



# TOWN OF JACKSON

## PLANNING & BUILDING DEPARTMENT

### TRANSMITTAL MEMO

**Town of Jackson**

- Public Works/Engineering
- Building
- Title Company
- Town Attorney
- Police
- Ecosystem Stewardship

**Joint Town/County**

- Parks & Recreation
- Pathways
- Joint Housing Dept.

**Teton County**

- Planning Division
- Engineer
- Surveyor
- Assessor
- Clerk & Recorder
- Road & Levee

**State of Wyoming**

- Teton Conservation
- WYDOT
- TC School District #1
- Game & Fish
- DEQ

**Federal Agencies**

- Army Corp of Engineers

**Utility Providers**

- Qwest
- Lower Valley Energy
- Bresnan Communications

**Special Districts**

- Start
- Jackson Hole Fire/EMS
- Regional Transportation

Date: May 13, 2025	<b>REQUEST:</b> The applicant is submitting a request for a Zoning Map Amendment for the property located at PT SE1/4 SW1/4, SEC 32, TWP 41, RNG 116 PARCEL "B", known as the Swan Creek Property.
Item: P25-075	<b>PIDN:</b> 22-41-16-32-0-00-025
Planner: Andrew Bowen Phone: 733.0440 ext. 1306 Email: <a href="mailto:abowen@jacksonwy.gov">abowen@jacksonwy.gov</a>	
<b>Owner:</b> Swan Creek LLC	
<b>Applicant:</b> Y2 Consultants Attn: Megan Nelms PO Box 2870 Jackson, WY 83001	For questions, please call Andrew Bowen at 733-0440, x 1306, or email to the address shown below. Thank you.
<b>Please respond by: June 3, 2025</b>	
For Departments not using SmartGov, please send responses via email to <a href="mailto:planning@jacksonwy.gov">planning@jacksonwy.gov</a>	

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**PIDN:** 22-41-16-32-0-00-025



**PLANNING PERMIT APPLICATION**  
**Planning & Building Department**

150 E Pearl Ave. | ph: (307) 733-0440  
P.O. Box 1687 | [www.townofjackson.com](http://www.townofjackson.com)  
Jackson, WY 83001

***For Office Use Only***

Fees Paid \_\_\_\_\_

Date & Time Received \_\_\_\_\_

Application #s \_\_\_\_\_

***Please note: Applications received after 3 PM will be processed the next business day.***

**PROJECT.**

Name/Description: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Lot, Subdivision: \_\_\_\_\_ PIDN: \_\_\_\_\_

**PROPERTY OWNER.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_

**APPLICANT/AGENT.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_

E-mail: \_\_\_\_\_

**DESIGNATED PRIMARY CONTACT.**

\_\_\_\_\_ Property Owner \_\_\_\_\_ Applicant/Agent

**TYPE OF APPLICATION.** Please check all that apply; review the type of application at [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning)

**Use Permit**

Basic Use

Conditional Use

Special Use

**Relief from the LDRs**

Administrative Adjustment

Variance

Beneficial Use Determination

Appeal of an Admin. Decision

**Physical Development**

Sketch Plan

Development Plan

Design Review

**Subdivision/Development Option**

Subdivision Plat

Boundary Adjustment (replat)

Boundary Adjustment (no plat)

Development Option Plan

**Interpretations**

Formal Interpretation

Zoning Compliance Verification

**Amendments to the LDRs**

LDR Text Amendment

Map Amendment

**Miscellaneous**

Other: \_\_\_\_\_

Environmental Analysis

**PRE-SUBMITTAL STEPS.** To see if pre-submittal steps apply to you, go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: \_\_\_\_\_ Environmental Analysis #: \_\_\_\_\_  
Original Permit #: \_\_\_\_\_ Date of Neighborhood Meeting: \_\_\_\_\_

**SUBMITTAL REQUIREMENTS.** Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for submittal requirements.

Have you attached the following?

