



Planning Department
201 1st Avenue East
Kalispell, MT 59901
Phone: (406) 758-7940
Fax: (406) 758-7739
www.kalispell.com/planning

RECEIVED

NOV 15 2016

KALISPELL PLANNING DEPARTMENT

PETITION FOR ANNEXATION AND INITIAL ZONING

NAME OF APPLICANT: School District No. 5

MAIL ADDRESS: 223 1st Ave Eat

CITY/STATE/ZIP: Kalispell, MT 59901 PHONE: 406-751-3400

INTEREST IN PROPERTY: Property Owner

Other Parties of Interest to be Notified:

PARTIES OF INTEREST: Morrison-Maierle

MAIL ADDRESS: 125 Schoolhouse Loop

CITY/STATE/ZIP: Kalispell, MT 59901 PHONE: 406-752-2216

INTEREST IN PROPERTY: Consultant

PLEASE COMPLETE THE FOLLOWING:

Address of the property: None Assigned

Legal Description: Tract 6L (Parcel B of COS 19901)
(Lot and Block of Subdivision; Tract #)

SW 1/4, Sec 20 and NW 1/4 Sec 29, T 28N, R 21 W
(Section, Township, Range) (Attach metes and bounds as Exhibit A)

Land in project (ac): 25.28 Ac

Current estimated market value \$455,000 at 50% build out \$7,000,000
at 100% build out \$15,000,000.

Is there a Rural Fire Department RSID or Bond on this property Yes _____ No X

If yes remaining balance is \$ _____

The present zoning of the above property is: SAG-10 (Flathead County)

The proposed zoning of the above property is: P-1, Public 1

State the changed or changing conditions that make the proposed amendment necessary:

The property is proposed to be developed into a public school facility, requiring public water and sewer service.

The signing of this application signifies that the foregoing information is true and accurate based upon the best information available and further grants approval for Kalispell Planning staff to be present on the property for routine inspection during the annexation process.

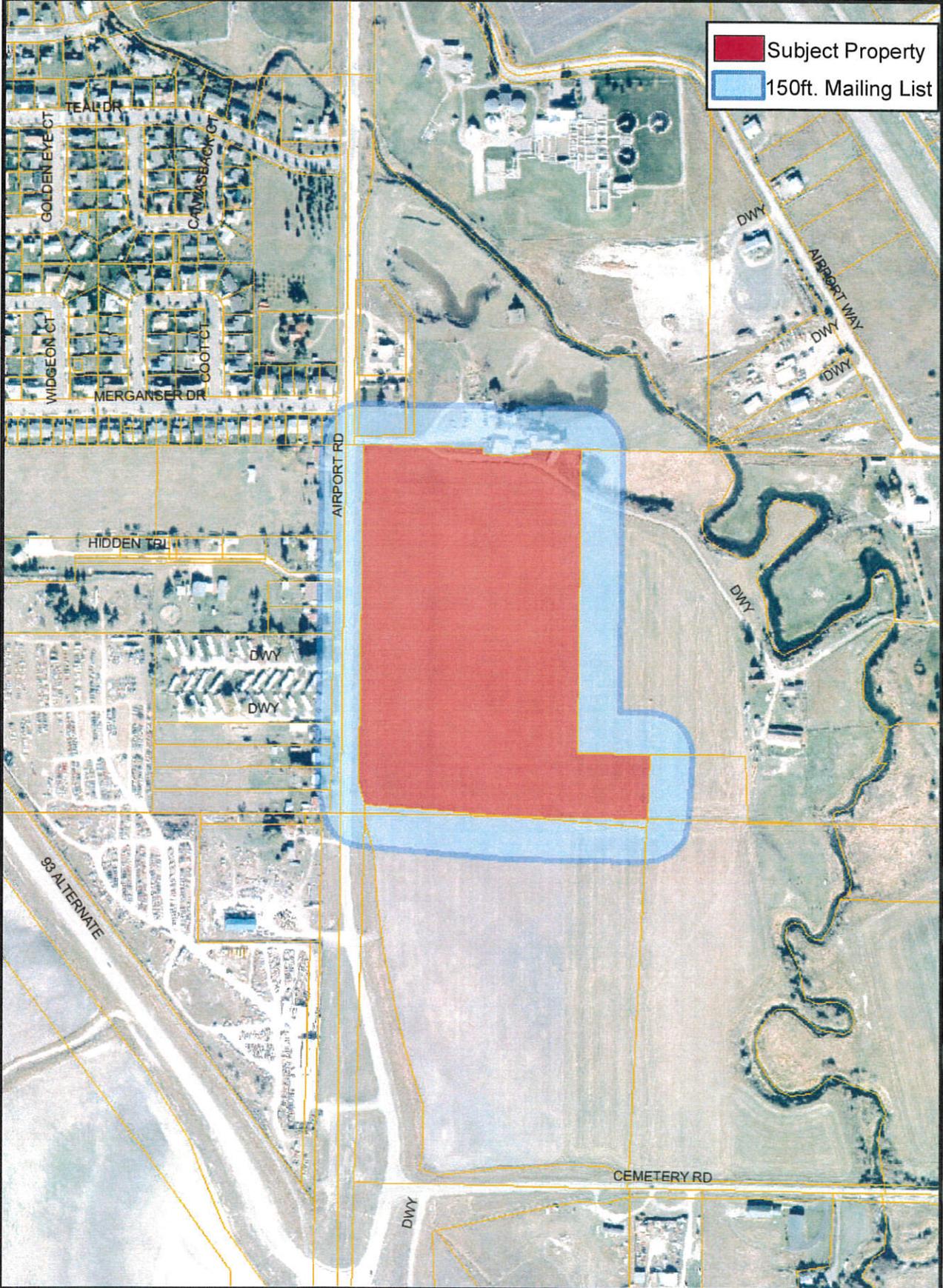
Mah Flaherty
(Applicant)

