

**CENTRAL PUGET SOUND  
GROWTH MANAGEMENT HEARINGS BOARD  
STATE OF WASHINGTON**

SR 9/US 2 LLC,	)	<b>CPSGMHB Case No. 07-3-0016</b>
	)	
Petitioners,	)	<b>(SR9/US2)</b>
	)	
v.	)	
	)	
CITY OF LAKE STEVENS,	)	<b>ORDER OF DISMISSAL</b>
	)	
Respondent.	)	
	)	

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**I. BACKGROUND**

On February 9, 2007, the Central Puget Sound Growth Management Hearings Board (the **Board**) received a Petition for Review (**PFR**) from SR9/US2 LLC (**Petitioner** or **SR9/US2**). The matter was assigned Case No. 07-3-0016, and is hereafter referred to as *SR9/US2 v. City of Lake Stevens*. Board member Edward G. McGuire is the Presiding Officer (**PO**) for this matter. Petitioner challenges Lake Steven’s (**Respondent, City or Lake Stevens**) adoption of Ordinance No. 739 updating its comprehensive Plan, future land use map (**FLUM**), and zoning map. (Hereafter, the **Plan Update**). The basis for the challenge is noncompliance with various provisions of the Growth Management Act (**GMA** or **Act**).

On February 13, 2007, the Board issued its “Notice of Hearing” (**NOH**) in the above captioned matter, setting the date for the prehearing conference (**PHC**).

On March 12, 2007, the Board held PHC, and issued it “Prehearing Order” (**PHO**). The PHO established the final schedule for the case and set forth the Legal Issues to be decided by the Board.

On April 24, 2007, per the joint request of the parties, the Board issued an “Order Granting Settlement and Amending Case Schedule.” This Order granted the parties a 30-day settlement extension.

On April 30, 2007, the Board received “Petitioner’s Voluntary Dismissal” (**SR9/US2 Motion**). The Petitioner asks that their appeal be dismissed or withdrawn. SR9/US2 Motion, at 1.

## **II. ORDER**

Based upon review of the SR9/US2 LLC motion, the Board enters the following ORDER:

In light of SR9/US2 LLC's Motion for Voluntary Dismissal of their petition for review, the matter of *SR9/US2 v. City of Lake Stevens*, CPSGMHB Case No. 07-3-0016 is **dismissed with prejudice**. All further scheduled hearings on this matter are **cancelled** and the case is **closed**.

So ORDERED this 30<sup>th</sup> day of April, 2007.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

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David O. Earling  
Board Member

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Edward G. McGuire, AICP  
Board Member

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Margaret A. Pageler  
Board Member

Note: This Order constitutes a final order as specified by RCW 36.70A.300 unless a party files a motion for reconsideration pursuant to WAC 242-02-832.