**Application Fee.** Fees are cumulative. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for the fees.

**Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-PDF>.

**Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) under the relevant application type.

**Note:** Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

\_\_\_\_\_  
Signature of Property Owner or Authorized Applicant/Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Title



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## SWAN CREEK, LLC – ZONING MAP AMENDMENT APPLICATION

### INTRODUCTION

Swan Creek, LLC is the owner of a 28.83-acre parcel (PIDN: 22-41-16-32-3-00-025), located in a portion of the SE1/4SW1/4, Section 32, T41N, R116W, described as “Parcel B” on the Record of Survey completed in 2013. No physical address is currently assigned, the property is located at the intersection of S Highway 89 and South Park Loop Road.

Swan Creek, LLC seeks approval of a Zoning Map Amendment at this time to change zoning for a portion of the subject property from R (Rural Residential Town) to CR-3 (Commercial Residential-3).

### DESCRIPTION OF PROPERTY

The entire property is currently zoned R (Rural Residential Town). It was annexed to the Town in 2014. From the early 1960’s through the early 1980’s, the lower portion of the property, adjacent to S HWY 89, was mined (historically known as the “Simon Pit”) and excavated in construction of Highway 89, South Park Loop Road, and other area roads and development. There are currently no building improvements on the property.

The property is roughly rectangular in shape, though the eastern boundary follows the right-of-way boundaries of S HWY 89 and South Park Loop Rd (SPLR). While the uppermost portion of the property is relatively flat, no public access is available to the property from the north or west. The realistic access point for the property is from S HWY 89 or, most likely, SPLR.

Immediately across S HWY 89 and SPLR, bordering the lower southern and eastern portion of the property, all adjacent properties are zoned CR-3 (Commercial Residential – 3). A portion of the southern boundary is also adjacent to land owned by the Teton County School District #1, zoned P/SP (Public/Semi-Public). The parcel is bordered on the north and west sides by land still in the jurisdiction of Teton County and covered by conservation easements in favor of the Jackson Hole Land Trust. Please see attached **EXHIBIT A – Swan Creek Property Vicinity and Zoning Map**.

In the mid-1990’s, an AML reclamation project was undertaken on the lower portion of the property to reduce hazards to public safety and reduce environmental degradation. The project was limited by the permanent alterations to the lower property’s natural state resulting from its excavation and the development of the area. Problematic conditions resulting from historic use remain prevalent on much of the lower portion of the property.

Zoning the lower portion of the property CR-3 would benefit the town, its residents and property owners. This proposed zoning modification facilitates development that can integrate housing and commercial uses and remedy historic mis-zoning of the property. The applicant proposes split zoning of the property, similar to other



previously excavated parcels along W Broadway Ave. that also back up to steep slopes. Please see **EXHIBIT B – Proposed Zone District Boundaries.**

## **ZONING MAP AMENDMENT: FINDINGS FOR APPROVAL**

The Town of Jackson Land Development Regulations require the Town Council to consider factors including, but not limited to, the extent to which the proposed zoning map amendment:

### ***Is Consistent With The Purposes And Organization Of The LDRs.***

The Rural Residential Town (R) zoning designation presently assigned the entire property is a legacy zone, with the intent that it will be phased out over time as character zones are adopted and applied. Use of this property has not been specifically addressed in amendments to the Comprehensive Plan since it was annexed into the Town. It is still identified as located within the County and not included within any of the Town character districts identified in the Comprehensive Plan.

This zoning map amendment brings anticipated and most appropriate use of the lower portion of the property in line with that of adjacent and neighboring development zone districts, of which it is a contiguous part. The adjacent mixed-use development and transportation infrastructure would not exist in its present state without the historic excavation and mining of the lower portion of the subject property. As a result, the natural state of the lower portion of the property cannot be restored. The natural lateral support of the property has been compromised by the adjacent development, particularly SPLR. The intersection of S HWY 89 and SPLR is a commercial node within the Town, with all adjacent property except the subject property, currently zoned CR-3. The proposed rezone will provide for development that can address existing conditions on the lower portion of property with uses that benefit both the applicant and the Town. Approving the rezone to provide high-quality mixed-use offerings, is warranted and consistent with the Town LDRs.