11-8-2016
(Date)



KA-16-4 School District No.5 Annexation

SW 1/4, SEC. 20
NW 1/4, SEC. 29 ASR. #0012475
T28N., R.21W.



 Subject Property
 150ft. Mailing List

Date: Nov. 18th, 2016
FilePath: \\2016\mailings\11182016

Kalispell Planning Dept.
0 460 920
Feet

Return to:
Aimee Brunckhorst
Kalispell City Clerk
P.O. Box 1997
Kalispell, MT 59903

PETITION TO ANNEX
AND
NOTICE OF WITHDRAWAL FROM RURAL FIRE DISTRICT

The undersigned hereinafter referred to as Petitioner(s) respectfully petition the City Council of the City of Kalispell for annexation of the real property described below into the City of Kalispell.

The Petitioner(s) requesting City of Kalispell annexation of the property described herein and further described in Exhibit A hereby mutually agree with the City of Kalispell that immediately upon annexation of the land all City of Kalispell municipal services will be provided to the property described herein on substantially the same basis and in the same manner as such services are provided or made available to other properties within the rest of the municipality. Petitioner(s) hereby state that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to Section 7-2-4610, M.C.A. since the parties are in agreement as to the provision of municipal services to the property requested to be annexed.

The Petitioner(s) further herein express an intent to have the property as herein described withdrawn from the South Kalispell Rural Fire District under the provisions of Section 7-33-2127, Montana Code Annotated; and that incorporated into this Petition to Annex is the Notice requirement pursuant to said Section; and that upon proper adoption of an ordinance or resolution of annexation by the City Council of the City of Kalispell, the property shall be detracted from said district.

In the event the property is not immediately annexed, the Petitioner(s) further agree(s) that this covenant shall run to, with, and be binding upon the title of the said real property, and shall be binding upon our heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the above described property.

This City hereby agrees to allow Petitioner(s) to connect and receive the utilities from the City of Kalispell.

This City hereby agrees to allow Petitioner(s) to connect and receive all available utilities from the City of Kalispell excluding solid waste services. MCA 7-2-4736 prohibits the city from providing solid waste services to this property for a minimum of 5 years from date of annexation.

Mark Flatau 11-8-16
Petitioner/Owner Date

Petitioner/Owner Date

NOTE: You must attach an Exhibit A that provides a bona fide legal description of the property to be annexed.

STATE OF MONTANA)
 : ss
County of Flathead County

On this 08th day of November, 2016, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Mark Flatau known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.

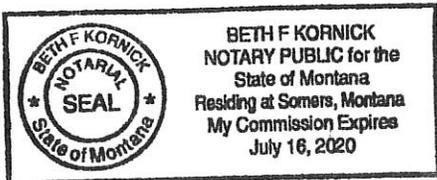
Beth J. Kornick
Notary Public, State of Montana
Printed Name Beth F. Kornick
Residing at Somers
My Commission expires: July 16, 2020

STATE OF MONTANA)
 : ss
County of Flathead County

On this _____ day of _____, _____, before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.

