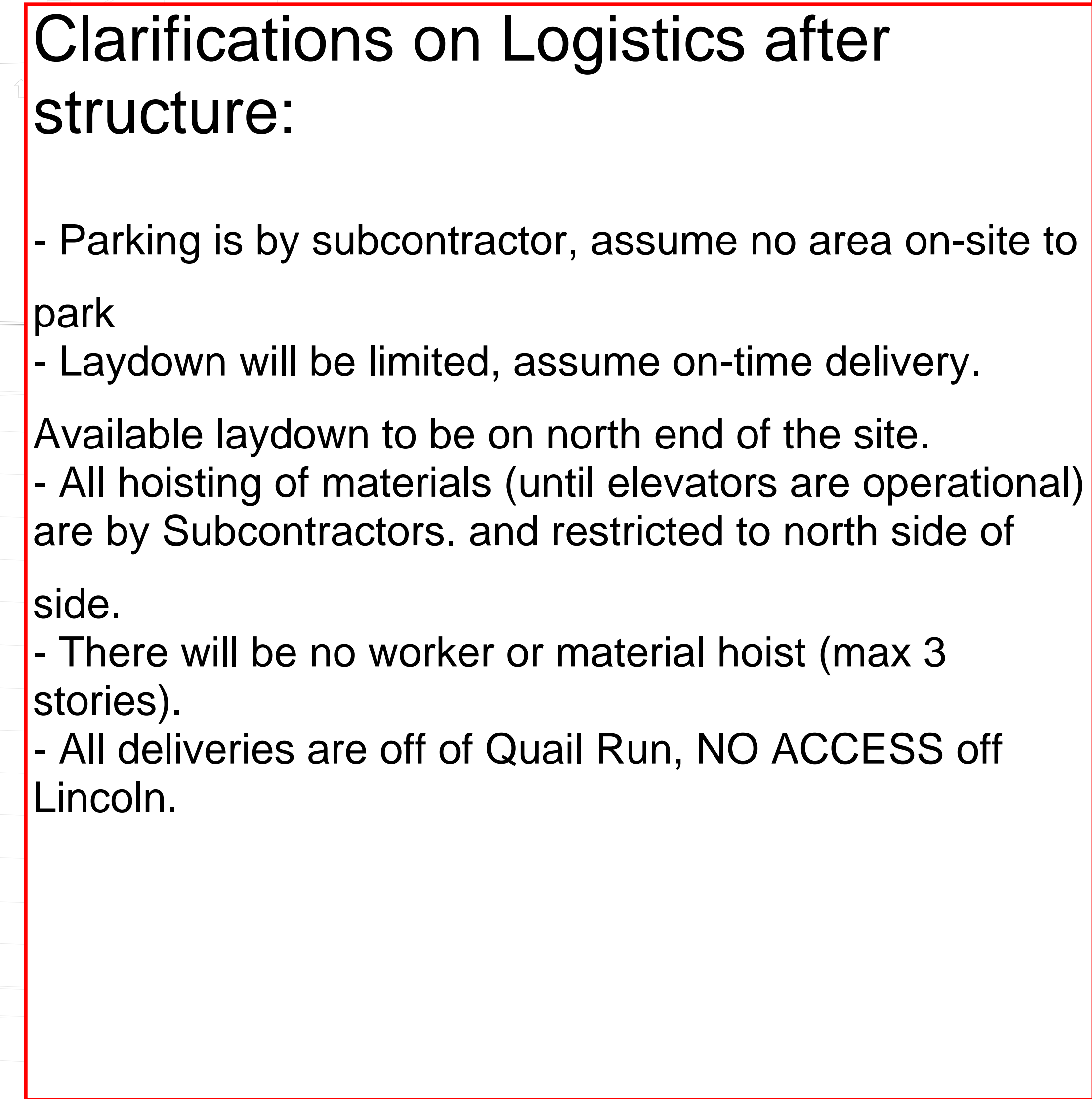
Allen + Philp Partners
architects • interiors
134 East Station Drive | 4th Floor | Scottsdale, AZ 85051 | 480.300.2800 | allenphilp.com