Regarding the intent and purpose of the Rural Residential Town zone district, it should be noted that no part of the subject property is or has been historically used for agricultural and, as previously stated, excavation of the lower portion to facilitate development in the area for public benefit has long since negated preservation of natural character. With its proximity to existing development, infrastructure and services of which it is part, it is ideal for infill development as contemplated for already developed stable or transitional areas, as provided for in the “Illustration of Our Vision” section of the Comprehensive Plan.

### ***Improves Implementation of the Jackson/Teton County Comprehensive Plan***

The proposed zone map amendment is consistent with the goals and objectives of the “Illustration of Our Vision” section of the Comprehensive Plan. The lower portion of the property facilitated development of both the Midtown and West Jackson Districts. The property is at the southern gateway entrance to the town, and the future desired characteristics of the West Jackson District include “enhancement of the gateway with a mixed-use corridor and improved connectivity and appearance.” The West Jackson District states:



*"West Jackson currently exists as one of the most Complete Neighborhoods within the community, with its most significant characteristic being its wide variety of land uses. This diverse district is highly automobile oriented and contains a variety of non-residential uses, a variety of residential types and sizes."*

*"The future goal of the district will be to take advantage of the existing variety of land uses and Complete Neighborhood amenities and develop them into a more attractive and well-connected district."*

Subarea 5.1 West Jackson Highway Corridor is most applicable to the property. This is identified as a transitional subarea, meaning it is an area where most of the community would agree that development/redevelopment or a change in character would be beneficial. Goals for transitional subareas include improving access to jobs, housing and services. Future characteristics of subarea 5.1 include increased development intensity directed toward the corridor, with two- and three-story mixed-use buildings," which would be well suited to blend with the hillside of the subject property.

A portion of the property also borders the Subarea 4.1 Midtown Highway Corridor, also a transitional subarea. The vision of this subarea is to create a "concentrated and connected land use pattern through a variety of non-residential and residential uses, intended for development and revitalization to provide enhanced services to the community. The district will have mixed-use buildings two to three stories in height and four-story structures may also be considered when adjacent to natural landforms." Discussion of the Midtown District in the Comprehensive Plan states:

*"Whether it is enhancing the gateway to Town at the Y intersection, redeveloping under-utilized properties with mixed use structures, improving alternative transportation infrastructure and connectivity, or enhancements to Flat Creek - change in this district is desirable."*

This rezone will allow the lower portion of the property to blend with the adjoining CR-3 zoned area and fits within the Comprehensive Plan's "Illustration of our Vision" by helping to develop and enhance the southern gateway to the community. There are other properties in the vicinity, with similar topography which have previously disturbed and excavated areas fronting W Broadway Avenue. These nearby properties are also split zoned, with CR-3 along the frontage and a lower-density zone behind. Re-zoning the lower portion of this parcel would bring the property in line with the general framework of previously disturbed and excavated parcels along W Broadway and prudence recommends responsible development of these infill areas.

The proposal also improves implementation of and meets Common Value 2 (CV-2) Growth Management, in the Comprehensive Plan. The Plan states:

*"Growth Management will ensure that the heart of the community – the Town of Jackson – will continue to be the community's housing, employment, social and civic center. By directing the majority of growth into areas of existing infrastructure and services, which compromise only about 7% of private land, we can preserve opens*



*spaces of ecological and scenic value while also allowing for enhanced housing, economic development, social and civic opportunities.”*

Approving the rezone of the lower portion of the property will provide for development in the heart of the Town, already adjacent to the required infrastructure. It will allow for the desired enhanced housing, economic and civic opportunities, directly in line with the stated value from the Comprehensive Plan.