Notary Public, State of Montana
Printed Name _____
Residing at _____
My Commission expires: _____



OWNERS: THOMAS S. & HOLLY J. LAURENS
SUMMERFIELD C. & JULIE M. BALDRIDGE
FOR: THOMAS LAURENS
PURPOSE: BOUNDARY LINE ADJUSTMENT
DATE: OCTOBER 20, 2014

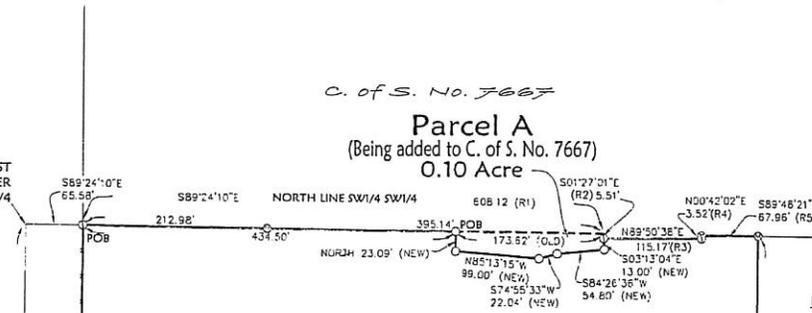
CERTIFICATE OF SURVEY

SW1/4 of Section 20, and NW1/4 of Section 29, T28N R21W, P.M., M.
Flathead County, Montana

C. of S. No. 7667

Parcel A
(Being added to C. of S. No. 7667)
0.10 Acre

NORTHWEST
CORNER
SW1/4 SW1/4



Parcel A, C. of S. No. 19227

Parcel B
25.28 Acres

AIRPORT ROAD
1223.73'
N00°10'56"E
1710.14' (R11)
N00°11'18"E

519 520
530 529

N13°45'50"W
82.54' (R10)

N85°42'50"W 1023.92' (R9)

Parcel B, C. of S. No. 19227

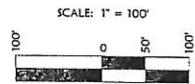
LEGEND

- ✚ FOUND SECTION CONTROLLING CORNER - ALUMINUM MONUMENT (MDOH)
- FOUND ALUMINUM MONUMENT
- ⓪ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "DKM 2989E5"
- Ⓢ FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "MARQUARDT 7328S"
- Ⓞ FOUND DRILL HOLE IN CONCRETE
- SET 5/8" BY 24" REBAR WITH PLASTIC CAP MARKED "MARQUARDT 7328S"
- (R#) RECORD DIMENSIONS PER C. OF S. NO. 19227
- POB POINT OF BEGINNING
- (NEW) NEW BOUNDARY LINE
- (OLD) OLD BOUNDARY LINE

RECORD DIMENSIONS PER C. OF S. NO. 19227		
LINE	BEARING	LENGTH
(R1)	S89°24'10"E	608.12'
(R2)	S00°35'50"W	5.10'
(R3)	N89°50'27"E	115.05'
(R4)	N02°25'43"E	3.58'
(R5)	S89°46'10"E	68.16'
(R6)	S00°10'56"W	1089.97'
(R7)	S89°19'36"E	261.19'
(R8)	S02°38'18"W	268.63'
(R9)	N85°42'50"W	1023.92'
(R10)	N13°45'50"W	82.54'
(R11)	N00°11'18"E	1250.14'

Parcel A, Corrected C. of S. No. 18630

786.96'
BASIS OF BEARINGS PER C. OF S. NO. 19227
1086.97' (R6)
3000.01'



Marquardt Surveying
 201 5th Ave. West (406) 755-6285
 Kalispell, MT 59901 info@mmsurvey.net

NOTE:
NO SEARCH HAS BEEN MADE FOR EASEMENTS AFFECTING THIS PROPERTY AND THIS SURVEY DOES NOT PURPORT TO SHOW ALL APPURTENANT EASEMENTS.

COS# 19901
201400024406 Fees: \$31.00 by: DD
by ATEC - DAILY RECORDING
Date 12/2/2014 Time: 4:49 PM
Paula Robinson, Flathead County Montana

Date: October 20, 2014	Field Crew: BP TB
Project Name: Laurens	Revision Date: n/a
Filename: BLA	Project Number: 14-199
	Drawn By: A

CERTIFICATION

APPLICANT: School District No. 5

FILE NO: KA-16-04

I, the undersigned certify that I did this date mail via First Class Mail a copy of the attached notice to the following list of landowners adjoining the property lines of the property where annexation and initial zoning has been requested.

