

**SUBJECT:** A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SEEKING APPROVAL TO BEGIN THE PROCESS OF A LESS THAN FAIR MARKET VALUE SALE OF BOROUGH-OWNED PROPERTY TO THE ALASKA SCHOLASTIC CLAY TARGET PROGRAM FOR THE PURPOSES OF A SHOOTING RANGE.

**AGENDA OF:****Assembly Action:**

**MANAGER RECOMMENDATION:** Present to the Assembly for consideration.

**APPROVED BY MICHAEL BROWN, BOROUGH MANAGER:** MB

Route To:	Department/Individual	Initials	Remarks
	Originator	SM	
	Community Development Director	EP	
	Finance Director	CF	
	Borough Attorney	NS	
	Borough Clerk	JAM 4/12/21	KBJ

**ATTACHMENT(S) :** Fiscal Note: NO  
Resolution Serial No. 21-038 (2 pp)  
Alaska Scholastic Clay Target Program Property Analysis (10 pp)

**SUMMARY STATEMENT:** Borough staff is seeking Assembly approval for the Land and Resource Management Division to begin the process of a less than fair market value sale of Borough-owned land to the Alaska Scholastic Clay Target Program, for the purposes of a youth shooting range.

**DISCUSSION:** The Alaska Scholastic Clay Target Program (AKSCTP) has expressed interest in acquiring Borough-owned land for the purposes of a shooting range. AKSCTP is a 501(c)(3) non-profit organization dedicated to promoting youth shooting on a competitive and scholastic level throughout the State of Alaska. The organization attempted to acquire Borough-owned land in 2014

and 2015, but those attempts were unsuccessful.

After multiple discussions with Neil Moss, President of AKSCTP, a potential property has been identified that will satisfy the organization's needs. The property is located off of West Carmel Road and is approximately 240 acres of a 636-acre parcel.

The property is identified as Tax Account #16N03W01A001 and after subdivision, would be described as: South half of the Northwest quarter (S1/2NW1/4), and the Southwest quarter of the Northeast quarter (SW1/4NE1/4), and Government Lots 1, 2, and 3, containing 240 acres, more or less, within Section 01, Township 16 North, Range 03 West, Seward Meridian, recorded in the Palmer Recording District on June 29, 1979, as Plat 1979-421.

Once directed, staff will begin the process of a less than fair market sale to AKSCTP. The process entails the following:

- AKSCTP submits an application to the Land and Resource Management Division
- Staff processes the application and prepares public notices
- Public Notice Process begins (notices sent to surrounding landowners, posted on Borough website, advertisements in The Frontiersman)
- Staff prepares Best Interest Findings Report
- Proposal for the less than fair market value sale goes before the Planning Commission for public hearing
- Proposal for the less than fair market value sale goes before the Assembly for public hearing and consideration

After the land is conveyed, in accordance with MSB 17.68 (Outdoor Shooting Facilities), a permit must be acquired prior to the operation of an outdoor shooting range within the Borough. AKSCTP will need to submit an application to the Development Services Division requesting the permit. Prior to the approval of the permit, certain general and operating standards must be met. Some of these standards include: a certified site plan, certification by a professional engineer or other qualified professional that design standards are met, a site specific environmental stewardship plan in accordance with EPA best management practices, and the surface danger zones must be determined by a professional engineer registered in the State of Alaska. The application process involves a public notice process and within 45 calendar days of a complete application, the Planning and Land Use Director shall approve the permit upon determination that the standards have been met.

**RECOMMENDATION OF ADMINISTRATION:** Adoption of Resolution 21-038 directing the staff to begin the process of a less than fair market land sale to AKSCTP.

## **Alaska Scholastic Clay Target Program Property Analysis**

### ***For the Less Than Fair Market Value Sale of Borough-owned Land***

#### **Background/History**

In 2014 and 2015 Land and Resource Management staff processed an application on behalf of Alaska Scholastic Clay Target Program (AKSCTP), a non-profit organization, for the sale of borough land at less than fair market value. AKSCTP was pursuing the purchase of borough land for the development of a competitive shotgun course and small-bore rifle range, primarily for the youth shooting teams in Southcentral Alaska. During this almost yearlong process there were three attempts made to purchase three separate borough parcels. Ultimately, none of the attempts were successful and AKSCTP is still looking for land for a range.