The proposal also meets several principles and policies, as provided for under CV-2. These include:

*Principle 3.1 – Direct growth out of habitat, scenery and open space.*

Principle 3.1 connects with the overarching goal of ecosystem preservation. Per the principle, the preference of the community is for future growth to occur in Complete Neighborhoods where infrastructure and services already exist. This ZMA proposal does just that.

*Policy 3.1.b – Direct development toward suitable Complete Neighborhood subareas*

Again, this policy states that the community prefers that development occur in Stable and Transitional Subareas where most of the infrastructure and services that define Complete Neighborhoods already exist. It goes on to state that, “Whether through transfer or other tools, development of Complete Neighborhoods is preferable to development of Rural Areas.”

*Policy 3.1.d – Cluster non-residential development in existing locations*

This policy states that nonresidential development not associated with agriculture should be clustered in Complete Neighborhoods where nonresidential or mixed-use character already exists. It advocates centrally locating commercial development to preserve wildlife habitat and scenic viewsheds. The rezone application meets the intent of this Plan policy.

## ***Is NECESSARY TO ADDRESS CHANGING CONDITIONS OR A PUBLIC NECESSITY***

It does not appear that the historic use and the conditions on the lower property were considered when current zoning was assigned. As noted above, this rezone brings the lower portion of the property in line with that of adjacent properties, recognizing its historic use as part of, and facilitating, the area’s development. The change provides a path to address problematic conditions on the property resulting from this historic use that will benefit both the applicant and the community. Housing and community commercial services are priorities and challenges for the Town. The Comprehensive Plan identifies the area as transitional in nature and one which community residents agree should be developed or redeveloped. Potential development of the lower portion of the property, as contemplated in the CR-3 zone, addresses needed housing and commercial services in the community.

## ***Is CONSISTENT WITH OTHER ADOPTED TOWN ORDINANCES***

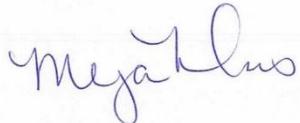
The applicant is not aware of any Town Ordinances that would be inconsistent with this map amendment.

## NEIGHBORHOOD MEETING

A neighborhood meeting was held April 23, 2025. The meeting was properly noticed and posted on the property. One resident attended. A copy of the meeting attendance sheet and meeting materials are attached to this application as **EXHIBIT C – Neighborhood Meeting Materials**.

Thank you for this opportunity, please contact me at your convenience if you have any questions or concerns.

