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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

WILLIAM SMITH PROPERTIES, INC.)
)
 Petitioner,)
)
 vs.) LUBA No. 2019-_____
)
 CITY OF BEND,)
)
 Respondent.)

NOTICE OF INTENT TO APPEAL

I.

Notice is hereby given that petitioner William Smith Properties, Inc. (WSPI), an Oregon corporation, intends to appeal that land use decision and/or limited land use decision of respondent entitled “Hearings Officer’s Decision” dated and mailed March 7, 2019. The decision became final when the Bend City Council declined to review WSPI’s appeal of said decision and mailed notice of its decision on March 21, 2019 in a document entitled “Notice of Final Decision.” The decision approved a site plan for a 170-unit apartment complex in the Shevlin Riverfront Master Plan area of the Mixed Riverfront (MR) zone and denied approval of a variance to the 45-foot height limitation of the MR zone.

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II.

Petitioner is represented by: Liz Fancher, Attorney, 644 NW Broadway Street, Bend, OR 97703, 541-385-3067 (telephone).

III.

Respondent, City of Bend, has as its mailing address and telephone number: PO Box 431, Bend, OR 97709, 541-388-5505 (telephone), and has, as its legal counsel: Mary A. Winters, City Attorney, PO Box 431, Bend, OR 97709, 541-693-2100 (telephone).

IV.

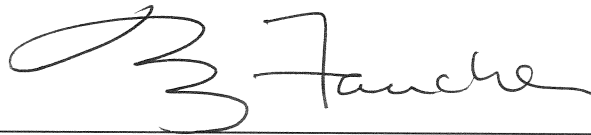
Applicant, Evergreen Housing Development Group, LLC was represented in the proceedings below by its attorney, Mike Reeder, 375 W. 4th Avenue, Suite 205, Eugene, OR 97401, 458-210-2845 (telephone). Other persons mailed written notice of the land use decision or limited land use decision by Respondent, as indicated by its records, are shown on “Exhibit “A”, attached hereto and incorporated by reference herein.

NOTICE:

Anyone designated in paragraph IV of this Notice who desires to participate as a party in this case before the Land Use Board of Appeals must file with the Board a Motion to Intervene in this proceeding as required by OAR 661-010-0050.

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DATED this 9th day of April 2019.



Liz Fancher, Attorney for Petitioner
644 NW Broadway Street
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541-385-3067
liz@lizfancher.com
OSB #812202

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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2019, I served a true and correct copy of this Notice of Intent to Appeal on all persons listed in paragraphs III and IV of this Notice pursuant to OAR 661-010-0015(2) by first class mail and electronic mail.

DATED this 9th day of April, 2019.



Liz Fancher, OSB #812202
Attorney for Petitioner

CERTIFICATE OF FILING

I hereby certify that on April 9, 2019 I filed the original of this NOTICE OF INTENT TO APPEAL, together with two (2) copies, with the Land Use Board of Appeals, 775 Summer Street NE, Suite 330, Salem, Oregon 97301-1283, by personal delivery.

DATED this 9th day of April, 2019.



Liz Fancher, OSB #812202
Attorney for Petitioner

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