



JACK In THE BOX
3-on-3
BASKETBALL TOURNAMENT
MAY 19-20 · CROWN POINT SHORES
ALL AGES & SKILL LEVELS
[PacificLife-HolidayBowl.com](#)

Sunday
May 20th 2007
10 am - 6 pm

25 BANDS
ARTISTS OF THE NEW ERA
VEGETATION
MYSTERY HANGUP
FAST HEART MART
[WWW.TELEMAGICA.COM](#)

MUSEUM OF CONTEMPORARY ART SAN DIEGO
TNT
THURSDAY NIGHT THING

CityBeat Street Team Photos

CLICK IT!

SAN DIEGO
CITYBEAT
Free Classifieds
Find what you're looking for

Editorial

Sanders is to blame

One of the planks in Jerry Sanders' platform during his successful campaign for mayor two years ago was a desire to streamline permit processes for developers. It was the thing that worried us most about Sanders—that he was one of those guys who thinks government should clear a path for private industry to bring us economic salvation, even at the risk of poor neighborhood planning and environmental degradation. Developers and other business interests love those guys, so they give generously to their campaigns, making it harder for elected officials to say no—sometimes even when significant public-safety concerns arise.

After taking office, Sanders hired Jim Waring to be his chief deputy for land use and economic development—one part growth-regulator, one part growth-stimulator, it's a dangerous combination of duties. And Waring has, for the most part, been an advocate for builders, consistent with the ideology Sanders espoused while running for office.

We suppose that's why Sanders refused to publicly flog Waring this week for his shameful role in the Sunroad saga. Sanders acknowledged last Friday that the people he put in place to regulate real-estate development did nothing to discourage a private company, Sunroad Enterprises, from constructing a 12-story office building in Kearny Mesa that federal aviation and state transportation officials had, in no uncertain terms, deemed a hazard for pilots attempting to land planes at Montgomery Field.

It was Waring who, in an internal e-mail written six months after the Federal Aviation Administration told City Hall that the building would be declared a hazard, said the city should "remain spectators, not actors in this." It was Waring who, according to a fine investigative report by the Union-Tribune's David Hasemyer, then "began working"—with Sunroad—"on the wording of a settlement they hoped would persuade the FAA to remove the hazard designation." And it was Waring who oversaw a Development Services Department that worked hand-in-hand with Tom Story, a former high-ranking city official who is now a Sunroad executive, in apparent violation of city lobbying law. Story's old colleagues were greasing his ever-changing project when they should have been sending it back to the City Council for proper public scrutiny—the last time the council saw the project, it was an entertainment and commercial development with a three-story height limit.

At his news conference Friday, Sanders said he didn't think Waring was guilty of pooh-poohing public-safety concerns, yet it was Waring who told a critic in an e-mail, "Do you really think that it is necessary to tear down a \$45,000,000 building because of the 17 feet" over what the FAA deemed safe? "As I've repeatedly said, I believe aviation function and safety can be preserved without the straight jacket the FAA imposes on local use of land and money." Waring has since conceded that he's not an expert on aviation safety.

"The reality is that the Development Services Department and the City Attorney's Office were aware of the FAA's concerns, and for reasons that are not entirely clear, failed to act," Sanders told reporters. "I take full responsibility for the mistake and will do everything within my power to correct it."

Initially, we considered Sanders' mea culpa a savvy way to get past the controversy without having to discipline a member of his executive leadership team. After all, what's the harm in holding himself accountable? The next mayoral election is still a year away. This way, no individual pays a price.

But upon further reflection, Sanders is responsible. Waring and Co. behaved consistently with Sanders' philosophy toward land-use regulation.

On the heels of his expression of contrition, Sanders sent a proposal to the FAA that would remove a faux architectural feature, lower the building's height from 180 feet to 163 (the FAA deems anything higher than 160 feet a hazard), but also allow Sunroad to keep a "mechanical equipment enclosure" atop the building that constitutes 15 percent of the roofline.

So while Sanders is acknowledging that his administration enabled Sunroad to ignore significant public-safety concerns, he's still attempting to negotiate on the company's behalf. Correct us if we're wrong, but what Sanders is saying is that he supports removing 85 percent of the hazard; as long as pilots can avoid that mechanical equipment enclosure when attempting to land in foul weather, everything is hunky dory.

Considering that federal and state transportation officials have shown no interest in compromising on the 160-foot limit—in fact, they find it unbelievable that the city allowed Sunroad to build to 180 feet amid bluntly stated safety concerns—Sanders can at least tell the Sunroad executives who arranged for him to get \$3,600 in contributions during his campaign that he tried to get them something.

Ah, yes, the issue of campaign finance. Politicians bristle at the suggestion that they can be bought for a few thousand measly dollars. Did Sanders knowingly endanger public safety—the thing he says is more important to his administration than any other—while taking good care of a campaign contributor? Seems far-fetched, even to the cynics here at CityBeat.

But it certainly doesn't look good when a campaign contributor is handled with kid gloves every step of the way.

Sanders promises a thorough, timely investigation into how the "process" failed, but he was quick to stress that it would not be a "witch hunt"—no one but Sanders himself would be blamed. The debacle, Sanders' spokesperson Fred Sainz told CityBeat, "is definitely inconsistent with the process to make sure that these kinds of fuck-ups don't occur in government circles, and that's what the entire investigation is aimed at.

"Good people make mistakes," Sainz said. "The mayor subscribes to that notion."

From the outside, however, it appears even simpler than that: Under Sanders' leadership, City Hall has remained far too chummy with developers.

Got something to say? E-mail us at editor@sdcitybeat.com.

05-23-07