Initially the organization was interested in purchasing two 40-acre lots off of Purinton Parkway, but the effort stalled at the Assembly when the decision was delayed for 6 months in January of 2015. There was both support and opposition from the public for the sale of these lots during the public process and at the Assembly meeting.

The next property that was considered was the northern 80 acres of a 156-acre borough owned property located at Church and Seldon (6757000T00A). Public comment was solicited and overwhelming opposition from the public was received. This property was never brought before the Assembly.

The last property AKSCTP applied for was for 240 acres of a 636-acre borough owned property located off W. Carmel road and west of Redington Jr/Sr High School. During the public notice process approximately 90 public comments were received, most of which were in support of the sale. This matter came before the Assembly in the fall of 2015 and after much mixed public comment at the hearing, the assembly chose not to approve the sale of the property at less than fair market value to AKSCTP. Since 2015, there have been no other applications submitted by AKSCTP to purchase borough land.

#### **Summary**

Recently, AKSCTP has expressed interest again in pursuing the sale of borough-owned property for a shotgun range. Through discussions with staff, Neil Moss, President of AKSCTP, indicated there are two properties the organization is currently interested in. The properties include approximately 80 acres off of Purinton Parkway and 240 acres off of W. Carmel and west of the Redington school site. The 240 acres off of Carmel is the same property that AKSCTP applied to purchase in 2015. The location off of Purinton Parkway is similar to what AKSCTP originally applied to purchase in 2014, however, the northern 40-acre lot of that 80 acres was sold in a borough land sale in 2019. The "new" 80 acres off of Purinton Parkway includes the southern 40 acres of the original 80 acres and 40 acres to the south of the original request. The sites are identified as follows:

- 1. Site A: 240-acre subdivision of 16N03W01A001**



**2. Site B: 80 total acres; 16N04W04D008 (40 acres) and 40-acre subdivision of 16N04W04D009**

**Property Site Factors: Site A**

**A. Location:** The subject parcel is located about two and three quarter miles west of Knik-Goose Bay Road at the end of W. Carmel Road within the Knik-Fairview Community Council area.

**B. Legal Description (after subdivision):**

South half of the Northwest quarter (S1/2NW1/4), and the Southwest quarter of the Northeast quarter (SW1/4NE1/4), and Government Lots 1, 2, and 3, containing 240 acres, more or less, within Section 01, Township 16 North, Range 03 West, Seward Meridian, recorded in the Palmer Recording District on June 29, 1979, as Plat 1979-421.

**C. Land Status:** Acquired by Patent No. 5020, Serial No. 1980-004582-0, 5/15/1980, Palmer Recording District.

**D. Restrictions:**

**1. Current Land Classification:** The property is classified for Forest Management. A timber sale contract that terminated in 1996 included the subject property. No other timber sale was identified.

**2. Land Use Plans:** The subject parcel lies within the Knik-Fairview Community Comprehensive Plan area, adopted May 1997. There is no language in the Plan specific to shooting ranges.

The relevant language from the plan follows:

Prior to any future borough land disposals in the area, the borough should investigate the appropriateness of the land for public facility sites, and reserve the land if necessary for this purpose.

The parcel is not included in the MSB Natural Resources Management Unit Plan.

**3. Title Restrictions:** None

**4. Covenants:** None

**5. Zoning:** The subject parcel is located with the Knik Sled Dog and Recreation Special Land Use District, MSB Code 17.20. A youth shotgun range operated by a non-profit organization is a permitted use in this zoning district.

A conditional use permit (MSB 17.68 Outdoor Shooting Facilities) would be required for development of a range at this location.