Michelle Anderson

Date: 11/23/16

S-T-R: 20 & 29-28-21

Lot or Tract # 6L or Parcel B of COS 19901

Property Owners/Owner Representative:

**School District No. 5
233 1st Avenue East
Kalispell, MT 59901**

**Morrison-Maierle
125 Schoolhouse Loop
Kalispell, MT 59901**

AND ATTACHED LIST



Planning Department

201 1st Avenue East

Kalispell, MT 59901

Phone: (406) 758-7940

Fax: (406) 758-7739

www.kalispell.com/planning

You are being sent this notice because you are a property owner within 150 feet of one of the proposed projects noted below and will be most directly affected by its development. You have an opportunity to present your comments and concerns to the Kalispell Planning Department. You may come into the office in person at the above address or you may contact the office at (406) 758-7940 for additional information. Written comments may be submitted to the Kalispell Planning Department prior to the submission date, or emailed to us at planning@kalispell.com.

NOTICE OF PUBLIC HEARING KALISPELL CITY PLANNING BOARD AND ZONING COMMISSION December 13, 2016

The **regular meeting** of the Kalispell City Planning Board and Zoning Commission is scheduled for **Tuesday, December 13, 2016, beginning at 6:00 PM** in the **Kalispell City Council Chambers, Kalispell City Hall, 201 First Avenue East, Kalispell.**

The planning board will hold a public hearing and take public comments on the agenda items listed below:

1. File # KPP-16-02 – A request from Team Development, LLC for a major subdivision of an 8.83 acre parcel into 37 single-family lots. The single-family lots will range in size from 6,000 square feet to 9,633 square feet. The property is located within the R-4 (Residential) Zoning District and is currently undeveloped grasslands. The subject property is located approximately 100 feet south of the intersection of Pintail Drive and Merganser Drive. The property can be described as a portion of Tract 4 in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 19, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.
2. File # KA-16-04 – A request from School District No. 5 to annex a 25.28 acre parcel into the city and zone the land P-1 (Public) upon annexation. The property is currently undeveloped, however, upon annexation the applicant is requesting to construct a new school. Water and sanitary sewer service are in the vicinity of the property and upon annexation extensions will be constructed to serve the property. The property is located at the 2100 block of Airport Road. The property to be annexed can be described as Parcel B of Certificate of Survey #19901 in the Southwest $\frac{1}{4}$ of Section 20, and Northwest $\frac{1}{4}$ of Section 29, Township 28N, Range 21W, P.M.,M., Flathead County, Montana.
3. File # KCU-16-05 – A request for a conditional use permit for a 55 unit multi-family apartment complex within the RA-1 (Residential Apartment) Zoning District. Multi-family apartment complexes are permitted within the RA-1 Zone provided a conditional use permit is obtained per 27.09.030 of the Kalispell Zoning Ordinance. The multi-family apartment complex would be comprised of a 2-story 12-plex, 2-story 14-plex, partial 3-story 20-plex, nine (9) 2-story attached units (single-family design), parking, berming and landscaping. The property is located at 2050 Airport Road in south Kalispell. The

School District #5
233 1st Avenue East
Kalispell, MT 59901

Morrison-Maierle
125 Schoolhouse Loop
Kalispell, MT 59901

Toni & Robert Heckel
2075 Airport Road
Kalispell, MT 59901

Wayne Perry, Inc.
8281 West Commonwealth
Buena Park, CA 90621

JC & A, LLC
PO Box 1621
Kalispell, MT 59903

Mayme Mullis
2172 Airport Road
Kalispell, MT 59901

Christopher Compton
2170 Airport Road
Kalispell, MT 59901

State of Montana
Department of Highways
2701 Prospect
Helena, MT 59601

Robert Allen
940 3rd Street WN
Columbia Falls, MT 59912

Loucas Scholer
2152 Airport Road
Kalispell, MT 59901

Martin & Jean Jones
2130 Airport Road
Kalispell, MT 59901

Sarah Davis
2150 Airport Road
Kalispell, MT 59901

Sabrina Wisher
2154 Airport Road
Kalispell, MT 59901

Summerfield & Julie Baldrige
PO Box 607
Whitefish, MT 59937

City of Kalispell
Attn: City Clerk
PO Box 1997
Kalispell, MT 59903

Laurie Ohs
2336 Merganser Drive
Kalispell, MT 59901

James Aker
2100 Airport Road
Kalispell, MT 59901

Christopher Stafford
PO Box 9911
Kalispell, MT 59904

Larry & Melissa Hoehn
PO Box 2002
Kalispell, MT 59903

Mary & Michael Inman
PO Box 10658
Spokane, WA 99209

Timothy & Doreena Wise
PO Box 308
Kalispell, MT 59903

LRP, LLC
PO Box 2096
Kalispell, MT 59903

NOTICE OF PUBLIC HEARING
KALISPELL CITY PLANNING
BOARD AND ZONING COM-
MISSION

December 13, 2016

The regular meeting of the Kalispell City Planning Board and Zoning Commission is scheduled for Tuesday, December 13, 2016, beginning at 6:00 PM in the Kalispell City Council Chambers, Kalispell City Hall, 201 First Avenue East, Kalispell.

