



Aerts Addition Subdivision Plat (Phase 1a) Staff Report (FP 25-02)

SUMMARY INFORMATION

Date: January 6, 2026

To: City of Banks

From: Carrie Brennecke, Contract City Planner

Through: Jolynn Becker, City Manager

Request for: Type II Aerts Addition Subdivision Plat (Phase 1a) (FP 25-02)

Applicant/Owner Holt Holdings OR, LLC
1301 SE Tech Center Drive, Suite 150
Vancouver, WA 98683

Applicant Representative: AKS Engineering & Forestry, LLC
Melissa Slotemaker, AICP
12965 SW Herman Road, Ste. 100
Tualatin, OR 97062

Location/Address: Portion of 2N331DD00100
13245 NW Aerts Road
Banks, OR 97108

Zoning: Aerts Addition Master Plan

- Low Density Residential (LDR)
- Medium Density Residential (MDR-L)
- Commercial (C)

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EXHIBITS

- Exhibit A Signed Application Form
- Exhibit B Phase 1a Plat (Signed)
- Exhibit C Title Report
- Exhibit D ODOT Response

APPLICABLE BANKS ZONING AND LAND DIVISION STANDARDS

- Chapter 151: Zoning Code
 - 151.232 Type II Procedure (Staff Review and Zoning Checklist)
- Chapter 152: Land Division Regulations
 - 152.009 Final Plat Submission
 - 152.010 Filing and Recording

SUMMARY RECOMMENDATION

Based upon the findings of fact, City Planning Staff find that this application meets all applicable requirements of the City's Zoning Code and Land Division Regulations given fulfillment of the Conditions of Approval. City Planning Staff **approves** of the Type II Final Plat (FP 25-02), with Conditions of Approval.

This staff report is organized into the following sections:

- Background
- Zoning Code Standards (Chapter 151)
- Land Division Regulations (Chapter 152)
- Decision and Conditions of Approval

BACKGROUND

Final Plat Background

The applicant received approval by the Banks Planning Commission for the Aerts Addition Master Planned Development (MPD 24-02) on September 17, 2024. Per the standards of Chapter 152 Land Division and the conditions of approval for MPD 24-02, the applicant is required to receive approval for the final plats for the Aerts Addition Master Planned Development pursuant to a Type II procedure. The City determined the applicant process the final plat approval pursuant to a Type II procedure. Below is the staff report that details the applicable approval criteria and procedures for a final plat.

Master Planned Development Background

In May 2024, the applicant submitted a Master Planned Development application package (MPD 24-02, et al) which included Comprehensive Plan Map and Zone Map Amendment applications (CPA 24-03 and ZMA 24-02), a Master Planned Development application (MPD 24-02), a Site Design Review application (SDR 24-02), a Conditional Use application (CU 24-01), a Property Line Adjustment application (PLA 24-01), and a Subdivision application (SUB 24-02). The subject site included land owned by the Quail Valley Golf Course Corporation and other properties owned by the Van Dyke Family Land, LLC. The subject site encompassed approximately 204 acres and is currently developed with the Quail Valley Golf Course, as well as some low-density residential and agricultural uses.

The proposed Master Planned Development, called Aerts Addition, is primarily a residential development of the above-mentioned properties. The proposed development will provide 929 homes, in the form of detached and attached single-family units. It will also feature a host of community facilities and services, including a new public park, open space and associated amenities, stormwater facilities, streets, trail, paths, a bicycle/pedestrian bridge over the railroad corridor, utility extensions, and improvements to the City's water supply.

The Aerts Addition Master Planned Development was approved by the Banks City Council in September of 2024.

The City received a Minor Modification application to adjust PLA 24-01, originally approved as part of the MPD 24-02, to allow the property owned by VanDyke Family Land, LLC to remain in its original composition and to provide a property line at the proposed NW Banks Road and Aerts Road intersection, aligning with the new right-of-way configuration and the City's existing well site. MM-PLA 25-01 was approved on March 13, 2025. It is important to note that this property line adjustment falls outside of boundary of the subject application (FP 25-02 Aerts Addition Subdivision Plat (Phase 1a)).

On November 11, 2025, the City, through a Type II procedure, approved a Street Name Change Petition (SC 25-01). The applicant requested to change the name of the existing NW Sixth Street to NW Welcome Street. The street that received approval is located within the boundary of the subject application (FP 25-02 Aerts Addition Subdivision Plat (Phase 1a)). There is a condition of approval for SC 25-01 requiring the applicant to ensure the exhibits for FP 25-02 Aerts Addition Subdivision Plat (Phase 1a) are revised to show NW Sixth Street as NW Welcome Avenue.

The proposal is required to meet the requirements of the Banks Zoning Code and Land Division Standards detailed below.

CHAPTER 151: BANKS ZONING CODE

151.232 Type II Procedure (Administrative Review with Notice).

The City Planning Official, or their designee, performs administrative staff reviews through the Type II procedure. Type II decisions are made by the City Planning Official with public notice and an opportunity for appeal to the Planning Commission. Alternatively, the City Planning Official may refer a Type II application to the Planning Commission for its review and decision in a public meeting.

