

From: [Jacqui Kamp](#)
To: [Jose Alvarez](#); [Gary Albrecht](#); [Christine Cook](#)
Cc: [Sonja Wiser](#); [Oliver Orjiako](#)
Subject: FW: CPZ2022-00014 Capital Facilities Financial Plan (2023-2028) - Public Testimony
Date: Thursday, March 16, 2023 9:00:35 AM
Attachments: [thumbnail_image001_2cab2b2a-afa8-4854-86cd-e0e17e3b643d.png](#)
[pc_testimony.pdf](#)

FYI

From: Lance Killian <lance@killianpacific.com>
Sent: Wednesday, March 15, 2023 2:35 PM
To: Jacqui Kamp <Jacqui.Kamp@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>
Subject: CPZ2022-00014 Capital Facilities Financial Plan (2023-2028) - Public Testimony

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Good afternoon – please find attached written testimony to be shared with the Planning Commission and placed into the record for the above referenced item on the March 16, 2023 Planning Commission hearing.

Thank you very much.

Lance

Lance Killian
Chief Visionary Officer
He/Him/His

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VIA EMAIL

March 15, 2023

**RE: CPZ2022-00014 CLARK COUNTY CAPITAL FACILITIES FINANCIAL PLAN
(2023-2028)**

Dear Planning Commission:

We are providing this testimony in reference to the Capital Facilities Financial Plan agenda item, and specifically related to a question and County Staff feedback related to our pending Comprehensive Plan and Zone Change request [ORL 2022-00013] that was before you on February 16, 2023. We want to make sure that the record is clear as to what we as the property owner and developer are and are not committed to relative to the payment of traffic impact fees.

County Staff has referenced the potential for a “shortfall” in TIF fee collections from the development of our property, however there is no requirement that we pay the amount of TIF fees that were referenced both in our re-zone hearing before you (referenced above) and in the March 2, 2023 Planning Commission work session on the Capital Facilities Financial Plan. There is no requirement of the property owner that we develop specific land uses on our property that generate a minimum or maximum TIF collection (in County Staff’s presentation they are depicted as one and the same – ie. the minimum is the maximum).

What we are obligated to in the development agreements with Clark County is to pay a higher TIF rate of \$955 per trip (current Mt. Vista TIF rate is \$930 per trip), to make an advance payment of TIF fees ahead of the typical County timing of \$1.9 million by December 31, 2023 (regardless of any land use or applications therefore), and to dedicate approximately six acres of right-of-way (with an agreed fair market value of approximately \$6 million) for the County road projects for 15th Avenue and 179th Street. In turn, the County vested a certain maximum number of peak period trips for our properties for concurrency purposes. We do not yet know how many trips will be utilized over the multi-phase, multi-year build-out of the 130 acres of property we own; and therefore we do not know the full extent of TIF fees that will be assessed and paid. It’s important to note that the maximum number of vested trips are not tied to a particular phase of the property and can be used on any phase of the build-out.

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We are meeting our obligations set forth in the development agreements, and are therefore able to develop our property with any permitted uses in the coming years. The County should not base their Capital Facilities Financial Plan on any specific TIF fee revenue assumptions beyond those committed to in the relevant agreements between the parties (the development agreements).

Thank you for the opportunity to comment.

Sincerely,



Lance Killian

Manager

Three Creeks North, LLC

Three Creek Mumford, LLC