Special Joint Meeting

September 29, 2025
1:30pm-2:30pm
County Commission Chambers
Chair: Mark Newcomb

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING.

I. ZOOM LINK FOR PUBLIC PARTICIPATION

The Town and County reserve the right to close Public Comment via Zoom at any time. In-person comment will continue to be taken and written comments can always be submitted to Town Council by emailing electedofficials@jacksonwy.gov and to County Commissioners by emailing commissioners@tetoncountywy.gov.

To join, click the link or copy to your browser: https://us02web.zoom.us/j/81787621484

Or join at zoom.com with Webinar ID: **817 8762 1484** or by phone **+1 669 900 6833**

II. CALL TO ORDER AND ROLL CALL

III. DISCUSSION/ACTION ITEMS

A. 90 Virginian Lane Development - Development Agreement Deadline Extension (April Norton, 60 mins)

IV. ADJOURN

Please note that at any point during the meeting, the Chair or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

TETON COUNTY WYOMING
BOARD OF COUNT COMMISSIONERS

TOWN COUNCIL

MONTHLY JOINT MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Joint Housing **PRESENTER**: April Norton, Housing Director

MEETING DATE: September 29, 2025

SUBJECT: **90 Virginian Lane Development – Development Agreement Deadline Extension**

STATEMENT/PURPOSE
The Teton County Board of Commissioners ("Board") and Jackson Town Council ("Council") will consider extending the 90 Virginian Lane Affordable Workforce Housing Development Agreement execution deadline to December 31, 2025.

BACKGROUND/ALTERNATIVES
This is the 18th meeting at which the Council and Board will discuss the 90 Virginian Lane affordable workforce housing development located at 90 Virginian Lane. A summary of previous meetings is provided as an attachment to this staff report. The land is owned by the Housing Authority; the Board and Council direct and authorize the Housing Authority.

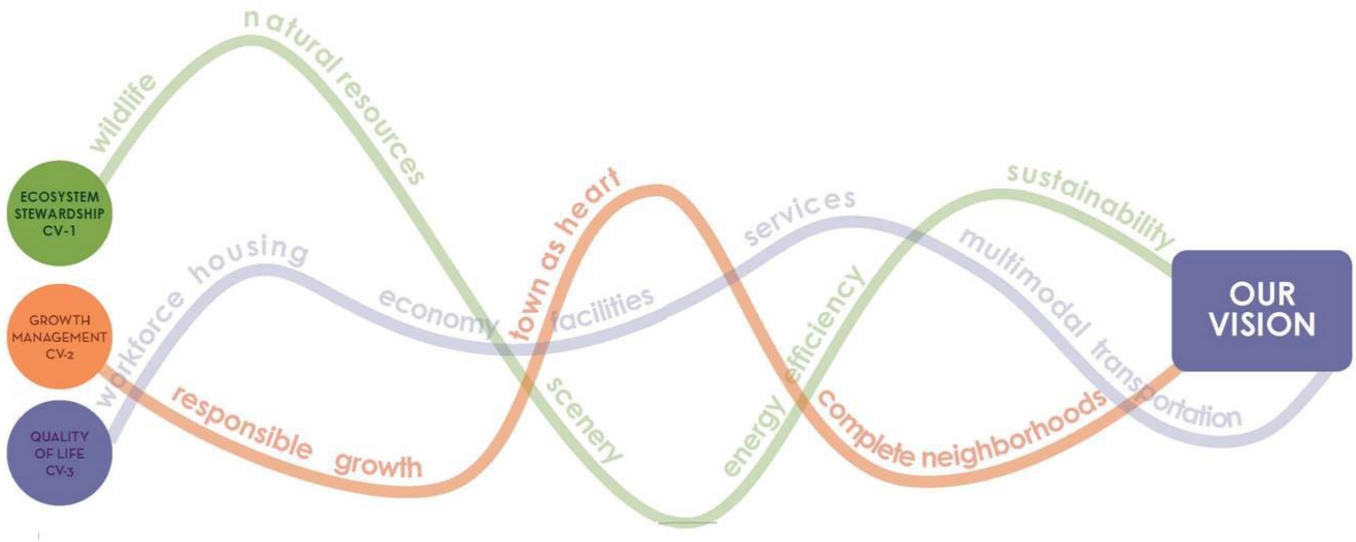
Today, staff are requesting the Board and Council extend the Development Agreement deadline from September 30, 2025 to December 31, 2025.

