

# Conflict of Interest Cited in Chatsworth Zoning

## City Attorney Rules on Business Deals of Applicant, Planner

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That old conflict of interest issue is hovering over a Chatsworth rezoning case due for decision Tuesday by the City Council Planning Committee.

The city attorney ruled that the Planning Commission could not act on the case because of past and possible future business dealings between the rezoning applicant and Commissioner Stanley Diller.

Larwin Multihousing Corp. seeks rezoning on four acres of industrial land for a 150-unit addition to its housing development.

It is opposed by some homeowners in the area and the Citizens Committee of Chatsworth.

### Diller Says First Time

Diller said this is the first case since the council confirmed him in August on which the commission could not act because of his private business interest as a supplier to the building industry.

His only conflict in the case involves his business as a supplier and installer of hardwood floors and carpeting for tract homes, Diller said.

He said he has been trying to sell business interests of his that might conflict with his role on the commission but hasn't found buyers.

Diller said he has always been "very open" about his private interests and that some past members of the commission have had far more conflict.

### Cites Pollon Situation

He noted, for example, that resigned commissioner John Pollon "used to disqualify himself a lot more often."

Councilman Ernani Bernardi, chairman of the Planning Committee and at times critical of Pollon, said, "Pollon was very scrupulous about it. Every time he suspected conflict, he asked for an opinion from the city attorney and sometimes even disqualified himself when the attorney ruled the commission could act."

Bernardi opposed Mayor Sam Yorty's appointment of Diller on grounds that "at least six of his business holdings could frequently immobilize the commission."

David Moir, president of the commission and formerly a building contractor, said there have been no problems in carrying out commission business because of the private business interests of the commissioners.

### Homeowners Protesting

Ronald Doctor of Chatsworth, chairman of an ad hoc committee which has been urging Mayor Sam Yorty to better balance the commission by appointing persons environmentally oriented, appeared before the committee to oppose rezoning for the Larwin addition.

Doctor said homeowners nearby were protesting additional apartments on the south side of Chase St. and west of Canoga Ave. "as had zoning." He charged that the 1.4 acres which Larwin is dedicating for a park, to be developed by the city, would serve only Larwin apartments.

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# CONFLICT ISSUE

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Doctor, in referring to the city attorney's ruling on Diller's interest conflict, was quickly turned off by Councilman Robert Wilkinson, who said:

"I don't think that's part of the case. This is a land-use matter and not about a commissioner. I might add that these are firms he (Diller) promised to divest himself of."

## Pay for Park Work

However, Wilkinson said he wants Larwin to pay for the grading and development of the park.

H. R. Stoke, representing Larwin, said he had no authority to make a commitment on development of the park.

Larwin did not acquire the property and start building until three years ago but Doctor said several years before that the four acres were part of 17 acres that sparked a Grand Jury investigation resulting in bribery charges against former Councilman Thomas Shepard. Shepard's conviction is being appealed.

## Reversed Commission

"In 1962 the council reversed the commission and planning staff and changed the zoning to R-3 (apartments) on 17 acres," Doctor said.

The reason given for rezoning "scarce industrial lands was the supposedly great need for apartments that weren't constructed until nearly a decade later," added Doctor. "The aftermath of that zoning was the conviction of former Councilman Shepard."

Doctor asserted, "An obvious bad initial rezoning should not be used as a precedent for continuing bad rezonings. That is what you are being asked to do in this case."

Stoke noted that Larwin "wasn't the applicant in all the other cases" referred to by Doctor.

Doctor further charged that the 37 units per acre being requested "is much higher than other developers get."

## Changing Area

William Klein, 844 Remmet Ave., protested that existing Larwin housing and more already under construction "is changing the character of the entire area and overtaxing public facilities."

Stoke said that the 150 units has been recommended by the Planning Department staff as logical zoning to complete an existing development of two family complexes and one adult complex.

Stoke said that the Department of Recreation and Parks "is happy" to get the 1.4-acre park under conditions proposed by Larwin.

## 'No Connection'

He added, "There is no connection between the apartment area and single-family houses to the west."

Doctor said there is a "gross oversupply of undeveloped apartment zoning in the West Valley. There's no justification for changing badly needed industrial reserve land for more apartments which we don't need."

Wilkinson indicated unhappiness with buffering for a parking area complained of by homeowners. He suggested two covered garage spaces per housing unit.

Doctor later told reporters, "I believe the mayor

should ask for Mr. Diller's resignation. His floor firm had dealings with Larwin."

The city attorney's ruling in the case indicates that because of natural human relationships all

members of the commission are barred from action where one has a conflict of interest, he explained.

"Over a period of time as present appointments expire, the mayor should endeavor to balance the commission," said Doctor.