**6. Easements & Other Reservations:**

- 50-foot section line easement along the western property boundary.
- 50-foot section line easement along the northern boundary of the parcel.

- 50-foot section line easement along the eastern boundary of the parcel.
- 50-foot section line easement along the southern boundary.

**E. Current Land Use:** A local trail crosses the proposed subdivision from the southwestern corner of the property towards the northeastern corner of the subject parcel. The trail provides connectivity on public lands (generally allowed use of MSB land) between Carmel Rd. and Clay Chapman Rd. This trail does not appear to have a recorded easement and is not included in the Borough Recreational Trails Plan. The trail appears to be located along a wetland and is likely a winter-only use trail. It is important to maintain trail connectivity on public land, but it could be accomplished with thoughtful realignment if necessary.

**F. Surrounding Land Use:** The subject parcel is bounded to the north by an undeveloped 480-acre parcel owned by the Cook Inlet Region Incorporated; to the northeast a 10-acre residential property; to the northwest an undeveloped 560-acre borough-owned tract; to the west by undeveloped large tracts owned by Alaska Mental Health Trust, Knikatu, Inc., Girl Scouts, and privately owned parcels; to the southwest by a 14-acre privately owned property and a 180-acre tract owned by the Girl Scouts; to the south by 40-acre privately owned parcels; to the east by a developed residential subdivision and an undeveloped 140-acre parcel owned by Knikatu Inc; and to the northeast by a sparsely developed large lot residential subdivision. Redington Junior/Senior High School site is located about three-quarters of a mile to the east of the subject parcel.

**G. Existing Infrastructure:** Carmel Road runs from Knik-Goose Bay Road to the northeast corner of the property and extends about 700 feet along the northern property boundary. Clay-Chapman Road also runs from Knik-Goose Bay Road to the southeast corner of the property and extends about 1,600 feet along the southern property boundary.

**H. Soils & Terrain:** According to the USDA Natural Resources Conservation Service Soil Survey of the Matanuska-Susitna Valley Area, soils on the parcel include the Deception Silt Loam which is moderately limiting for building sites. There are north-east southwest trending lobes of Histosols (wetland soils) transecting the property, which are not suitable for building sites. Some of the occurrences of the Deception Silt Loam are on steep slopes susceptible to erosion and are not suitable for building sites. However, the property includes two upland ridges parallel to the wetland soils that appear to provide adequate space for the proposed development.

**I. Resources:** There is no specific data on resources of the property. The parcel was included in a timber sale a couple decades ago.

**J. Assessments:** The 2021 borough tax assessed land value for parcel Tax ID 16N03W01A001 is \$810/acre (\$515,400).

**K. Analysis & Discussion:** AKSCTP applied to purchase this 240-acre parcel in 2015 and the Borough Assembly did not approve the sale. Since 2015, the property has largely remained the same, however the assessed land value has increased and the number of residential homes within one mile of the use has also increased. In 2015 the property was assessed at \$550/acre



(\$349,900) and now the property is assessed at \$810/acre (\$515,400). In 2015 there were 46 parcels with residential homes within one mile of the subject property and in 2021 there are now 69 parcels with homes.

In accordance with Alaska Statute 29.40.180, and prior to entering into a purchase agreement, the borough parcel is required to be subdivided and approved by the borough platting authority in order to create a legal lot of record. Cost of the survey and subdivision should be the responsibility of the applicant. Estimated cost for survey and associated fees is around \$5,000.

Visual, noise, and physical buffers are reasonable requirements of the future use of the property considering the nature of the proposed shooting ranges. A restriction on the hours of operation would address concern over quiet hours in addition to physical buffers constructed to MSB 17.68 Outdoor Shooting Facilities standards to safely contain the proposed activity on the property.

#### **Property Site Factors Site B:**

**A. Location:** The subject parcels are bounded on the west, south, and east by undeveloped borough-owned property. Privately-owned parcels are adjacent to the north. There are no houses adjacent to the subject parcels.

