BEND LANDMARKS COMMISSION
STAFF RECOMMENDATION

CITY OF BEND
COMMUNITY DEVELOPMENT

PROJECT NUMBER: PLHIS20260510
(Type III Quasi-Judicial Review – Landmarks Commission)

DATE MAILED: November 9, 2026
Day 17 of the 120-day review period

APPLICANT: Antra Svarcs Richardson
826 NW Delaware Avenue
Bend OR 97703

ARCHITECT: Life Design Build, LLC
20970 Kin Hezakiah Way
Bend OR 97702

OWNER: Vantage Point Holdings LLC
243 Rametto Road
Santa Barbara, CA 93108

PROJECT LOCATION: 826 NW Delaware Avenue, Bend OR 97703
Tax Lot 5500 on Deschutes County Assessor's Map 17-12-32CD

REQUEST: A request to construct a 460 square foot detached accessory structure. (Type III Quasi-Judicial Review)

STAFF REVIEWERS: Heidi Kennedy AICP, Senior Planner
(541) 617-4524; hkennedy@bendoregon.gov

APPLICABLE CRITERIA, STANDARDS AND PROCEDURES:

Bend Development Code (BDC) – Version effective date: 09-04-2026

BDC Criteria

Chapter 4.2, Minimum Development Standards Review, Site Plan Review and Design Review.

BDC Standards

Chapter 2.1, Residential Districts
Chapter 3.4, Public Improvement Standards
Chapter 3.5, Other Design Standards
Section 3.5.200 Outdoor Lighting Standards
Section 3.5.600 On-Site Drainage

Procedures

Chapter 4.1, Development Review and Procedures

Bend Code (Municipal Code)

Chapter 10.20, Historic Preservation Code

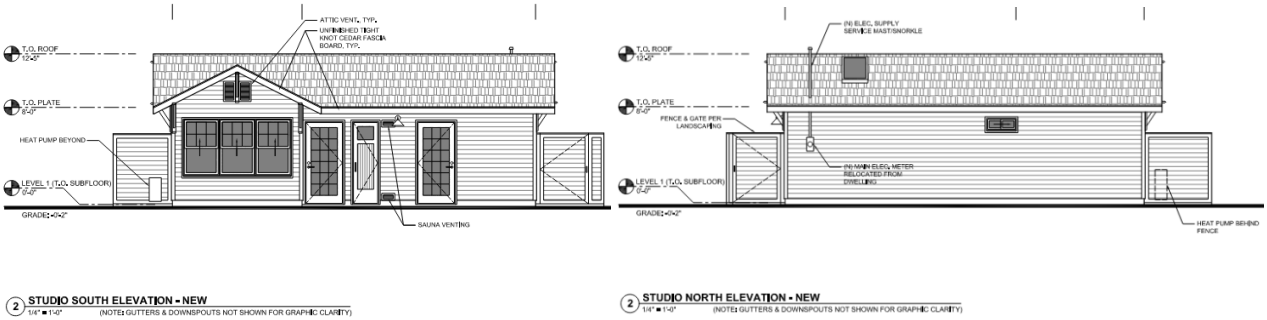
FINDINGS OF FACT:

1. **LOCATION:** The subject property is located at 826 NW Delaware Avenue and is further identified as Tax Lot 5500 on Deschutes County Assessor's Map 17-12-32CD.
2. **ZONING AND PLAN DESIGNATION:** The subject property is zoned Medium Density Residential District (RM) and designated RM on the City of Bend Comprehensive Plan Map. The property is also identified as being in the Old Town Historic District.
3. **SITE DESCRIPTION AND SURROUNDING USES:** The property is a rectangular shaped lot on the north side of NW Delaware Avenue between NW Broadway and NW Wall Street. The property is developed with a single, unit dwelling and two outbuildings in the rear of the property accessed off the abutting alley along the north property line.



2022 City of Bend Imagery

4. **PROPOSAL:** A request to construct a 460 square foot detached accessory structure. Accessory structures are subject to Bend Development Code Section 3.6.200.M. (Type III Quasi-Judicial Review)



5. **BACKGROUND/PROPERTY NOMINATION INFORMATION:** The subject property is listed on the National Register of Historic Places as part of the Old Town Historic District.