SMOKETREE RESORT
7101 E. Lincoln Drive, Paradise Valley, AZ

Walton®



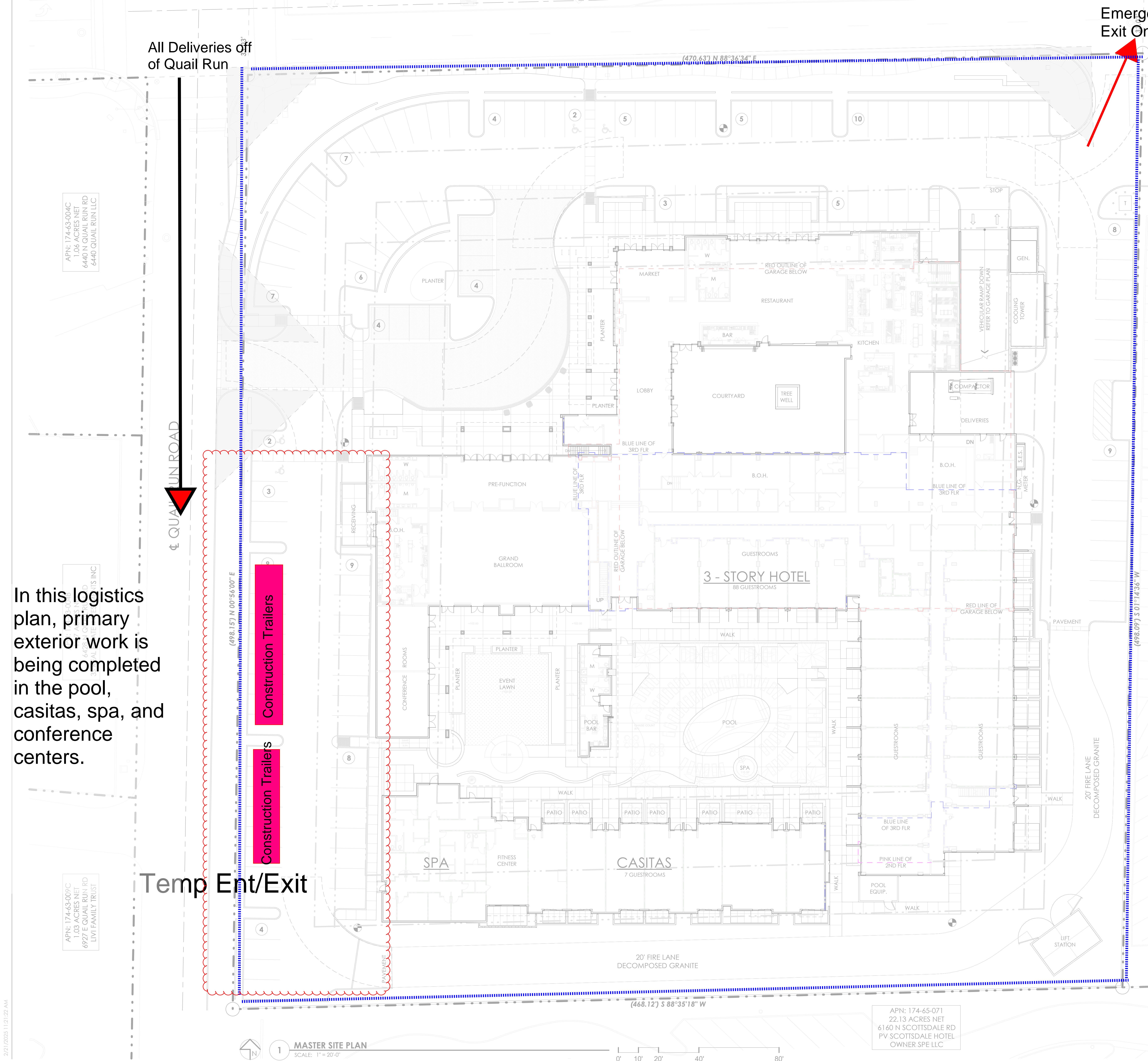
Walton®



A vicinity map showing the project location. The map is oriented with North at the top. The project site is a rectangular lot shaded in gray and labeled "SITE" in bold, black, uppercase letters. The site is located at the intersection of E Lincoln Dr (running horizontally) and N Scottsdale Rd (running vertically). To the west of the site is a large, irregularly shaped lot with a winding driveway. To the east of the site is a large lot with a building footprint. To the south of the site is a large lot with a building footprint. To the north of the site is a large lot with a building footprint. The map also shows other streets, including E Lincoln Dr, N Scottsdale Rd, and a street labeled "N 10TH AVE" on the right side. The map is titled "VICINITY MAP" at the top.

ARCHITECTURAL SITE PLAN	
NOT FOR CONSTRUCTION	Sheet Issue Date: 2/21/2025
	Project Number: AP2207
	Checked By: BC
	Drawn By: BC

Logistics for Smoketree Resort (all exterior buildings complete)



- Clarifications on Logistics after all exterior buildings:
- Parking is by subcontractor, assume no area on-site to park
 - Laydown will be limited, assume on-time delivery.
- Available laydown to be on south end of the site.
- Sitework starting on north end of the side, working clockwise around the site.
 - Permanent entrance in place, not for construction use.
 - All construction laydown, trailers, etc., confined to southwest corner (clouded).

In this logistics plan, primary exterior work is being completed in the pool, casitas, spa, and conference centers.

Construction Trailers

Construction Trailers

Temp Ent/Exit

VICINITY MAP

NUM	ISSUE TITLE	DATE
1	Design Development / GMP	2/21/2025

ARCHITECTURAL SITE PLAN

NOT FOR CONSTRUCTION OR RECORDING FOR REVIEW AND BIDDING ONLY

Sheet Issue Date: 2/21/2025

Project Number: AP2207

Checked By: BC

Drawn By: BC

A11.1.1

© 2024 ALLEN + PHIL ARCHITECTS, PC

EXTERNAL

