

Eklutna confronts Anchorage Municipality

by Louise Donhauser

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An Anchorage based village corporation is considering litigation against Alaska's largest city government. Eklutna Inc., a village corporation in the

Cook Inlet Region Inc. says it may try to sue the Municipality of Anchorage, because the city placed strict zoning requirements on Eklutna property in the Eagle River area.

Anchorage municipal assembly

members voted to classify 1,600 acres of Eklutna property as Planned Community Development land and Special Limitations land which means development would not be allowed on the property. The land would be used as public recreational land.

Eklutna president Dan Alex said the assembly is taking the land without compensating the village corporation. The restrictions placed on the land would not allow the corporation to use it as it sees fit.

Alex said, "The special limitations is where they take the

property. They claimed it as non-development zone which is a taking. There's some illegalities. There's confusion amongst the staff and the assembly members. That's a white wash of taking. . . . if you restrict someone from using it that's a taking."

Alex said he had a responsibility to protect Eklutna shareholders and if he gave away property which belonged to the corporation, he wasn't protecting the shareholders.

"We're thinking about litigation. If we don't it's giving

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away property. I have a responsibility to the Eklutna shareholders."

In his summary Alex said, "It's a blatant attempt to acquire Eklutna property is what it amounts to."

While several assembly members spoke about Eklutna aids said Anchorage Mayor Tony Knowles was scheduled for a whole day of meetings and was unavailable for comment.

One assembly member agreed with Alex's summary adding, "I think the municipality should purchase rather than just doing it through a zoning plan," Don Smith said.

Smith said, "I tried to put it into an unzoned qualification. I sensed an attitude they (assembly) were dumping on Eklutna more than they needed to.

I don't like that."

While Smith said Eklutna may have been "dumped on" he felt the assembly action was fairer than the administration recommendations.

But Smith added, "I think because of the size of the land holding they (Eklutna) needed to be treated differently. Overall they came out in reasonable shape."

Another assembly member, John Wood, said the assembly didn't give enough time to the corporation's proposal and many of the assembly members didn't understand what effect the zoning amendments would have.

Speaking of the land he said, "You've got to pay for it."

The assembly voted to place the land under the Planned Community Development which means the cor-

poration cannot develop land in parcels smaller than 40 acres.

It would also require public and municipal reviews before development. Eklutna was requesting their land be placed under an unrestricted zone but the assembly voted to categorize the land as PCD.