826 NW Delaware Avenue **Historic Name: Dawson, Lyle and Bertha House** **Built: 1916**
Deschutes Addition: Block 11 **Lot: 3** **Legal: 171232CD05500**
Style: Craftsman Bungalow **Builder: Unknown** **Architect: Unknown**
Rank: Historic Non-Contributing **Site ID #: 2529**

Description: House is a modest example of a side-gable Craftsman style bungalow with knee braces. The home originally had a full-width recessed porch supported by four tapered posts. Today the porch has been enclosed and a small gabled entry vestibule has been added. The exterior is clad with T-1-11 siding. The building rests on a lava rock foundation and has a combination of wood one-over-one double hung and aluminum sliding windows.

Cultural Data: Likely built as a rental, the first verified owners of the home are Lyle T. and Bertha P. Dawson in 1921. Lyle was a cashier for the Bend Water, Light & Power Company. By 1921, they sold the home to Ray Cleveland, an employee at Brooks-Scanlon Lumber Company.

Accessory Structure: Garage **Built:** 1930

Description: Historic Non-Contributing single car garage which sits parallel to the alley.



6. **APPLICATION ACCEPTANCE DATE:** This application was submitted on October 14, 2026 and deemed complete on October 23, 2026. The 120-day review period ends on February 20, 2026.

7. **PUBLIC NOTICE AND COMMENTS:** On October 26, 2026, the Planning Division mailed notice of the request to surrounding owners of record as shown on the most recent property tax assessment roll and to the addresses of property (based on the City's current addressing record) within 500 feet of the site, and to the designated representatives of the

Old Bend Neighborhood District. A "Proposed Development" sign was also posted on the site on October 26, 2026. As of the date of this report, no public comment letters have been received by the Planning Division.

8. **LEGAL LOT OF RECORD:** The subject property is Lot 3, Block 11 of the Deschutes Addition subdivision recorded in 1912. Therefore, the subject property is a legal lots of record.
9. **RELATED APPLICATIONS:** This application is related to two other applications including PLHIS20260508, a demolition request and PLHIS2020509, an Historic Resource remodel and rear addition request.

APPLICATION OF THE CRITERIA:

The following findings evaluate the application(s) for conformance with applicable standards of the City of Bend Development Code.

Chapter 10.20, HISTORIC PRESERVATION CODE

10.20.030 Procedures.

E. Applications shall be reviewed according to the processes described below:

3. The following applications are reviewed by the Landmarks Commission via the Type III process:

a. Major alterations;

b. New construction;

FINDING: The application is seeking approval to construct a rear 460 square foot detached, accessory structure on the subject property. The applicant has applied for a Type III application review which will require review by the Landmarks Commission for this request. Applicable sections 10.20.050 and 10.20.130 are addressed below.

F. Except as otherwise provided for in this chapter, all other development regulations contained in the Bend Development Code apply to historic resources and historic districts.

FINDING: The applicant is requesting approval to construct a rear 460 square foot detached accessory structure on the subject property in the Medium Density Residential (RM) Zone. Bend Development Code establishes standards for development in the RM Zone (BDC Chapter 2.1) as well as Section 3.6.200.M Accessory Uses and Structure. Although conformance with BDC 2.1 and Section 3.6.200.M, Accessory Uses and Structures will be verified through any future building permit process, the standards within the Design Review Criteria of BC 10.20.130 will also be addressed.

10.20.050 Criteria of Approval.

C. Type II and III applications for the construction of new structures in a historic district shall meet all of the following criteria of approval:

1. The new structure will be compatible with the appearance and character of the historic district.

FINDING: The subject property currently includes a single unit dwelling as well as a shed and detached garage. The shed and detached garage are proposed to be removed. In the place of the two detached structures, the applicant is proposing to construct a 460 square foot detached accessory structure. The proposed structure has been designed as a craftsman style building in support of the main historic dwelling and the historical, character of the Old Town Historic District in which the predominate architectural style is craftsman. Staff recommends the Landmarks Commission find that this standard will be met.

