

- Thursday
- »Next Story»
- News
- Local News
- Opinion
- Business
- Sports
- Quest
- Night & Day
- Front Page (PDF)
- The Last Week
- Sunday
- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Weekly Sections
- Books
- Personal Tech
- Family
- Food
- Health
- Home
- Homescape
- Insight
- InStyle
- Night & Day
- Street
- Sunday Arts
- Travel
- Quest
- Wheels

The San Diego Union-Tribune.

Advertisements
from the print
edition

UNION-TRIBUNE EDITORIAL Defiant developer

Sunroad should be pressured, not coddled

January 18, 2007

There is a surface plausibility to Mayor Jerry Sanders' decision to allow Sunroad Enterprises to put a roof on its 180-foot-tall office tower now being built near Montgomery Field, even though the Federal Aviation Administration considers the tower a safety hazard. The roof doesn't make the building habitable and amounts to "winterizing" the incomplete tower to protect it from damage from the elements while the fight pitting the developer against the FAA, the state Department of Transportation, the City Attorney's Office and the civil aviation pilots' union is resolved.

There is also some credence to the argument that the FAA and Sunroad might have been able to reach an agreement before City Attorney Michael Aguirre chose to escalate the matter last month by suing Sunroad.

Nevertheless, we find it baffling that the city would allow Sunroad to make the building taller, given that its height is central to the concerns about safety.

We also think any focus on Aguirre instead of the FAA is a waste of time. The agency appears utterly uninterested in a compromise that would allow the building to remain at 180 feet, whatever the attempts at mitigation. Why would the FAA accept a precedent under which a local developer ignored a clear warning – especially given that the developer continues with plans to build two other even taller buildings at the project site?

Given this background, it would have made far more sense for the city to block any new work on the first tower – keeping the pressure on Sunroad to face up to the reality that at some point it must answer regulators' concerns.

A key point to remember is that the company didn't always find the concerns all that onerous. In April 2005, Sunroad agreed to heed the FAA's objections and reduce the tower to 160 feet. Inexplicably, three months later Sunroad told the FAA it had changed its mind and was proceeding with the original plan.

In September, Sunroad extended its defiance to Caltrans, continuing work on the tower despite a warning that it had failed to acquire a mandatory state permit. Only a city order in October finally got the developer to stop.

We are normally sympathetic to developers in their struggles with bureaucracies, but this is ridiculous. We acknowledge that Sunroad's project got key city permits, so the company could have solid grounds to sue the city over its handling of its project. But that grievance doesn't justify Sunroad's defiance of state and federal regulators – especially when the issue involves public safety.

Which brings us to our final point. The continuing emphasis on the question of legal liability should a plane plow into the office tower in bad weather conditions – the FAA's big fear – borders on the unseemly. What should also be considered is the fact that in such a tragedy, people would die. From our perspective, Sunroad seems awfully blithe about this possibility.

For this and many other reasons, the company should address the FAA's concerns immediately. Sunroad executives, wake up.

[»Next Story»](#)

Subscribe to the UT



Subscribe today!

Home Delivery Special



Sponsored Links

[Contact SignOnSanDiego.com](#) | [Online Media Kit](#) | [Print Media Kit](#) | [Frequently Asked Questions](#) | [Make us your homepage](#)
[Contact the Union-Tribune](#) | [About the Union-Tribune](#) | [Site Index](#) | [Privacy Policy](#) | [Your California Privacy Rights](#)

© Copyright 2007 Union-Tribune Publishing Co. • A Copley Newspaper Site