Legal Agreements Timeline
- On December 2, 2024, the Ground Lease Option Agreement is approved and sets a deadline for the Development Agreement execution for June 30, 2025. The agreement also provides an opportunity to extend the deadline if both parties are working in good faith and agree to the extension.
- On May 8, 2025, the Board and Council directed staff to 1) enter into a cost-sharing agreement with Pennrose for schematic design not to exceed $250,000, and 2) extend the deadline for a Development Agreement to September 30, 2025.

Since May 8, 2025, staff and the Pennrose team have been working on schematic design and construction costs; this work is ongoing and is the reason staff are requesting extended time to bring forth a fully refined Development Agreement and Financing Agreement for Board and Council consideration.

Project Timeline
- September 29, 2025: Extend Development Agreement execution date to December 31, 2025.
- November 2025: Schedule two special Joint Meetings.
    1. Receive a staff recommendation for next steps, including unit counts and mix, and parking ratio and management plan.
    2. Consider the Development Agreement and Financing Agreement for the development.
- December 2025: Development Agreement & Financing Agreement are approved.
- Q1 2026: Development Option Plan is submitted to Town Planning and project team presents to the Design Review Committee.
- Q3 2026: Development breaks ground.
- 2028: Phase 1 homes are available for local families to occupy.

COMPREHENSIVE PLAN ALIGNMENT
The Jackson/Teton County Comprehensive Plan is predicated on three equally important Common Values for us to live within our shared community Vision: Ecosystem Stewardship, Growth Management, and Quality of Life. Just as the strength of a rope depends on the integrity of each intertwining thread, the strength of our community character is derived from a commitment to all three Common Values, each in support of and reliant upon the others.



Common Value: Quality of Life
The Comprehensive Plan sets a minimum goal of achieving a 65% resident workforce. Building on this goal, the Workforce Housing Action Plan set forth strategies for increasing our resident workforce that include location for growth, a focus on public-private partnerships, and updating land development regulations to incentivize affordable workforce housing development by the private sector.

The future neighborhood at 90 Virginian Lane is an example of a public-private partnership, leveraging private sector expertise, while mitigating public risk; and utilizes LDR incentives for affordable workforce housing development.

Common Value: Ecosystem Stewardship
The Comprehensive Plan also sets a goal to direct at least 60% of all new residential development into Complete Neighborhoods to preserve habitat, scenery, and open space and provide workforce housing opportunities. Since Housing Action Plan implementation and including changes to the Land Development Regulations that incentivize affordable workforce housing production in the Town of Jackson, the percentage of new development built in Complete Neighborhoods has exceeded the 60% minimum threshold. By placing development in the center of Town, the 90 Virginian Lane development accomplishes our goal of concentrating new development in Complete Neighborhoods.

The Comprehensive Plan sets a goal to emit less greenhouse gases ("GHG") than we did in 2012. Surface travel accounts for most of the GHG Emissions created locally. **By placing households close to their jobs, local convenience, recreational amenities, and providing them with opportunities to use alternative modes of transportation like the bus or biking, the 90 Virginian Lane development will positively impact GHG Emissions.**

Common Value: Growth Management
The Comprehensive Plan sets a cap on new residential units that can be built. We currently have about 550 pooled residential bonus units remaining to be assigned to future developments. **The 90 Virginian Lane Neighborhood accomplishes our Comprehensive Plan goals related to growth management by effectively using the remaining pooled units for 100% permanently deed restricted affordable workforce housing in a high-density residential zone located in a Transitional Subarea** (as opposed to using the units for unrestricted, free market homes located outside a Complete Neighborhood).

Achieving our Vision
Ultimately, by providing housing opportunities like 90 Virginian Lane that support a resident workforce, **we are protecting local working families; providing for a stable tax base; creating neighborhood accountability; increasing civic, social, and economic investment; limiting commuters on our roads; and protecting our open spaces and scenic vistas.** We are achieving the vision laid forth in our Comprehensive Plan.

Comprehensive Plan Policy:

- Reduce greenhouse gas emissions through land use. 2.2.
- Reduce greenhouse gas emissions through transportation. 2.3.
- Emphasize a variety of housing types. 3.2.d
- Emphasize a variety of housing types, including deed-restricted housing. 4.1.b
- Create and develop Transitional Subareas. 4.3.b
- House at least 65% of the workforce locally. 5.1.a
- Focus housing subsidies on full-time, year-round workers. 5.1.b
- Provide a variety of housing options. 5.2.a
- Housing will be consistent with Character Districts. 5.2.b
- Create workforce housing to address remaining shortages. 5.3.c
- Direct at least 60% of all new residential development into Complete Neighborhoods. Common Value 3.