2. The new structure is consistent with the design review criteria of BC 10.20.130.

FINDING: The design review criteria of BC 10.20.130 are addressed below.

10.20.130 Design Review Criteria

The following design review criteria shall apply to alterations, additions and new construction:

A. *Siting*.

1. In addition to the zoning requirements, the relationship of new additions and new construction to the street and to the open space between buildings shall be compatible with adjacent historic buildings and with the historic character of the surrounding area.

FINDING: The subject property is located on the north side of NW Delaware Avenue, just east of the intersection of NW Delaware Avenue and NW Broadway Street. It is within the Old Town Historic District and developed with a non-contributing 1,053 square foot dwelling. The proposed new 460 square foot accessory structure is sited in the backyard and to the north of the existing dwelling. The proposed accessory structure will have limited visibility if any from the abutting street, NW Delaware Avenue, as the existing home and proposed fencing will restrict the view from the street.

Staff recommends the Landmarks Commission find that the siting standard will be met.

The development is located within the RM Zoning District; the proposed accessory structure is reviewed below for compliance with Chapter 2.1 of the Bend Development Code.

BEND DEVELOPMENT CODE

Chapter 2.1, Residential Districts (RM)

2.1.300 Setbacks.

A. *Purpose.* Setbacks provide private outdoor living space, building separation for fire protection/security, building maintenance, and sunlight and air circulation. The setback standards encourage placement of residences close to the street for public safety and neighborhood security.

B. *Setback Standards*. The following setback standards apply to all structures, except as otherwise provided by this section or specified in this code. See also special setbacks permitted in BDC 3.6.200, Special Standards for Residential Uses, and BDC Chapter 3.8, Development Alternatives.

C. *Front Setbacks.*

2. *RS, RM-10, RM, and RH Districts.* The minimum front setback is 10 feet. Garages and carports with street access must be set back a minimum of 20 feet from the front property line.

D. *Rear Setbacks.*

2. *RS, RM-10, RM and RH Districts.* The minimum rear setback is five feet.

E. Side Setbacks.

2. *RS, RM-10, RM and RH Districts*. The minimum side setback is five feet.

FINDING: As shown on the submitted site plan, the proposed accessory structure will be located 5 feet from both the east and west property lines and approximately 9 feet (taking into account roof eves) from the north property line abutting the alley. The existing dwelling is located approximately 20 feet from the front property line and the accessory structure is proposed behind the existing dwelling.

The subject property also contains an existing shed and detached garage located in the rear of the property. These structures are proposed to be demolished (PLHIS20260508). Therefore, the existing structure with the proposed accessory structure will meet the required setbacks in the RM Zone.

2.1.700 Maximum Lot Coverage and Floor Area Ratio.

A. *Maximum Lot Coverage and Floor Area Ration.* The following maximum lot coverage and floor area ratio standards apply:

Table 2.1.700 Residential Lot Coverage

Residential Zone	*Lot Coverage*	*FAR*
Medium Density Residential (RM)	***50% for lots or parcels with single-story single-unit detached dwelling unit(s) and single-story accessory structures.***	***None***

FINDING: The existing structure, a single-unit detached dwelling unit with the proposed addition (PLHIS20260509) and the proposed accessory structure are single-story, therefore, the

maximum lot coverage is 50 percent; on a 4,549 square foot property, this equates to a lot coverage of 2,274.5 square feet. As shown on the submitted site plan, the existing dwelling with the proposed addition is 1,330 square feet. The proposed accessory structure is 460 square feet. With the existing dwelling and addition and proposed accessory structure there will be a total of 1,790 or 39% lot coverage. Therefore, the existing dwelling, addition with the proposed accessory structure will meet the maximum lot coverage standards of the RM Zone.

2.1.800 Building Height.

A. *Standard*. The following building heights apply to all development within the Residential District:

2. Buildings within the RM Zone may be no more than 40 feet in height.

FINDING: The proposed accessory structure is one story and approximately 13 feet in height which is lower than the existing single-unit detached dwelling and proposed addition. This is well below the maximum height of 40 feet permitted in the RM Zone. Therefore, the existing accessory structure will meet the maximum height limitation standards.