(A) Application requirements.

(1) Application forms. Applications for projects requiring an administrative land use decision shall be made on forms provided by the City Planning Official.

(2) Submittal information. The City Planning Official shall advise the applicant on what constitutes a complete application. At a minimum, the application shall include all of the following:

(a) The information requested on the application form;

(b) Plans and exhibits required for the specific approval(s) being sought for example, requirements for property line adjustments are in §§ 151.270 through 151.273;

(c) A written statement or letter explaining how the application satisfies each and all of the relevant code criteria and standards in sufficient detail;

(d) Information demonstrating compliance with prior decision(s) and conditions of approval for the subject site, as applicable; and

(e) The required fee.

(B) Procedure.

(1) The City Planning Official shall mail notice of a pending Type II decision to the individuals and agencies identified in (B)(2) below no fewer than 14 days prior to making the Type II decision .

[...]

FINDING: Pursuant to Section 152.009 of the Code, this application package is being reviewed as a Type II application. All application submittal requirements were met, and the City deemed the application complete on September 17, 2025. The City mailed a Notice of Pending Decision to applicable property owners and agencies on November 14, 2025, for a decision that will be made more than 14 days after that notice. Comments received are included in exhibits of this report. Therefore, this standard is met.

CHAPTER 152: LAND DIVISION REGULATIONS

Section 152.009 Final Plat Submission Requirements and Approval Criteria

(A) Final plat required. Final plats require review and approval through a Type II review prior to recording with Washington County. The applicant shall submit an application for final plat approval within 4 years of the approval of the preliminary plat. A professional land surveyor licensed by the State of Oregon shall prepare the final plat, which shall conform to O.R.S. Chapter 92.

FINDING: The applicant is requesting review for the final plat. The preliminary plat was approved less than two years ago, and a professional land surveyor licensed by the State of Oregon has prepared the plat. The Conditions of Approval for MPD 24-02 requires the Final plat for the first phase of the development (Phase 1a) to be submitted within three years of approval of the preliminary plat. Therefore, this standard is met.

(B) Final plat approval process and criteria. The City Planning Official shall approve, approve with conditions, or deny a final plat application. The decision shall be based on findings of compliance with all of the following approval criteria:

(1) The final plat is consistent in design (e.g., number, area, dimensions of lots, easements, tracts, right-of-way) with the approved preliminary plat, and all conditions of approval have been satisfied;

FINDING: As submitted, the final plat is consistent with the preliminary plat and the applicant has met relevant conditions of approval from for MPD 24-02 (inclusive of SUB 24-02), except for conditions that have been carried forward from MP 24-02 into this decision, which are identified in the Conditions of Approval at the end of this staff report. The applicant obtained approval of SC 25-01 to change the name of the existing NW Sixth Street to NW Welcome Avenue, which is required to be reflected on the final plat map and which has been added as a condition of approval. Per the above findings, this request is

consistent with the Banks Zoning Code. Conditions of Approval still stand for the final plat and have been added below. This standard is met with conditions.

(2) All public improvements required by the preliminary plat have been installed and approved by the city, or applicable service provider if different than the City of Banks, or are otherwise bonded with a financial guarantee in a form or amount acceptable to the City Attorney;

FINDING: The Public Improvement Plans for Aerts Addition Phase 1a (PIP-20025-02-002) are substantially complete. The Public Improvement Permit is expected to be issued in January 2026. A condition has been added to this approval stating the applicant shall provide full bonding for public improvements in Phase 1a prior to the City signing the Final Plat mylar and recording with the County (Related to Master Planned Development MPD 24-02 Conditions of Approval A.II.1 and A.III.12). Therefore, this standard can be met with conditions.

(3) The streets and roads for public use are dedicated without reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;

FINDING: The applicant provided the Title Report with Legal Descriptions and Easements (Exhibit D). All roads for public use are dedicated without reservation or restriction per 'Exhibit D' of the Title Report provided. This standard is met.

(4) All required streets, access ways, roads, easements, and other dedications or reservations are shown on the plat;

FINDING: The applicant provided Phase 1a Plat (Exhibit C) and the Title Report (Exhibit D). All roads for public use are dedicated without reservation or restriction per 'Exhibit D' of the Title Report provided. This standard is met.

(5) The plat and deed contain a dedication to the public of all public improvements, including but not limited to streets, public pathways and trails, access reserve strips, parks, water, and sewer facilities, as applicable;

FINDING: The public right-of-way and easements are dedicated to the public as stated in the Declaration on Sheet 12 of the Phase 1a Plat (Exhibit C). Therefore this standard is met.

(6) As applicable, the applicant has furnished acceptable copies of covenants, conditions and restrictions (CC&R's); easements, maintenance agreements (e.g., for access, common areas, surface water facilities, parking, and the like); and other documents pertaining to common improvements recorded and referenced on the plat;

FINDING: The applicant provided copies of the easements for Phase 1a (Exhibit D). The common areas outside the Citywide park and shall be annexed to and maintained by the Homeowners Association named in final Covenants, Conditions and Restrictions (CC&Rs),

and Easement documents. Conditions of approval have been added requiring the applicant to provide copies of the maintenance agreements for common open space or improvements and the CC&Rs annexing the areas outside the Citywide Park prior to the City signing the Final Plat Mylars and the applicant recording the Final Plat with the County. This standard can be met with conditions.

