

## Aguirre urges prosecution of city officials, developers in 'too-tall' building case

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**By David Hasemyer**  
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SAN DIEGO – City Attorney Michael Aguirre has announced his intention to ask federal prosecutors to open a criminal investigation into people involved with the construction of a 12-story building near Montgomery Field that the FAA has declared a hazard to airplanes.



HOWARD LIPIN / Union-Tribune

The under construction 12-story Sunroad Centrum office building at the corner of Kearny Villa Road and Spectrum Center Blvd. as seen from Spectrum Center Blvd.

Aguirre suggested both city officials and developers should be targets of the federal probe, though he declined to name the individuals he wants prosecuted. He said he is seeking the prosecution of those people because they violated regulations that govern the height of buildings near airports.

“There has been a willful disregard for federal and state laws and for the safety of people,” Aguirre said Tuesday at a news conference a block from the Kearny Mesa building.

The Federal Aviation Administration labeled the office tower a hazard last summer after developer Sunroad Enterprises disregarded an earlier warning that the building's height would make it dangerous to airplanes landing in bad weather.

Sunroad officials have maintained that the building is not a hazard, saying the FAA has notified pilots that the 180-foot structure exists.

The building is going up about a mile northwest of the airport near the intersection of Kearny Villa Road and Clairemont Mesa Boulevard. Since the office tower eclipsed the 160-foot limit placed on it by the FAA it has been causing jitters among pilots, become the subject of a lawsuit by Aguirre's office and a national pilots organization; and the focus of State Department of Transportation authorities who say the top two floors must come down.

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