Housing Action Plan Strategy:

- Provide land as a public subsidy and build development partnerships. 2B

STAKEHOLDER ANALYSIS

Teton County community members, businesses, and visitors.

FISCAL IMPACT

Since Housing Action Plan implementation began, the Housing Department has partnered with private sector developers to build 241 homes for local workers and their families. Adjusted for inflation, the public investment per home has ranged from $81,996 (Mercill Condos) to $273,202 (Redmond Street Rentals). See the chart below for more information about these developments.

Public Private Partnership Developments Since Housing Action Plan Implementation								
	Redmond St. Rentals	**Grove III Condos**	**174 N. King Condos**	**Mercill Condos**	**Kelly Place Condos**	**Jackson St. Apts.**	**Flat Creek Apts.**	**Parkside Townhomes**
Private Partner	JH Community Housing Trust	Teton Habitat	JH Community Housing Trust	Mercill Partners	Roller Development & Post Company	Cumming Foundation & Community Foundation of JH	Blueline Development & Stealth FCA LLC	Teton Habitat
Year Complete	2018	2018-2021	2022	2023	2023	2024	2024	2024-2026
Homes Built	28	24	24	30	12	57	48	18
Affordability	<150% MFI	50-80% MFI	<150% MFI	120-200% MFI	120-200% MFI	30-200% MFI	30-60% MFI	50-80% MFI
Rent/Own	Rent	Own	Own	Own	Own	Rent	Rent	Own
Homes/Acre	22	13	63	52	38	39	48	17
Public $	$5.7mm	$1.9mm	$4.67mm	$2.235MM	$1.703,416	$14mm	$6mm	$3,475,383
2025 Value	***$7,649,645***	***$2,496,695***	***$5,551,201***	***$2,459,872***	***$1,874,804***	***$14,799,400***	***$6,342,600***	***$3,475,383***
Public $ per Home	$203,202	$79,167	$194,583	$74,500	$141,951	$245,614	$125,000	$193,077
2025 Value	***$273,202***	***$104,029***	***$231,300***	***$81,996***	***$156,234***	***$259,639***	***$132,138***	***$193,077***

In 2023, the Housing Authority purchased the land for $28 million. This purchase was funded utilizing $18 million in tax-exempt bond financing (to be paid by with 2022 SPET funds) + $2.59 million 2019 SPET funding + $5.5 million County mitigation funding + $2 million Town housing funding (blend of mitigation fees and housing supply funds).

In 2024, the Housing Authority entered into an agreement with the Virginian RV Park LLC to operate the RV park for 2025 for a flat fee of $500,000 that is payable to the Housing Authority. These funds will be placed in the Housing Authority’s Housing Supply Fund and utilized to pay for the Schematic Design (not to exceed $250,000).

The Housing Authority is responsible for paying property taxes on the property. For 2024 these were $55,854.63 and in 2025 they are $93,224.00.

In addition to leasing the land, the Town and County have agreed to provide an additional $10 million to fund the development.

The timing of any additional contributions to the 90 Virginian Lane development will vary based on decisions made regarding implementation of a Phase 0 (horizontal infrastructure only), increased affordability, etc. and could be phased over time to allow for additional mitigation fee collections, SPET collections, grant funding, philanthropy, etc. This will be discussed in detail at the November meetings.

STAFF IMPACT
Housing staff have spent hundreds of hours working on this development.

LEGAL REVIEW
K. Gingery.

ATTACHMENTS
Summary of previous joint meetings at which 90 Virginian Lane was considered.

RECOMMENDATION
Housing Staff recommend extending the Development Agreement deadline to December 31, 2025.

SUGGESTED MOTION

Both Boards:

I move to direct and authorize the Jackson Teton County Housing Authority to extend the Development Agreement timeline in the Ground Lease Option Agreement to December 31, 2025.