**B. Legal Descriptions:**

Tax parcel D008: NE ¼ SE ¼ Section 04, Township 16 North Range 04 West, recorded as #1974-004678-7, Palmer Recording District, Third Judicial District, State of Alaska, containing 40.00 acres more or less.

Legal description after subdivision of parcel D009: SE¼ SE¼ Section 04, Township 16 North Range 04 West, recorded as #1974-004678-7, Palmer Recording District, Third Judicial District, State of Alaska, containing 40.00 acres more or less.

**C. Land Status:** Acquired by Patent 1949, Book 85, Page 638, recorded 7/26/74, Palmer Recording District.

**D. Restrictions:**

1. **Current Land Classification:** The southern half of parcel D008 was classified for forest management in 1992 and parcel D009 is classified for forest management.

2. **Land Use Plans:** The subject parcels lie within the Big Lake Community Comprehensive Plan area. There is no specific language in the community comprehensive plan regarding the two subject parcels or the proposed use as a firing range.

3. **Title Restrictions:** None

4. **Covenants:** None

5. **Zoning:** None

**6. Easements & Other Reservations:** A 50-foot section line easement runs along the eastern boundary of both parcels. There is also a 200-foot public use easement, which runs along the eastern boundary of both parcels. A 50-foot section line easement runs along the southern boundary of parcel D009.

**E. Current Land Use:** There is an unrecorded trail that crosses the southern portion of parcel D008. This old seismic trail provides constructed connectivity on public lands between Big Lake Trail T14 and Bike Lake Trail T13. The trail appears to be upland, so it is likely this is an all-season trail. Big Lake Trail T14 and T13 also connect further to the north near W. Susitna Parkway on private land. It is important to maintain trail connectivity on public land, but it could be accomplished with thoughtful realignment if necessary. There are no other current land uses on the parcels.

**F. Surrounding Land Use:** The 40-acre property to the north is privately owned. The adjacent properties to the west, east, and south are all undeveloped and owned by the borough. Most other properties in the area are either undeveloped, or being used for residential purposes. There is a gravel pit located to the northeast

**G. Existing Infrastructure:** None, however, portions of the Purinton Parkway easement were cleared and leveled in 1996 as part of the firebreak system constructed during the Miller's Reach Fire. Residential power and phone appear to be available along the eastern side of Purinton Parkway directly across from the subject parcels.

**H. Soils & Terrain:** According to the USDA Natural Resources Conservation Service Soil Survey of the Matanuska-Susitna Valley Area, soils for these parcels include the Kashwitna Silt Loam and the Kichatna Silt Loam which are suitable for building sites. Some of the occurrences of the Kichatna Silt Loam are on steep slopes susceptible to erosion and are not suitable for building sites.

**I. Resources:** There is no specific data on resources for these parcels.

**J. Assessments:** The 2021 borough tax assessed land value for D008 is \$2,438/acre (\$97,500) and for D009, is \$1,225/acre (\$343,000)

**K. Analysis and Discussion:** The location off of Purinton Parkway is similar to what AKSCTP originally applied to purchase in 2014, however, the northern 40-acre lot of that 80 acres was sold in a borough land sale in 2019. The "new" 80 acres off of Purinton Parkway includes 40 acres that is located to the south of the original request.

In 2014/2015 Neil Moss, AKSCTP president, indicated the 80 acres that were originally applied for would be sufficient for the needs of the organization. Staff has spoken with Mr. Moss and indicated that the northern 40 acres of the 80 was no longer available and suggested the potential for a subdivision of parcel D009 to make up the difference. It should be confirmed with AKSCTP if this option would be sufficient for the needs of the organization before proceeding with this property as there are other potential subdivision options for parcel D009 that may or may not be



more favorable for a shooting range.

In 2015 parcel D008 was assessed at \$2,215/acre (\$88,600) and now the property is assessed at \$2,750/acre (\$97,500). In 2015 there were 107 parcels with residential homes within one mile of the property and in 2021 there are now 118 parcels with homes.