Sincerely,



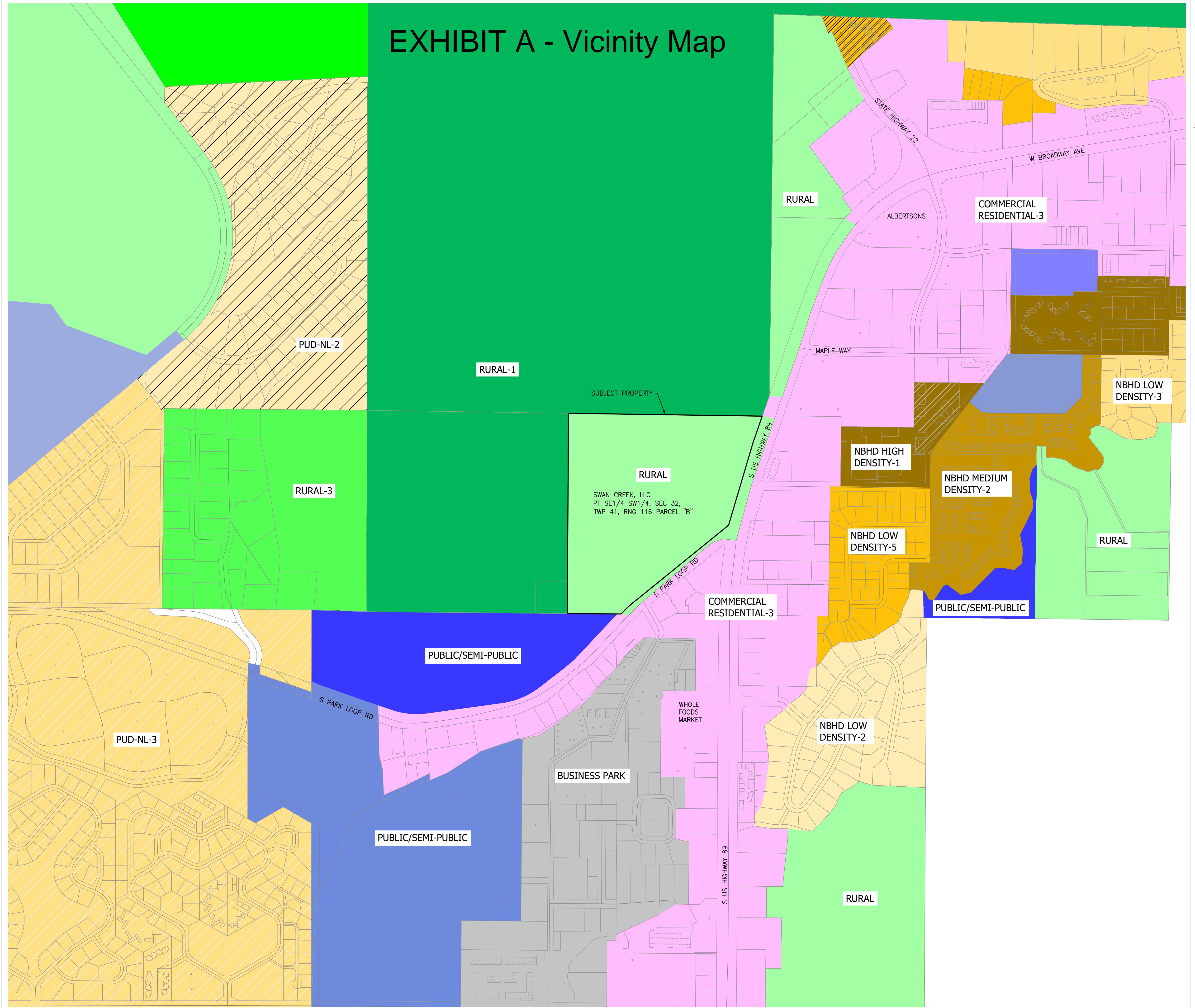
Megan Nelms, AICP  
Senior Planner  
[megan@y2consultants.com](mailto:megan@y2consultants.com)



Michael Allen  
Swan Creek, LLC

# EXHIBIT A - Vicinity Map

1ST SAVED: 4/9/2025 10:38 AM BY: ADARSHAN PLOT BY: ADARSHA NEUPANE  
(2024)24078\_Alien(Civil)ACAD\Exhibits\24078\_250401\_Alien\_Zoning.dwg



## C1.2

ALLEN PARCEL DUE DILIGENCE  
SWAN CREEK, LLC  
PT SE1/4 SW1/4, SEC 32, TWP 41, RNG 116  
TETON COUNTY, WY

ALLEN PARCEL DUE DILIGENCE  
SWAN CREEK, LLC  
PT SE1/4 SW1/4, SEC 32, TWP 41, RNG 116 PARCEL "B"  
TETON COUNTY WY

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NATURAL RESOURCE SERVICES

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# EXHIBIT B - Proposed Zone Split