2.1.1100 Other Design Standards.

A. Development must comply with BDC 3.5.600, On-Site Drainage.

FINDING: Per the submitted landscape plan, a bioswale is proposed in the front yard of the property and an underground drywell is proposed within the backyard.

B. Development must comply with BDC 3.5.200, Outdoor Lighting Standards, and 3.5.400, Solar Standards.

3.5.200 Outdoor Lighting Standards.

C. *Standards for installation and operation of outdoor lighting*.

1. All outdoor lighting fixtures subject to this Ordinance shall be designed as a full cut-off fixture or have a shielding method to direct light emissions down onto the site and not shine direct illumination or glare onto adjacent properties.

5. Outdoor lights at designated Historic Sites or within Historic Neighborhoods that are consistent with the architectural style or era of the building or property shall be consistent with the provisions of this section.

FINDING: The proposed alterations, additions and new accessory structure include the utilization of new outdoor lighting. As part of this application the applicant uploaded photos of the proposed outdoor lighting fixtures and they are full cutoff in design which complies with the outdoor lighting standard.

Exterior Light Fixtures	

A. *Siting. (Continuation from page 5)*

2. New additions and new construction shall be sited so that the impact to the primary facade(s) is kept to a minimum. Additions shall generally be located at the rear portions of the property or in such locations where they have the least visual impact from public ways.

FINDING: The proposed accessory structure is sited in the backyard of the property. The proposed accessory structure will have limited visibility from the street, if any, as the existing house and fence will restrict the view from NW Delaware Avenue. Staff recommends the Landmarks Commission find this criterion will be met.

B. *Landscape (Visible from Adjacent Public Street).*

1. Alterations and new development shall incorporate traditional landscape elements evident in the historic properties in the surrounding area such as grass, trees, shrubs, and picket fences as applicable.

2. Inappropriate landscape treatments, such as berms and extensive ground cover inconsistent with the historic landscaping of the property, are prohibited.

FINDING: The applicant is proposing new on-site landscaping and has submitted a landscape plan. The proposal also includes the plan to construct new fencing including a 3 foot tall open slat fence with vertical cedar boards in the front yard and a 6 foot tall vertical cedar board fence in the rear and side yards. New flagstone paving to the front door and west side yard are also proposed. Staff recommends that the Landmarks Commission find that the proposed new introduced landscaping and fencing includes a mix of trees, shrubs, groundcover and appropriate cedar fencing and meets these landscape standards.

At the rear of the property, a gravel driveway area is also proposed for parking. Per Bend Development Code Section 3.1.400.G.1 parking areas must be paved with asphalt, concrete or comparable surfacing or a durable non-paving material (e.g., grass-crete, eco-stone) may be used to reduce surface water runoff. Gravel is not allowed. Staff recommends this requirement be made a condition of approval.

Condition of Approval: *All on-site parking areas must be paved with asphalt, concrete or comparable surfacing or a durable non-paving material (e.g., grass-crete, eco-stone) may be used to reduce surface water runoff. Gravel is not allowed.*

C. *Building Height.*

1. In addition to the zoning requirements, the height of new additions and new construction shall not exceed the height of the historic building being added onto, or of historic buildings in the surrounding area.

FINDING: The proposed accessory structure is approximately 13 feet in height which is lower than the existing single-unit detached dwelling and proposed addition. Staff recommends the Landmarks Commission find this criterion will be satisfied.

D. *Building Massing.*

1. New additions shall be articulated in such a manner that no single element is visually larger than the existing historic building.

FINDING: The general style of the accessory structure includes a roof design that is similar to the existing dwelling and the proposed addition as well as other craftsman style buildings in the District. In addition, as mentioned above, the proposed accessory structure will have limited visibility from the street as the existing dwelling and proposed fencing will restrict the view from NW Delaware Avenue. Staff recommends the Landmarks Commission find that this criterion is satisfied.

E. *Proportion and Scale.*

1. The relationship of height to width of new additions and their sub-elements, such as windows and doors and of alterations, shall be compatible with related elements of the historic building and with the historic character of the surrounding area.

FINDING: The sub-elements of the proposed new accessory structure are discussed in more detail below.

2. The relationship of solids to voids (wall to window) shall be compatible with related elements on the historic building and with the historic character of the surrounding area.