(7) Written verification from clean water services that sanitary sewer service is provided to every lot depicted on the plat and the development conforms to applicable surface water management and storm drainage requirements; and

FINDING: CWS Site Development Permit for Aerts Addition Phase 1a (25 -000259-00- SD) was issued August 12, 2025 which demonstrates that the plat and the development conforms to CWS surface water management and storm drainage requirements. This standard is therefore met.

(8) The plat contains an affidavit by the surveyor who surveyed the land, represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by O.R.S. Chapter 92, indicating the initial point of the survey, and giving the dimensions and kind of such monument and its reference to some corner approved by the Washington County Surveyor for purposes of identifying its location.

FINDING: The plat contains an affidavit by Michael S. Kalina that the property has been correctly surveyed. The plat indicates the initial point of survey and appropriate references for identifying monuments. This standard is met.

Section 152.010 Filing and Recording

A new lot is not a legal lot for purposes of ownership (title), sale, lease, or development/land use until a final plat for the subdivision or partition containing the lot is recorded. Requests to validate an existing lot created through means other than a final plat ("lot of record") shall follow the procedures set forth in O.R.S. 92.010 - 92.190. The final plat filing and recording requirements are as follows:

(A) Filing plat with county. Within 60 days of the city approval of the final plat, the applicant shall produce required final hardcopy and electronic copies of said plat, obtain required signatures, and submit the final plat to Washington County for signatures of County officials and recording as required by O.R.S. Chapter 92.

FINDING: A condition of approval has been added below to require the applicant to file the plat within 60 days of approval from the City of Banks. This standard is therefore met with conditions.

(B) Proof of recording. Upon final recording with the county, the applicant shall submit to the city a mylar copy and 3 paper copies of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits any newly created lot.

FINDING: A condition of approval has been added to require the applicant to submit to the City of Banks a copy of the mylar and 3 paper copies of all sheets recorded on the final plat. This standard is therefore met with conditions.

(C) Prerequisites to recording the plat

(1) No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by O.R.S. Chapter 92.

(2) No plat shall be recorded until the County Surveyor approves it in the manner provided by O.R.S. Chapter 92. This standard is therefore met with conditions.

FINDING: Conditions of approval have been added to ensure that all ad valorem taxes and all special assessments, fees, or other charges required by law have been paid and that the plat must be approved by the County Surveyor before recording. Therefore, these standards can be met with conditions.

RECOMMENDATION

Based upon the above findings of fact, City Planning Staff finds the Final Plat can meet all applicable requirements of the Banks Zoning Code and Land Division Code given fulfillment of the following Conditions of Approval. City Planning Staff **approves** this Type II Final Plat, with the following Conditions of Approval.

General:

1. Within 60 days of the City approval of the final plat, the applicant shall produce required final hardcopy and electronic copies of said plat, obtain required signatures, and submit the final plat to Washington County for signatures of County officials and recording as required by O.R.S. Chapter 92.
2. Upon final recording with the County, the applicant shall submit to the City a mylar copy and 3 paper copies of all sheets of the recorded final plat. This shall occur prior to the submittal for and issuance of building permits on any newly created lot.
3. The applicant shall submit requests for sign permits, consistent Title III, Chapter 39, of the Banks Municipal Code, prior to the installation of signs with subdivision names or other non-government (i.e., not street, stub street, or trail) signs.
4. All ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by O.R.S. Chapter 92.
5. No plat shall be recorded until the County Surveyor approves it in the manner provided by O.R.S. Chapter 92.

Prior to the City signing the Final Plat mylar:

6. Prior to the City signing the Final Plat mylar and the final plat recording with the County, the applicant shall provide the City with the final Covenants, Conditions, and Restrictions (CC&R) document prior to the City signing the Final Plat mylar. Consistent with prior Condition of Approvals (MPD 24-02 et al), the CC&Rs must specify common areas (outside the Citywide Park) to be annexed to and maintained by the Homeowners Association.
7. Prior to the City signing the Final Plat mylar and the applicant recording with the County, consistent with MPD 24-02 Conditions of Approval, the applicant shall provide full bonding for public improvements in Phase 1a.
8. Prior to the City signing the Final Plat mylar and the final plat recording with the County, consistent with MPD 24-02 Conditions of Approval and the City's approval of the Clubhouse building plans, the applicant shall provide financial assurance paid to the City for construction of the Citywide Park.
9. Prior to the City signing the Final Plat mylar and recording the final plat with the County, the applicant shall arrange for notification to homebuyers of existing noise sources in the area, including but not limited to the Sunset Speedway, Sunset Park, schools, parks, highways and roadways, and the railroad. The applicant shall include the notice in the CC&Rs.
10. Consistent with Conditions of Approval from the MPD and the Street Name Change Petition (SC 25-01), the applicant shall update the street name shown on plat plans as "Welcome Street" to be "Welcome Avenue" prior to the City signing the Final Plat mylar.