NOTICE: Any information provided in a format other than a formal written determination by the Town of Paradise Valley Zoning Administrator is preliminary in nature and may not be relied upon for any purpose by the recipient or any other person or entity. By participating in any correspondence, telephone conversation, discussion, meeting, or any other communication with a Town employee, the person agrees and acknowledges that the Town employee is not authorized to bind the Town in any manner, except by formal Zoning Administrator determination, and that any errors, omissions, or incorrect or false information provided by the employee shall not give rise to any liability on behalf of the Town.

Jim:

Thank you for reforwarding the attached agreements. To the best of my ability at this point I will address the two points you raised of (1) construction access and (2) dust and quiet enjoyment.

Construction is a balance of rights and interests. The owner has a right to build within the Town Code and related regulations but also needs to respect the neighbor's right to enjoy their property within the parameters of the Town Code.

I think all parties can relate to your concern over safety, disruption if vehicles block driveway access, excessive dust, and other nuisances that impact the day-to-day activities on neighboring properties.

1. Construction Access. The Town's Building Division under the supervision of the Building Manager/Official (Chuck Ransom 480-348-3631) will review the construction schedule which includes construction access. As of today, there are no active building permits for the resort site and no construction schedule to review. I have specifically spoken with the Community Development Director (Chad Weaver) regarding your concerns. These will be taken into consideration at the time the construction schedule is reviewed. My understanding from the applicant (who can correct me or provide more detail) is that construction access will be taken off Quail Run Road and the shared access with the medical plaza will be used for emergency access (except at key construction points). The matter of timing of the shared driveway improvements (illustrated below from the Memo of Understanding between the resort and medical plaza) is not specially addressed in Ordinance 2023-05 for the resort nor the Memo of Understanding. Stipulation 14 of Ordinance 2023-05 (copied below) provides general guidance on phasing, in which the driveway access falls into Phase 2 (or later).