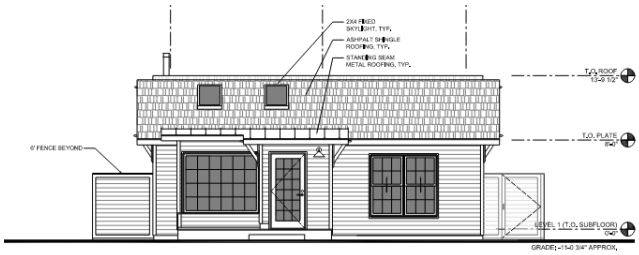
FINDING: The proposal is for a new, accessory structure at the rear of the property. Therefore, this criterion applies.

The existing dwelling and proposed addition include a number of window types, sizes and configurations. The proposed accessory dwelling also includes a variety of window types, sizes and configurations with the exception of the north wall which faces the alley. The proposed solids to voids are generally similar to the existing dwelling and proposed addition. The proposed new north-facing elevation of the proposed addition also includes only one small window which is proposed in the bathroom of the accessory structure. The solids to voids on the north wall are very limited. However, this is the frontage along the existing abutting alley and, staff assumes, there are security reasons for the limited number of windows facing the alley as this is not a main dwelling in which it will be occupied a significant amount of time. In addition, a review of historic, detached structures within the District reveals that it is typical for detached structures to have limited windows.

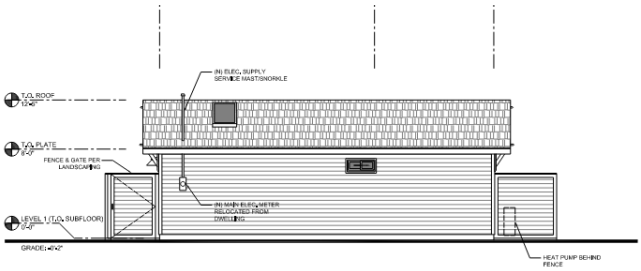




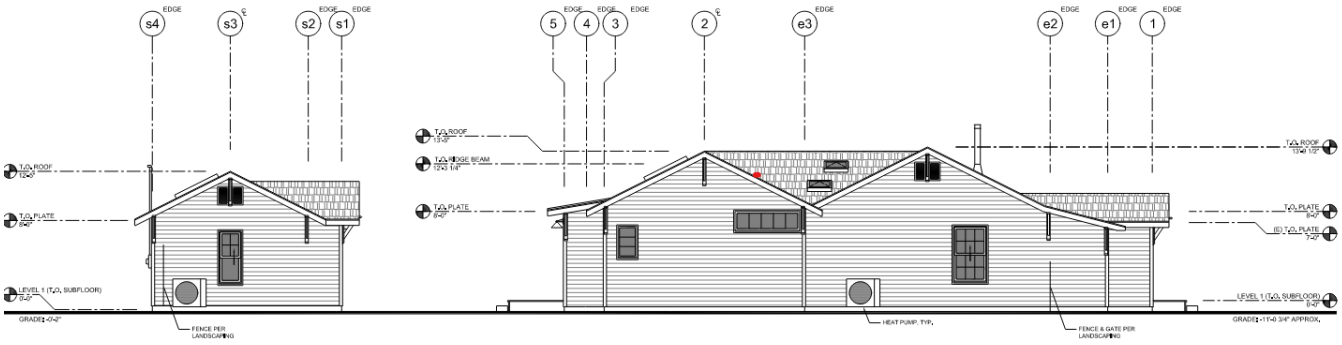

Staff recommends the Landmarks Commission find the amount and style of windows and doors proposed on accessory structure are compatible with the historic detached structures within the District.



1 NORTH ELEVATION - NEW
1/4" = 1'-0" (NOTE: GUTTERS & DOWNSPOUTS NOT SHOWN FOR GRAPHIC CLARITY)



2 STUDIO NORTH ELEVATION - NEW
1/4" = 1'-0" (NOTE: GUTTERS & DOWNSPOUTS NOT SHOWN FOR GRAPHIC CLARITY)



3 WEST ELEVATION - NEW
1/4" = 1'-0" (NOTE: GUTTERS & DOWNSPOUTS NOT SHOWN FOR GRAPHIC CLARITY)

F. Exterior Features.

1. *General.*

a. To the extent practicable, original historic architectural elements and materials shall be preserved.