In accordance with Alaska Statute 29.40.180, and prior to entering into a purchase agreement, the borough parcel is required to be subdivided and approved by the borough platting authority in order to create a legal lot of record. Cost of the survey and subdivision should be the responsibility of the applicant. Estimated cost for survey and associated fees is around \$5,000.

Visual, noise, and physical buffers are reasonable requirements of the future use of the property considering the nature of the proposed shooting ranges. A restriction on the hours of operation would address concern over quiet hours in addition to physical buffers constructed to MSB 17.68 standards to safely contain the proposed activity on the property.

**Staff Comments:** Between these two locations, Site A appears to be the more preferred location for the potential shooting range. It is closer to the core area than the Purinton Parkway property and the close proximity to Redington Jr/Sr High School is considered to be a significant positive aspect of this location for a new scholastic shotgun range. There are also less residential homes in the area than compared to the Purinton Parkway property.

It should be noted that regardless of the size of the subdivision or where the range is located, if the borough sells land at less than fair market value for the purpose of a youth shooting range, it is reasonable to believe future borough land sales in the general area may not receive as much interest. A lot of borough residents are supportive when it comes to the development of shootings ranges, but most people do not want the presence of a range near their residential home.

There are other borough properties that may be suitable for a shooting range that are not included in this analysis. Staff spoke with Neil Moss about some potential other properties, but it seems like these two properties are currently the most desirable for the needs of the organization.

It should also be noted that the State of Alaska owns a considerable amount of land in the borough and it may be worthwhile for AKSCTP representatives to engage in conversations with State officials about locations for a shooting range on State land.

**Attachments:**

Site A property map

Site B property map

Site A property map with residential homes within 1 mile

Site B property map with residential homes within 1 mile





## Potential Lot Identification for Proposed Youth Shooting Range



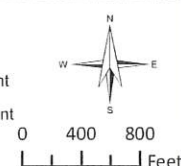
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### Legend

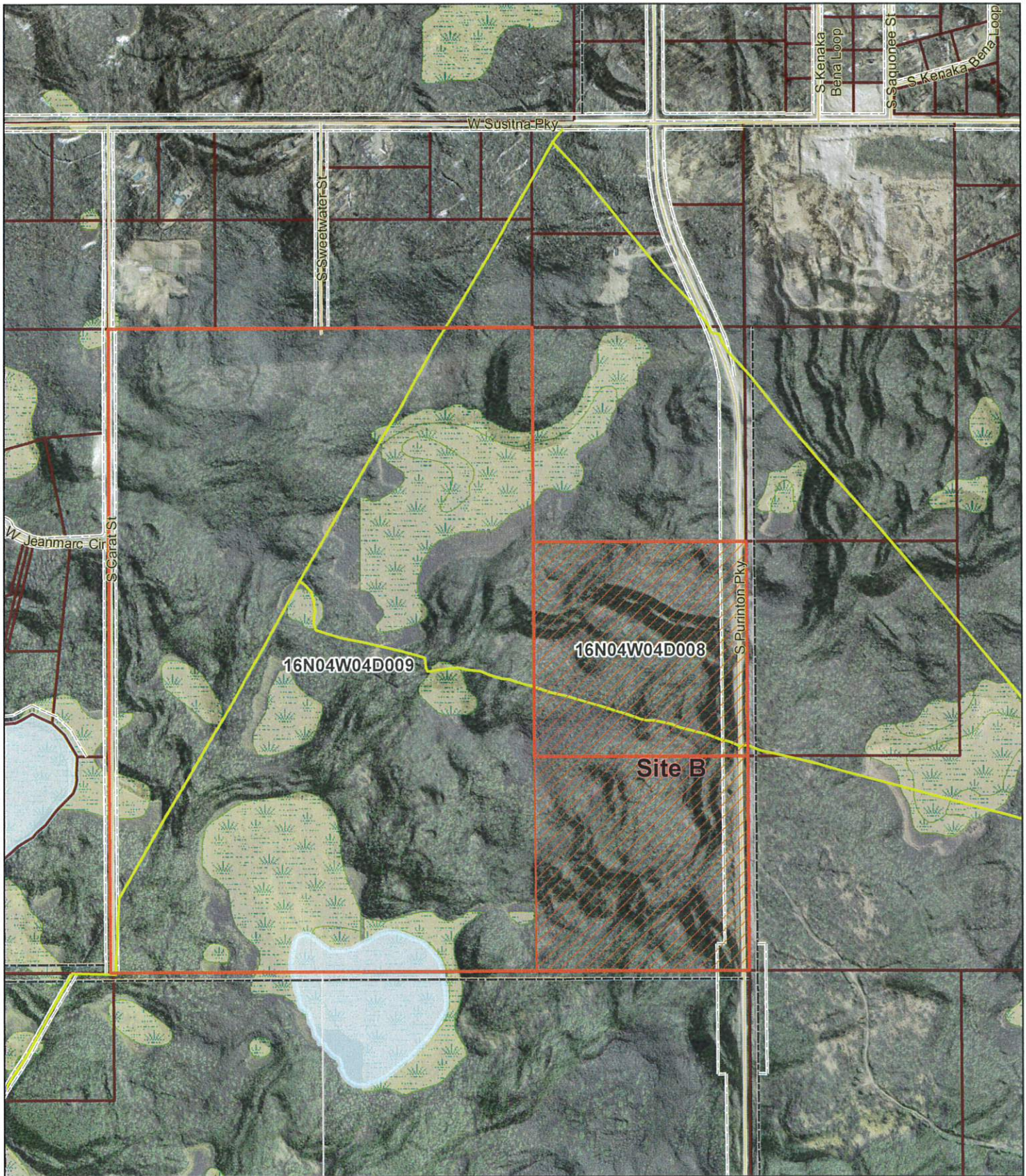
- Potential Lots for Proposed Shooting Range
- Parcels of Interest
- Other Parcel Boundaries
- Local Trails