2. Dust and Quiet Enjoyment. Dust control is under the purview of Maricopa County (<https://www.maricopa.gov/2132/Report-a-Concern-or-Violation>). If there is a concern on dust, you can reach out to the Building Manager/Official who can contact the contractor, reach out to the property owner, or you may directly contact Maricopa County who will investigate dust complaints. Construction noise, construction hours, and construction activity must comply with Section 8-10-2 of Chapter 8, Safety, Health, Sanitation and Nuisance. Chain link fencing with screening is required to surround any exterior construction areas, any construction refuse areas, any construction material storage areas, and any exterior sanitation facilities used during a construction project. The 8-foot-tall block wall along the shared property line with the medical plaza is required. Stipulation 14 places perimeter walls in Phase 2 (after the construction of the underground basement/garage level). The site is currently in Phase 1 since the underground level work has not started. As you noted, there may be merit in constructing this wall sooner (which the resort owner may want to consider). If you have construction-related concerns, the best contact is the Building Manager/Official (Chuck Ransom) or Town [code compliance](#).

Regards,

Paul E. Michaud, AICP

Planning Manager

Community Development – Planning Division

6401 E Lincoln Drive

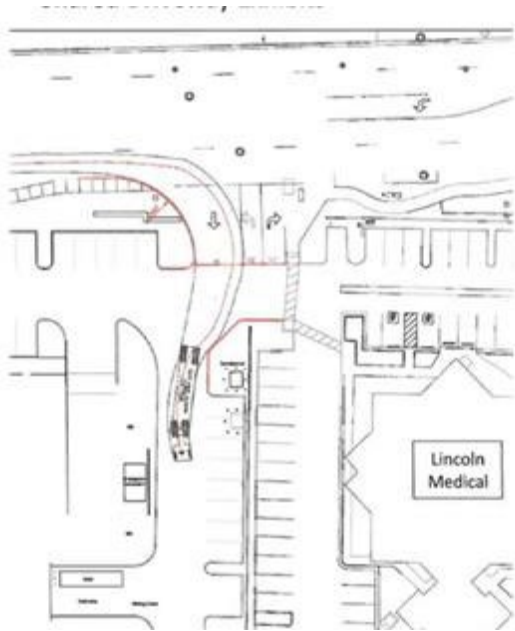
480-348-3574 (phone)

pmichaud@paradisevalleyaz.gov

Office Hours: Mon-Fri 7:00 a.m. – 4:00 p.m., closed noon-1:00 p.m. and holidays

Disclaimer:

All messages contained in this system are the property of the Town of Paradise Valley and are considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. 39-121). Town employees, public officials, and those who generate e-mail to and from this e-mail domain should have no expectation of privacy related to the use of this technology.



14. The Special Use Permit improvements shall be completed in the following phases:

- a. Phase 1 – Infrastructure. This phase includes, and is not limited to, dust and erosion control measures, job-site mobilization and set-up, demolition of existing structures, utility improvements, and construction of the underground basement/garage level.
- b. Phase 2 – Perimeter Improvements. This phase includes, and is not limited to construction of the perimeter walls and perimeter landscaping along all four sides of the Property and off-site improvements (e.g., Quail Run Road paving). The construction schedule shall identify any perimeter areas for completion in later phases such as those adjacent to access driveways or active construction areas. However, the intent is to complete perimeter walls and perimeter landscaping early in the development process to aid in screening construction-related activities.
- c. Phase 3 – Interior Improvements. This phase includes, and is not limited to construction of the buildings shown on the site plan, the resort pool, interior landscaping, and related items.