No.	24078
fter:	AN
viewer:	SAH

24070

AN

SAH

**ENGINEERING, SURVEYING & PLANNING  
LANDSCAPE ARCHITECTURE, GIS  
NATURAL RESOURCE SERVICES**

2consultants.com  
307 733 2999

ALLEN PARCEL DUE DILIGENCE  
SWAN CREEK, LLC  
PT SE1/4 SW1/4, SEC 32, TWP 41, RNG 116 P  
TETON COUNTY, WY

*Title:*

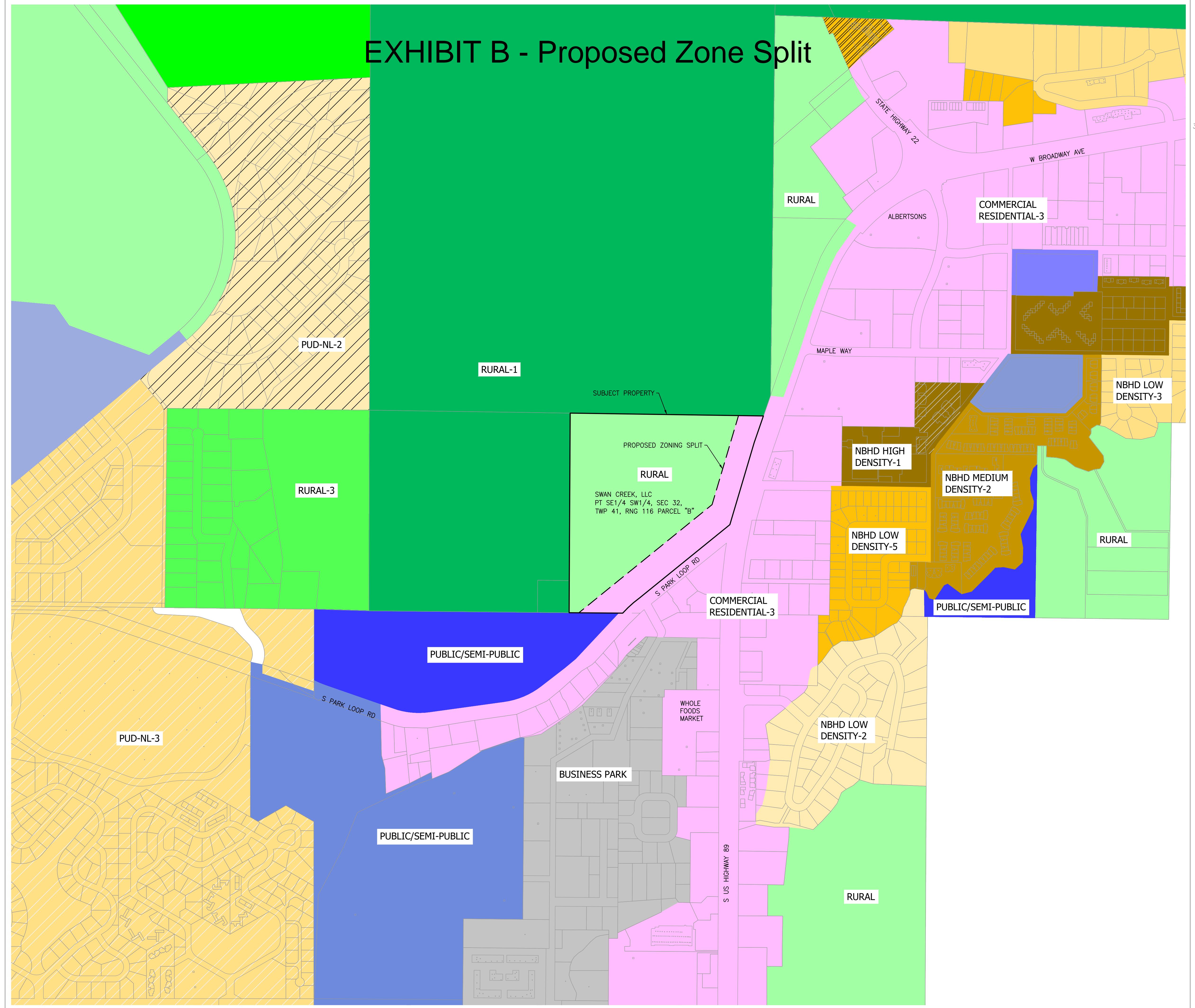
## PROJECT EXHIBITS

Date: 04.09.25

ZONING EXHIBIT 04.09.25


## PROPOSED ZONING

## C1.3



# EXHIBIT C - Neighborhood Meeting Materials



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**Swan Creek, LLC**  
**Proposed Zone Map Amendment**  
**Neighborhood Information Meeting**  
April 23, 2025  
5:30-6:30 PM