- Government Lots
- Section Line Easement
- Right-of-Way Easement
- Wetlands



1M 21-072 RS 21-038





## Potential Lot Identification for Proposed Youth Shooting Range



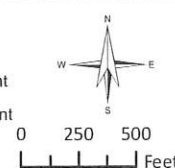
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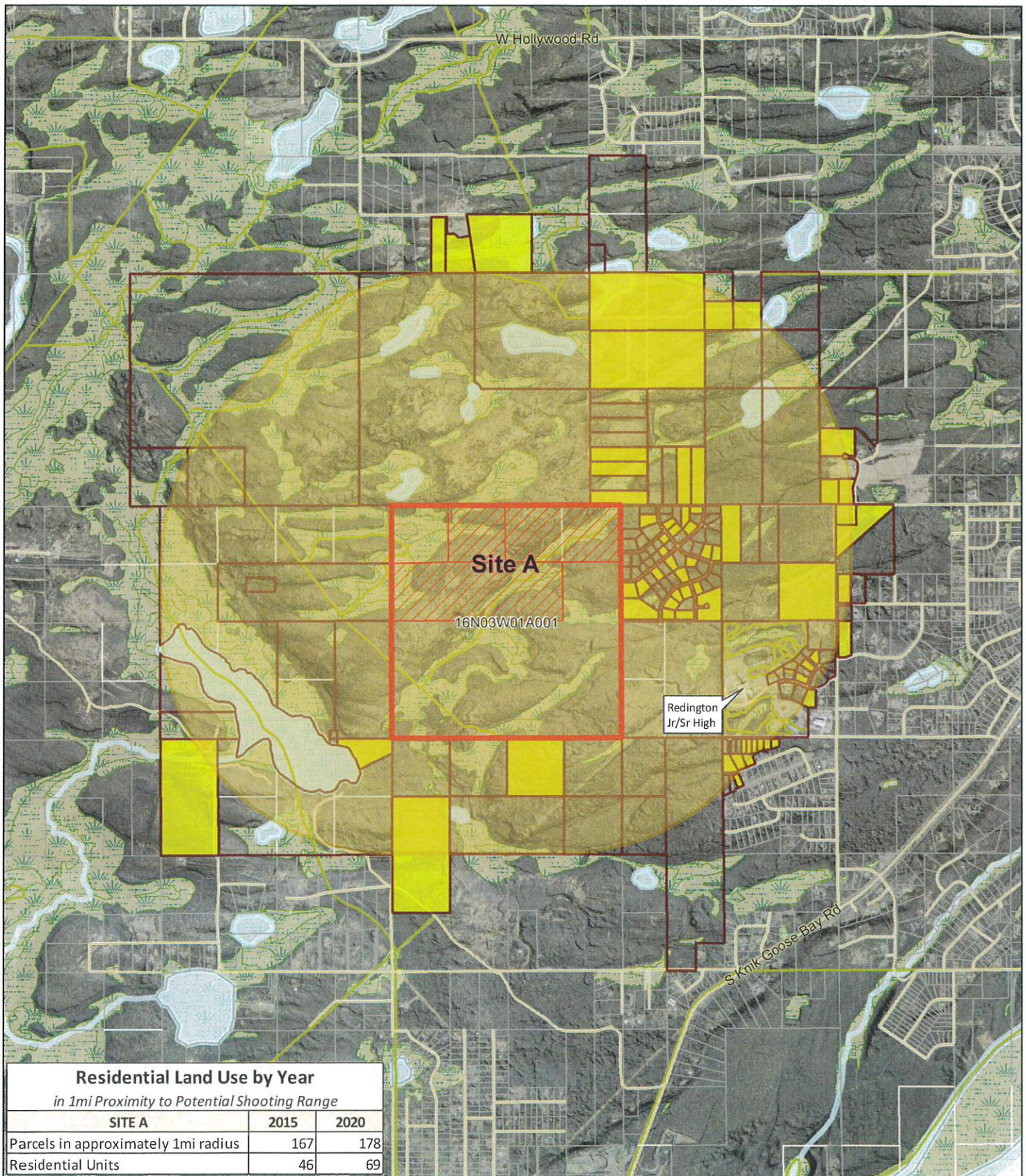
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- Section Line Easement
- Right-of-Way Easement
- Wetlands