FINDING: This is a proposal for a new structure. Therefore, this criterion is not applicable to the proposal.

b. Architectural elements and materials for new additions shall be compatible with related elements of the historic building and with the historic character of the surrounding area.

FINDING: The accessory structure constitutes new construction. According to the submitted plans and application materials, the proposed accessory structure has a number of similar design features to the proposed modifications for the main dwelling. Siding, windows, roof slope are similar to the proposed revisions to the main dwelling. Staff recommends the Landmarks Commission find that this standard will be met.

c. The preservation, cleaning, repair, and other treatment of original materials shall be done in a manner as to retain the original materials to the most practical extent.

FINDING: The new accessory structure is new construction. Therefore, this standard is not applicable to the proposal.

2. *Foundations.*

a. Concrete or masonry foundations to replace deteriorated wood foundations are permitted. Such new foundations shall be covered with board skirting or similar treatment to match the original appearance and extend to within six to eight inches of the ground level.

b. Concrete or masonry foundations for new additions need not be covered with material that simulates construction techniques that were practiced at the original time of construction.

c. New foundations shall not significantly alter the historic finish floor elevation of the building.

FINDING: The proposed accessory structure is new construction and staff assumes will include a new concrete foundation. Staff recommends the Landmarks Commission find these criteria are met.

3. *Roofs.*

a. Roofs on new additions shall be of forms (gabled, hipped, etc.) that are compatible with the historic building and the historic character of the district.

FINDING: The proposed accessory structure includes a roof design that will be similar to the historic, dwelling roof design in pitch and height. Staff recommends the Landmarks Commission find this criterion is met.

4. *Garages/Carports.*

a. When feasible, garages and carports shall be located on the site where they have the minimum visual impact from public streets.

b. Where garages must face the street front, they shall be designed to minimize their bulk and visual impact. Single-car garage doors should be employed.

FINDING: This proposal does not include a garage or carport. This criterion is not applicable to the proposal.

STAFF RECOMMENDATION:

Staff recommends the Landmarks Commission approve the request to construct an accessory structure subject to the following conditions of approval:

RECOMMENDED CONDITIONS OF APPROVAL:

1. As required by the Building Division, the applicant shall obtain all required building permits for the proposed accessory structure to the existing dwelling.
2. The proposed accessory structure will be required to comply with the standards of Bend Development Code 3.6.200.M Accessory Uses and Structure.
3. The applicant shall submit a standard details checklist to the Planning Division for review and approval prior to issuance of a building permit.
4. The applicant shall inform Landmarks staff of any modifications to the approved design that arise during construction. All changes are required to be reviewed and approved prior to implementation in order to uphold this Bend Landmarks Commission Decision.
5. All on-site parking areas must be paved with asphalt, concrete or comparable surfacing or a durable non-paving material (e.g., grass-crete, eco-stone) may be used to reduce surface water runoff. Gravel is not allowed.

Written by: Heidi Kennedy

Heidi Kennedy AICP, Senior Planner

Accommodation Information for People with Disabilities & Language Assistance Services
You can obtain this information in alternate formats such as Braille, electronic format, etc. Free language assistance services are also available. Please email **accessibility@bendoregon.gov** or call 541-693-2198. Relay Users Dial 7-7-1. All requests are subject to vendor processing times and should be submitted 48-72 hours in advance of events.

Servicios de asistencia lingüística e información sobre alojamiento para personas con discapacidad
Puede obtener esta información en formatos alternativos como Braille, formato electrónico, etc. También

disponemos de servicios gratuitos de asistencia lingüística. Póngase en contacto en correo electrónico **accessibility@bendoregon.gov** o número de teléfono 541-693-2198. Los usuarios del servicio de retransmisión deben marcar el 7-1-1. Por favor, envíe sus solicitudes con 48-72 horas de antelación al evento; todas las solicitudes están sujetas a los tiempos de procesamiento del proveedor.