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BEFORE THE  
CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD  
STATE OF WASHINGTON

CITY OF SHORELINE, a municipal	)	
corporation of the State of Washington,	)	
	)	NO.
Petitioner,	)	
	)	BSRE POINT WELLS, LP'S MOTION TO
v.	)	INTERVENE
	)	(WAC 242-02-270)
SNOHOMISH COUNTY,	)	
	)	
Respondent.	)	
_____	)	

INTRODUCTION

On or about July 23, 2010, the Central Puget Sound Growth Management Hearings Board received a Petition for Review (PFR) from the above-referenced Petitioner. The PFR challenges Snohomish County Ordinances 09-079 and 09-080 for non-compliance with the GMA. These ordinances adopted a new Urban Centers zoning code and thereafter changed the zoning designation of BSRE Point Wells LP's property (hereafter "BSRE") at Point Wells to Urban Center.

1 RELIEF REQUESTED

2 BSRE now seeks intervention in the above-captioned case on behalf of Respondent  
3 Snohomish County which the Potential Intervener seeks to support in order to defend the  
4 action complained of by the Petitioners.  
5

6  
7 GROUNDS FOR INTERVENTION

8 Intervention should be granted pursuant to WAC 242-02-270. BSRE requests  
9 intervention because:  
10

- 11 (1) The adoption of the urban center zoning code and change in the zoning  
12 designation of BSRE's 61 acre waterfront property is necessary and appropriate  
13 in order to remove an unsightly and inefficient petroleum processing facility,  
14 remediate over 100 years of contamination, and convert the site to more  
15 appropriate uses;  
16  
17 (2) By seeking to invalidate BSRE's newly adopted zoning designation, Petitioner  
18 would force the continuation of the site's prior and inappropriate zoning,  
19 thereby precluding site remediation and redevelopment to more appropriate  
20 use; and  
21  
22 (3) BSRE's participation in these proceedings will aid Respondent in the defense  
23 of its actions and ensure that the land owner most directly impacted may  
24 potentially play a role in the appropriate resolution of this dispute.  
25  
26  
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28

DATED this 29<sup>th</sup> day of July, 2010

  
 \_\_\_\_\_  
 Gary D. Huff, WSBA #6185  
 Douglas A. Luetjen, WSBA #15334  
 Attorneys for BSRE Point Wells, LP  
 Karr Tuttle Campbell  
 1201 Third Avenue, Suite 2900  
 Seattle, WA 98101  
 Phone: (206) 223-1313  
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[dluetjen@karrtuttle.com](mailto:dluetjen@karrtuttle.com)

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DECLARATION OF SERVICE

The undersigned certifies that on Thursday, July 29, 2010, I caused to be served:

BSRE Point Wells, LP's MOTION TO INTERVENE:

Via Facsimile, with Original and 4 Copies Via U. S. Mail to:

Central Puget Sound Growth Management Hearings Board  
Office of the Growth Management Hearings Board  
319 - 7<sup>th</sup> Avenue SE Suite 103  
Olympia, WA 98501  
Facsimile: 360/664.8975

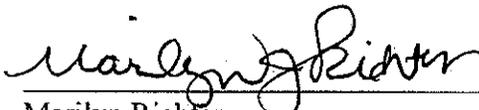
Via Facsimile and U. S. Mail to:

Ian R. Sievers  
Shoreline City Attorney's Office  
17500 Midvale Avenue North  
Shoreline, WA 98133-4921  
Facsimile: 206/546.1453

Via Facsimile and U. S. Mail to:

John Moffat  
Snohomish County Prosecuting Attorney's Office  
504 - 3000 Rockefeller Avenue  
Everett, WA 98201-4046  
Facsimile: 425/388.6333

I declare under penalty of perjury under the laws of the state of Washington on Thursday, July 29, 2010, at Seattle, Washington.

  
Marilyn Richter