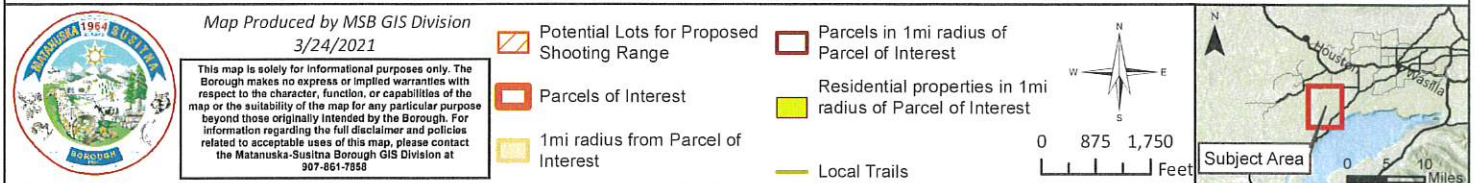


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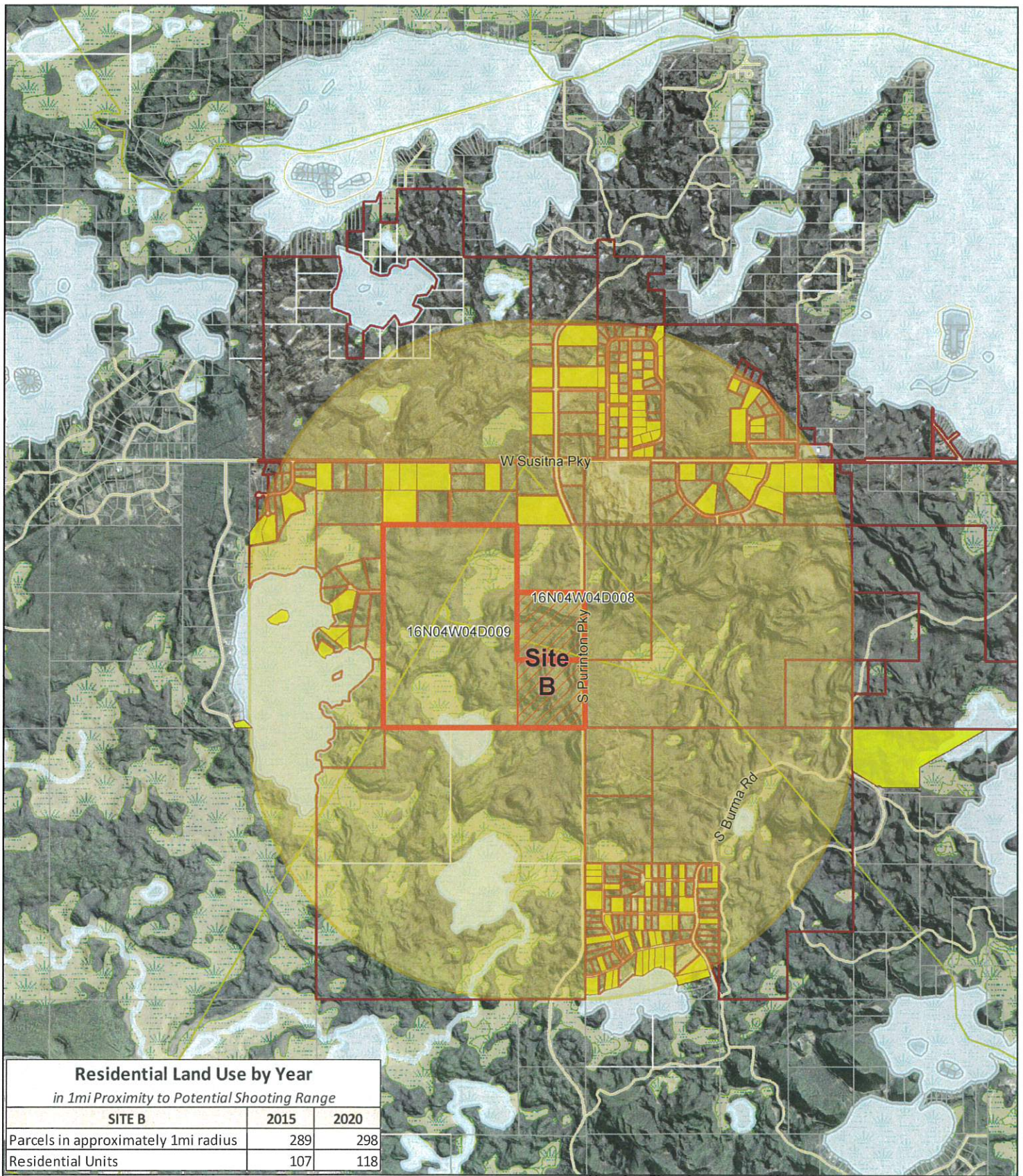


## Residential Units in 1mi Radius of Proposed Youth Shooting Range




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Residential Land Use by Year in 1mi Proximity to Potential Shooting Range		
SITE B	2015	2020
Parcels in approximately 1mi radius	289	298
Residential Units	107	118

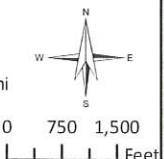
## Residential Units in 1mi Radius of Proposed Youth Shooting Range

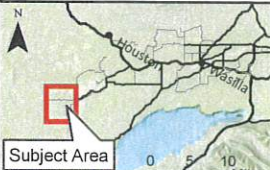


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- Potential Lots for Proposed Shooting Range
- Parcels of Interest
- 1mi radius from Parcel of Interest
- Parcels in 1mi radius of Parcel of Interest
- Residential properties in 1mi radius of Parcel of Interest
- Local Trails





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