

Court rejects residents' bid to stop Park LaSalle

By JACKIE KLEIN

Franklin Village has lost another round of a six-year battle to block the \$125 million Park LaSalle development in Southfield.

Michigan Court of Appeals last week rejected a request to reconsider a lawsuit brought by the village and Southfield resident Lillian Victor last spring against Southfield and its zoning board of appeals.

The court action paves the way for the controversial high-rise complex.

The appeals court affirmed Oakland County Circuit Court Judge William Bear's ruling that the village and Mrs. Victor have no standing to take legal action against the proposed 50-acre development in the 12 Mile-Telegraph-Northwestern Highway "Silver Triangle" about one-half mile south of Franklin Village and Mrs. Victor.

who lives across from the Park LaSalle site, aren't aggrieved parties and haven't suffered special damages, according to the appeals court. The complainants failed to adequately prove economic and aesthetic loss because of the project, the court ruled.

Fred Doner, head of Concerned Citizens of Franklin, claims the appeal court's action is just a "minor motion." A second lawsuit — filed by the citizens group and other complainants against Park LaSalle developer S. B. McLaughlin Associates Inc. of Canada — is still pending in Oakland County.

"WE'RE DISAPPOINTED about the suit lost in Lansing," Doner said. "But that's not the major thrust of the action against the developer. That lawsuit is still in court and we're optimistic about the outcome."

C. William Garratt, attorney for the citizens' group, said the disposition of

the case by the appeals court has no effect on the pending lawsuit.

"Our suit involves different people, different theories, different avenues of relief and different defendants (S.B. McLaughlin)," Garratt said.

This legal action was filed in Judge Eugene Schenel's Oakland County Circuit Court last February by Concerned Citizens of Franklin, Franklin Village Township Condominium Association, Council of Homeowners Associations in Farmington Hills and East Michigan Environmental Action Council.

The lawsuit claims the proposed high-rise project "at Franklin's front door" would turn 50 acres of land rich in natural resources into an area like Northland Shopping Center and is in violation of the Michigan Environmental Protection Act.

McLAUGHLIN was allowed by the

court to proceed with construction of a nine-story office building and a 12-story condominium on the site. However, Larry Griffith, attorney for the developer, said construction has been held up by the lawsuit.

The foundation of the condo is in but the nine-story office building hasn't been started," Griffith said. "This is an expensive project and as a practical matter if the judge rules against us, he could order the buildings to be torn down."

"While the lawsuit is pending, the developer is hard pressed to get a construction loan. We're anxious to get this litigation resolved. The longer it goes in, the more money it costs my client, not to mention the aggravation."

Because the Environmental Protection Act is vague, Griffith said, it's difficult to prove what constitutes violation of the statute. He also refuted Garratt's claim that McLaughlin is obligated to

prepare an environmental impact statement on the project.

The developer submitted a community impact statement as required by the city of Southfield, Griffith said. An environmental impact statement is only required when federal funding is involved, he said.

As planned, the project would take 10 to 12 years to complete, according to Billy Turner, vice president of McLaughlin in the Southfield area.

Development plans include one 25-story apartment building, four 20-story apartment structures, the 12-story condominium and nine-story office build-

ing, a four-story hotel/health club complex and a one-story recreation building.

Parking is proposed for nearly 4,000 cars. The buildings would house 3,000 residents and about 500 employees, Turner said.

Garratt claims McLaughlin is planning to modify the site plan. Griffith, however, said the site plan can't be changed without going through the whole planning and zoning procedure again. The developer has no intention of doing this, he maintained.

Griffith said he hopes court hearings on the case will resume in December.

Hospice movement conference planned

A Conference on the hospice movement will take place Thursday, Dec. 4, from 8 a.m. to 4:30 p.m. at Mercy College of Detroit.

Jory Graham, syndicated columnist, will speak on "What Patients and Families Need" in a session on terminal illness.

Josefina B. Magno, M.D., executive director of the National Hospice Organization, will give an overview of the movement.

Conference workshops will consider various aspects of hospice care, including the role of doctors, nurses, social workers, clergy and volunteers. Other sessions will focus on "Children and Death" and "Special Needs of the Elderly."

"The purpose of this conference is to provide health-care professionals with the information necessary to support individuals and families who choose the hospice at the time of an approaching

death," said Dr. Joan Karr, director of Continuing Education at Mercy College.

Her office is co-sponsoring the conference with Hospice of Southeastern Michigan and its affiliated hospitals.

Peg O. McCuiston, executive director of Hospice of Southeastern Michigan, will describe her newly opened facility in Southfield.

The hospice is both a place and a program enabling ill persons to live effectively when curative treatment is no longer possible and when heroic measures to prolong life are not appropriate or desired, said Mrs. McCuiston.

The \$40 conference fee includes lunch and breakfast; a reduced fee of \$15 applies to full-time students and senior citizens. Further information may be obtained by calling the office of Continuing Education at Mercy College, 592-6104.

The public is invited to attend an in-

formation session on the hospice movement Wednesday, Dec. 3 at 4:30 p.m. at

Mercy College. Speakers will be Dr. Magno and Mrs. McCuiston.

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