The planning board will hold a public hearing and take public comments on the agenda items listed below:

1. File # KPP-16-02-A request from Team Development, LLC for a major subdivision of an 8.83 acre parcel into 37 single-family lots. The single-family lots will range in size from 6,000 square feet to 9,633 square feet. The property is located within the R-4 (Residential) Zoning District and is currently undeveloped grasslands. The subject property is located approximately 100 feet south of the intersection of Pintail Drive and Merganser Drive. The property can be described as a portion of Tract 4 in the Southwest 1/4 of the Southeast 1/4 of Section 19, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

2. File #KA-16-04-A request from School District No. 5 to annex a 25.28 acre parcel into the city and zone the land P-1 (Public) upon annexation. The property is currently undeveloped, however, upon annexation the applicant is requesting to construct a new school. Water and sanitary sewer service are in the vicinity of the property and upon annexation extensions will be constructed to serve the property. The property is located at the 2100 block of Airport Road. The property to be annexed can be described as Parcel B of Certificate of Survey #19901 in the Southwest 1/4 of Section 20, and Northwest 1/4 of Section 29, Township 28N, Range 21W, P.M.M., Flathead County, Montana.

3. File #KCU-16-05-A request for a conditional use permit for a 55 unit multi-family apartment complex within the RA-1 (Residential Apartment) Zoning District. Multi-family apartment complexes are permitted within the RA-1 Zone provided a conditional use permit is obtained per 27.09.030 of the Kalispell Zoning Ordinance. The multi-family apartment complex would be comprised of a 2-story 12-plex, 2-story 14-plex, partial 3-story 20-plex, nine (9) 2-story attached units (single-family design), parking, berming and landscaping. The property is located at 2050 Airport Road in south Kalispell. The property can be legally described as Tract 1 of Certificate of Survey #20138 in Section 19, Township 28N, Range 21W, P.M.M., Flathead County, Montana.

STATE OF MONTANA

FLATHEAD COUNTY

AFFIDAVIT OF PUBLICATION

ALYSSA PETERSON BEING DULY SWORN, DEPOSES AND SAYS: THAT SHE IS THE LEGAL CLERK OF THE **DAILY INTER LAKE** A DAILY NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED IN THE CITY OF KALISPELL, IN THE COUNTY OF FLATHEAD, STATE OF MONTANA, AND THAT **NO. 24110**

LEGAL ADVERTISEMENT WAS PRINTED AND PUBLISHED IN THE REGULAR AND ENTIRE ISSUE OF SAID PAPER, AND IN EACH AND EVERY COPY THEREOF ON THE DATES Of November 27, 2016.

AND THE RATE CHARGED FOR THE ABOVE PRINTING DOES NOT EXCEED THE MINIMUM GOING RATE CHARGED TO ANY OTHER ADVERTISER FOR THE SAME PUBLICATION, SET IN THE SAME SIZE TYPE AND PUBLISHED FOR THE SAME NUMBER OF INSERTIONS.

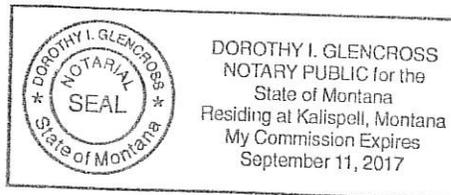
Alyssa Peterson

Subscribed and sworn to
Before me this November 28, 2016

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/11/2017



Documents pertaining to the agenda items are on file for public inspection at the Kalispell Planning Department, 201 First Avenue East, Kalispell, MT 59901, and are available for public review during regular office hours. In addition, information on the agenda item is posted on our website at www.kalispell.com/planning under "Planning Board Agenda & Staff Reports".

Interested persons are encouraged to attend the hearings and present their views and concerns to the Board. Written comments may be submitted to the Kalispell Planning Department at the above address, prior to the date of the hearing or work session, or you may call us at (406) 758-7940, or e-mail us at planning@kalispell.com for additional information.

/s/ Thomas R. Jentz
Thomas R. Jentz
Planning & Building Director

November 27, 2016
MNAXLP