### AGENDA ITEMS

The meeting will be open house/drop-in style. Attendees may stop at any time between 5:30-6:30 PM to ask questions or share your thoughts. The applicant is available to answer questions and take comments. The goal of the meeting is to discuss the proposal and understand any neighborhood perspectives on the proposed rezoning request.

**Meet the Applicant**

**Review the Proposal**

**Ask Questions/Make Comment**

### MEETING GROUND RULES

To ensure a constructive meeting, all participants agree to abide by the following:

1. Silence your phone or other electronic device.
2. One speaker at a time. Allow others to finish.
3. Signal the facilitator if you have a question and wait to be acknowledged before speaking.
4. Respect diverse and differing opinions.



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## SIGN IN SHEET



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## FEEDBACK FORM

Please provide any comments below. All comment sheets will be summarized and provided as part of the zone map amendment application:

THIS REZONING SHOULD NOT BE PURSUED. THE OVER BUILDING OF THE TOWN & COUNTY HAS CALIFORNIAZED OUR AREA.. ENOUGH is ENOUGH. THE INFRASTRUCTURE IS OVERWHELMED NOW. ADDING COMMERCIAL, OR RESIDENTIAL USES WILL CHOKES TRAFFIC. 3 LARGE HOUSING DEVELOPMENTS ARE YET TO BE COMPLETED ON SOUTH PARK LOOP DISCOUNTING THE 1400 UNITS IN NORTH SOUTH PARK.

Name ROBERT FLATH

Email \_\_\_\_\_

Phone 801 897 0574



Town of Jackson  
150 E Pearl Avenue  
PO Box 1687, Jackson, WY 83001  
P: (307)733-3932 F: (307)739-0919  
[www.jacksonwy.gov](http://www.jacksonwy.gov)

Date: October 25, 2024

## LETTER OF AUTHORIZATION

## NAMING APPLICANT AS OWNER'S AGENT

**PRINT** full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual: Michael Allen Title: Manager

Being duly sworn, deposes and says that Swan Creek, LLC is the owner in fee of the premises located at: Name of legal property owner as listed on deed

Address of Premises: Intersection of S HWY 89 and S Park Loop Rd

Legal Description: 'Parcel B', A portion of the SE1/4SW1/4, Section 32, T41N, R116W

Please attach additional sheet for additional addresses and legal descriptions

And that the person named as follows: Name of Applicant/agent: Megan Nelms, Y2 Consultants

Mailing address of Applicant/agent: PO Box 2870 Jackson, WY 83001

Email address of Applicant/agent: [megan@y2consultants.com](mailto:megan@y2consultants.com)

Phone Number of Applicant/agent: 307-632-5656

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified in this(these) application(s) at the premises listed above:

Development/Subdivision Plat Permit Application       Building Permit Application

Public Right of Way Permit     Grading and Erosion Control Permit     Business License Application

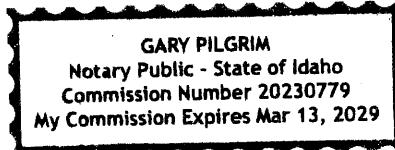
Demolition Permit     Home Occupation     Other (describe) Zone Map Amendment Application

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

Mark C  
Property Owner Signature

Title if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner

STATE OF Idaho )  
 ) SS.  
COUNTY OF Bonneville )



The foregoing instrument was acknowledged before me by Michael Allen this 28<sup>th</sup> day of October 2024. WITNESS my hand and official seal.



My commission expires: 3-13-2029