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

CITY OF SHORELINE, a municipal corporation  
of the State of Washington,

Petitioner,

vs.

SNOHOMISH COUNTY,

Respondent.

**COORDINATED CASES**  
**09-3-0013c AND 10-3-0011c**

(Shoreline III and Shoreline IV)

**PETITIONERS' STATUS**  
**REPORT**

On August 23, 2010, the Growth Management Hearings Board (the "**Board**") issued an Order Coordinating Cases, Granting Intervention, Granting Settlement Extensions, and Amending Preliminary Schedules (the "**Order**"). The Order provided in part "If no further extension is requested, the Petitioners will file a Status Report no later than November 18, 2010, so that the case may go forward."

Beginning in the summer of 2010, petitioners City of Shoreline (the "**City**") and Town of Woodway (the "**Town**") collaborated on the preparation of a draft Interlocal Agreement (**ILA**) between the Petitioners and Snohomish County (the "**County**") to address land use, site development, and transportation issues associated with the Point Wells Urban Center (**PWUC**).

1 A July 1, 2010 draft of the ILA was circulated to petitioner Save Richmond Beach (SRB) as well  
2 as Intervenor BSRE Point Wells, LP (BSRE) for their review and comment. Based on their  
3 comments, subsequent drafts of the ILA were prepared dated August 6, 2010 and August 9, 2010.  
4 Due to the challenges of coordinating schedules, the meeting with the County to review the draft  
5 ILA did not occur until September 14. At the meeting, the County informed the Petitioners of  
6 the County's legal interpretation that an ILA between the City, the Town, and the County could  
7 not contain provisions that are more restrictive than the County code on substantive issues of  
8 concern to the Petitioners, such as building height. As a result, all work on the ILA has ceased.

9  
10 Concurrently with work on the ILA, Shoreline prepared a Scope of Work for a  
11 Transportation Corridor Study and Implementation Plan (the "Transportation Study Scope").  
12 The purpose of the Transportation Study Scope was to identify the scope and substance of an  
13 evaluation of the traffic impacts that would be likely to occur from development of the PWUC.  
14 A draft of the Transportation Study Scope was sent by the City to the Town, SRB and BSRE on  
15 August 25. Detailed comments on the draft were submitted to the City to the Town and SRB.  
16 BSRE shared some of its concerns in letters and emails to th City and at a meeting with City staff  
17 on October 21. At that time, BSRE indicated that it would need to have its traffic engineer attend  
18 a subsequent meeting with the City to provide a detailed critique of the draft Transportation Study  
19 Scope. As of this writing, the date for that subsequent meeting has not been confirmed by BSRE.

20  
21  
22 On September 9, SRB held a community meeting at the Congregational Church in  
23 Richmond Beach to share progress to date on these matters and invite interested citizens to attend  
24 the upcoming September 23 Open House hosted by BSRE. Representatives of SRB, the City,  
25 the Town, and BSRE were in attendance at the meeting.

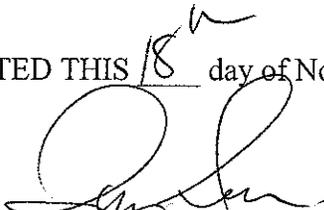
1 On September 23, BSRE hosted an Open House at the Shoreline Center. Representatives  
2 of the City, the Town, SRB and BSRE were in attendance.

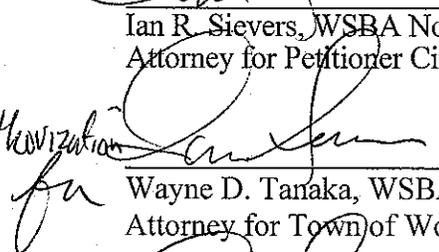
3 On November 16, the City sent a letter to the County Planning Director Clay White  
4 transmitting the draft Transportation Study Scope and asking the County to confirm the date for a  
5 meeting to review it.  
6

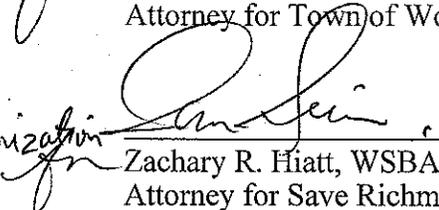
7 CONCLUSION

8 Given the County's position on the ILA, Shoreline, Woodway and SRB believe further  
9 negotiation with the county over the ILA will likely not resolve the issues presented for the  
10 Board's review. Therefore, the petitioners respectfully ask the Board to come to a speedy  
11 resolution of the issues presented. The Petitioners stand ready to adhere to the case schedule set  
12 forth in the Board's August 23, 2010 Order.  
13

14 RESPECTFULLY SUBMITTED THIS 18<sup>th</sup> day of November, 2009.

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17   
18 Ian R. Sievers, WSBA No. 6723  
19 Attorney for Petitioner City of Shoreline

20 *email authorization for*   
21 Wayne D. Tanaka, WSBA No. 6303  
22 Attorney for Town of Woodway

23 *email authorization for*   
24 Zachary R. Hiatt, WSBA No. 38118  
25 Attorney for Save Richmond Beach

1                    **CPSGMHB Coordinated Cases 09-3-0013c and 10-3-0011c**  
2                    ***Shoreline III & Shoreline IV***

3                    **DECLARATION OF SERVICE**

4 I certify that, on November 18, 2010, I e-mailed a copy of the Status Report to the  
5 CPSGMHB at central@cps.gmhb.wa.gov and to the persons listed below.  
6

7 **SNOHOMISH COUNTY**

8 John R. Moffat

9 jmoffat@co.snohomish.wa.us

10 Martin D. Rollins

11 martin.rollins@co.snohomish.wa.us

12 Matthew A. Otten, WSBA #40485

13 motten@co.snohomish.wa.us

14 **BSRE POINT WELLS, LP**

15 Gary D. Huff

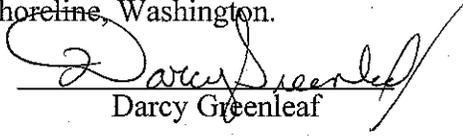
16 ghuff@karrtuttle.com

17 Douglas A. Luetjen

18 dluetjen@Karrtuttle.com

19 I make this declaration subject to penalty of perjury under the laws of the State of  
20 Washington.

21 Dated this 18<sup>th</sup> day of November 2010, at Shoreline, Washington.

22   
23 Darcy Greenleaf  
24  
25