

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3  
4 BARBARA KASPER and FRIENDS FOR  
5 RESPONSIBLE PROGRESS, INC.,

6 *Petitioners,*

7  
8 vs.

9  
10 CITY OF ALBANY,

11 *Respondent,*

12  
13 and

14  
15 COSTCO WHOLESALE CORPORATION,

16 *Intervenor-Respondent.*

17  
18 LUBA No. 2000-166

19  
20 FINAL OPINION

21 AND ORDER

22  
23 Appeal from City of Albany.

24  
25 Wallace W. Lien, Salem, filed the petition for review on behalf of petitioners. With  
26 him on the brief was Wallace W. Lien, PC.

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28 James V. B. Delapoer, Albany, Jeffrey H. Keeney, Portland, and Sean Munger,  
29 Portland, filed a joint response brief on behalf of respondent and intervenor. With them on  
30 the brief was Long, Delapoer, Healy, McCann and Noonan, PC and Tonkon Torp, LLP.

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32 HOLSTUN, Board Member; BRIGGS, Board Chair; BASSHAM, Board Member,  
33 participated in the decision.

34  
35 DISMISSED

04/13/2001

36  
37 You are entitled to judicial review of this Order. Judicial review is governed by the  
38 provisions of ORS 197.850.

1           Holstun, Board Member.

2           The parties stipulate that this appeal should be dismissed and that the Board should  
3 return petitioners' \$150 deposit for costs. Accordingly, this appeal is dismissed, and the  
4 Board will return petitioners' deposit for costs.