From: James Shough <jmscapital@aol.com>

Sent: Tuesday, March 18, 2025 7:53 AM

To: Paul Michaud <pmichaud@paradisivalleyaz.gov>; Gary Stougaard <gstougaard@chelseahp.com>; Lynn Evans <lynn@tandcshops.com>; Bill Doherty <bdoherty@walton.com>; Dennis Wilenchik <diw@wb-law.com>

Subject: Fw: Lincoln Plaza Medical Center - Shared Drive

Paul

Please find TWO agreements regarding the shared Driveway. I have NOT seen EVER a major construction entrance being used with a retail/office entrance. This situation is creating major conflict and mostly likely a preventable safety event for tenants /customers and pedestrians.

I did a deal with The City to close my east entrance , donated my land and did all the hardscape/sidwalks in the set backs to insure my access to the vested medical office.

The city and the walton group have many issues to solve regarding safety. 1
MOVE the construction entrance west OR do the stipulated new drive BEFORE the start.

2 dust and quiet enjoyment. Per previous documents BOTH LM and andez have these rights. LM still is being blast with dust that is permeated my structure and AC units that are sophisticated Units That comply with STATE surgery requirements. WE think building the 8 foot wall prior to start would eliminate this negligence.

I would prefer to do this directly with all party's and not pursue the legal system .
Please advise when we can sit down.

James Shough
Town & Country Camelback LLC
4771 N. 20th Street, Suite B22
Phoenix, AZ 85016
602-710-2122 (Office)
858-354-0901 (Cell)

This e-mail message and any attachments may contain confidential and/or privileged information intended only for the addressee. In the event this e-mail is sent to you in error, sender and sender's company do not waive confidentiality or privilege, and waiver may not be assumed. Any dissemination, distribution or copying of, or action taken in reliance on, the contents of this e-mail by anyone other than the intended recipient is prohibited. If you have been sent this e-mail in error, please destroy all copies and notify sender at the above e-mail address.

Computer viruses can be transmitted by e-mail. You should check this e-mail message and any attachments for viruses. Sender and sender's company accept no liability for any damage caused by any virus transmitted by this e-mail. Like other forms of communication, e-mail communications may be vulnerable to interception by unauthorized parties. If you do not wish to communicate by e-mail, please notify sender. Sender will not take any additional security measures (such as encryption) unless specifically requested.

If you wish to unsubscribe from future Walton communications please contact us here: unsubscribe@walton.com

To view Walton's Privacy Policy please click http://www.walton.com/privacy_policy

NOTICING



May 30, 2025

Paul Michaud
Planning Manager
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

NOTIFICATION OF PLANNING COMMISSION PUBLIC HEARING

Dear Resident:

This letter is being sent to advise you of an upcoming public hearing for a minor amendment to the Special Use Permit zoning at the Smoke Tree Resort. Mailing notification is being sent to property owners within 1,500 feet of the resort. The Planning Commission acts on Minor Special Use Permit Amendments pursuant to Section 1102.8 of the Town of Paradise Valley Zoning Ordinance.

Notice is hereby given that the **Town of Paradise Valley Planning Commission will hold a public hearing at 6:00 p.m. on Tuesday, June 17, 2025**, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253 for:

PUBLIC HEARING: Discussion and Possible Action on an application requesting a Minor Special Use Permit Amendment to the Smoke Tree Resort Special Use Permit. This amendment is for an increase of the guestroom count from 82 keys to 95 keys (while reducing the gross building area) along with other minor modifications (e.g., increasing the number of parking spaces, adjoining the fitness area to the spa, and similar modifications). The resort is located at 7101 E Lincoln Drive (Maricopa County Assessor Number 174-64-003A).

If you have questions about this application, call Planning Manager Paul Michaud at (480) 348-3574.

Sincerely,

Paul Michaud
Planning Manager

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 483-1811 (TDD) to request accommodation.

For further information about any of these matters, please contact the Community Development Department, 6401 E. Lincoln Drive, Paradise Valley, Arizona, 480-348-3692.

All agendas are subject to change. You can view the agenda, find application material, and provide your input via eComment approximately 4-6 days prior to the meeting date at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. You may also contact the staff liaison, Paul Michaud on this application at pmichaud@paradisevalleyaz.gov or 480-348-3574 at any time before the scheduled meeting date.