Summary of Previous Joint Meetings Re: 90 Virginian Lane

90 Virginian Lane is a 5.15-acre parcel of land located within the largest Complete Neighborhood: The Town of Jackson. It is currently zoned Neighborhood High ("NH-1") and is one of the few large, mostly vacant parcels of land that is appropriately zoned for affordable workforce housing. During four Joint Meetings (May 15, 2023; June 14, 2023; July 10, 2023; and July 17, 2023) the Board and Council directed and authorized the Jackson/Teton County Housing Authority ("JTCHA") to buy the property for future affordable workforce housing development. The transaction closed August 1, 2023.

On August 7, 2023; September 11, 2023; October 2, 2023; and November 6, 2023 Board and Council provided staff with direction preparing the Request for Proposals for a development partner at 90 Virginian Lane. This included specific direction on the scoring criteria, desired project densities and affordability, sustainable design program, and financing. The Council voted 5-0 and the Board voted 4-0 to approve the RFP and directed staff to release it. (Commissioner Macker was absent from the meeting and did not vote.)

On November 8, 2023, the RFP was released with a response due date of February 2, 2024. 11 responses to the RFP were received. These are posted to the Housing Department website.

On February 14 & 15, 2024, the Housing Supply Board reviewed the responses and identified four firms to interview in person. On March 6, 2024, the Housing Supply Board interviewed Corum, Elmington, Pennrose, and Ulysses. A recording of the interviews is provided on the Housing Department's website. On March 20, 2024, the Housing Supply Board held a Special Meeting at which they identified Pennrose as their leading candidate to develop the property.

On May 6, 2024, Board and Council considered potential partners for the development of the site; the Board continued the item, and the Council approved the following motion:

> *To direct and authorize the Housing Authority to direct staff to negotiate a Ground Lease and Development Agreement including the agreed upon internal procedures and negotiation topics with both Pennrose Development and Elmington Affordables, LLC for affordable workforce housing located at 90 Virginian Lane and to bring these documents and the results of the negotiations back to the Council and Board for consideration at a future meeting.*

On May 21, 2024, the Board approved the following motion:

> *To recommend to the Housing Department to negotiate a Ground Lease with Pennrose Development recognizing the 16 points that were made earlier at the Joint Information Meeting with the Town as well as points made during the BCC discussion today.*

On June 3, 2024, Council approved the following motion:

> *To direct and authorize staff to negotiate a Ground Lease and Development Agreement including the agreed upon internal procedures and negotiation topics with Pennrose Development for affordable workforce housing located at 90 Virginian Lane and to bring these documents and the results of the negotiations back to the Council and Board for consideration at a future meeting.*

On August 5, 2024, Staff provided an update on the development, including the 15 negotiation topics identified by the Council and Board. The Council and Board then asked staff to bring back additional information related to the development.

On October 7, 2024, Staff provided responses to additional questions posted by the Council and Board and draft terms for the Ground Lease with Pennrose for 90 Virginian Lane. The Council and Board approved the terms laid forth during that meeting and directed staff to draft a Ground Lease for consideration for 90 Virginian Lane.

On December 2, 2024, the Board and Council directed and authorized the Housing Authority to enter into a Ground Lease Option Agreement that outlined necessary criteria for Pennrose to meet prior to the execution of the Ground Leases for the property. These criteria are as follows: 1) a Development Agreement for 90 Virginian Lane must be executed by the developer and Housing Authority; 2) Pennrose will have completed the Subdivision, dividing the parcel into at least two parcels – one for rental homes and one for ownership homes; and 3) Pennrose will have commitments for financing that are sufficient for the construction of the development consistent with the Development Agreement.

On December 10, 2024, the Board and Council directed and authorized the Housing Authority to execute the 2025 Season Ground Lease for RV Park Operations with the Virginian RV Park LLC so that the RV park may stay open this summer and the Housing Authority can earn revenue from its operations.

On February 3, 2025, the Board and Council directed staff to draft a development agreement for 90 Virginian Lane and to bring the development agreement back to the joint board for consideration at a future meeting.

On April 17, 2025, the Board and Council heard an update on the development from the Pennrose team. Since February 2024, construction costs + market uncertainty have increased, and the market study findings result in reduced revenues from the Affordable 120-160% MFI and Workforce homes. To address these two issues, Pennrose provided the Council and Board with recommendations for reducing and refining construction costs and increasing revenues.

On May 8, 2025, the Board and Council directed staff to 1) enter into a cost-sharing agreement with Pennrose for schematic design not to exceed $250,000, and 2) extend the deadline for a Development Agreement to September 30, 2025.