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[Mexico](#)

[World](#)

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[Today's Paper](#)

[AP Headlines](#)

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[Biotech](#)

[Markets](#)

[In Depth](#)

[In Iraq](#)

[War on Terror](#)

[Pension Crisis](#)

[Special Reports](#)

[Multimedia](#)

[Photo Galleries](#)

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[Features](#)

[Health | Fitness](#)

[Military](#)

[Politics](#)

[Science](#)

[Solutions](#)

[Opinion](#)

[Columnists](#)

[Steve Breen](#)

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[U-T South County](#)

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[Services](#)

[Weather](#)

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## City's handling of Sunroad mess a disgrace

UNION-TRIBUNE

May 16, 2007

This week's Union-Tribune Watchdog Report offered the fullest picture yet of how the Sunroad Enterprises office building fiasco came to pass. Now that there is a respite from City Attorney Mike Aguirre's farcical sideshow attempt to depict the fiasco as a criminal conspiracy, San Diegans should take a hard look at this mess and identify those responsible.

In deciding to build an office tower near Montgomery Field that was 20 feet higher than the Federal Aviation Administration said was safe, Sunroad's arrogance has long been plain. The Watchdog Report offered the best anecdote yet demonstrating this arrogance: Sunroad executive Tom Story told the Airports Advisory Committee that his company didn't ask for the agency's permission to make the office tower 180 feet tall because Sunroad knew the FAA would say no. In so doing, Sunroad became the only developer with a hazard-designated project in 2006 – out of 6,000 – that defied the agency and went ahead with construction.

But the Watchdog Report also presented many damning new details on the incompetence and blitheness with which city officials under both Mayor Dick Murphy and Mayor Jerry Sanders dealt with Sunroad.

The plans for the Kearny Mesa parcel where the office tower was built had changed radically from when the City Council first approved a master plan in 1997; the ownership of the parcel had shifted hands, too. Yet instead of doing what common sense dictated – making the new proposal pass City Council muster – city officials instead argued that they basically had to go along with whatever the new owners wanted.

The obliviousness of city officials grew still more pronounced after the FAA notified the city in June 2006 that it considered the Sunroad project a hazard. Even after Caltrans joined the FAA in opposing the Sunroad project as unsafe, Jim Waring – the city's chief of economic development and land use – decreed the city should stay on the sidelines and not get involved. As he later explained, he was a “nonexpert” who couldn't tell if the whole flap was really “much ado about nothing.”

What, me worry?

This inaction, in effect, amounted to siding with Sunroad. The city was the party that would have been most able to force compliance with the FAA, but it passed. As a result, San Diego now has what the experts – that is, the FAA – consider to be a hazardous building potentially menacing the 20,000 monthly flights in and out of Montgomery Field. It will remain a menace throughout a court fight that is likely to take years.

In the meantime, Sunroad will pursue its highly promising lawsuit

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against the city for its initial approvals of and eventual objections to the project. What a debacle.

And so we have a mortifying new chapter in San Diego's civic follies – one that happened largely on the watch of the new mayor who talked of a new era at City Hall. Jerry Sanders should be embarrassed – and the public should be furious.

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