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The San Diego Union-Tribune.

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Aguirre says Sunroad office tower stands in violation

By **David Hasemyer**
STAFF WRITER

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City Attorney Michael Aguirre has notified Sunroad Enterprises that the 180-foot office tower it is building near Montgomery Field violates the San Diego Municipal Code.

In a letter to the company yesterday, Aguirre said Sunroad must "remove, discontinue, or abate the illegal conditions" and that failure to correct the problem "will constitute a misdemeanor."

Aguirre said in an interview that if Sunroad doesn't stop work on the top two floors of the 12-story building within 30 days, he will file criminal misdemeanor charges against the company.

The FAA has declared the building a hazard because the top 20 feet extend into the airport's bad-weather flight path. In October, the city issued a stop-work order and told Sunroad construction could not resume until the FAA removed the hazard designation.

But late last month, the city agreed to allow Sunroad to proceed with roofing the building to prevent rain damage to the lower floors. Last week, Aguirre said he would ask federal prosecutors to open a criminal investigation into construction of the building.

At the time, Sunroad's attorney, Steven M. Strauss, said the company's executives have nothing to worry about because the city approved construction of the building at its current height. Sunroad officials continue to maintain that the \$45 million building is not a hazard.

The Federal Aviation Administration labeled the office tower a hazard last summer after Sunroad disregarded a warning that the building's height would make it dangerous to planes landing in bad weather. The office tower is going up about a mile northwest of the airport near the intersection of Kearny Villa Road and Clairemont Mesa Boulevard.

Sunroad is a holding company that has operated in San Diego County for more than 20 years. Its properties include Pacific Honda, Kearny Mesa Ford & Kia, Kearny Mesa Hyundai-Subaru, Kearny Mesa Infiniti and Toyota Chula Vista. The company also owns Maderas Golf Course in Poway, the Sunroad Marina on Harbor Island and other real estate projects.

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